

Third Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

Member	Constituency	Political Affiliation
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Ind.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	PC
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
SCHULER, Ron, Hon.	St. Paul	PC
SMITH, Andrew	Southdale	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian, Hon.	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 7, 2018

The House met at 1:30 p.m.

Madam Speaker: Good afternoon, everybody. Please be seated.

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports? Tabling of reports? Ministerial statements?

MEMBERS' STATEMENTS

PST Increase and Fire in Brandon

Mr. Reg Helwer (Brandon West): Madam Speaker, Manitobans know that they can't trust the NDP. We have been provided with much evidence of this reality. Prior to the 2011 election, they lied about not increasing the PST, broadened it, then increased it. Prior to 2011, they said it was nonsense, but they not only looked at increasing the PST by one percentage point, they also looked at increasing the PST by two percentage points. They can't be trusted.

Madam Speaker, they then tried to justify the PST increase by promising it would all be spent on infrastructure. Manitobans—*[interjection]*

Madam Speaker: Order.

Mr. Helwer: —didn't buy that. Infrastructure spending is all debt financed. None of the PST increase went into infrastructure. Another lie, another breach of trust with Manitobans.

Recently, we had an agreement with the Opposition House Leader. We now see they're pretending there was no agreement, when we all know there was. The NDP can't be trusted.

Madam Speaker, during the recent devastating fires in Brandon, there were many comments and agreement from all parties on how well everyone worked together and how well everyone was working to assure the Massey Manor evacuees that no one would be left homeless.

Both the MLA for Brandon East and I met with the evacuees several times to listen to their concerns and give them further assurance. The Province, the City of Brandon, the first responders, the police, Manitoba Housing, the Canadian Mental Health Association, the Friendship Centre, Manitoba Health, the Red Cross, the Bear Clan, many other volunteers

and donors, stepped up to assist and find housing, clothing and furniture.

This was all non-partisan and non-political. Sadly, the former MLA for Brandon East tweeted out that the current government was at fault. The NDP go political at the first opportunity. I watched and protested in this House as the MLA for Point Douglas tried to score political points at the expense of the evacuees and frighten them. Disappointing, Madam Speaker.

St. John's High Day of Knowledge

Ms. Nahanni Fontaine (St. Johns): Yesterday, I started my morning by visiting St. John's High school, participating in their Day of Knowledge. I was very excited to finally get the opportunity to meet an incredible group of grade 12 students who recently took the initiative of pursuing an act of reconciliation at St. John's I had heard much about.

Ernestine Mousseau, Liam Keep and Raeden Bickler *[phonetic]* are part of the Aboriginal Youth Leadership Program, a group of young leaders working to build leadership skills and relationships between students and staff at St. John's High school.

With the guidance and support of Stephanie Midford, these students had the idea of organizing a sweat lodge for both students and teachers to participate in together, creating a better understanding of indigenous culture and traditions.

The group worked hard on producing a proposal for the Youth United Grant through United Way Winnipeg and were successful, Madam Speaker, in receiving \$1,500 grant for their Paving the Way to Reconciliation project.

Establishing these relationships are important for both staff and students. Staff can better understand their students' needs while helping students feel more comfortable seeking help or just talking to their advisors and teachers, contributing to higher graduation rates.

The work of these St. John's students encourages positive social change while ensuring an inclusive and welcoming environment for all. The self-determination of this group of students to increase understanding and respect are the foundation of reconciliation. Additionally, the

student—this project certainly can serve as a model for practising reconciliation in other schools between students and teachers.

I am so proud of these St. John's High school students and I ask my colleagues in helping me celebrate their accomplishments today.

NDP Financial, Health and Education Record

Mrs. Colleen Mayer (St. Vital): Madam Speaker, as always, it's a great honour to rise in the Chamber and speak on matters of importance to the residents of St. Vital, the government and all Manitobans. Although we did not expect that our time in the Legislature would be extended this summer, I am grateful for the continued opportunity to lend my voice to highlight what matters the most.

This session, and the past two years, have indeed been exciting. There have been some highs and there's been some lows, but what remains true is the clear and consistent vision the current government has for our cherished province.

In these last few months we have seen good—no, Madam Speaker, we've seen great work being done, and I want to thank and commend all my colleagues, their staff and the department, for staying true to what our party was elected to do.

Manitobans were clear when they elected this majority government. There were—they were no longer willing to settle for broken promises, gross mismanagement, and an unsustainable trajectory that would continue to put this province to ruin.

Despite paying the highest taxes in western Canada, Manitoba ranked last in health-care performance, education results, financial management, social justice and job creation. Our provincial debt doubled while the previous government was in power, from 16 to 33 billion dollars in only eight years.

Under the unwatchful eye of the NDP, Madam Speaker, Manitoba's education system deteriorated so significantly that we saw schools ranked last in reading, math, and science.

There were more than 11,000 of our youngest and most vulnerable residents in care under the NDP, and instead of addressing the problem, which I am happy to say our government is rising to the challenge, the opposition tried to manipulate the way children were

counted in a desperate attempt to show a reduction in the number of children in care.

Madam Speaker, I stand before you today humbled by the responsibility I have been given, but I'm also proud to be part of a team that honours truth, trust and commitment to making our province better today—

Madam Speaker: The member's time has expired.

St. Theresa Point's First Nation Safety Officers

Ms. Judy Klassen (Kewatinook): I would like to take this moment to applaud the courageous work done by our First Nation Safety Officers in St. Theresa Point First Nation.

Our safety officers and our band constables are always the first to go across the lake, day or night, to our airport and try and stop the illicit drugs from entering our community. I have personally witnessed many searches in which our belongings are thoroughly scavenged in order to protect our people. It is quite disheartening when, during some of these busts, the RCMP do not make their way over from their station to arrest the perpetrators, citing not enough evidence. I always find it quite puzzling how they can determine that without actually coming over to investigate.

However, the lack of attendance to crimes was pointed out in a joint meeting between the Crown and STP's justice director, Steven Little, and the RCMP were present, just to name a few of the players present, and I do have to say thank you to the Minister of Justice (Mrs. Stefanson) for opening that door: thank you for creating those meeting series. Meeting with our First Nations' key personnel in justice may seem like a small item, but it has made an impact.

I'm not saying RCs always come, but this past week the safety officers made two meth seizures and it was fantastic when the RCMP came to complete the bust by arresting the two perpetrators.

In total, 136 grams of crystal meth was seized, this is a huge step towards fighting the meth crisis that has gripped the Island Lake communities.

Our First Nations band constables and now our safety officers have often been an afterthought for most governments but I hope this event shows this government how important these officers truly are to our communities. They deserve to be supported with

the equipment and tools, training and the authority they need to do their jobs.

Miigwech.

* (13:40)

Integrity

Mr. James Teitsma (Radisson): You know, as I entered my career in politics, a wise man told me: If you leave politics with your integrity and your family intact, you will have done well.

He's right. Integrity means doing the right things at all times and in all circumstances, whether or not anyone's watching. Integrity means upholding the truth. Integrity means keeping your promises. Integrity means making the right decisions, even if they're difficult.

So we need to ask ourselves as public servants: Are we serving the people we represent or are we just serving ourselves?

It's two years now—two years ago now that we battled in an election, and I think we can all agree the result was determined by integrity. Manitobans looked the NDP in the eye and they asked them: Why should we trust you? Why should we believe anything you say? And, sadly, two years onwards, Manitobans are still asking that question. Nothing has changed.

Lack of integrity looks like saying one thing and doing another. A lack of integrity looks like making promises with no intention of carrying them out. A lack of integrity looks like telling the government to spend, spend, spend, while remaining silent on where that money would come from. A lack of integrity looks like apologizing for only part of your inappropriate behaviour because you don't want to face the consequences of what full disclosure might lead to.

But there's hope. No matter how far you've travelled down a road, you can still turn around. You can still choose a new direction.

So I encourage everyone here, and especially those members opposite, to decide today to conduct themselves with integrity from this moment forward, to uphold the truth, to work together with MLAs on all sides of this House to defend the best interests of all Manitobans, to hold each other accountable so we can work together for a better Manitoba that gives Manitobans good value for their dollars, provides

exceptional services, makes our economy thrive and prosper.

That's what Manitobans want. That's what they expect. And that's what they need.

ORAL QUESTIONS

Budget Implementation Bill Request to Introduce

Mr. Wab Kinew (Leader of the Official Opposition): You know, it's really bizarre that the government wouldn't bring in their budget implementation bill in the spring session of the Legislature. That has been the practice for many decades. It's happened every year except in election years, until this year, of course, when the Premier decided not to bring in a budget bill before trying to get us to move past the stages at which we have the ability to ask questions on behalf of the people of Manitoba.

And that's very important because we know in last year's budget bill there were some really bad cuts. The Premier, in last year's budget bill, he cut infrastructure spending, meaning he cut the money that is there to help fix our streets. We also know that the Premier cut transit funding, the money to fund the most green form of commuting in our province. It's now the reason why bus passes in Winnipeg cost people \$100 a month.

So with all this in mind, I would ask the Premier: Is he now prepared to bring in his budget bill so we can give it due consideration and ask questions on behalf of the people of Manitoba?

Hon. Brian Pallister (Premier): I would encourage the member to do some research before asking his questions and misrepresenting the facts in the preamble, because, actually, Madam Speaker, you don't have to go that far back to know that the NDP government in 2014 delayed the introduction of BITSA by three months and, in '16, actually, didn't produce it at all. So, actually, this—these are false assertions by the member.

I would encourage the member, who said he would put the NDP work ethic on display just a couple of days ago, to recognize that it needs to actually be put on display better than it was yesterday when the members decided they didn't want to work on evenings. NDP members decided they didn't want to work on the Fridays. And they

also decided they wanted it to be, well, 5 o'clock when it was 4 o'clock, Madam Speaker.

Madam Speaker: The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: You know, our party stands for the freedom and well-being of all people in Manitoba, and I'm very proud to work towards—

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Mr. Kinew: —that goal on behalf of all Manitobans. But my work ethic and my commitment to that goal does not involve me doing the Premier's work also.

It is his own fault, it is the fault of he and his House leader, that they were not able to get their agenda completed in the spring session.

We have always been prepared to talk Interim Supply. We continue to be prepared to debate the budget bill, which was the pretense offered earlier in this week by the Premier. However, we saw yesterday that he's reversed course; he's contradicted himself.

But I'd ask him again: Is he now prepared to bring in his budget implementation bill immediately?

Mr. Pallister: It is a question of trust, Madam Speaker. No number of weasel words from the Leader of the Opposition will change the fact that the two House leaders negotiated a deal with a concluded session. He doesn't have to go any further than to consult with his own political staff.

I would say—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: I would say to the member it is a matter of trust, and I would trust the member for Spruce Woods (Mr. Cullen) with my life and with my family's life. And when he says there was a deal, there was a deal, Madam Speaker.

And there are members on that side of the House who've worked with the member for Spruce Woods for a decade, and I would suggest the Leader of the Opposition speak to them.

And if he had any respect for his own caucus, he would ask the member for Logan (Ms. Marcelino) who she believes. Ask the member for Logan who she believes. Ask the member for Logan who she believes: the member for Spruce Woods or the

member for St. Johns (Ms. Fontaine), and maybe—maybe—you'll change your mind over there.

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: If he's so happy to be here, why is he so mad, Madam Speaker?

Again, the Premier can huff and puff and, you know, he can blow all over the backbenchers of the government side and talk about transparency, but it is completely undemocratic and it lacks transparency to try and get us to move past the stage of the budget where we are allowed to ask questions without first bringing in a budget implementation bill.

Now, the reason it's important is because in last year's budget implementation bill, the Premier, he brought in some really bad cuts that have harmed the people of Manitoba.

He cut the Infrastructure budget, which is the money that is there to fix our streets. He cut transit funding, which is a green transportation option. It's now the reason why transit passes cost \$100 per month in Winnipeg.

So, with that in mind, if the Premier wants to get down to business, we're more than willing to do so. We're not going to do his work for him, but we are prepared to debate a budget implementation bill.

Will he bring it in today? *[interjection]*

Madam Speaker: Order.

Mr. Pallister: Until recently, Madam Speaker, the member for Fort Rouge (Mr. Kinew) showed no concern about trust in his life. And now he cites my concern with the elements of trust in this Chamber and how business is conducted and says that I am angry.

Madam Speaker, I'm not angry, I'm disappointed. I'm disappointed in the member opposite, who just a year ago claimed he was on the road to redemption, claimed he was a changed man, said, despite the fact that he left a trail of hurt behind him with family, with friends, with associates, with service providers, with colleagues and co-workers, that he was a new man now and that he would embrace the concepts of trust and generate that trust.

And, early on, he showed signs he was willing to do that, too. When the member for St. Johns went out in the hall and denied that his members were insulting women here and attacking women on our side of the House, he went out in the hall and he

corrected that member because she was wrong, and he was right to do that. And I encouraged and supported him in his road to recovery, and I encourage him again.

He needs to talk to the member for Elmwood (Mr. Maloway) and ask the member for Elmwood who he trusts: the member for St. Johns (Ms. Fontaine) or the member for Spruce Woods (Mr. Cullen). *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a new question.

Mr. Kinew: Well, it's interesting to hear the Premier. He's reaching here, he's reaching there. He's talking about all sorts of things except, of course, for the one thing that he recalled the House to talk about.

Apparently, there were financial matters. There were a budget that we were supposed to be debating this week. Can we see the budget implementation bill? No, apparently, we cannot. Asked yesterday why not, the Premier said that it's, quote, because he doesn't understand all the rules around cannabis.

Now, this should be no surprise. We know what the Premier's up to here. Any time he gets into trouble, he wants to go pick a fight with one of his favourite targets, Justin Trudeau.

Now, of course, it should be understood that most other provinces have already introduced or passed their budget bills. Now, what's the difference? Ostensibly, it's the Premier has not signed on to the 75-25 revenue sharing agreement with the federal government.

* (13:50)

If this is the reason why we can't debate the budget implementation bill, I think the Premier should tell the House today. But he should also tell the House the answer to this question—

Madam Speaker: The member's time has expired.

Mr. Pallister: So confused he can't even get a question in, Madam Speaker.

There's seven premiers who have publicly expressed concern about the rapidity of the federal government's plan to legalize cannabis. Members opposite can't get their stories straight, Madam Speaker.

It's not—you know, having a disagreement with the federal government on an issue of

considerable importance to the safety and well-being of Canadians, in particular Manitobans in our case, is a legitimate reason for debate.

But, Madam Speaker, trust is greater than everything else, and the member needs to consult with his own colleagues. He needs to ask his own colleagues who they believe in this issue. We have agreement, we abide by trust here, and then that trust has been shaken by the member for St. Johns' decision to go back on her word.

The member for Spruce Woods would not do that. I know that and I believe members opposite know that. And so I would encourage the member to talk to the member for Tyndall Park (Mr. Marcelino) and ask him who does he believe. Who does he trust in this issue, the member for Spruce Woods or the member for St. Johns?

Madam Speaker: The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: So it definitely is clear that we can't discuss the budget bill because the Premier does not understand all the issues around cannabis. So I don't think that that's for a lack of having access to the information.

Now we know that on April 23rd in a committee of this House, the Finance Minister put false information on the record. He stated there's no basis—and I'm quoting here—on which the government could make a claim about the estimate of revenue from cannabis. So that was in April of this year.

I'll table a FIPPA request which was satisfied. This one is going back to September of 2017. It says that Liquor & Lotteries estimated that \$12.8 million in net profit would accrue in the first year of legalization, and that that would rise to \$94.8 million in net profits after five years.

The government has the information in order to bring forward a budget bill. Why won't the Premier bring it down immediately?

Mr. Pallister: You know, Madam Speaker,—*[interjection]*

Madam Speaker: Order, order.

Mr. Pallister: —interestingly, in 16 of 17 years the NDP was in power they misrepresented the facts in their budget. They called them facts before, and when the results came in, it turned out that they were false facts. So they don't put much stock in budget accuracy at all. We do on this side of the House, and

that is exactly what the member's attempting to attack us for.

Strikingly different from the approach of the previous government, Madam Speaker, we also don't attempt to solve our problems on the backs of Manitobans by jacking up taxes every year.

And so there are on display here differences in approach. There is no doubt about that. The member asks us to believe he's a new man and that he deserves to be trusted, but he provides no evidence to support that thesis, Madam Speaker.

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: Well, Madam Speaker, the Finance Minister misled the members of the Legislative Assembly when he said that they didn't have this information. Clearly, the documents, readily accessible by the Finance Minister and the Premier, show that they are aware that they will—Liquor & Lotteries will see 12.8 million in profit this year, rising to close to a \$100 million in profit after five years.

It stretches the limits of credulity then that the Premier could go out into the hallway yesterday and say that he doesn't have the necessary information in order to bring a budgetary bill down.

Now we want to see this budget bill, because we're concerned that it may have big infrastructure cuts, big road repair budget cuts, like it did last year, perhaps cuts to other programs like transit, as it did last year.

With all this in mind, and having deflated the Premier's argument that he doesn't have the necessary information to bring his bill forward, will he bring the budget bill down today so we can begin debate immediately?

Mr. Pallister: What's deflated here, Madam Speaker, is the new Leader of the NDP's ability to claim with any credibility that his colleague and he have a work ethic. They claim they wanted to put that work ethic on display, and yesterday they decided they didn't want to work evenings. Many Manitobans work hard in the evenings. They decided they didn't want to work on Fridays. Most Manitobans work on Fridays.

They decided that they wanted to ring the bells, rather than engage in debate on important bills. Given the opportunity, they failed to demonstrate any desire whatsoever to put their work ethic on

display in a positive way. Instead, they put it on display in a negative way.

And in terms of him rebuilding his characteristics of trust, the desire—the makeover that he desires to have happen, Madam Speaker, he's suffered badly, he's backslid badly on that attempt again today.

So I just suggest to the member, it is his opportunity to consult with his own colleagues and find out who he should really trust when it comes to the House deal that was concluded: the member for St. Johns (Ms. Fontaine) or the member for Spruce Woods (Mr. Cullen).

Université de Saint-Boniface Minister's Attendance at Rally

Mr. Matt Wiebe (Concordia): Sounds like the members opposite have spent a lot of time learning more about Concordia Hospital and how much people are standing up against that cut to our services, this morning, so I'm glad they did that.

Where I was this morning, Madam Speaker, is at Université de Saint-Boniface, where over 100 teachers and workers gathered to express their anger and concerns at this government's cuts to francophone education.

They came with the same concerns as thousands of teachers, workers and students across this province—namely, that this government isn't listening and doesn't care.

I was there with our leader and many others. I didn't see the Minister for Education there.

So I'd ask—I'd like to ask him: Why didn't he attend that rally and why isn't he listening to Manitobans?

Hon. Ian Wishart (Minister of Education and Training): I thank the member for the question.

We're certainly always listening to people in Manitoba and we have been making a special effort to listen to those in the francophone community who have concerns about francophone education, and, in fact, we've gone to—even further, to the point we're expanding services in francophone education beyond what was there from the previous government.

As to this morning, I was with the Premier making an announcement in Seven Oaks about a new school—a new school. *[interjection]*

Madam Speaker: Order. Order.

The honourable member for Concordia, on a supplementary question.

Funding Concerns

Mr. Wiebe: Well, I'll tell the minister what people had to say there, and that was they were opposed to this government's \$6.3-million cut in this year's budget to the university of St. Boniface.

Again and again this government is telling teachers that they have to do more with less. The government slashed \$154,000 from the university, forcing them to make cuts in science and math, two of the most important subject matters for our changing economy.

Funding to the university of St. Boniface was frozen and then actually cut by this government, and all the while tuition is going up by the maximum amount.

This government's message to francophone students and teachers is that they just don't value quality education in French.

Will the minister listen to Manitoba's francophone community and reverse this cut?

Mr. Wishart: I wonder if the member was listening to the francophone community during the 17 years that they were in government, when the quality of education in French and in English and in mathematics went down from fifth across Canada to dead last.

Were you listening then?

Madam Speaker: The honourable member for Concordia, on a final supplementary.

Mr. Wiebe: The university of St. Boniface administration, Madam Speaker, are doing their—*[interjection]*

Madam Speaker: Order. Order.

I am hearing some banging going on and I'm finding it very, very disruptive. I can't hear what's happening here because there seems to be something going on here with a lot of banging on desks. I would ask for everybody's co-operation, please. This is a professional work environment and I would ask for everybody's co-operation so that we can hear what is being asked, and I, as the Speaker, need to be able to hear what is being asked as well to see if there's any unparliamentary language used. So I would ask for everybody's co-operation, please.

The honourable member for Concordia, on a final supplementary.

Mr. Wiebe: The university of St. Boniface administration are doing their best to maintain services, despite the cut in provincial funding that has forced them to make impossible choices. Under this government's cuts, educators have been cut to the co-operative biochemistry-microbiology major joint program, which will be suspended this year.

That's a cut to 15 potential spaces in a valuable STEM program that provides francophone students with the opportunity to combine their studies with up to four paid work terms, at a time when it can—oh, it can be so hard for graduating students to find a job.

* (14:00)

Why is this government cutting funding to such an important program for our francophone community?

Mr. Wishart: I thank the member for the question.

Certainly, I would encourage him to take a walk around his own neighbourhood and talk to some of his people and find out what Manitobans really want. And Manitobans want a good education—Manitobans want good-quality education, and the previous government did not deliver.

Accessibility for Manitobans Act Timeline for Implementation

Mrs. Bernadette Smith (Point Douglas): I'm very happy to be here to be asking questions of this government.

Barrier-Free Manitoba has raised the alarm at five years after our NDP government passed the accessibility for Manitoba act. This government has failed to fully implement that law. We are now halfway through the 10-year legislative timeline to implement AMA and this minister has failed to announce a plan to meet that deadline.

The minister has failed to implement one single standard of accessibility set out in the act. He has even missed a legislative deadline to implement the employment standards. Barrier-Free Manitoba says that this is a broken promise.

Why has the minister failed to follow his own law?

Hon. Scott Fielding (Minister of Families): This member asks us to somehow trust the record on what

the NDP has said. I can tell you that's something that isn't the case.

What our government has done is we've introduced the first standard of the five standards in the legislation. We're supposed to introduce it and have everything passed by 2023. Our campaign commitment was to do it at—by the end of the first term, and we're well on our way to doing that, Madam Speaker.

Madam Speaker: The honourable member for Point Douglas, on a supplementary question.

Mrs. Smith: MA has actually launched a campaign to push this government into putting these laws into effect. Instead of investing in Manitoba disability services, this minister's cut the operating budget by \$25,000. His own Estimates book says that the number of people receiving services has increased, yet he has failed to—cut the operating budget by half.

The minister has failed to meet the legislative timeline and has no plan to meet the AMA's—*[interjection]*

Madam Speaker: Order.

Mrs. Smith: —mandate. He slashed the budget; he's ignored deadlines.

Will the minister restore the funding for disability services and present compliance plan to AMA?

Mr. Fielding: It's really hard to trust the NDP when they put false information on the record. Clearly, in the legislation, under subsection 8.4, it talks about implementation of the AMA by 2023. Our party committed to implementing the five standards within our first term of office. We're well on the way to doing that, Madam Speaker. That's what Mr. Jim Baker has talked about, the accessibility standard, that we are on our way to accomplishing that goal.

Thank you, Madam Speaker.

Madam Speaker: The honourable member for Point Douglas, on a final supplementary.

Mrs. Smith: All this is happening while this minister is in the middle of a review of the act. The minister has planned just one public consultation on—*[interjection]*

Madam Speaker: Order.

Mrs. Smith: —part of that review on June 20th. There are, so far, no plans to ensure rural and northern Manitobans will be able to participate in

that meeting. Manitobans deserve real answers from this minister.

Will the minister commit today to presenting a full compliance strategy so that Manitobans can actually meet the 10-year deadline?

Mr. Fielding: What's important about government is integrity. Integrity is something that this government takes very seriously. We made a campaign commitment to implement the five standards within the time period. And what the member needs to do—and she needs to be trustworthy, and she needs to basically have citizens understand that the current legislation, under subsection 8(4), suggests that we need to implement this in the first 10 years, which was 2023. We're well on our way to accomplishing that, Madam Speaker.

Fishing Industry Timely Payment Requirements

Mr. Rob Altemeyer (Wolseley): A question for the Premier (Mr. Pallister), if I may.

Last year, this Premier and his government made a promise to Manitoba's fishers. The promise was that they would be paid within seven days of the fisher making a sale of their product to a fish dealer. Four fishing communities found out the hard way that that promise wasn't worth the paper it was written on.

Why did the Premier break his promise to the fishers in Eddystone, Dawson Bay, Waterhen and Ashern?

Hon. Rochelle Squires (Minister of Sustainable Development): You know, I reject the entire preamble and the false assertions in this member's question.

What I know about breaking promises, though, is that the NDP had made a promise to our House leader, the member for Spruce Woods (Mr. Cullen), and they broke it. That is what a broken promise is. Our government keeps its promises.

Madam Speaker: The honourable member for Wolseley, on a supplementary question.

Mr. Altemeyer: Well, the Premier himself made the announcement that his government would be pulling out of the single desk, and yet he refuses to be the one to stand up and answer the question that I am asking.

The government put in their own regulations, which turned out to be worthless for the fishers in

those four communities I mentioned. But they put right in their own regulations that within seven days a fisher would get paid. The fishers in those four communities are still waiting, six months after delivering their catch to a fish dealer who walked off with their fish and never paid them.

When is the Premier (Mr. Pallister) going to honour his trust and his promise to those fishers?

Ms. Squires: Madam Speaker, our government made a promise to the fishers to enhance our fisheries, and that's exactly what we're doing. We're seeing record high prices for walleye; we're seeing record high prices for sauger and new markets for whitefish that were never realized before.

Under our government, Manitoba lakes are open for business, unlike under their government—Lake Winnipeg was declared the most threatened lake in the world.

Madam Speaker: The honourable member for Wolseley, on a final supplementary.

Mr. Altemeyer: At the risk of overstating the obvious, the price can be as high as you want. If you don't get paid, it really doesn't help you very much.

Rather than being accountable and honouring his promise to those fishers, this Premier and his government have now made the situation so much worse, not just for those four fishing communities that they have abandoned, two of which, I will mention, are in the Interlake constituency and two of them are in Swan River.

Both of those Conservative MLAs have said nothing about this issue at all. His government has now removed the seven-day payment requirement from regulations altogether, meaning the entire fishery community is vulnerable to fish—practices like that unscrupulous dealer.

When is this Premier going to stand up, acknowledge the mistake and correct it as he should have initially?

Ms. Squires: Well, I can tell you, Madam Speaker, that our fishers are no longer vulnerable to the unscrupulous practices of the NDP government and their ideology and their monopoly.

And I can also tell you that no one has stood up for the fishers more than our MLA for the Interlake or MLA for Gimli. And our government is working fully—and our MLA for Swan River. And our

government is working fully with all the fishers—*[interjection]*

Madam Speaker: Order.

Ms. Squires: —to enhance our fisheries in Manitoba.

Manitoba Health-Care Services Request for Indigenous Advocate

Ms. Judy Klassen (Kewatinook): Yesterday, I shared Melodie and Vernon Harper's story with the House. Vernon is with us in the gallery today.

Their story is all too common for indigenous Manitobans.

I stand here today willing and wanting to work with this government to find solutions to the many issues indigenous people face when advocating Manitoba's health-care system.

Melodie's health continues to worsen, but because she had such an incredible support system of people working with the doctors and nurses, today her care has greatly improved.

Will the minister consider instituting an indigenous health advocate within Manitoba Health?

Hon. Rochelle Squires (Acting Minister of Health, Seniors and Active Living): Well, first of all, I want to express my sympathies and heartfelt passion for the family.

And I know, yesterday, the minister had asked for information from the MLA, and I certainly hope that that information was delivered so our government can act on this.

* (14:10)

Madam Speaker: The honourable member for Kewatinook, on a supplementary question.

Indigenous Health Care Training for Professionals

Ms. Judy Klassen (Kewatinook): Many doctors who have been involved in Melodie's care these past two years have wrongfully and disrespectfully labelled her as an addict.

Both her and her husband have not only had to endure these medical mistakes of nicked organs during surgeries, but they have also had to endure the added stress of medical staff accusing of—Melodie of

looking for a high. I can't imagine how that stress has complicated her journey to well-being.

If the doctors truly believe that statement, then why was there never a referral to an addictions specialist? What is this government doing to change the perception of health-care staff for indigenous Manitobans who are only trying to access medical care?

Hon. Rochelle Squires (Acting Minister of Health, Seniors and Active Living): Our government wants to work with all MLAs in this Chamber and all Manitobans in improving our health-care system, and I certainly do hope, and I extend an invitation, a welcome to the MLA, to work co-operatively with us instead of casting aspersions.

Madam Speaker: The honourable member for Kewatinook, on a final supplementary.

Health-Care Case Concern Call for Inquiry

Ms. Judy Klassen (Kewatinook): What this young mother has had to endure over the last two years is complete agony, and that agony has far-reaching effects on her husband and other family members.

We have a real opportunity here to change the course of how indigenous people are being mistreated in Manitoba's health-care system. There is strength in numbers. As shocking and disturbing as Melodie's story is, it is a story that this government can learn from.

So I ask again: Will the Minister of Health call for an inquiry into Melodie Harper's situation today so that my people don't have to face another post-mortem Brian Sinclair inquiry?

Hon. Rochelle Squires (Acting Minister of Health, Seniors and Active Living): The opportunity for improvement exists in collaboration, and I will ask the member once again to share the information with us and to work with us on proving better outcomes.

Safe Hunting Legislation Debate on Bill 29

Mr. Greg Nesbitt (Riding Mountain): Madam Speaker, our PC government is working hard on behalf of all Manitobans, even if the NDP isn't.

Yesterday, our government attempted to debate Bill 29, The Wildlife Amendment Act (Safe Hunting and Shared Management), but the NDP were more

preoccupied with their own political interests rather than a life-and-death matter of public safety for Manitobans—[interjection]

Madam Speaker: Order.

Mr. Nesbitt: Can the Minister of Sustainable Development please share with us a quick glimpse of why this bill is so important and how it will benefit Manitobans?

Hon. Rochelle Squires (Minister of Sustainable Development): I thank my colleague for that question.

Our No. 1 concern always has been and always will be the safety of Manitobans. We have seen death, serious injuries and far too many close calls as a result of unsafe hunting practices.

We also know that blinding an animal in the dead of the night for the purpose of an easy kill is neither safe nor sustainable. I'm appalled that the NDP do not want to debate Bill 29, and yet our PC government will continue working hard to further this debate and implement legislation for the betterment of all Manitobans.

Highways Budget Funding Commitment

Mr. Jim Maloway (Elmwood): In just two short years, the highways budget has been cut nearly in half. The NDP spent \$628 million in their last year. It was then cut to \$520 million, then cut again to 430, and now it's \$350 million last year.

Now, the last year, the Conservatives promised a \$500 million budget. They said it to the media; they said it to the public; they even put out a press release promising \$500 million every year.

Like to ask the Premier: Why did he break his commitment to workers all across the province?

Hon. Ron Schuler (Minister of Infrastructure): Well, Madam Speaker, when the NDP were the government of Manitoba, the very same members who are now sitting in the opposition benches went out—no consultation—and slashed 10 rest stops. We need no lessons from the member from Elmwood. [interjection]

Madam Speaker: Order. Order.

The honourable member for Elmwood, on a supplementary question.

Mr. Maloway: I was asking the Premier to explain why he cut his highways budget in half.

The NDP spent \$628 million on highways in their last year. This year, the Conservatives are spending only \$350 million on highways.

And this all comes after they made a promise. Trust us, they said. We will stop our cuts and keep funding stable at no less than \$500 million each and every year for the next four years. They said it in a press release. They said it to the media last fall. They said it to the industry just four days before the budget.

But now, betrayal: \$150-million cut in one fell swoop, cutting the budget to just \$350 million.

Why has this Premier broken his word—

Madam Speaker: The member's time has expired.

Mr. Schuler: Well, Madam Speaker, it should come as no surprise to any Manitoban that the NDP would break their word on a deal that was cut between the opposition and the government, because the way the NDP used to run the highway budget was they used to raid, raid, raid and then have a big parade. They have absolutely no integrity on this issue.

Madam Speaker: The honourable member for Elmwood, on a final supplementary.

Mr. Maloway: Well, Madam Speaker—[*interjection*]

Madam Speaker: Order.

Mr. Maloway: —promises made, promises broken by the Pallister government. That's what the Heavy Construction Association is saying about this betrayal by—from the Pallister government.

It's no wonder. By the numbers the government provided, this year's cuts mean 1,500 fewer jobs just in this industry alone, and, worse yet, the Pallister government has been underspending its highway spending every year.

Why has this Premier broken his word and caused lasting damage to our important construction sector?

Hon. Brian Pallister (Premier): Of course, the NDP overspent in every single department of government in their final term except one—which overspent their budget every year, year after year after year, in every department of government,

Madam Speaker, except one, and in that one department, they underspent.

They underinvested every year until just before the last election, when, with a plethora of signs, ad campaigns and sudden enthusiasm, they decided they'd now build roads and bridges.

We're going to be investing in roads and bridges every single year, Madam Speaker, not just once every four years like the NDP used to do.

Agricultural Crown Lands Program Land Management and Leasing Concerns

Mr. Ted Marcelino (Tyndall Park): Thank you, Madam Speaker. [*interjection*]

Madam Speaker: Order.

Mr. Marcelino: The minister passed Crown land regulations before doing proper consultation. When the minister finally got around to talking to producers, they told him that his approach may encourage speculation and inflationary pricing, causing extreme fluctuations in rental rates. It's right in the minister's own consultation report.

Will he admit his mistake and now listen to producers?

Hon. Ralph Eichler (Minister of Agriculture): Madam Speaker, this is about integrity. We've have 14 consultation meetings with producers right across Manitoba. We've listened to Manitoba's—Manitobans and we've tabled a report on the website. I encourage the member to look at it and see what Manitobans heard.

Madam Speaker: The honourable member for Tyndall Park, on a supplementary question.

Mr. Marcelino: The producers also told the minister that they wanted leases to go to those actively working the land. That's also—[*interjection*]

Madam Speaker: Order.

Mr. Marcelino: —in the consultation report. Yet, he has already revoked requirements that producers actively work the land here in Manitoba, opening the door to absentee landlords and corporations from other provinces.

* (14:20)

Will the minister now listen to producers?

Mr. Eichler: We heard very loud and clear from Manitoba beef producers, Keystone Agricultural

Producers and, of course, farmers right across this province.

Maybe when the member goes out across Portage, he can look at Simplot that's under way. Maybe he can look at Roquette that's under way. Manitoba's open for business.

Madam Speaker: The honourable member for Tyndall Park, on a final supplementary.

Mr. Marcelino: The minister rushed all these changes, saying that trade agreements required it to be done. But Saskatchewan still maintains its point system. If the minister had talked to producers, they could have pointed it out to him. Instead, he has already passed regulations that producers worry will cause extreme fluctuations in price and land speculation by absentee landlords.

Why didn't the minister listen to the producers in the first place?

Mr. Eichler: We're very clear about our policies in regards to Crown land leases. We listen to Manitobans. Manitoba's open for business. We're—to help young producers succeed, and we'll do just that.

Legislative Session Extended Sitting

Mrs. Sarah Guillemard (Fort Richmond): The official opposition backtracked on their agreement this week. They broke their promise—[*interjection*]

Madam Speaker: Order.

Mrs. Guillemard: —and forced an extended sitting into the summer. They claimed it was because they wanted to conduct important House business. However, yesterday, we saw an entire afternoon go by without any orders of the day. [*interjection*]

Madam Speaker: Order.

Mrs. Guillemard: Can the Minister of the Crown Services please inform the Chamber why we are continuing to sit into the summer and when the—oh—when the opposition refuses to actually do any work? [*interjection*]

Madam Speaker: Order. Order. Order.

Hon. Cliff Cullen (Government House Leader): Yesterday was a sad day in the Chamber. We watched the hours tick by with no debate. We called Bill 29, a very important piece of legislation for many Manitobans, dealing with public safety, in fact, life-and-death matters.

The NDP said they wanted to work. They talked a big game. The opportunity arose; they were not there to work. They refused offers for extended sitting, and they even wanted to quit early. Not a very good work ethic.

Madam Speaker, the government is here to work on behalf of Manitobans, and we look forward to really vigorous debate here today in the Chamber.

Madam Speaker: The time for oral questions has expired.

Ms. Judy Klassen (Kewatinook): Madam Speaker, I rise on a matter of privilege.

Madam Speaker: The honourable member for Kewatinook, on a matter of privilege—

Introduction of Guests

Madam Speaker: I wonder if I could just have the indulgence of the House. We have a group of students in the gallery that are leaving in about five minutes.

We have, seated in the public gallery, from The Laureate Academy, 15 grade 3 to 5 students under the direction of Karen Dyck. And this group is located in the constituency of the honourable member for St. Norbert (Mr. Reyes).

On behalf of all members here, we welcome you to the Manitoba Legislature.

I thank the House for allowing that introduction.

MATTER OF PRIVILEGE

Madam Speaker: The honourable member for Kewatinook, on a matter of privilege.

Ms. Judy Klassen (Kewatinook): A prima facie case of a matter of privilege requires that it be raised at the earliest possible opportunity and that it concerns a matter which is considered a privilege by this Legislature.

With regard to the timing of this matter, I speak to remarks of the MLA for Morris, made during his member's statement yesterday. I needed to consult Hansard to be sure of what the MLA for Morris said, and now that I have done that, I am raising this matter of privilege at the earliest possible time.

With regard to the MLA for Morris's statement, I will not repeat it because that would only continue the injustice.

I will indicate to the Speaker and to the Chamber that I'm raising this matter of privilege based on the

description of privilege found on page 83 of Marleau and Montpetit. I quote: Members are entitled to go about their parliamentary business undisturbed. The assaulting, menacing or insulting of any member of the floor of the House while he or she is coming or going from the House, or on account of his behaviour during a proceeding of Parliament, is a violation of the rights of Parliament. Any form of intimidation—it is a crime to commit an act of violence in order to intimidate the Parliament of Canada—of a person for or on account of his behaviour during a proceeding in Parliament could amount to contempt.

Yesterday, during members' statements, the member of Morris alluded to a member's past issues with the law that occurred prior to their tenure as a member of this House. This has happened several times before by the Premier (Mr. Pallister) and even the Minister of Justice (Mrs. Stefanson), but I had hoped that it would end with them and that I'd be able to fix that damage.

These statements are not to be taken lightly. Due to these thoughtless remarks, my ability to do my job as an MLA is being impeded.

I am trying to build my people up. Madam Speaker, there are many within our communities who do have criminal backgrounds but have worked hard to turn their lives around.

To repeatedly bring up a person's past issues with the legal system serves no end. It only tears someone down.

This is a really big issue for my people. We know how many of my people are incarcerated. How can I encourage my people to change their lives, turn them around, when we all work with someone we know has demonstrated that it can be done through hard work and is—but is continuously slapped in the face with his past?

This place does not practise indigenous law. It practises Western law, and according to the Western—according to Western justice, the member has paid his price and that should be the end of it. If this place practised indigenous law, then that's an entirely different matter.

The member for Morris's (Mr. Martin) statements against a member of this House do not serve to advance any intelligent discussion or debate in this House. His comments only act as a personal attack against one's character. The member's remarks can

also serve to perpetuate negative stereotypes against indigenous people as criminals in this province and country, stereotypes that many in this seat, I'm hoping, are trying to disprove.

Miigwech, Madam Speaker.

Madam Speaker: Does the member have that motion in writing and does the member have a seconder for the motion?

Ms. Klassen: We'll get it in writing and it'll be seconded by the member from River Heights.

Madam Speaker: Okay. We need the motion first before we can proceed. We'll just wait a few seconds until it's written and then we will ask the member to read the motion so that everybody's clear what the motion is.

The member will need to read her motion.

* (14:30)

Ms. Klassen: I move, seconded by the MLA for River Heights, that this matter be referred to a committee of this Legislature.

Madam Speaker: Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Mr. Wab Kinew (Leader of the Official Opposition): I wish to put a few relevant remarks on the record.

I think, you know, on the issue of timeliness, I certainly laud the member for Kewatinook's (Ms. Klassen) efforts to get the Hansard transcript to ensure that there was a proper, I guess, review of what—the actual documented words put on the record that she took issue with. So I think that she is granted a certain amount of grace period to be able to ascertain what exactly had transpired in the Chamber and then to formulate her response.

And given that there's a citation of some research there with the definition of privilege, I believe that that also shows that this was not merely, you know, the member, you know, indulging some unnecessary delay but, rather, that her, you know, the time elapsing between her bringing forward this matter of privilege and when the incidents actually occurred is reasonable and should be, I guess—I

would suggest, anyways—that you should view it as occurring in a very timely fashion.

In terms of the issue on its face, I would first say that, you know, while I certainly appreciate what the member for Kewatinook (Ms. Klassen) is saying in her comments, I would first just like to put on the record that I don't mind when the Premier (Mr. Pallister) or when the other government backbenchers attack me over my past.

I'm very proud of the transformation that I have undergone over the past two decades. In fact, it is something that I speak about to young people on many occasions, and I think that the fact that I have led a life that has taken me from one where I was in a self-destructive, you know, lifestyle, towards one where I'm a committed family man, father and devoted community member is one that I think is one that many young people find resonates with them.

So I'm going to happily continue to share that story and I would just remind that those on the government side, when they talk about my past, they only make my story stronger. They only help to educate more Manitobans about the type of journey that I've been on and what is possible for young people who want to make a good change and change themselves for the better.

So, all that as a relevant preamble to say that I don't necessarily rise to speak in favour of this matter of privilege because of any particular burden on myself. I am perfectly comfortable with who I am, the journey I have been on and the seat that I occupy in this House.

However, I do take very seriously the fact that our colleague from Kewatinook feels that her ability to practise, you know, her trade as an MLA is being interfered within this House.

We have seen, over the past number of months, that the issue of harassment, intimidation and related interferences with other people is a very serious issue. It is one of the issues of our time and we must all rise to improve the standards of behaviour that we accept so that everyone can come here and practise their true calling as voices in our democracy.

I believe that the citation that the member from Kewatinook offered, it does show that, you know, that there is a real concern here.

An issue on its face has been proven by the citation that she's offered and the implication and the inference that it is interfering with her duties as a

parliamentarian, and so I think that there is a matter of privilege here.

It has been argued quite well by the member for Kewatinook. And I would just add for your consideration, Madam Speaker, that given the fact that we particularly want to see decorum and, you know, the sense of behaviour in the House improve, that we would like to see the issues of heckling addressed, certainly, but also we have to ensure that unnecessarily vitriolic statements, whether it be in question period, during speeches or during member statements, also be addressed because they do not serve the proper functioning of democracy.

When we have disagreements regarding policy, regarding budgetary issues, I believe that those are appropriate debates to have. However, when we get into issues outside of the immediate issues of relevance, you will know, in your esteemed wisdom, that in fact points of order could be raised about relevance immediately thereof, but now we see that it is also infringing on the privileges of members when somebody such as our colleague from Kewatinook would be left with the impression that they are in some way being prevented from fully discharging their duties as a duly elected member of this House.

So with those few words on the record, I think it's very clear that I support the member for Kewatinook's matter of privilege, again, not because of any particular burden that I feel that I have been made to bear, but rather because I am very concerned with her ability to come forward into this House to represent the people of Kewatinook, to also represent people of other constituencies that she engages with.

We know that she does have a certain way with words and when she rises in the House to tell stories, that many of us are often moved, and I would hate to see us, and by extension the people of Manitoba and our democracy, be deprived of the ability to hear those words simply because of the way that she is being made to feel in the House.

So I would leave those words on the record here for your consideration, Madam Speaker, and suggest very humbly that you rule in her favour.

Mr. Shannon Martin (Morris): Well, thank you very much, Madam Speaker, and it gives me pleasure to rise today and make a few comments about the member's matter of privilege.

Indeed her timing is accurate. However, on the other points my only regret is that the member for Fort Rouge's (Mr. Kinew) extensive criminal record and his homophobic and misogynistic past causes the member or any member, any Manitoban, discomfort. That's truly regrettable.

Hon. Steven Fletcher (Assiniboia): On the issue of prima facie, I agree with the member.

There—I think many of the points that have been discussed here have been outlined in a very relevant publication from the Senate of Canada called A Matter of Privilege, published 2015–June of 2015. I think that would be an excellent reference for everyone, actually.

In regard to the issue of what can or cannot be raised in the House, that has to be dealt with very delicately because this is where ideas should be exchanged.

The—what I have seen here is that the individual who has been—he has paid his debt to society, he has taken responsibility for his actions, and he needs to know—and he has acknowledged—that the summation of his life experience is who he is and people are going to raise good and bad things, as people do with everyone in this place.

But leadership is rising above that and taking the shots, sure, but taking it for what it's worth. It's up to the electorate to decide who's who and who they will choose to represent them.

Finally, Madam Speaker, on the issue of the conduct of members in this place, the member from Kewatinook is absolutely correct that there are personal attacks happening all the time. Everyone is guilty.

And I will also point out that if someone is attacking someone on a personal basis, as we see so many times, they've lost—they have lost the argument. If you attack someone personally, you probably have nothing else to say, and the other person's probably right.

So take that for what it is. Personal attacks is part of politics, but it also says more about the person making the attack than the one who is receiving it.

Madam Speaker: The honourable member for The Maples, did you wish to comment?

Mr. Mohinder Saran (The Maples): Yes, I would like to speak on this matter, but I haven't read the

Hansard. I ask you to reserve my right to speak on this some other time.

Madam Speaker: No.

* (14:40)

Mr. Saran: But I would say it's not only one group is going to get hurt, because if something is said about that group, other group also hurt when people sitting in this Chamber, they help to cook up the story and create a situation and defame somebody.

At that time, that community also gets hurt and the whole community's reputation at stake, and sometime, my community is attacked because of the taxi industry, they harass this, they are that. Then job performance is twisted in such a way that puts blame on the person so that, Madam Speaker, if somebody is 20 years old, come over here, hard—work hard throughout whole life, build up the reputation, that person's reputation, by somebody who have a bullying attitude, who have—who stole things in the past, and old habits don't die easily. Those are—in Punjabi, there's a saying, after eating 900 mice, the cat is going to Mecca. If a person think he got reformed, his action, her action, will tell whether he got reformed or not.

Blaming to—other people to raise themselves up or raising their reputation, that means that person has not reformed. It's just people blame the other people, cooking up against other people, so they can become a hero.

And if I had known that by doing all those things, you can become a hero, I could have started that 20 years ago. I could have attacked different people. I could have twisted things different. I could have become leader today, but I—nobody told me that. Nobody told me that you can become, quick, leader in that way.

Madam Speaker, this conspiring conspiracy, that's becoming a hero and putting other people under the bus, that's not helping the House.

We must have to be more reasonable and think about how these things have been transpired instead of cooking up a story and become leader and become a bully. That's not the way to be leader in this House.

Thank you, Madam Speaker.

Madam Speaker: A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

PETITIONS

Tina Fontaine—Public Inquiry

Mrs. Bernadette Smith (Point Douglas): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

(1) Tina Fontaine was murdered at 15—at the age of 15 years, and her body was found in the Red River on August 17th, 2014.

(2) Tina Fontaine was robbed of her loving family and the Anishinabe community of Sagkeeng First Nation.

(3) Tina Fontaine was failed by multiple systems which did not protect her as they intervened in her life.

(4) Tina Fontaine was further failed by systems meant to seek and pursue justice for her murder.

(5) Tina Fontaine's murder galvanized Canada on the issue of missing and murdered indigenous women and girls, MMIWG, as she quickly became our collective daughter and the symbol of MMIG across Canada.

(6) Manitoba has failed to fully implement the recommendations of numerous reports and recommendations meant to improve and protect the lives of indigenous peoples and children, including the Manitoba Aboriginal Justice Inquiry, Royal Commission on Aboriginal Peoples and the Phoenix Sinclair inquiry.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the Premier of Manitoba and the Minister of Justice to immediately call a public inquiry into the systems that had a role in the life and the death of Tina Fontaine, as well as the function of the administration of justice after her death.

(2) To urge that the terms of reference of a public inquiry be developed jointly with the caregivers of Tina Fontaine and/or the agent appointed by them.

Signed by Betty Harrison, Graham Dowder and Sandy Insier [*phonetic*] and many, many other Manitobans.

Madam Speaker: In accordance with our rule 133(6), when petitions are read they are deemed to be received by the House.

Gender Neutrality

Ms. Judy Klassen (Kewatinook): Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Gender, sexuality and gender identity are protected characteristics of human rights, both federally and provincially, in Manitoba, Ontario, Alberta, British Columbia, and soon will be in Saskatchewan, Yukon and in other places in Canada.

These governments have realized the need for this option on identification for the benefit of people who identify or who are identified by others as intersex, third gender, transgender, genderqueer or non-binary.

(2) Identification and government documents should reflect gender neutrality to prevent issues that may arise from intentional bias on gender and misgendering. The people described above face anxiety and discrimination in many aspects of day-to-day life, such as: (a) interactions with health-care professionals; (b) interactions with persons of authority; (c) accessing government services; (d) applying for employment.

(3) Gender neutrality describes the idea that policies, languages and other social institutions should avoid distinguishing roles according to people's sex or gender in order to avoid discrimination arising from impressions that there are social roles for which one gender is more suited than the— that other.

(4) Many newcomers to Canada may already have 'genderal'-neutral ID. Many indigenous persons are coming to identify as two-spirit as the effects of colonization are lessening, and this needs to be addressed in the process of reconciliation.

(5) Being forced to accept an assigned gender affects children and newborns as they grow and become part of society. There are many psychological benefits for transgender and non-binary people to be allowed to develop without the constraints put upon them having their gender assigned based on purely physical attributes.

(6) The consideration to have a third option like X or Other on documents was on the previous provincial government's radar for several years, but

the current provincial government has not taken steps to implement it.

(7) The City of Winnipeg is actively making its forms reflective of 'genderal' neutrality in respect to all persons who work or come into contact with that government.

(8) The federal government now issues passports—I mean, now issues passports and is educating personnel about the correct language and references for non-binary persons.

(9) An Other option existed on enumeration forms for Elections Manitoba in 2016, was easily accepted, and provided a framework to provide accurate statistics of those who do not identify under the current binary system.

(10) The foresight, along with the training and making changes on required forms acknowledges and accepts persons who fall outside the binary gender so that governments and people can more effectively interact with one another and reduce the anxieties of everyone involved.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to immediately begin implementation of plans to convert systems and forms to be more inclusive of two-spirit and other non-binary individuals, whether it be to include a third gender option or no requirement for gender on forms unless medically or statistically necessary, including health cards and birth certificates.

(2) To urge the provincial government to immediately instruct the Manitoba Public Insurance Corporation to offer a third gender option or no gender requirement for licences or any other form of provincial identification.

* (14:50)

(3) To urge the provincial government to instruct Manitoba Health, Seniors and Active Living to offer the option of Manitoba Health cards with no gender in order to reduce the anxieties of transgender and non-binary persons accessing health-care system as a first step.

(4) To consider revisiting legislation that may need updating to meet the needs of its citizens in this regard.

This petition has been signed by Laura Watson, Janine Brown and Justin Luschinski. Thank you.

Vimy Arena

Hon. Steven Fletcher (Assiniboia): I'd like to table the following petition to the Legislative Assembly:

The background to this petition is as follows:

(1) The residents of St. James and other areas of Manitoba are concerned with the intention expressed by the provincial government to use the Vimy Arena site as a Manitoba Housing project.

(2) The Vimy Arena site is in the middle of a residential area near many schools, churches, community clubs and senior homes, and neither the provincial government nor the City of Winnipeg considered better suited locations in rural, semi-rural or industrial locations such as the St. Boniface Industrial Park, 20,000 acres at CentrePort or existing properties such as the Shriners' Hospital or the old children's hospital on Wellington Crescent.

(3) The provincial government is exempt from the zoning requirements that would have existed if the land was owned by the City of Winnipeg. The exemption bypasses the community input and due diligence and ignores better uses for the land which would be consistent with a residential area.

(4) There are no standards that one would expect for a treatment centre. The Minister of Health, Seniors and Active Living has stated that the Department of Health had no role to play in the land acquisition for this housing project for the use as a drug addiction facility.

(5) Manitoba Housing project initiated by the provincial government changes the fundamental nature of the community, including the park and recreational uses, concerns of the residents of St. James and others regarding public safety, property values and their way of life are not being addressed.

(6) The concerns of the residents of St. James are being ignored while obvious other locations in wealthier neighbourhoods, such as Tuxedo and River Heights, have not been considered for this Manitoba Housing project, even though there are hundreds of acres of available land for development at Kapyong Barracks or parks like Heubach Park that share the same zoning as the Vimy Arena site.

(7) The Manitoba Housing project and the operation of a drug treatment centre fall outside the

statutory mandate of the Manitoba Housing renewal corporation.

(8) The provincial government does not have a co-ordinated plan for addiction treatment in Manitoba, as it currently underfunds treatment centres which are running far under capacity and potential.

(9) The community has been misled regarding the true intention of Manitoba Housing as the land is being transferred for a 50-bed facility, even though the project is clearly outside of Manitoba Housing responsibility.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to take the necessary steps to ensure the Vimy Arena site is not used as a—for an addiction treatment facility.

(2) To urge the provincial government to take the necessary steps to ensure the preservation of public land along Sturgeon Creek for the purposes of recreational activities for the public use, including being an important component of the Sturgeon Creek Greenway Trail and the Sturgeon Creek ecosystem under the current designation of PR2 for the 255 Hamilton Ave. location at the Vimy Arena site, and to maintain the land to continue to be designated for parks and recreation activity neighbourhood and community.

This has been signed by Hans Wiebe, Christine McGuire [*phonetic*] and Roger-Randy Sitwell [*phonetic*] and many other Manitobans.

Gender Neutrality

Ms. Cindy Lamoureux (Burrows): Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Gender, sexuality and gender identity are protected characteristics of human rights, both federally and provincially, in Manitoba, Ontario, Alberta, British Columbia, and soon will be in Saskatchewan, Ukraine and other places in Canada. These governments have realized the need for this option on identification for the benefit of people who identify or who are identified by others as intersex, third gender, transgender, genderqueer or non-binary.

(2) Identification and government documentation should reflect gender neutrality to prevent issues that may arise from international bias on gender and misgendering. The people described above face anxiety and discrimination in many aspects of day-to-day life, such as: (a) interactions with health-care professionals; (b) interactions with persons of authority; (c) accessing government services; (d) applying for employment.

(3) Gender neutrality describes the idea that policies, language and the other social institutions should avoid distinguishing roles according to people's sex or gender in order to avoid discrimination arising from impressions that there are social roles for which one gender is more suited than the other.

(4) Many newcomers to Canada may already have gender-neutral ID. Many indigenous persons are coming to identify as two-spirit as the effects of colonialization are lessening, and this needs to be addressed in the process of reconciliation.

(5) Being forced to accept an assigned gender affects children and newborns as they grow and become part of society. There are many psychological benefits for transgender and non-binary people to be allowed to develop without the constraints put upon them by their—by having their gender assigned based on purely physical attributes.

(6) The consideration to have third option like X or Other on documents was on the previous provincial government's radar for several years, but the current provincial government has not taken steps to implement it.

(7) The City of Winnipeg is actively making its forms reflective of gender neutrality in respect to all persons who work for or come into contact with that government.

(8) The federal government now issues passports and is educating personnel about the correct language and references for non-binary persons.

(9) An Other option existed on enumeration forms for Elections Manitoba in 2016, was easily accepted, and provided a framework to provide accurate statistics of those who do not identify under current binary system.

(10) The foresight, along with training and making changes on required forms, acknowledges

and accepts persons who fall outside the binary gender so that governments and people can more effectively interact with one another and reduce the anxieties of everyone involved.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to immediately begin implementation of plans to convert systems and forms to be more inclusive of two-spirited and other non-binary individuals, whether it be to include a third gender option or no requirement for gender on forms unless medically or statistically necessary, including health cards and birth certificates.

(2) To urge the provincial government to immediately instruct the Manitoba Public Insurance Corporation to offer a third gender option or no gender requirement for licences or any other form of provincial identification.

(3) To urge the provincial government to instruct Manitoba Health, Seniors and Active Living to offer the option of Manitoba Health cards with no gender in order to reduce the anxieties of transgender and non-binary persons accessing the health-care system as a first step; and

* (15:00)

(4) To consider revisiting legislation that may need updating to meet the needs of its citizens in this regard.

This has been signed by many Manitobans.

Hon. Jon Gerrard (River Heights): I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

Gender, sexuality and gender identity are protected characteristics of human rights, both federally and provincially, in Manitoba, Ontario, Alberta, British Columbia, and soon will be in Saskatchewan, Yukon and other places in Canada. These governments have realized the need for this option on identification for the benefit of people who identify, or who are identified by others, as intersex, third gender, transgender, genderqueer or non-binary.

Identification and government documents should reflect gender neutrality to prevent issues that may arise from intentional bias on gender and misgendering. The people described above face

anxiety and discrimination in many aspects of day-to-day life, such as: (a) interactions with health-care professionals; (b) interactions with persons of authority; (c) accessing government services; (d) applying for employment.

Gender neutrality describes the idea that policies, language and other social institutions should avoid distinguishing roles according to people's sex or gender in order to avoid discrimination arising from impressions that there are social roles for which one gender is more suited than another.

Many newcomers to Canada have already—may already have gender-neutral ID. Many indigenous persons are coming to identify as two-spirit as the effects of colonization are lessening, and this needs to be addressed in the process of reconciliation.

Being forced to accept an assigned gender affects children and newborns as they grow and become part of society. There are many psychological benefits for transgender and non-binary people to be allowed to develop without the constraints put upon them by having their gender assigned based on purely physical attributes.

The consideration to have a third option like X or Other on documents was on previous provincial governments' radar for several years, but the current provincial government has not taken steps to implement it.

The City of Winnipeg is actively making its forms reflective of gender neutrality in respect to all persons who work for or come into contact with that government.

The federal government now issues passports and is educating personnel about the correct language and references for non-binary persons.

An Other option existed on enumeration forms for Elections Manitoba in 2016, was easily accepted and provided a framework to provide accurate statistics of those who do not identify under the current binary system.

The foresight, along with training and making changes on required forms, acknowledges and accepts persons who fall outside the binary gender so that governments and people can more effectively interact with one another and reduce the anxieties of everyone involved.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to immediately begin implementation of plans to convert systems and forms to be more inclusive of two-spirit and other non-binary individuals, whether it be to include a third gender option or no requirement for gender on forms unless medically or statistically necessary, including health cards and birth certificates.

(2) To urge the provincial government to immediately instruct the Manitoba Public Insurance Corporation to offer a third gender option or no gender requirement for licences or any other form of provincial identification.

(3) To urge the provincial government to instruct Manitoba Health, Seniors and Active Living to offer the option of Manitoba Health cards with no gender in order to reduce the anxieties of transgender and non-binary persons accessing the health-care system as a first step.

(4) Consider revisiting legislation that may need updating to meet the needs of its citizens in this regard.

Signed by Rebecca Papadopoulos, Monique Olivier, Darilyn Kuryk and many others.

Thank you.

Tina Fontaine—Public Inquiry

Ms. Nahanni Fontaine (St. Johns): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

(1) Tina Fontaine was murdered at the age of 15 years, and her body was found in the Red River on August 17th, 2014.

(2) Tina Fontaine was robbed of her loving family and the Anishinabe community of Sagkeeng First Nation.

(3) Tina Fontaine was failed by multiple systems which did not protect her as they intervened in her life.

(4) Tina Fontaine was further failed by systems meant to seek and pursue justice for her murder.

(5) Tina Fontaine's murder galvanized Canada on the issue of missing and murdered indigenous women and girls, MMIWG, as she quickly became our collective daughter and the symbol of MMIWG across Canada.

(6) Manitoba has failed to fully implement the recommendations of numerous reports and recommendations meant to improve and protect the lives of indigenous peoples and children, including the Manitoba Aboriginal Justice Inquiry, Royal Commission on Aboriginal Peoples and the Phoenix Sinclair inquiry.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the Premier of Manitoba and the Minister of Justice to immediately call a public inquiry into the systems that had a role in the life and death of Tina Fontaine, as well as the function of the administration of justice after her death.

(2) To urge that the terms of reference of a public inquiry be jointly developed with the caregivers of Tina Fontaine and/or the agent appointed by them.

Signed by many Manitobans.

Madam Speaker: Grievances?

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

Hon. Cliff Cullen (Government House Leader): Madam Speaker, would you call Bill 29, The Wildlife Amendment Act (Safe Hunting and Shared Management).

Madam Speaker: It has been announced that the House will consider second reading of Bill 29 this afternoon, The Wildlife Amendment Act (Safe Hunting and Shared Management).

SECOND READINGS

Bill 29—The Wildlife Amendment Act (Safe Hunting and Shared Management)

Hon. Rochelle Squires (Minister of Sustainable Development): I move, seconded by the Minister of Municipal Relations (Mr. Wharton), that Bill 29, The Wildlife Amendment Act (Safe Hunting and Shared Management); Loi modifiant la Loi sur la

conservation de la faune, be now read a second time and referred to a committee of this House.

Motion presented.

Ms. Squires: I am pleased to rise today to debate Bill 29.

Night hunting is a difficult, complex issue that affects Manitobans in many ways. We have seen deaths, serious injuries and far too many close calls as a result of unsafe night hunting practices in Manitoba. We also know that blinding an animal in the dead of night for the purposes of an easy kill is neither safe nor sustainable.

I want to be clear: our priority here is the safety of Manitobans and I believe our bill strengthens public safety while respecting traditional rights.

Starting in early 2017, we held a series of well over 20 informative engagement and consultation meetings, focusing on agricultural areas in Manitoba. We sought the advice of elders on the cultural practice of night hunting and we have also had extensive informal conversations with indigenous leaders across Manitoba.

We consistently heard that indigenous people are concerned about Aboriginal and treaty rights, but at the same time expressed concern over how night hunting affects the safety of their communities as well as Manitobans.

We have also heard from rural municipalities and many concerned citizens, including agricultural producers and other landowners. We heard that many rural landowners feel unsafe. We heard stories of how night hunting has affected their livelihood: accidentally shot livestock and property damage such as trampled crops and damaged fences.

Indigenous communities will continuously be involved in the process of defining the areas which would be allowed through a permitting process in Bill 29.

Input from First Nations, Metis and stakeholders will be considered in the development of regulations related to the permitting process and prescribing areas of Crown land for night hunting.

Based on these discussions and consultations, we have a responsibility to act and further regulate night hunting. We strongly believe the amendments in Bill 29 create a compromise, a solution that respects Aboriginal and treaty rights and incorporates many

of the suggestions we've heard, but also balances public safety.

The Department of Sustainable Development has a mandate to curtail unsustainable and unsafe hunting practices such as night hunting to keep all Manitobans safe. Any time someone discharges a firearm at night, particularly in the populated areas in the province, poses a significant risk to the safety of Manitobans.

* (15:10)

Some big game populations in our province are in decline and overharvesting has been identified as one of the factors that has an adverse effect on these populations. Hunting regulations play an important role in the conservation of game species. This bill would regulate night hunting to ensure the sustainability of Manitoba's big game populations and reduce cruel practices used in the hunt.

Many Manitobans are concerned for their well-being and the safety as a result of an increasing number of night hunting incidents that have happened recently, particularly in western Manitoba. The current legislation does not adequately address the Aboriginal right to hunt at night, and therefore these amendments are required to clearly outline where the practice may and may not occur.

Bill 29, in addition to curtailing unsafe and unsustainable night hunting practices, will create a new shared management committee with indigenous communities and interest groups to discuss the important issues of sustainability of our iconic species in the province.

This bill delineates the province to set out restrictions to night hunting in both the south and the north parts of this province. In the south, persons exercising an Aboriginal right would be allowed to hunt at night under a no-fee permit if they are hunting on approved public lands set out in the permit. These public lands are determined by taking into account their use as well as input from adjacent landowners and local governments, indigenous peoples and communities.

Indigenous persons may exercise their night hunting rights in northern Manitoba as long as they comply with the restrictions in regulation that restrict night hunting near developed areas, including roads and highways.

Sustainability of our resources and our iconic species is of utmost importance to our government

and to most Manitobans. This bill enables the creation of shared management committees with membership from hunting and outfitting organizations, local landowners and representatives from indigenous communities in the area that will make recommendations on measures to conserve and manage species of wildlife in specific areas.

Another aspect of this bill is a clear definition. Bill 29 clearly defines what constitutes night hunting. This includes establishing criteria such as the use of artificial lights to search for wildlife, having ready access to a firearm and having ammunition readily available. It also establishes a new minimum fine of \$3,000 for persons convicted of a dangerous hunting offense such as illegal night hunting.

There have been recent increased concerns raised regarding unsafe and unsustainable hunting practices in Manitoba, but night hunting in populated areas is our primary concern. Since 2010, there have been two fatalities in Manitoba due to hunting at night. In September 2015 an elderly couple reported being woken by a bullet piercing the wall above where they slept, and in October of 2017 a youth sustained a non-fatal injury at night in the Pulp River area.

Madam Speaker, all these injuries and fatalities are entirely preventable, and Bill 29 strives to prevent unnecessary injuries and fatalities in Manitoba. In 2017, there were 23 charges for unsafe night hunting and two for dangerous hunting, and in 2016 there were 44 charges and in 2015, 25 charges respectively.

Our government listened to the concerns of many Manitobans regarding safety and also we heard from First Nations' concerns about the protection of other indigenous treaty rights. But, at the same time, many expressed concern over how night hunting affects sustainability of the wildlife populations and safety of communities. This bill provides a balanced approach to move forward and ensure that everyone continues to enjoy the wildlife resources in a safe and sustainable manner.

Madam Speaker, our government is working to advance reconciliation by fostering mutually respectful relationships between the Crown and indigenous peoples, between indigenous and nonindigenous harvesters, as well as private landowners. This bill creates a compromise, a solution that respects and recognizes treaty rights

and incorporates many of the things that we have heard in our conversations with indigenous people.

And in closing, I do want to thank the numerous people that have met with us. Our government met with hundreds of indigenous people in several regional round tables and consultation sessions throughout the province. And I want to thank all the members of the indigenous community who took the time to meet with our government to share their concerns with us and to be willing to work with us on shared management practices, as well as ending unsafe night hunting practices.

I also want to thank Brian Kotak from the Wildlife Federation, who has spoken passionately about this bill and continues to advocate for ending unsafe night hunting practices, as well as numerous other Manitobans who have been affected by unsafe hunting practices at nighttime who have taken their time to write to us, to talk to our MLAs, to come to consultation and who were here when we had first reading of this bill.

So I thank the many Manitobans who are with us moving forward on changing the unsafe and unsustainable night hunting practices here in the province of Manitoba.

Thank you, Madam Speaker.

Questions

Madam Speaker: A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate, subsequent questions asked by critics or designates from other recognized opposition parties, subsequent questions asked by each independent member, remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

Mr. Rob Altemeyer (Wolseley): Appreciate the minister's opening comments.

Now, notes from her own department indicate that the threshold for proper consultation on this issue is very high. Indeed, it—those notes indicate that the consultations required would have to exceed those that were conducted around Bipole III.

Why is the minister rushing this legislation forward now when it's obvious that level of consultation has not yet taken place?

Hon. Rochelle Squires (Minister of Sustainable Development): We are very confident with our level of engagement and consultation with our indigenous people and we do believe that we have certainly taken our time and have been working on this. It started nearly two years ago with my former—with the former minister of Sustainable Development and two elders gatherings where she had conducted an extensive gathering to learn knowledge and then move forward with an extensive consultation phase that has almost exceeded a year, Madam Speaker.

Mr. Altemeyer: Just to refresh the minister's memory, the consultation effort that went into Bipole III was among the largest, if not the largest, such consultation conducted in Manitoba's modern-day history. Is she saying that there is an absolute guarantee that there is no room for a legitimate lawsuit or injunction to be filed because proper consultations have not taken place? She speaks with confidence. She feels that that has happened.

Will she go on the record and guarantee that those types of lawsuits and injunctions will not take place because she has, in fact, done her due diligence on proper consultations, including section 35, with indigenous people?

Ms. Squires: Well, it's unfortunate that they did so much consultation on the Bipole III and still got it wrong. Unlike members opposite, we feel that we've got it right.

Mr. Altemeyer: Does this minister stand with her Premier's (Mr. Pallister) statements that night hunting is turning into a race war, quote, unquote—those are the Premier's words—and that, again, in the Premier's words, quote, young indigenous men, a preponderance of them are offenders with criminal records, are going off shooting guns in the middle of the night.

Does she support her Premier's understanding of night hunting?

Ms. Squires: I want to thank all the elders in particular who came out to share their thoughts with me on the harmful effects of night hunting in their communities, and I'm really grateful for all the comments and the feedback that we heard from many people in Manitoba that support our thesis that night hunting is dangerous.

* (15:20)

Mr. Altemeyer: Indeed, if the minister has consulted with elders and others, she may well have heard

some feedback from those very same people who may have had some opinions about being drawn into the Premier's race war—quote, unquote—and that his belief that a preponderance of people involved are indigenous and male and offenders.

Did she receive any feedback during the consultations along those lines from anyone that she claims to have talked to in advance?

Ms. Squires: Not only did we have direct consultation with well over 1,000 indigenous community members throughout Manitoba, we did host 21 open meetings where we had sent invitations to all chiefs and council and all members of the indigenous communities in the province of Manitoba. And I'm very grateful for all the feedback that we received.

Mr. Altemeyer: What was the MMF's feedback on this particular piece of legislation?

Ms. Squires: Well, I'm happy to refresh the member's memory that the MMF had also passed a resolution to ban unsafe night-hunting practices.

Mr. Altemeyer: Well, and indeed, that's why I raised the issue. Their proposal is much stronger than the government's.

How does the MMF feel about their initial proposal being watered down by the Pallister government?

Ms. Squires: I believe that our legislation is robust, and it strikes the right balance between protecting indigenous rights to hunt at night that is clearly outlined in the 2006 R. v. Morris Supreme Court decision, as well as protecting the safety of all Manitobans.

Mr. Altemeyer: Well, the minister's relationship—her government's relationship with the MMF have certainly seen better days. We will have to wait and see if, indeed, anything the minister's putting on the record today comes back to haunt her or stands up the test of time.

Could the minister please explain why, if this legislation was so important, it was not introduced in time to be passed this session?

Ms. Squires: Well, first the members opposite said that we didn't take enough time consulting, and now he said we took too much time consulting. What is it? *[interjection]*

Madam Speaker: Order.

Mr. Altemeyer: Has absolutely nothing to do with the government's behaviour on this file and has everything to do with the legitimate question about why, if the government felt they had conducted their consultations appropriately, did they not bring in the legislation in time for it to be passed this session.

That's not a question of consultation process; that's a question of whether the government can actually get its legislation before the House, according to the rules, on time to be considered accordingly.

Ms. Squires: I'm not sure that there was a question in there, but I will remind the members opposite that in 2015, the members opposite had announced in their Throne Speech that they were going to make a polar bear provincial park without having any consultation with Fox Lake First Nation, without having any consultation with York Factory First Nation, without having any consultation with Split Lake. And that was very disrespectful.

Our government respects the process. We respect meaningful engagement and we respect consultation. And that is exactly what we've done with Bill 29.

Mr. Altemeyer: Has the minister received any legal opinions regarding the Province's ability to regulate night hunting in Manitoba in the first place?

Ms. Squires: Yes.

Mr. Altemeyer: Will the minister then share the—a summary of those legal opinions with us in the House here today?

Ms. Squires: Well, I encourage the members opposite to read Bill 29. It is reflective of that legal opinion on each and every single page. Each and every single clause of this legislation is reflective of the legal opinion that we received.

Hon. Jon Gerrard (River Heights): Yes, I would ask the minister if she can provide a list of the chiefs and councillors from—that she consulted as part of this process.

Ms. Squires: I could provide a list of every chief in the province of Manitoba that we had reached out to and consulted with, but I'm sure the member opposite knows who they all are.

Mr. Gerrard: Yes, I wonder if the minister would be prepared to table the list of the people she's actually talked to and consulted.

Ms. Squires: We sent letters out to every chief in Manitoba. We held 21 meetings throughout the province in a variety of different regions. And we had direct consultation with well over 1,000 indigenous community members.

That doesn't include the members of the indigenous community who I met with personally in my office. I did not—that was not consultation. That was engagement. That was building meaningful ongoing dialogue. That engagement continues to date, where we are working with them on shared management of our iconic species in the province of Manitoba.

Mr. Altemeyer: Yes, be it as it may be that this bill reflects a legal opinion that the minister claims to have received, I think it's entirely reasonable that the minister provide that legal opinion so that Manitobans can hold them accountable and see for themselves if the legal opinion is reflected in what they have brought forward.

Will the minister—I'd invite her again—will the minister just simply commit at a future date to provide a copy of the legal opinion she's received to us as the official opposition and to any independent member who may also wish to review?

Ms. Squires: Well, when we were working with this Legislative Counsel and drafting this bill, when we were receiving our legal advice on the drafting of this bill and we when we were receiving legal advice on the development of the framework on consultation, all of that was done with the utmost adherence and respect to what the courts have already ruled in regards to hunting for—indigenous hunting rights.

And we know that in 2006, the R v. Morris case at the Supreme Court had clearly determined that it is lawful for rights-based hunters to hunt at night provided that it is done so in a safe manner and that it is not affecting public safety. And so all of that is reflected in our bill.

Mr. Gerrard: The bill provides that the minister may have some sort of a committee or council that would provide advice. Would it be the minister's objective to have one for the whole province or would they be different ones in different areas of the province?

Ms. Squires: In regards to the shared management committee, I am certainly open to suggestions. Our government is a listening government, and if there is more of a need to look at it regionally, that would be

something we would certainly consider. Our requirement right now is to make sure that we have 50 per cent indigenous representation on that committee.

Mr. Altemeyer: The legal opinion, which the minister is saying she complied with but refusing to provide so far, was it received from in-house counsel or did they seek outside legal advice to provide that opinion to them?

Ms. Squires: Well, I would encourage the member to read our bill, which is reflective of the legal opinion that we have received in regards to this legislation. We have—our government has always acknowledged that the rights—indigenous rights to hunt for subsistence needs to be acknowledged.

We also recognize that the constitution of Canada, that section 35 consultations are a requirement whenever we're going to be looking at how we're handling resources and how we're balancing public safety with indigenous rights to hunt. And we have worked on that. We have an opinion on that. And it is reflected in this legislation.

Mr. Altemeyer: So, Muppet news flash, Madam Speaker: there's a legal opinion which the minister says she followed, which she is refusing to provide publicly, and she doesn't know who wrote it.

My last question was, quite simply, did she get the legal opinion from in-house counsel, from lawyers working for the government, either her department, Constitutional Law branch, whoever it may be, or did they get the legal opinion from outside counsel?

If she's going to put so much faith in a legal opinion that she wants us to take a leap of faith with from her on it, she should at least know who provided the legal opinion.

*(15:30)

Ms. Squires: You know, here again member opposite—he continues to put false assertions on the record. And again I will answer the question for him.

We have received extensive legal advice and it is reflected in this bill in every page, every clause of this bill.

Mr. Gerrard: I would ask the minister: For the shared management committee or committees, what is the range of matters that the minister would be prepared to listen to advice on from those committees?

Ms. Squires: That is a really good question. And we are beginning a journey towards shared management with all of our indigenous partners, which would include the management of our iconic species, referred to often as big game species.

We're looking at working with them in collaboration on enforcement issues and collaborating with them on sustainability issues relating to all of the iconic species here in Manitoba.

Mr. Altemeyer: Yes. Why should anyone engaged in this issue believe the government is committed to the principles of co-management when this minister is actively destroying the commercial fishery, including removing protections for fishers without even talking to the Lake Winnipeg co-management board made up of fishers who sit there.

Why should anyone believe that this government will appropriately engage in co-management practices on this issue when their track record and their actions suggest the exact opposite?

Ms. Squires: Well, why would anyone believe this member opposite when he continues to come into this House, put false assertions on the record?

They had a deal with us; they broke it. Their record is very clear and Manitobans have spoken very loud and clear that they will not believe this member.

Debate

Madam Speaker: The time for this question period has ended. The floor is open for further debate.

Mr. Wab Kinew (Leader of the Official Opposition): I want to begin by acknowledging that there's a serious concern shared by many people in the province around the issue of safety when people are hunting.

Safe hunting is something that is a priority to all those of us who grew up in a way of life where we learn about hunting or fishing or, you know, living off the land, basically. And I include in that nonindigenous people, indigenous people. I know there's many people across rural Manitoba who were taught how to live off the land by their parents and grandparents. And, you know, although I grew up in northwestern Ontario, it's, you know, very similar terrain to a lot of Manitoba and I had the same experience there, too.

And for us, you know, as you're growing up, you know, part of, you know, learning to live off the land

is not just that you learn about how to properly take an animal or to set a net or what have you, but you also learn about safety and how to do it in a respectful way.

Mr. Dennis Smook, Acting Speaker, in the Chair

Beyond that there's also, I think, a lot of either cultural values or just community values that many people share around being respectful of the animals that nourish us and give us life. And also that when we go hunting, you know, it's not for a trophy, it's not for sport; it's a sacred relationship with your source of food. And that's, you know, I think shared by a lot of people, whether you're an indigenous Manitoban or a nonindigenous Manitoban, if you live in one of the rural areas in this province or even if you're a city dweller who likes to go hunting. I think most people do share those values. We should respect the animals that nurture us, that give us food and that being on the land is a really good way of life, and that when you live off the land you learn how to live off the land, that you get a relationship with the land and your homeland and it really makes you proud where you come from.

I also know that we should have a relationship with our food. We've got a lot of problems these days around diabetes and other conditions, but I think—I'm a real big believer that people who have a connection to their food, whether through ag or through hunting and fishing and what have you, that that helps you develop a healthier way of life, helps you to understand where your food comes from.

And I know that this issue of night hunting is very important to a lot of people in our province. I've spoken to many people about this issue. Ironically, I guess, when the Premier made some unfortunate comments about this, I responded in the media. But subsequent to that, many people from southwestern Manitoba reached out to me—nonindigenous Manitobans—and they said, well, we appreciate your comments, that—it seemed to be measured and balanced. We'd like to talk some more. We'd like to learn more.

And so I welcomed that conversation. And I also said, well, you are Manitobans, and there's some other folks who have some things to say about this, how about I broker a conversation with some indigenous leaders? We were able to set up a conversation and see some good two-way learning from the part of these folks from rural Manitoba, southwestern Manitoba, Reston, surrounding area, Oak Lake, places like that, as well as some

indigenous leadership. And, you know, I was listening to the conversation and thinking about how I'm raising my sons, and I think, you know, I can tell you that I'm raising my kids to know how to hunt, to know how to fish, to know how to conduct themselves when we're in the bush and how to live off the land as well. I know some of my colleagues like to do that too. And, you know, we're responsible gun owners. We follow the law. Did that PAL course, just like everyone else has to, and when we're in that course and they teach us about firing at night and it's not safe, you know, I took that very seriously, and I accept that.

And so now I'm a dad who's raising my sons, and they're going to be in the bush at night, whether that's in southeastern Manitoba, perhaps not too far from where you call home there, Mr. Acting Speaker. Perhaps we'll be in northwestern Ontario, closer to the place I was born and where I grew up. Maybe we'll be in some other part of the province here.

And to be honest with you, when I think about my boys in the bush at night and the prospect of having a high-powered, you know, rifle rounds going flying around them, that I don't like that. I don't want them to be in the bush at night and have people hunting around them and, you know, crossfire, things like that being a concern. That's my position as a dad. It's my position as a hunter. That's my position as a Manitoban. It's my position as an indigenous person.

That said, though, there are many voices in the indigenous community who are concerned about this issue and the potential infringement on constitutionally protected rights. And then I think, in a related, though different issue, there are also concerns that, you know, the Premier (Mr. Pallister) is using this as a wedge issue to try and inflame anti-indigenous sentiment. But we can return to that later. Setting that aside for now, I guess what I'm saying, as a bit of a preamble to my remarks here, is that I'm very sympathetic to people in southwestern Manitoba and other parts of the province who have had their property or their house or even a vehicle struck by crossfire or struck by a buckshot, what have you. And I know that there's a real safety concern there; I really do. I've sat with people who have said, you know, they're worried about their well-being and their family's well-being, they're worried about their property. They're even worried about their farm animals. Some cases, you know, I heard the anecdote about one farmer whose cow was

shot at night, presumably mistaken for wild game. So these are real concerns, and I take them seriously, and I want that to be very clear on the record and that that forms sort of the foundation and the points that I'm going to make here this afternoon.

However, when I had a chance to broker that conversation between some of these, you know, leaders from southwestern Manitoba and some of these technical staff from one of the indigenous organizations in the province here, I also heard the concerns from the indigenous, I guess, members of that conversation, and I'm paraphrasing here, but the point stands that they made was that, you know, indigenous people have lost many rights over the years and there is a concern that if this set of rights is infringed on, then it's a slippery slope. What happens next? So there was a concern amongst, I think, these—this group of indigenous leaders that though—even though they are receptive to the argument about safety, that they feel compelled to stand up to defend indigenous treaty rights, hunting rights in particular here, on the basis of wanting to prevent the slippery slope where, perhaps some unspecified date in the future, the Province may seek to legislate away other rights or infringe on other rights. So that's the concerns.

And as far as I understand it, this is a pretty interesting substantive public policy discussion. You know, there are people with legitimate views and legitimate concerns on both sides of the conversation. And when I say sides, I don't mean that I think people are opposed; I think that when you sit people down and you have them get to know one another, they find that they have a whole lot in common. And what I saw in that same conversation, when we had those, you know, different leaders around the table there, is once they get past, like, the, well, we think this about night hunting and then we think that about constitutionally recognized rights, at the end of the conversation, they're comparing notes more about, well, my grandson just shot his first deer last fall. Or, you know, I took my boy out in the woods; we did this.

*(15:40)

And then you realize that once you get past the politics of division, that we actually share the same way of life. Rural Manitobans, whether you're indigenous, nonindigenous, city-dwellers who still keep up that hunting way of life—whether you're indigenous or nonindigenous, you share the interest

in having a connection to the land. You share the interest in being able to preserve a way of life that you can hand down to your children. You share an interest in making sure that the environment is sustainable and that the animal population is sustainable for many years to come.

And that's the kind of politics that I like, and that's the kind of politics that I want to see practised in Manitoba, is the politics of unity, of bringing people together, of reconciliation. Not just reconciliation in an indigenous context, but reconciliation in the sense that where there are two parts that may be separated, that we work together to try and bring them whole, bring them to completeness. And I think that that's something that could be done. I think that there is a way forward on this issue, and it is important to hear the voices around the table and to be able to broker those conversations.

However, that will not be served by having the Premier (Mr. Pallister) or others inflame the debate with rhetoric that is very hurtful to many people. And we know the comments that I'm talking about, comments that were reported in the media, the comments around—the race war comments, right? That was very disturbing to many people. And I'm not even going to express my personal opinion about it, right? I'm not going to talk about indigenous people being offended by those comments. What I would say to you, for the benefit of the Finance Minister today, is that, actually, people in southwestern Manitoba, nonindigenous Manitobans, were very offended by the Premier's comments.

And I'm paraphrasing here, but these folks are saying, hey, we're standing up for safety. We're standing up for trying to have our property protected, for having our lives potentially protected. We don't want to be lumped in with the category of racist, right? They were expressing shock at why was the Premier bringing a cultural component or a race component into this, right? These are nonindigenous Manitobans, presumably Conservative voters, people who are activists in trying to get night hunting banned, and yet they themselves were offended by the comments being made.

And so I put this on the record because, while I think that there is an important public policy debate to be had on how best to get a handle on the issue that we're discussing here today, that I am skeptical of the Premier's commitment to doing that for altruistic reasons, and rather believe that he is doing

so because he wants to make this a wedge issue, as the Minister of Finance (Mr. Friesen) has just alluded to.

Now, again, returning to a more, I guess, hopeful note and a more positive note than we were talking about there for a second, you know, I want to acknowledge that this concern is a real one, that the concern that was espoused in that meeting by those participants who were representing indigenous organizations is also a real concern.

And unfortunately, since the government has brought in Bill 29, we have seen other indigenous organizations put their concerns on the record. And so I'd share a few of those with you here today because I think it does touch on a very germane issue, a very relevant issue to this bill, which is the issue of consultation and then, consequently, whether this bill—were it to become passed into law—whether it would survive a potential legal challenge, which is something that some of these organizations are actually entertaining as we speak.

Now, it's important to understand, I think, as a foundation to the views that these organizations have, that Aboriginal and treaty rights are entrenched in the Canadian constitution, all right? Like, these are constitutionally recognized rights. When the constitution was repatriated in 1982, we know that section 35 was included, and it says that Aboriginal and treaty rights are recognized and affirmed.

Now, in the subsequent three and a half-some-odd decades since the constitution was repatriated, there have been many, many test cases to define what exactly is meant by section 35 of the Canadian constitution. And in those test cases—well, I guess the first comment that one might make is that, you know, somebody like Bill Gallagher, who's a nonindigenous author analyzing the situation has found that, you know, indigenous claimants in these cases have an extraordinarily high success rate when they go to court to seek relief from what they view as infringement on their section 35 rights. So there's a strong track record there, generally speaking, on section 35 rights.

But I would also share with you Mr. Acting Chair—or Mr. Acting Speaker rather, that of the section 35 rights of Aboriginal and treaty rights, hunting and fishing rights are among the most well defined. Right? In some of the areas sometimes, you know, people wait for the Supreme Court to hand down a decision because there is perhaps an area of law which needs clarity. We saw that, as a recent

example, the Daniel's decision, right, which did give clarity and while it's a separate section of the constitution, but did give clarity as to the status of Metis rights under the Canadian constitution. This one, of course, being under the British North America Act, section 91(24). However, the point stands that that's an example of clarifying of indigenous rights and title.

We also saw the Tsilhqot'in decision in 2014, which clarified that where occupancy can be proven to have been continuous since pre-contact period that Aboriginal groups in Canada don't just enjoy rights to the land that they actually hold the title to those lands.

So these are examples of the Supreme Court clarifying areas that have been perhaps nebulous or not easily defined in the past.

But when you look at an issue like hunting rights or fishing rights, those are very clearly defined, and there have been numerous cases weighed and judged by the Supreme Court where they have essentially said that indigenous communities hold these rights and that they—there's a very high bar that must be met before a government can infringe them.

In particular, I think what's important to understand about hunting and fishing rights as they pertain to Aboriginal peoples, and I use the term Aboriginal because that is the term used in the case law. Again, I would probably use indigenous if it were up to me, but again Aboriginal rights being the legal term. What we've seen there is that hunting and fishing rights are clear. It's very clear that First Nations people hold those rights, right.

What has also been clarified by the Supreme Court is that these rights cannot be frozen in time, meaning that First Nations people who practise hunting and fishing rights cannot be expected to practise those rights or exercise those rights in the same way that they were practised at the time of the signing of a treaty or at the time of Confederation, but rather that there should be a reasonable expectation that those rights would evolve as technology evolves. So, for instance, that's why, even though perhaps muzzle loaders were the type of guns used when some treaties were signed, that today the hunting right extends to rifles or other contemporary guns used for hunting.

So it's this sort of legal grounding which was used to basically show that indigenous rights holders do have a constitutional protection to be able to hunt

at night and that they could use whatever technology, you know, could reasonably be used in a hunting context safely today.

And so all that to say that these rights are very clearly established and have been proven. The minister acknowledged that there is a test case that relates specifically to this issue.

Now, the Metis are indigenous people, they are Aboriginal people under the constitution, and unless it's proved otherwise it should be assumed that they hold the same rights as First Nations people do. And so just to say that much to broaden this discussion out from the First Nations examples that I used before to make clear that it applies also to Metis people as well.

* (15:50)

Now, we hear many discussions today about the duty to consult, and where there are Aboriginal and treaty rights, that if a government or a proponent who has been delegated the authority to carry out negotiations on behalf of the Crown are looking to infringe—or, basically, they're looking to do something that's going to impact on a treaty right. There has to be the fulfillment of the duty to consult and accommodate those Aboriginal and treaty rights. And the fulfillment of that is commensurate with how much infringement on those rights is going to take place.

So, basically, just to summarize from a lay perspective, essentially if you are going to have a—perhaps let—more innocuous infringement of Aboriginal and treaty rights then the degree of consultation and accommodation that would be necessary would be on the lower end of the spectrum.

However, if you are going to infringe on a very clearly defined, you know, hunting right, treaty right, Aboriginal right, and you are going to infringe on it in a major way by, say, removing the ability or removing for practical intents, the ability of a people to carry out that right, then the bar for consultation would be very high. And commensurately, the level of accommodation that would need to be accomplished under that would also have to be very high. And so, on its face, it seems as though because this bill does impact on a set of treaty and Aboriginal rights which are very clearly defined in a very big way, that the bar for consultation and accommodation will be very high in this instance.

Now, when we get to the organizations that are going to be impacted by the passage of this law, you know there's many organizations that I guess have weighed in on this issue. You have, like, outfitters. You have, you know, Wildlife Federation. You have, I guess, concerned citizens' groups, municipal leaders. And their opinions matter. They certainly matter to me, and I've tried to listen very closely to the concerns that they raise.

And again, I would acknowledge that I think there is a legitimate safety issue that's brought forward here and I certainly do acknowledge the right of everyone to feel safe at home, to feel safe on their own property. And I also acknowledge that we want to be able to provide the next generation and the generations after that in our province with the ability to hunt and the ability to live off the land in a meaningful way.

However, there are other groups that are going to be affected by this bill and they, you know, would be the indigenous 'governants'—governments in Manitoba, specifically the Manitoba Metis Federation and the First Nations governments in the southern part of the province. and so the representative organization of the southern First Nations, SCO, has indicated that (1) they do not feel that they have been adequately consulted with, and (2) they are opposed to the government unilaterally establishing the regime that would regulate the issues that we're debating here today.

I think, rather, as I understand their perspective anyways—and again I'm just paraphrasing what I understand their position to be. But as I understand it, what they would like to see is real co-management, which means not just, you know, co-management as this bill talks about, which is not really co-management; it's, in fact, an advisory group—so, essentially, it's the minister still holding the power to make all decisions. Co-management would mean shared decision-making power. And so I think that's what the SCO has been highlighting as their concerns.

They represent many First Nations across southern Manitoba and they feel that those First Nations have not adequately been consulted with. I want to acknowledge that the minister said in the question period on this bill that there was a letter mailed out. However, given the high bar of consultation likely to be required of a bill like this one, I don't—well, I'm not sure that just sending out a

letter to a First Nation would constitute adequate consultation.

The Metis perspective, as espoused and articulated by the Manitoba Metis Federation, I think is a little bit different. As background the Manitoba Metis Federation actually banned night hunting in their—under their law of the hunt, and so the president of the Manitoba Metis Federation was a little surprised when the government brought in this bill and it would actually force the Manitoba—well, attempt to force the Manitoba Metis Federation to water down what had been a complete ban on night hunting. And, you know, I think that residents in southwestern Manitoba would probably wonder about that, too, you know?

The Metis Federation had said that, you know, the rights-based hunters who are under their purview should not be doing night hunting at all, right? And then the government comes in and says, well, we want to address night hunting, and rather than respecting the total ban that the MMF has brought in, instead we're proposing that night hunting be allowed within, I guess, certain permitted conditions.

And so there, I guess, you have two potential challenges from indigenous governments based on indigenous rights, Aboriginal and treaty rights, which are coming at it from slightly different perspectives. On the one hand, you have maybe some First Nations who are going to argue that they have not been adequately consulted with, and that the government is infringing on their rights by not engaging in a real co-management process.

And then on the Metis side, you have the Metis saying, we have already asserted our ability to regulate and legislate our own Aboriginal rights and now the government is infringing by actually getting us to water down the Metis law that was passed. The Metis law of the hunt, I think, was amended to reflect this night hunting issue.

And I'd note, by the way, that the MMF doing that sometime, I believe it was last year, I think it shows an act of good faith on the part of an indigenous organization and indigenous governance—government, rather, in Manitoba, to listen to the concerns that were being raised by people in rural Manitoba, in southwestern Manitoba, about night hunting.

So you have a representative indigenous government that was actually listening to their neighbours and taking proactive steps to manage the situation.

And so it doesn't appear as though that gesture of goodwill was recognized by this government in bringing forward the—this bill.

Now, again, so I've made these points about the potential challenges that an indigenous rights-holder could mount to this bill, and the reason why it is relevant and it is important to our discussion here today is because, again, let's return to that foundational concept of safety.

What will advance the safety of people all across Manitoba? What will make the bush safer for my kids to be in at night? What will make a property owner in southwestern Manitoba feel more safe on their property at night? What will allow Manitobans of all walks of life to feel safe in their province, whether that's in hunting season or in other parts of the year?

Well, to me, it would be a measured, reasonable bill that could withstand a court challenge based on constitutionally recognized and well-established rights held by indigenous people. Unfortunately, I do not believe that this bill, as it is currently constituted, could withstand a legal challenge by a rights-holder, were they to want to challenge it, and I think I've established on its face.

The reason why that concerns me is that if this is struck down, then it could create a situation where the safety concerns prop up again, and that's why it's so important that the government adequately and completely and thoroughly discharge their duty to consult in this instance.

And if you have the representative governments and the organizations representing the rights-holders in this province saying that they were not adequately consulted, then that certainly is a concern and it certainly does suggest that there could be some legal risk towards having this bill passed.

Now, of course, if we're talking solutions here, and I always like to talk solutions because, you know, didn't come here to talk about the other side. I came here to make this province a better place and try and move things forward.

But if we want to talk about solutions, I think there's some really powerful models out there about what real co-management looks like, about what real shared management of lands and resources could look like.

And I have been encouraged to hear that perhaps the federal government is now willing to entertain

some of these conversations based on the wildfire situation, which is not a hundred per cent germane to this but is a related issue in so far as it implicates conversations around conservation.

* (16:00)

But if we look to our neighbours to the south and to the east of us, if we were to just drive through your constituency, maybe head over the border at Warroad, and then go through Minnesota, Wisconsin and Michigan, we would see an organization there called the Great Lakes Indian Fish & Wildlife Commission, GLIFWC, as the initialism goes, actually regulates the tribal government—regulates, on behalf of the tribal governments of those Great Lakes states, the rights-based hunters in their regions. It's a very impressive organization, Mr. Acting Speaker. They have their own conservation officers; they have their own biologists; they have their own admin structures with a very impressive office in Bad River, Wisconsin. And they—on tribal lands—and I use the term tribal because that is the legal term in United States of America—but on tribal lands, they do the conservation; they do the enforcement; they do the compliance on this.

And they do—they have contemplated issues like night hunting; they have contemplated issues like managing the population of large game, and they have, you know, I think come in with a very good model that sees indigenous rights respected as they are established in the United States of America, but also allows for a shared interest with the state governments in those states that I'd already mentioned there on the south side of the Great Lakes: Minnesota, Wisconsin, Michigan.

And, you know, to me, that is a very impressive model and is one that we should consider here in Manitoba. However, in order for that to be workable, there would have to be buy-in from all parties. So, we have seen that the government is making an effort to act in this area, and we know that there are many, you know, organizations like the outfitters and the wildlife federations who are looking forward to seeing action on this. However, the piece that's missing right now seems to be having the indigenous governments feel as though their rights are being adequately respected and that their moves that they've taken to address safety concerns so far are also being recognized.

And so I think it would be very important to take a note from that and to contemplate what shared management really would be, what co-management

really would be. And again, if we are to take this era of reconciliation seriously, we should be using the UN Declaration on the Rights of Indigenous Peoples. And what the UN declaration would tell us is that the consent should be obtained from a—Manitoba Metis Federation, from the First Nations in southern Manitoba, before their rights are to be infringed upon. It is clear that their consent has not been granted in this instance.

Beyond that, however, even if we're just to do what is the requirement under Canadian law, you would still have to ensure that the duty to consult and accommodate was discharged. And again, there is a very significant question mark around that. And the reason why that should be relevant to everyone, not just to the indigenous governments, but it should be relevant to everyone in southern Manitoba, is that if a law is passed here that can be quickly struck down by a court challenge or rendered toothless by way of injunction, then the safety issue of people feeling unsafe in the bush at night will still be a live issue in Manitoba. And I don't think anybody wants to see that, from the rural southwest councillors that I've spoken to, to those who work in indigenous organizations, to, you know, just the average people engaged with this issue. I think everyone wants to see hunting be practised more safely. Everyone wants to see the safety concerns addressed.

But the way that we get there is very important. And that's why I'm proposing that real co-management is the way forward. Again, real co-management would not be an advisory committee. Real co-management would be a shared decision-making organism struck between the different rights-holders and levels of government that are relevant, right? And so we could contemplate, you know, a table whereby indigenous governments, municipal governments, provincial governments and, where applicable, the federal government, would come together to make a shared decision-making process.

Now, there is a table contemplated in this bill, but it is an advisory table. It does not hold decision-making powers. And so, on that basis, it probably would not withstand a reasonableness argument made on the basis of indigenous rights-holders.

So, with those few words—very few, very concise words, very short speech—on the record, I think that, you know, the point that I've made is relatively clear.

But again, just to reiterate: I don't want my boys to be in the bush at night when there's night hunting

going on, and I'm an indigenous rights-holder saying that. However, the best way for us to make that happen, both in the short, medium, but most importantly, in the long term, is to ensure that the representative governments of the rights-holders themselves are properly engaged in this process. And where this does not occur in this bill, I think there is a requirement on the part of this government to amend it. There is a requirement of this government to amend this bill to ensure that it could withstand a potential legal challenge.

As a result, I'm going to make a reasoned amendment on this bill. Again, I agree with the principle that is being proposed in this bill. However, I disagree with the substance that has been written in this proposed legislation as of right now, and, specifically, we ought to see this government make changes to this bill that would represent real co-management, that would represent a real approach of sharing decision making with the other rights holders and the other levels of government implicated in a such a legislative change.

So as a result, I am going to turn to the piece of paper in front of me here so I can just deliver it verbatim.

I move, seconded by the member for Minto (Mr. Swan)

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following:

This House declines to give second reading to Bill 29, The Wildlife Amendment Act (Safe Hunting and Shared Management); Loi modifiant la Loi sur la conservation de la faune (pratiques de chasse sécuritaires et gestion intégrée de la faune), because Bill 29 fails to institute the principles necessary for a real system of co-management for safe hunting in Manitoba.

The Acting Speaker (Dennis Smook): It has been moved by the member for Fort Rouge (Mr. Kinew), seconded by the member for Minto,

THAT this House—THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following:

Dispense?

An Honourable Member: No.

The Acting Speaker (Dennis Smook): This House declines to give second reading to Bill 29, The

Wildlife Amendment Act (Safe Hunting and Shared Management), because Bill 29 fails to institute—oh, The Wildlife Amendment Act (Safe Hunting and Shared Management); Loi modifiant la Loi sur la—

Some Honourable Members: Dispense.

The Acting Speaker (Dennis Smook): Because Bill 29—ok.

The amendment is in order, and debate can now proceed on the amendment.

Ms. Nahanni Fontaine (St. Johns): So I'm pleased to put some words on the record in respect of our reasoned motion on Bill 29, The Wildlife Amendment Act.

So we know that the general gist of the bill is that night hunting—a prohibition on night hunting is being established in southern Manitoba—miigwech, I appreciate that—and only those that have a permit will be allowed to hunt, and we know that Bill 29 is looking at spotlighting, that it will still be allowed unless prohibited by regulation or a term or a condition imposed on a permit. We know that Bill 29 is looking at shared wildlife conservation and management committees, which may be appointed in specific areas, and that the proposal is that these committees must have half First Nations representation. And then certainly those pieces would also have representation from hunters and outfitters and local landowners.

*(16:10)

I think that it's important to put on the record in respect of our reasoned amendment motion is that there certainly doesn't seem to be any comprehensive move in this legislation for co-management—so co-management in respect of dealing with night hunting and certainly co-management with First Nations who are the original owners and—on our territories here. So that is the main concern in respect of our reasoned motion.

I will put some words on the record in respect of the bill in general. So I would suggest in the House that I suspect that everybody wants to ensure that there's safe hunting practices. But, as the member for Fort Rouge stated in his time, that certainly there has to be a co-management strategy and an equitable partnership with indigenous nations and their self—their governments, their self-governing governments, and so this bill needs to be amended to reflect that.

And I know that when the minister spoke earlier and the member for River Heights (Mr. Gerrard) had asked for a list of individuals that she had met with or consulted or engaged with as she noted, she noted that she had sent a letter to all First Nations. I'm assuming all 63 First Nations in Manitoba, but I would have to put on my official notes that I—record that I don't think that it is—that is sufficient, just sending a letter and waiting for those individuals who are so busy—so busy running First Nation communities with an enormous amount of issues that our communities face each and every day, including, you know, some communities—lack of access to water, to clean drinking water or running water; some of the communities are dealing with lack of access to education infrastructure; some of our communities are looking at, certainly, at just a lack of infrastructure in its totality. Certainly some of the communities are looking at some pretty substantial economic issues that face our communities, including high unemployment rates.

Certainly we know a lot of our communities and our sister colleague from Kewatinook has brought up some of the communities. And I've had an opportunity to meet some of the members from her First Nation community of St. Theresa Point that are dealing with some really critical, immediate issues like the meth crisis. And so why I bring that up, Deputy Chairperson, is because just sending a letter isn't sufficient enough when communities, when chief and councils are already stretched in so many different ways dealing with so many different issues, to, you know—perhaps I don't know if they—everybody even gets the letter, if they even have enough time or resources to be able to respond to the letter.

Do they—so I would suggest it's incumbent upon the part of this government to ensure that a comprehensive strategy of engaging First Nations on what is a very serious bill which all of us can agree. So I would have to disabuse the Minister for Sustainable Development that that, you know, that—that was sufficient or it was even a step. There needs to be more pieces in that consultation, so I know that she did mention that she met with—I don't know—she said thousands, or a thousand First Nation individuals.

It would be, I think, appropriate to, you know, table for the House, for legislators here, where all of those meetings took place. I think she had said 21 meetings, I believe, or 14—I apologize—14 or 21 meetings—I apologize—and those individual chief and

councils that she met with. I think it's important that, when we look at legislation like this that will have a fundamental impact on the way that First Nation communities and those individuals that are hunters sustain themselves and their families and the communities, that we understand the process that was undertaken in respect of consultation.

So I would put on the record, Deputy House Speaker, and I would request if the minister would be so kind as to table that list of each and every First Nation that she has met with, chief and councils. And again, those individuals that she's met with, the thousand First Nation individuals that she's—she has apparently met with that has, you know, that she indicates has gone into the development of this bill. So I think that that's important to put there. And I hope that we can see that maybe next week or sometime in the next couple of days, to put that officially on the record.

So, you know, and I would suggest that, you know, everybody in this House wants the government to be successful in its efforts in shared management of our big game population. I think that everybody in this day and age realizes or should realize and should understand and should appreciate the need to protect our big game population. So I—it—we're not opposed to that, certainly, I think, particularly as an indigenous person here in Manitoba, that is certainly something that I can stand by and certainly somebody as—who has substantial—I used to work for Sagkeeng as an environmental researcher and I know how important it is to just even if I were to just talk about Sagkeeng First Nation, how important it is, the health and well-being of those big game animals for the ability to feed our community. And I do want to say that—I actually just want to kind of take a moment just to recognize some of the—well, actually all of the hunters, all of the hunters in Manitoba and First Nation hunters who, you know, go out and hunt and take that time and, you know, develop those skills and hone those skills on being able to hunt and, as is the tradition of our people, come back and don't just keep that meat for themselves, but they distribute that meat to the elders in the community.

And I've had the very good fortune—I'm not a hunter. I probably wouldn't do that. But I've had the opportunity to sit with hunters and watch them as they and women in the community cut up that meat and, again, offer thanks and celebration for that meat. But then also I've had the opportunity to go with some community members distributing that meat to

the elders. And I would say it's quite a blessing to be able to see that exchange between that younger generation and elders who rely on that younger generation to be able to have some meat that they love. Our elders love moose and deer and all of that. And so I am—I'm blessed and I do want to just lift up and acknowledge those folks that do that, that sacred responsibility of feeding our elders in the community.

Yes, I've actually—I remember several years back, many, many years back, travelling with the United Nations special rapporteur on indigenous peoples up to Pauingassi and having the opportunity to sit with some elders as they—in their living room as they cut up—can't remember what it was, but it was quite a big animal. And everybody was in the—this small living room. There was a huge tarp and they were cutting it up and it became just a community exercise. And it became a community exercise on connecting with one another through this act of hunting and through this act of distributing meat to the community. And those are moments that I feel so blessed, especially as an indigenous person who has always lived in the urban area and certainly didn't have anybody to really take me hunting or not really have those opportunities to do that. I always look fondly back on those memories. And I appreciate that as well.

So, I—you know, on this side of the House, I would suggest that we agree and we understand and appreciate the need to protect, though, our big game population, and we want the Manitoba government to be successful in that, as I stated earlier.

* (16:20)

So—but to that end, I think that we need to recognize that our laws need to be effective and that they need to be enforceable and that they actually—and most importantly, that they meet the province's legal obligations, including our constitutional obligations to First Nation communities and nations.

And so, you know, I don't think that I have to tell anybody in this House about—or, I hope not, anyways—about our constitutional obligations to First Nations. I think that even, you know, we know in this House the history that we belong in this House and the importance of entrenching our constitutional rights as First Nations people.

So I do want to just point out, in respect of our constitutional obligations, the province's own legal obligations are spelled out in the minister's own

transitional binder. And I would put that on the record, Deputy House Speaker.

I would say, and I quote: that (a) major changes that have a major effect on Aboriginal hunting require significant consultation with all Manitoba First Nations, and (b) this scale of this consultation would exceed that of Bipole III, which was Manitoba's largest consultation effort to date. End quote. And that's in the Minister of Sustainable Development's (Ms. Squires) own transitional binder. And so I know that—and I know I don't have to tell anybody in this House that there were substantial consultations when we looked at Bipole III.

And so what was put on the record just—I—maybe 45 minutes ago by the Minister for Sustainable Development, I'm not sure and I would probably suggest to the House that that in no way, shape or form comes close to the consultations that had taken place with Bipole III. And certainly before legislation is tabled in the House, there should be that substantial consultation with First Nation communities.

And I want to do just a, like, a little bit of little history lesson here. Even if we were to look at just the development of—or the discussions and the negotiations of Treaty 1 territory, in fact, most people may not realize that actually those negotiations and those discussions and—actually took over—took place altogether over weeks and weeks.

And so I would suggest to the House that one meeting, you know, either in a First Nation community as the Minister for Sustainable Development noted, or some meetings in her office, are not robust enough and not comprehensive enough.

And the—and I know that—I would hope that most people in the Chamber would know that indigenous people, we take our times with negotiations. We take our time with discussions. That is why our elders teach us when they're talking to be patient and to listen and to listen with an open heart and an open spirit so that there really truly is an engagement of back and forth.

And I would suggest to the House that what the Minister for Status of Women—or, status of—Sustainable Development, I apologize—put on the record, I don't believe that that is a significant amount of consultation.

It certainly isn't a significant amount of consultation when we look at a co-management

regime, and we know that co-management requires a lot of work and a lot of agreement and 'unpacking' a lot of logistics to have a co-management agreement. And that's just if we were to just look at one co-management agreement with one community. The amount of time that would go into the development of a co-management agreement would be, I would suggest, months on end.

So I'm not convinced, I don't think anybody on this side of the House is convinced that the Pallister government has met its legal requirements as set out by their own department in the piece that I just read previously. Indigenous governments, both First Nations and Metis, have said—well, and have actually put it on the record and in the media that they haven't been properly consulted.

And so, you know, I'm not sure why the minister—or, why members opposite, you know, recalled the House for three weeks to discuss financial matters when—and they're bringing this forward. Like, I—and they're bringing forward Bill 29 when they haven't done the consultations to actually justify introducing a bill that probably at this point doesn't deserve to be before the House because it has not met those constitutional and legal requirements on the part of this government to consult with First Nations and Metis governments.

Madam Speaker in the Chair

So, I mean, I—if the minister is and this government is so intent, as they repeatedly espouse in this House, about wanting to engage in a relationship with indigenous people, then probably the best thing to do would actually just to take this bill off the Order Paper and just get rid of it until they actually take the time to do the consultations, and—which, again, I would suggest to the House is months. It would take months and months to be able to come up with a wholesome, partnered, equitable, self-governing co-management agreement bill that First Nations can really agree to and can support.

And I would actually suggest, as well, Madam Speaker, that in—on top of the consultation piece and the constitutional piece, as well, is I believe that this government and, in particular, the Premier (Mr. Pallister), has to take some time apologizing and attempting to repair the damage that was done by his comments. And I know we've raised those comments in the House several times because they were just so particularly offensive and egregious. And as I said in this House before and I, of course, will put it back on the record here, that you know to

negatively socially construct indigenous men as all criminals is so damaging, not only to indigenous men but to the whole of the indigenous community in our totality, when we already know that there is an incredible amount of misinformation, a lack of understanding of indigenous peoples' histories and our cultures and our traditions.

So to put that on the record from the Premier of the—of Manitoba and actually not in any way, shape or form attempt to find resolution or reconciliation from making these really horrible comments, and just to put it on the record again because we know that some members like to put things on the record repeatedly. I do want to, and I think it's important and it's incumbent on me as an indigenous woman and as an indigenous mother and certainly as an indigenous MLA to put those record—those words back on the record again. And I quote, he said that night hunting was turning into a race war. End quote.

And that again, I quote, young indigenous men going out and shooting a bunch of moose because they can, because they say it's their right. It doesn't make any sense to me. End quote. That was something that the Premier had said on January 20th, 2017.

And when the Premier was in Costa Rica, which I'm sure he's anxious to get back to right away, he did also say to a journalist out there, Nancy Macdonald, who's quite a phenomenal journalist. I really do love her. She does some really, really good work. She's an amazing woman—strong, articulate and quite intelligent woman that I've had the pleasure of meeting a couple of times. And so when she went to Costa Rica because that was the only place that she could find him, he said to her, again, this is in Costa Rica, this house, and I quote, young indigenous men, a preponderance of them are offenders with criminal records, are going off shooting guns in the middle of the night.

* (16:30)

I don't know if it's because the Premier was in Costa Rica and for some reason, like, he feels that maybe he's not Premier anymore and he's kind of forgotten the sacred responsibility of—that he has the sacred responsibility to represent everybody, including indigenous men. But to say that young indigenous men, a preponderance of them are offenders with criminal records, it is so irresponsible, it is so dangerous, it is so offensive, and this Premier has yet to apologize for that.

He has stuck to whatever, you know, he thinks is his right to say about people that he doesn't know, that he has no clue what—you know, he's kind of just put everybody into this one negative—socially negative construction. And he thinks it's his right, that that's his privilege to be able to say that about, in fact, my sons, the member for Point Douglas's (Mrs. Smith) sons, the member for Kewatinook's (Ms. Klassen) son—like, that's who you're talking about; you're talking about our sons. And that's—it's just offensive, and the fact that the Premier can't stand in this House or in Costa Rica—we can send more journalists down there—and just apologize, apologize for such grotesque language to be used on—about the citizens that he purportedly represents.

So, you know, and I would suggest, then, when we look at consultations in respect of the bill, in my mind, even before you got to a bill, you would have to repair that damage with the first—with First Nation communities and Metis communities. I mean, let's not even get started on MMF and the damage that's been done with some of the comments that the Premier (Mr. Pallister) has made just in the last six weeks or so—five or six weeks or so, about the MMF and being paid off and all of this other stuff.

Like, the Premier, instead of, you know, trying to put or introduce bills really actually has some work to do on repairing the damage with indigenous communities here in Manitoba. He seems to think that he can just say or do whatever he wants with indigenous peoples and our communities and we're supposed to just accept it in the same way that he has repeatedly put false comments on the record about myself. He did it today in question period, repeatedly attacking me. And despite the fact that I have repeatedly said that there was no agreement with the member for Spruce Woods (Mr. Cullen), he chose—the Premier, a man who is six-seven—has chosen to attack, yet again, my integrity and all but outright call me a liar and draw in members of my own caucus when I have repeatedly said that there was no agreement. No matter the way that the Government House Leader (Mr. Cullen) chooses to spin the fact that he didn't do his job, that's not my fault.

And so, you know, I know that the Premier thinks that he can just go and bully and harass whoever he wants without consequence, and seemingly, in this House, seeming to think that he can just harass and bully me at length and that we're supposed to just—I'm supposed to just sit here and constantly take that bullying and that harassment, I

can tell everyone in this House that I am—I—today was the last day; I'm not going to take that anymore.

And I can say that, you know—so in the same way that the Premier thinks he can just say whatever he wants to say about indigenous young men, he's got work to do. First off, I would suggest that the Premier needs to learn a little bit of humility. I know that he feigns humility when he comes in here, but, actually, one of the first teachings that our elders teach us is to be humble and never to put yourself above anybody. And the fact that the Premier of Manitoba—and I've said it repeatedly in this House—only so many Manitobans, only so many people get the opportunity to call themselves premier. And up until this point, it has been all men. And to think that just because you are the premier, you have the privilege or the right to call out the most—some of the most marginalized of our community and seem to think that that's okay, not apologize, put forward a bill upon which your comments were predicated upon, and everybody is supposed to just roll over and say yes, this is a great bill. No, that's not the way it works.

So, in the same way that today was the last day for me to be harassed in this Chamber and bullied by the Premier, I would suggest to you that today is also a day where we see First Nations also—and as always—but to this Premier say that they're not going to accept being bullied or railroaded into a bill that adversely affects them.

So, I'm—you know, I encourage the Premier to learn a little bit of real humility and to apologize for his comments to withdraw Bill 29 and move forward with real consultation, recognizing the government's constitutional obligations, the legal obligations for consultation, and provide a framework, a strategy, in which First Nations and Metis can really participate in robust and comprehensive consultations with the government, because here's the one thing that I know about our people: from the moment of contact, our people have always been gracious, have always been open, have always been willing to forgive and have always come to the table with a genuine and good heart to make things better for all of us.

And so I know that First Nations would be willing to sit—First Nations and Metis would be willing to sit down and to look at this bill in a good way, in a comprehensive way. And all we need is for the Premier to say yes, you know what, let's do this in a good way. Let me begin by apologizing for those really egregious comments against even members of

this House's sons. And, you know what, let me go into the communities, and let me apologize to those young men that I so negatively constructed, and let's begin anew in a good way and move forward.

In the same way that, you know, we hear the Premier (Mr. Pallister) talk about wanting to work together, then he can take those steps on working together and look at legislation, as I said in the beginning, that I know that all of us in this House want to look at safe hunting practices in Manitoba. None of us want to be in a province where people potentially are unsafe and potentially can lose their lives. But it certainly has to be done not in a harassing or bullying way, but in a true, comprehensive, equitable, partnered, respectful, genuine way of having these conversations equitably.

And I know that we can put forward a better bill than this, one that looks at co-management and one that everybody in the province can get behind, and I'm sure that we can do it. I have faith that we can do it. If only the Premier—

Madam Speaker: The member's time has expired.

The honourable member for Kewatinook (Ms. Klassen)—oh, sorry.

The honourable member for Swan River.

Mr. Rick Wowchuk (Swan River): Madam Speaker, we on this side of the House are opposed to the amendment, and Bill 29 strikes that balance, and it takes into account and respects the constitutional—the protected rights of the indigenous people to hunt at night while balancing the priorities of public safety.

I'm pleased we're moving ahead on this very important Bill 29, The Wildlife Amendment Act (Safe Hunting and Shared Management). Every day that passes without addressing this matter puts the lives of Manitobans at risk.

I've experienced many personal experiences and observations. Two out of four of the accidents in the past five years were in my constituency. Our No. 1 concern will always be the safety of Manitobans. This is why we introduced this bill, which carefully balances indigenous hunting rights with the public safety of Manitobans.

As an instructor in hunter safety for 42 years, one of the main things on safe gun handling was to be sure of your target and beyond. Discharging a firearm at night violates both safety components.

* (16:40)

The bill regulates night hunting to ensure the sustainability of Manitoba's big game population and reduce inhumane hunting practices such as night hunting where animals are blinded.

Many of these animals that we see out there are nocturnal. They become easy targets and really jeopardizes the sustainability. And, in addition, the strong gene pool that exists, the animals that only come out and which are nocturnal and seldomly a hunter gets the opportunity to hunt them becomes targets at night. Using light shows disrespect for wildlife.

The bill takes into account and respects the constitutionally protected rights of indigenous people to hunt at night while balancing the priorities of public safety, ethical treatment of animals and conservation.

Sustainability of our populations is of utmost importance. There is—we are in an era of declining moose populations, declining elk populations, and, Madam Speaker, I would like to table these pictures that show the risks of sustainability from this practice.

We engaged in consultations with indigenous communities and their representatives, rural municipalities, the Manitoba Wildlife Federation, and groups representing agriculture producers. Sustainability of our wildlife populations and safety of Manitobans is everyone's responsibility.

The proposed legislation will 'inflow'—will allow indigenous hunters to exercise their right to hunt at night in designated areas by obtaining a night hunting permit with the exception of private land where there will be a ban.

Madam Speaker, we know livestock, roads, buildings, and people are in—if they are in a near vicinity, of course this would risk human life. The creation of this no-cost hunting permit will allow an indigenous harvester to exercise the right to hunt, but focus the activity in areas where the risk to landowners and their property is minimized.

Night hunting will only be allowed if the hunt does not threaten the viability of the species being hunted. We have many high-management areas in this province. Conservation closures have been in effect for going on six to seven years in the Duck Mountains. Our populations are sensitive to a number of other factors and we have to work to

recover these populations to sustainable levels so there will be a future.

We ran on the promise to curtail unsustainable and unsafe hunting practices such as night hunting to keep all Manitobans safe. We knew when coming up with a solution that safety and Aboriginal rights would need to be balanced.

We believe we found this balance. Bill 29 addresses concerns regarding unsustainable and unsafe night hunting practices expressed by many Manitobans, local municipalities, landowners, while respecting treaty and indigenous rights. The bill focuses on defining areas where indigenous night hunting may reasonably occur. When a permit is issued, the area will be a safe area for indigenous people to practise their right with safety being addressed.

In an effort to understand indigenous communities' perspectives on night hunting and the importance of this practice of their culture, traditions and values, we carried out Crown indigenous consultations. We developed consultation plans with indigenous organizations to further good relationships and ensure respectful engagement of indigenous communities.

This is something we pride ourselves on in this process. We know the role that elders have in indigenous governance, and how important they are to their community. That is why we held our first ever elder gatherings at Turtle Lodge in Sagkeeng and the second one in Brandon.

Elders are the leaders in their communities, and elders want very much to see the future generations be able to practise traditional practices in a safe and sustainable manner. These meetings with consultations and community engagements were made—or we were made aware of different perspectives and concerns from indigenous communities around night hunting issues.

We listened intently to all comments, opinions and concerns raised by indigenous communities during the consultation process. We heard that communities should be involved in the consultation process. There is a desire to build a better relationship between conservation officers, farmers, landowners and members of indigenous communities. We are in this together.

It's important to improve education and awareness around the issues of night hunting, indigenous rights and traditional teachings. There is

a need to improve monitoring and enforcement of legislation and regulations and indigenous people need access to their traditional lands. We worked hard to develop legislation that addresses these concerns that indigenous leaders brought to us and we have found a solution.

This bill defines the act of night hunting. Night hunting consists of three factors that include shining a light into an area where one can reasonably expect to find wildlife, carrying a firearm or having one readily available and, finally, having that firearm loaded or having access to ammunition nearby.

And I refer back to hunter safety because quite often when somebody is exercising night lighting, the firearm is loaded in a vehicle and it becomes an extremely dangerous hazard. The bill establishes a new minimum fine of \$3,000 for anyone convicted of a dangerous hunting practice such as illegal night hunting or hunting while intoxicated or under the influence of drugs.

It is an offence to endanger lives of innocent Manitobans. We have seen that on two occasions in my constituency, where a bullet went into—through a house and inside, exited approximately two feet over the person who was sleeping. And just last fall, there was a young gentleman in the Pulp River area who was trapping beaver and in the darkness and the shadows, he was accidentally shot. And fortunately it was within millimetres of him losing his life.

It's a terrible tragedy, Madam Speaker, for the shooter and for the victim and nobody ever gets over this. It becomes a recurring nightmare for the shooter and it's a family nightmare for the victim. Night hunting will continue to be illegal in Manitoba, except for instances clearly set out under this bill.

Several areas—or in several locations in our area, when night lighting occurs, it occurs over a long or a broad range of miles, kilometres within the farmland, and becomes an extreme hazard to the safety of every Manitoban.

In southern portions of the province, including Agro-Manitoba, all night hunting is prohibited except when a night hunting permit has been issued to an indigenous person upon assessing the risks and dangers involved.

* (16:50)

And that is why we feel that we have struck that balance. We are enabling people to practice in a very safe manner and only in a safe manner will this

occur. A new permitting process will facilitate indigenous night hunting on a specified public lands which are determined not to cause a safety hazard.

Lands approved for indigenous night hunting will be determined using input from adjacent landowners, local indigenous communities and local municipalities. The department must also take in account the use and topography of the lands.

Madam Speaker, when a bullet is discharged from a rifle, it has the capabilities of going over four and a half miles—from a twenty-two, a lower calibre gun, a mile and a half. When you have topography and that gun is discharged in darkness, we have no idea where that bullet is going to go.

Lands approved for indigenous night hunting will be determined, as I said, from local landowners. They'll outline any additional terms and conditions that the permit holder must abide to. Like I said, No. 1 priority of this bill is the safety of Manitobans. And if we don't get to support and pass this bill, every day, and then with the fall coming, there runs that risk that we are going to put another family through the nightmare that we have already put the—four families through in the last five years.

These permits are—or will outline the additional terms. The bill establishes that in northern Manitoba, an indigenous person may hunt at night without a permit where they have the right to access land, but must not hunt near developed areas, roadways or any other requirements that are established under the regulations. There will be a defined boundary that delineates the southern and northern portions of the province. We acknowledge that access to private land for hunting in some of—areas of Manitoba's a challenge.

Therefore, our bill also promotes governments to work with landowners, local municipalities, organizations, indigenous communities, to increase access for indigenous people's hunt during the day.

Madam Speaker, the safety of Manitobans is all user groups coming together for a common cause, and that is safety. The bill enables the creation of shared management committees that will include representatives from hunting outfitting organizations and local landowners. Half of the committee's membership will come from the indigenous communities in the area. These communities, through the shared management committee, will have a formal say in big-game management and

activities that may affect wildlife populations that indigenous communities rely upon for subsistence.

The NDP critically endangered the sustainability of our game populations, especially moose, by reducing funding for aerial surveys on wildlife populations and failing to police against dangerous hunting practices. Involved—I was involved a lot in the initiation of our first meetings when we saw declining populations. And I highly respect elder Buddy Brass, who is no longer with us, from Wuskwi Sipihk First Nation, who the day he walked into the meeting, he says, we have got to close the moose season for at least five years. And the minister at that time, Bill Blaikie, kind of looked at him, oh, okay.

You know, and he was walking in there thinking that there was going to be resistance, and that community knew that we have to do something immediately. We—just for political purposes, on area 19, for instance, there was an occasion where they'd done the aerial survey, and there was—I think it was 80 or 79 moose were present and 19 bulls. Government allocated 30 tags for 19 bulls. And it just shows that their sustainability, it was all, well, we don't want to rock the boat here.

Under the NDP, Lake Winnipeg, of course, became one of the most endangered. The NDP has a history of ignoring science and instead basing it—decisions on political ideology.

Madam Speaker, good governments make difficult decisions necessary to ensure protection of sustainable, quality services for their citizens. Our government began to work hard to repair the damage, correct the course and move toward a balance in a sustainable way. The NDP made politically motivated quick fixes that resulted in unsustainable spending growth and massive debt.

Sustainable Development engaged First Nation communities and co-ordinated with the organizations, and that is why we, on this side of the House, are opposed to the amendments, because a lot went into engaging in these First Nation communities. Also, there was—co-ordinated efforts occurred with the following organizations: Southeast Resource Development Council Corp., Swampy Cree Tribal Council, Anishinaabe Agowidiwinan, which is Treaty No. 2.

Sustainable Development directly consulted with more than 21 First Nation communities. The department supported nine regional sessions

with Manitoba Metis Federation. Sustainable Development engaged the Metis Rights Coalition in the discussion.

In September of 2015, an elderly couple reported being woken up, as I said, by a bullet piercing through their wall. In 2017, there were 23 charges that occurred. Our government's working hard to keep Manitoba safe. We don't want to see any family bear the pain of losing a loved one because of the life-threatening practice of night lighting. It's unbearable for the family and also a traumatic experience, as I said, for the shooter.

Madam Speaker, every citizen of Manitoba deserves the right to be kept in a safe environment. We have a responsibility to protect Manitobans from this dangerous practice, and we have a responsibility to our resource to sustain a future for our big game populations.

Thank you.

Ms. Judy Klassen (Kewatinook): There has not been proper consultation. We hear one thing after another when it comes to the PCs.

So what are the facts? I'm pretty sure that the lawsuit will determine what they are. No disrespect to the two people that have passed in five years, but I'm burying my people in my riding at a far greater rate due to the health-care system and the systemic racism that exists. And there's been no movement on that health front for the betterment of my people.

There has also been multiple times when my people have been shot by trained people who have—who hold gun 'permits.' It's not just two in five years. I would like for any PC to tell me how many

indigenous people have been shot right in their own homes or yards, point-blank, in broad daylight by either the city police or the RCMP or others. Where is the PC's collective cry for our safety? There is none.

The Liberals support this amendment. Miigwech.

Mr. Andrew Swan (Minto): I'm pleased to get up late this afternoon to discuss the very reasoned amendment that our leader, the member for Fort Rouge (Mr. Kinew), put on the record. And, certainly, there are a number of reasons why we think a better approach to what we acknowledge is a very serious issue, is warranted.

Now, we know that by Bill 29, there'd be a general prohibition of night hunting established in southern Manitoba. You'd only be allowed to hunt by permit in northern Manitoba. In opposition to what the Premier (Mr. Pallister) put on the record among, I guess, his friends and supporters, there actually would not be a regulation.

Sure, wildlife conservation management committees under the bill may be appointed—may be appointed, I would add, in specific area—and these committees must have half First Nations representation. We're also told there must be representation from hunters, outfitters and local landowners.

Madam Speaker: Order, please.

When this matter's again before the House, the honourable member will have 29 minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m., on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 7, 2018

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