

**First Session – Forty-Third Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Third Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALTOMARE, Nello, Hon.	Transcona	NDP
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JACKSON, Grant	Spruce Woods	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
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PERCHOTTE, Richard	Selkirk	PC
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STEFANSON, Heather	Tuxedo	PC
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 14, 2024

*The House met at 10 a.m.*

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

We acknowledge we are gathered on Treaty 1 territory and that Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishinewuk, Dakota Oyate, Denesuline and Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Please be seated.

House business—orders of the day, private members' business.

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**House Business**

**Mr. Derek Johnson (Official Opposition House Leader):** Pursuant to rule 34(8), I am announcing that the private member's resolution to be considered on the next Thursday of private members' business will be one put forward by the honourable member for Portage la Prairie (MLA Bereza). Title of the resolution is Calling on the Provincial Government to Remove the Federal Carbon Tax on Agriculture.

Also on House business, if we could call Bill 203, please.

**The Speaker:** It has been announced by the honourable Opposition House Leader that, pursuant to rule 34(8), he is announcing that the private member's resolution to be considered on the next Thursday of

private members' business will be the one put forward by the honourable member for Portage la Prairie. The title of the resolution is Calling on the Provincial Government to Remove the Federal Carbon Tax on Agriculture.

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**SECOND READINGS—PUBLIC BILLS**

**Bill 203—The Occupiers' Liability  
Amendment Act**

**The Speaker:** Further, it's been announced that we will now do second reading, Bill 203, The Occupiers' Liability Amendment Act.

**Mr. Kelvin Goertzen (Steinbach):** Thank you and good morning, Honourable Speaker.

I move, seconded by the honourable member for Interlake-Gimli (Mr. Johnson), that Bill 203, The Occupiers' Liability Amendment Act, be now read a second time and be referred to a committee of this House.

Thank you.

*Motion presented.*

**Mr. Goertzen:** Good morning, colleagues. Thank you very much and good morning, everyone.

This particular bill has been before the Legislature before as a government bill last fall, so some members who were in the Chamber prior to the election might recall it, might have some memory of it. For many of the new members, of course they won't have a recollection of it, so I'll just give a brief description and move on to the question period.

So, generally in Manitoba, we have what's called a limitation period that's governed under The Limitations Act. And what that essentially says is that causes of action, particularly when it comes to civil matters, must be launched in a general way within two years of the occurrence of the issue or knowledge of the issue for the person who is bringing the suit.

That general two-year limitation period has been extended to most causes. There were some changes when I was occupying the role of minister of Justice, there were some changes when previous ministers were occupying that role to ensure that there was more consistency, so that those who are looking to launch a

civil case in particular would know how long they have to launch that case.

So that's the general rule when it comes to the limitation period. There are some exceptions, of course, but there's also exceptions on notification. One in particular is under The Municipal Act, where when an individual is involved in what we'd often call a slip and fall related to snow and ice and, of course, in Manitoba that's no infrequent thing, where an individual might slip and fall and damage a hip or leg or any other sort of injury because of the snow and ice, they can also be under that two-year limitation period.

But if they slip and fall on a municipal property or municipal sidewalk or a municipal infrastructure, then they have to give notice to that municipal body. I believe in Manitoba it's within 10 days or so. It's different across every jurisdiction in Canada. But where there is consistency is that in every jurisdiction in Canada essentially, if you have that slip and fall on a municipal property, you have a limited period of time to notify the municipality that you've been injured.

And I don't know all of the sort of background and rationale why municipalities put that in place, or the government, of course, provincial government, put in place under The Municipal Act. My guess is that there was a few different reasons. Certainly one of those reasons—thank you—certainly one of those reasons would have been to ensure that whatever the cause of that slip and fall was, it could be addressed, it could be fixed to protect others who might also then be on that sidewalk or on that municipal property. So that makes a lot of sense.

Of course, the other reason might be that if you weren't aware of the slip and fall for two years until the limitation was about to expire and somebody launched a case, then whatever collection of evidence, videos or those sort of things which are more common these days, probably wouldn't be available.

So municipalities are—already have that in place, where the person who is looking to launch a case has to provide notice to the municipality and then they still have those two years to actually launch the case.

But on private property, that's not the case. There isn't the notification period in Manitoba. There is in other provinces, but there isn't in our province. Excuse me, Honourable Speaker.

So this particular piece of legislation would put in a notification period. It's not as strict as The Municipal Act for municipalities, but it provides that within

60 days of an individual who's suffered a slip and fall because of snow and ice on a private property, they would have to notify the occupier that this has happened, which would allow, then, that property to take some measures to fix the issue or to maybe be more diligent in terms of snow removal or ice removal, which would protect others who are also accessing that property.

\* (10:10)

So I really see this as an issue of safety and ensuring that individuals in Manitoba who might be subject to these sort of injuries, that they can be prevented. But it doesn't, then, prohibit somebody from launching that case within two years.

Just as a way of background, because it's often, you know, the question is often asked what are sort of the elements of a case when somebody brings this forward. And my friend from Fort Garry or others might have more information, certainly more experience on this, but I'm speaking to those who often do these cases.

You need to, first, be able to prove that the occupier was aware of the potential risks. So if you're the individual who has suffered a slip and fall, you would have to prove that the individual, who was the occupier of the property on which you suffered your injury, they—that they were aware of that potential risk.

You'd have to prove that they neglected to take the appropriate measures to address that risk. And of course, there's all sorts of case law on what would constitute neglect in that case. And then, of course, prove that the person was injured as a result of that particular slip and fall.

There's also a duty on the individual who has been injured to ensure that they were taking care of their own sort of well-being, that they weren't intoxicated or other sort of—any—something else that they would have put themselves into harm or would have been somehow responsible for the injury.

So I believe that this is, you know, a relatively straightforward change. It makes sense in terms of providing protection for individuals who might otherwise become victims, and then gives opportunity for the occupiers of the property to make the changes by providing that notice.

It doesn't prohibit an individual from bringing the case. They still have the two years to actually

bring the case, to formulate their case. And I know sometimes that takes time.

It provides a little bit more consistency between municipal properties and private properties so it doesn't have that stark distinction.

So I would hope, in this particular case—I know we're early in the spring session, so there are several months yet before this bill would need to pass. We would still have 'til the fall. I—what I would ask the government to do is to have some consultation with others in the industry who might be doing snow removal or occupiers or others who are in the legal field, to just get some information about it, to see what their perspective is. I think they'll find some support within those various sectors. And then look to move this before the end of session. I don't see this, obviously, as a political bill. It's more of a function sort of bill and probably more of an oversight that it—maybe it hasn't been done in the past.

Again, it appeared before the Legislature last fall, and there was an opportunity to pass it. But I recognize it was introduced pretty late in that last session, so I don't ascribe any blame to any particular political party. There was a relatively short runway. This is a much longer runway, so I hope that there's an opportunity to pass it this particular session.

Thank you very much, Honourable Speaker.

### Questions

**The Speaker:** A question period of up to 10 minutes will be held. Questions may be addressed to the sponsoring member by any member in the following sequence: first question to be asked by a member from another party; this is to be followed by a rotation between the parties; each independent member may ask one question. And no question or answer may exceed 45 seconds.

The floor is now open for questions.

**Mr. Mark Wasyliw (Fort Garry):** I wonder if the member from Steinbach could explain that when he was the sponsoring MLA for this original bill on May 23, 2023, it was introduced but never brought to second reading. And that's a curious fact given that he was also the House leader at that time.

So I'm wondering if the member can explain why his own government didn't prioritize this bill and why this—his own government didn't make—take steps to actually pass this bill.

**Mr. Kelvin Goertzen (Steinbach):** I thank my friend for that very non-partisan question.

I was the government House leader, I had conversations with the now current Government House Leader (MLA Fontaine), because we had a very short window about which bills they'd be willing to consider. And this wasn't one of them at the time.

**Mr. Wayne Balcaen (Brandon West):** Thank you to the member for Steinbach for bringing forward this important piece of legislation.

Can you explain the benefits of this legislation for us?

**Mr. Goertzen:** I thank my friend from Brandon West, who has a long and distinguished career in safety for individuals in Manitoba and beyond. And I think this bill is really about safety.

Providing a notice to an occupier where there's been a slip and fall will allow the occupier to make corrections, perhaps, to their property, if necessary, and ensure that other Manitobans or others who are on that property don't suffer the same injury or a similar type of injury.

**Mr. Wasyliw:** My friend from Steinbach talks about preventing—this is a safety bill, but, you know, right now is the freeze and thaw period of our weather. Things are melting and at night they freeze and you have icy sidewalks; 60 days from now there won't be any snow or ice at all.

How does this prevent injury and danger, given our weather?

**Mr. Goertzen:** Well, my friend has become a weatherman now, and he knows that there won't be any snow or ice in 60 days, and I certainly hope that that's true. But given Manitoba weather, one never knows.

How it would prevent—I take his question seriously, though, and I think he posed it in a serious way. How it would prevent injury is by—but now there is no notice that's provided to the occupier, potentially for two years, when there's an injury on snow or on ice. By providing that notice, it allows the occupier then to make a change, maybe to ensure that there's better snow removal or ice removal, so that others would be safe.

Now, in the middle of summer, of course, where hope we won't have any ice, but I suspect that winter will come again at some point in the future.

**Mr. Balcaen:** Again, I appreciate this information for not only us here in the House but all Manitobans that are watching at this time, understanding this bill.

So my question for the member from Steinbach is: Why are you bringing forward this legislation?

**Mr. Goertzen:** I thank the member for that very good question. Is a—previously mentioned, I think it would provide greater safety for Manitobans by allowing occupiers to get earlier notice of challenges or issues, maybe, around their property. They could then address those issues and ensure that they are safe, if there need to be things that need to be addressed.

I believe other provinces have already gone in this direction. And I think, in a very non-partisan and across-the-aisle way, we should be able to do this here in the province of Manitoba as well.

**Mr. Wasyliw:** Again, my friend from Steinbach talks about this being a safety measure. And I'm wondering why he would place the onus on the victims of some property owners' negligence to be the ones that are protecting private property.

And what does he see the role of the property owner if—maintaining and actually keeping their property safe?

**Mr. Goertzen:** My friend will know, as he practises law currently—might even be doing so this afternoon, I don't know—but he'll know that there already exists an onus on occupiers to ensure that their properties are maintained to a certain standard. Some of that is, you know, legislated. Others, parts of that, is done through common law. But he already knows there exists a standard.

This doesn't present any further onus, other than to provide notice to an individual that there has been a slip and fall, to allow there to be addressed. That's a pretty low bar, in terms of notice or in terms of liability, and that is already done under The Municipal Act. So he knows that for the majority of slips and falls under municipal property, that already happens.

**Mr. Wasyliw:** The notice provision in this act has been set at 60 days. I'm wondering if the member can explain why he picked 60 days, not 120, not 180.

What was so magical about 60 and what's the policy reason behind?

**Mr. Goertzen:** I mean, it's certainly not magical. You do have to pick a day at some point and land on an actual bar in any of these sort of situations. This is similar to, I think, to what Ontario has. It's a longer

period than is provided in—under The Municipal Act, I believe, for reporting for slip and falls on municipal property.

So my friend, if he has, through his experience or other suggestions, if he believes it should be shorter or longer, I would be happy to sit down with him at any time that he has time to discuss what that limitation should be.

\* (10:20)

**Ms. Jodie Byram (Agassiz):** Thank you to the member from Steinbach for bringing this important bill forward. This recognizes public safety and the—protecting the rights of Manitobans.

Can you share with us, has this been done in other provinces, in other jurisdictions?

**Mr. Goertzen:** I want to thank my friend for her question. It has been done in other jurisdictions; the one, I think, that was most recently done, in Ontario. I understand that the Premier (Mr. Kinew) has a new, strong bond and friendship with the Premier of Ontario, Doug Ford; I saw on Instagram. So I'm sure that he'll be able to reach across to his new best friend, Doug Ford, and explain, or talk about why this has worked well in Ontario and why it should be done in Manitoba.

**Mr. Wasyliw:** I wonder if the member can tell us who he consulted prior to bringing this bill forward today; if he spoke to consumer advocates or plaintiff lawyers, or medical community, or any seniors groups or groups that advocate for people with disabilities? I'm wondering if he could tell us who he actually spoke to.

**Mr. Goertzen:** There were a number of different consultations that were held. Of course, you'll know that some of the consultations or background work would've been done through, at that time, the Department of Justice, of course, because it was a government bill.

At one point, more recently, I've spoken to the heavy equipment and aggregate trucking association who believes that this would be an important bill for safety.

**Ms. Byram:** Can you, member from Steinbach, share with us how this will enhance the safety for Manitobans?

**Mr. Goertzen:** Again, I thank my friend for that important question. I know the members on this side

of the House, I can hear, in the theme of the question, they're very concerned about the safety of Manitobans.

Again, if an individual who is owning a property doesn't have any sort of notice for two years that there have been issues on their property with ice or with snow, they don't really have the opportunity, then, to address that particular issue, which might leave others in jeopardy or in liberty of having the same sort of accidents.

So this provides the opportunity, then, for them to be able to address it, while not taking away the opportunity for litigation within the limitation period.

**Mr. Wasyliw:** I'm wondering if the member can tell us how this bill helps protect the rights of victims, who are the victims of negligent property owners?

**Mr. Goertzen:** Well, it certainly doesn't diminish their rights. My friend will know that the limitation period for filing a claim is two years. He might have experience with that. That doesn't change. The limitation period for filing a claim would remain at two years.

The only thing that this does is it puts a relatively small onus, in terms of notification that there's been a slip and fall, and that notification within 60 days. Again, if he has a suggestion in terms of a different timeline that he would think would be important, I'd be happy to sit down with him at any time that he's actually available in the Legislature.

**The Speaker:** The time for questions has expired.

### Debate

**The Speaker:** The floor is open for debate.

**Mr. Mark Wasyliw (Fort Garry):** The theme that my friend from Steinbach was trying to get across today was that somehow this is about public safety. With the greatest of respect, that is a completely disingenuous. This bill is not about public safety. In fact, it is about protecting the property interests of large landholding companies. And it has more to do with that than any regard or concern for Manitobans.

And the timing of this legislation is very interesting because we are in the spring melt season. And just to, like, highlight how ridiculous my friend's submissions were to this Chamber, was that he would have us believe that the victim of negligence from a property owner is—now has the responsibility to protect other people from that property owner's negligence.

Apparently, the property owner doesn't have any responsibility to look after their property, maintain it properly and to monitor it so it doesn't actually become a hazard for people. Apparently, that's on the victims of that negligence to actually go out and police these circumstances.

And, of course, there is a big problem, because if they don't get to it by the 60-day-notice mark, they are now barred from suing that negligent property owner. So this is very much a blame-the-victim-type bill.

And what makes it even more ridiculous, and what is even more problematic, is the timelines on this. So apparently, you have 60 days to provide notice on the very spurious claim that somehow you will now tell the property owner to do the proper and responsible thing and to manage their property properly.

Well, okay, it is now March 14. The snow is melting and then freezing at night. It is a treacherous walk to the Legislature in the morning. It's ice all over the place. And of course, you could slip and fall. Well, if you have 60 days to give notice, 60 days from now, there will not be any ice or snow anywhere in Manitoba. That is a very safe thing to say. And notifying the landlord at that point would do nothing to provide any sort of safety to anybody. The damage is done.

But it does have a very different purpose. And when we talk about, you know, who is responsible here, who should bear the burden, we know that it has to be on the private property holder. They have a property. They're making money off of that property. They're inviting the public onto their property in order to make that money. They have a duty to maintain that property.

So when they make a business decision, and these are choices. This isn't some act of God, these are choices made by companies to not properly pay for maintenance, not have the proper training for staff or have it adequately resourced so that their properties are maintained in a responsible and reasonable way so that these incidents don't occur.

And the whole point of a civil lawsuit is to discipline a wayward private business owner who isn't putting the money in, who isn't taking the responsibility seriously, who isn't resourcing these buildings properly and maintaining them properly so these accidents don't happen. And so the only recourse that a private citizen has is then to turn around and take that negligent property owner to court.

And when they take that negligent property owner to court, some measure of justice happens because they now have to compensate for the harm that they intentionally caused. And it's intentional because of their negligence. It is intentional because they are allocating resources and making business decisions that caused this to occur.

So what this legislation does is give them a huge leg-up. And it's very curious, because I'm wondering who's asking for this. Who believes that this is going to be in the public interest? We know that 'vany' vulnerable people, may-be it seniors, be it people with disabilities, are exceptionally prone to these type of incidents.

And what this bill does is it actually prevents them from seeking justice. It actually hinders their access to justice. It creates a barrier that didn't exist before that they now have to get over.

Most people don't know that you have 60 days to file a lawsuit. So somebody gets injured from an incident like this, they make take 60 days to heal. Nobody's thinking, well, I got to get a lawyer at this point.

The other problem with this is if you have a long-term injury, it may not even show up 'til after 60 days. And of course, you didn't realize how bad things were. And some injuries, like concussions and other sort of strains and—in long-term illnesses may not appear for many months later.

And what this bill will do will basically shut the door from those people getting justice. It will prevent them from being able to go and do something about it. And it is not in the long-term interest of large property owners either, because if there is no accountability, if there is a way for them to basically ignore their responsibilities to the larger community, what financial incentive do they have to maintain their businesses properly, to supervise and monitor those businesses properly and actually maintain them in a responsible way?

\* (10:30)

They don't, because they know nobody is going to know about the 60-day period, that they're going to get away from having any sort of accountability because of the 60-day period, and they will never have to really worry about putting the money in to make sure their properties meet the standards that they require.

Now, this was very much a pattern from the previous failed PC government. They spent the last seven years trying to diminish the rights of Manitobans. In fact, we heard a little bit. In 2021, they brought in The Limitations Act that said, normally you have two years to file a lawsuit against someone, although there is a caveat there: there's a maximum cap of 15 years.

And we argued, at that time, that that was unfair. That if you had somebody who, say, became ill because of industrial pollution or some type of environmental factors like that, those type of injuries may not show up until decades later, and you would be barred by The Limitations Act.

So again, there was no cry or hue for this. Nobody was calling out that we needed to give Manitobans less rights in the court, less access to the courts. But that's what the previous government delivered.

They delivered bill 26 in 2021 too. I don't know if anyone remembers this in the Chamber. This is where the previous government actually capped human rights awards. You can only get \$25,000 in damages for a human rights violation by a private company.

Who does that? Who limits the remedies for human rights? Who says that, you know, you can violate somebody's rights in Manitoba, but it'll only cost you \$25,000? But that's what the previous government did.

And, of course, bill 27 also came out in 2021, and that made it illegal for administrative bodies to hear constitutional questions. So you have a problem in front of a Manitoba provincial administrative board and your rights have been violated, you are not allowed in Manitoba now to seek remedy in that administrative panel. You have to go to the Court of King's Bench to get redress.

And, of course, that raises costs and that makes it more expensive. And the more expensive and complicated you make things, the less people actually have access to justice.

Now, we heard from my friend that they picked this sort of 60-day period out of the air. There is no policy reason, no rationale. It's just some figment of someone's imagination. There's no reason why it has to be that low.

So what I've heard is concerning. I don't think this member has made the case that this bill is remotely in the public interest. Saying that it will somehow



improve safety is disingenuous at best; it absolutely won't.

And what it does is it removes the rights of Manitobans. It does not—it restricts what Manitobans can do and their access to judgment and justice.

So with those brief comments, I will thank everyone.

Thank you.

**The Speaker:** Are there no—the honourable minister for climate and—honourable Minister for Environment and Climate Change. Sorry.

**Hon. Tracy Schmidt (Minister of Environment and Climate Change):** Good morning, everyone.

This bill brought forward by the opposition PCs is further evidence of what Manitobans know to be true and why Manitobans voted them so resoundingly out of office, and that's that the Manitoba's Progressive Conservatives are not at all progressive.

They are out of touch with everyday Manitobans. They are unconcerned with and do not represent the best interests of everyday Manitobans. And they cannot be trusted to make the rules and the laws that serve the best interests of average Manitobans. This bill put forward by the member from Steinbach, the former interim leader of their party, proves this, Honourable Speaker.

Simply put, this bill aims to make it harder for injured Manitobans to find justice and hold those responsible accountable.

Why would they do this, Honourable Speaker? Whose interests does this bill really serve? This bill doesn't help Manitobans injured due to no fault of their own. This bill doesn't help responsible property owners: landlords, contractors or businesses that act reasonably in keeping their property safe and free from risks.

This bill aims to help and shield irresponsible, maybe even reckless or negligent actors, and makes it harder for injured parties to be made whole. I know that Manitobans would agree that this is not a good bill, and that no one acting in the best interests of the average Manitoban would support it.

The law in Manitoba provides that occupiers of a premises—again, property owners, landlords, contractors, businesses—owe a duty of care to Manitobans, such that they have to take all reasonable steps to ensure that Manitobans will be safe while on their premises. Slipping, tripping or falling on a premises

does not automatically entitle Manitobans to bring a claim against that occupier. The occupier must have acted unreasonably.

Usually, that means not addressing something that they knew, or ought to have known, would be unsafe. Those occupiers who act unreasonably, who neglect to resolve hazards that lead to innocent parties being injured, deserve to be held accountable—I think we could all agree. Why would we want to restrict that access to justice for the average Manitoban?

Honourable Speaker, as someone who has had the great privilege of studying and practising law here in Manitoba, I am all too familiar with the theme of access to justice. And when we talk about access to justice, Honourable Speaker, which is, again, a major concern in the legal community and should be a major concern in this House for us as legislators, what we're really talking about is the lack of access to justice that the average person has. And this is a reality. Everybody knows this.

A common and really sad and concerning joke amongst lawyers—and I heard this often when I was practising law—is that today not even lawyers can afford lawyers. The justice system is increasingly complex, 'increasicy' technical, increasingly adversarial and, therefore, increasingly and exponentially expensive. You either have to be amongst the wealthy to afford legal services or you really have to be experiencing almost abject poverty to be able to qualify for legal aid services.

There are many strong voices in the legal community and the social justice community that are working to make progress here in Manitoba on improving access to justice. And I am so proud of those advocates and that work. It's important work. And we in this House should aim to improve access to justice in Manitoba, in the interest of justice, in the interest of fairness and in the interest of equality.

Unfortunately, Honourable Speaker, in bringing forward this bill, the opposition, the failed PC government, seeks to only make it harder for Manitobans to access that justice and be compensated for injuries that are no fault of their own.

My learned friend from Steinbach knows this. He knows this reality. He knows the issues of access to justice. He has studied law, and he understands exactly what this bill would do and what it's aimed to do. It further burdens injured Manitobans, people who are already suffering. It would restrict their access to justice and it would protect guilty parties.

On this side of the House, we care about the health and safety of Manitobans above all else. We are the party of health care. We are the party of workers. We are the party of the average Manitoban, Manitobans who deserve to be safe, who deserve to be free from risk, free from unnecessary, foreseeable, preventable injuries. That's what a claim would result in.

And if, heaven forbidding, Honourable Speaker, a Manitoban is injured and if they can scrape together the money to hire a lawyer or if they can somehow figure out how to navigate small claims court, which is increasingly hard to do without a lawyer—I myself have been hired to represent paying clients in small claims court, something that's designed to improve access to justice—if those injured Manitobans can somehow figure out a way to access the courts, they should not have additional barriers in their way, barriers designed only to protect a guilty party.

\* (10:40)

And that's what this bill does, Honourable Speaker. The opposition will argue that this bill includes an exception provision, but I would argue that that provision is entirely too vague and wide open to interpretation. The exception to the rule is where the injured party, quote, has reasonable excuse, and the defendants are not prejudiced by the lack of notice.

What is a reasonable excuse? We don't know. That decision would be left up to the judge of the day to decide.

And we can also foresee that this prejudice argument would be open to defendants and that the bar for prejudice is not exceedingly high. Prejudice simply means that, in some way, your legal rights have been impacted. Well, Honourable Speaker, this bill itself causes prejudice, not to the bad actor, the negligent, reckless party that caused the injury. This bill itself will cause prejudice to the innocent, injured party.

Placing a time-limited need to provide notice to the occupier could easily prejudice an injured party and, in fact, would disproportionately prejudice those that are already the most marginalized and vulnerable in our province: those with limited resources, those without access or understanding of the legal process.

Honourable Speaker, injured parties deserve access to justice. And those who ignore what they know to be safety risks present on their property deserve to be held accountable. That's why we

believe, on this side of the House, and that's what they seek to make harder on that side of the House.

Honourable Speaker, the opposition has a history, a proven track record, of not acting in the best interests of Manitobans. We saw this from their health-care cuts, their cuts to our education system and the utter decimation of my department, the Department of Environment and Climate Change, which has been left really decimated, understaffed and unable to do the important work of protecting the environment here in Manitoba.

But it's a new day in Manitoba. And thankfully, Manitobans have elected a new government, one that puts the health and safety of Manitobans above all else. We've elected a government and an Attorney General that is already hard at work to improve access to justice in our province. We've elected a government that will protect the vulnerable and the privileged alike, something we didn't see for seven years under the previous government.

We've elected a government that will always put the best interests of everyday Manitobans at the forefront of what we do and how we legislate. This bill, Honourable Speaker, must not be supported by this Chamber, and Manitobans should question the intentions of anyone that would support this bill designed to impede access to justice.

Thank you, Honourable Speaker.

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** I just wanted to begin this morning by complimenting our—my colleagues who have spoken so far. I'm just consistently impressed with the work that they do to take seriously all the legislation that comes forward and to put such thoughtful words on the record.

And, you know, it's pretty awesome to have two lawyers, practising lawyers that can come forward and give their experience. And I think that's unique and not something we've had for a very long time, in this Legislature, actual practising lawyers that can speak to specific issues that they see with legislation that comes forward.

And this legislation is certainly legislation that would impact their world, would impact their sphere of expertise. And so it's important for us to listen very carefully to their words and to particularly highlight, I think, the words that both members brought forward about access to justice being one of the most important elements that we need to consider when considering legislation like this.

It's been on my mind, lately, Honourable Speaker, simply because my—not necessarily the access to justice, but specifically the issues brought forward in this bill with regards to personal injury.

My father-in-law just—was just about to get ready to go on a trip, was very excited. He was getting on a plane the next day. We had a couple snowstorms here in the province a little while ago, and he decides—he's all excited—well, I'm just going to make sure I get my driveway nice and clean before I jump on the plane and I head off out of here and enjoy some R and R.

And wouldn't you know it, gets out there with the snow blower, hits a patch of ice, falls and breaks his hip—shatters his hip—and ends up in hospital. And so, we've been spending time with him. He's on the mend. He's getting the care that he needs and thanks to all the medical staff at Concordia, at St. Boniface, who've been so great to help him out.

But, it just—it really put a fine point this morning, when we're talking about a bill that impacts people like him, who may have had a slip and fall but not on their own property; in this case, on a third party, on a private property. And what occurred to me was just that the impact, sort of the immediate impact, of having an injury like this. It just throws your life into chaos. It throws your—all your plans and all of your expectations about what you're going to be doing totally into chaos.

And so, you know, the first thing we think about is, obviously, is getting the care that the individual needs, as a family, coming together and supporting them. And I got to say that, you know, again, that wouldn't have been applicable in this case, but it was not even, you know, anywhere on our minds about, sort of a fault or liability or any sort of legal sort of exercise.

What we're thinking about first is getting this person the care that they need and then ensuring that we understand what the longer-term implications are. In the case of my father-in-law, he's had other medical issues. And so we know that we need to get him better, we need to get his hip healed up, but we don't actually know what the longer-term implications are going to be.

So the reason why I mention this is, again, just understanding, kind of, how this can impact somebody who might have had a slip and fall and isn't thinking immediately about what lawyer to call. I don't think that's where most Manitobans' mind goes. But understanding that if there are going to be longer-

term implications, that they want to make sure that they're getting the compensation to ensure that they can heal and they can get better.

And so, where we're talking about a specific time-frame, this comes into play and, you know, the bill that's before the Legislature has a timeline of 60 days. The member opposite himself concedes that 60 days is an arbitrary number, a number that I'm not sure where it came from. I know that the legislation that was brought forward in Ontario certainly is at the 60-day mark, and so they may have done consultations.

I know that the minister opposite, or the member opposite who was a minister when he brought this forward the first time, specifically said he did not consult with the medical community. He didn't consult with the legal profession to get background on this. So I do think that there is certainly some work that needs to be done, and I'm very excited to take this back and to go and to reach out to those folks in the medical profession to understand what does 60 days look like in terms of healing.

Again, my father-in-law: a hip, a shattered hip. At 60—at the 60-day mark, is that when we can understand what the long-term implications are or do we need to look at something longer than that?

So I think the member opposite has said he's not stuck on 60 days, that he's willing to look at amendments or different timeframes. So I think that's the place that we want to start with this legislation. I think that's a good way to look at it.

But I think it's all about the consultation piece that, I think, is very, very important because we're looking out for the individual. We're not looking out for, you know, it's for one group over the other. We're looking out for those who have the least ability to understand the implications of a slip and fall.

But the member opposite does mention that he has consulted with one group and that is with industry, and so, you know, that's an important group to consult with. I know that our Minister of Consumer Protection and Government Services (MLA Naylor) has taken the time to do that work, has talked with the stakeholders, has met with them, has understood their concerns.

And the member opposite may have heard just a few times about this economic horse, that our side of the House has been working so hard to make sure is in good shape, so that we can pull that social cart, so

that we can do the good work in health care and education and so many other departments.

\* (10:50)

He's heard all about that horse, but he also knows that the horse was underfed under the previous government, that it was missing a shoe and, you know, it had lost its way. It was wandering aimlessly across the province of Manitoba.

We're doing everything we can to support small business, to support medium-size business, to support the economy, to build and grow the economy. And so we want to work with those who have done that work here in the province. And that's why our minister has met with the—with stakeholders. But we want to consider all elements and we want to consider all stakeholders when it comes to important legislation like this.

You know, it surprises me that the member opposite is concerned about insurance premiums, about what it costs for businesses to operate in Manitoba. I know other jurisdictions have made these moves and made these changes. And so I ask him—and I hope that he's done this work—to give us a jurisdictional scan, the idea of what exactly—insurance premiums have gone down in a place like Ontario. I think two years now they've had this legislation. He can give us some analysis that shows the insurance premiums have lowered and given businesses that opportunity to grow.

We want that kind of opportunity here in Manitoba, so that's what we're doing. We want to make sure that we're working with municipalities, that we're listening to them, in a way that the previous government never did. Of course, we know when they came to the table in the past, they said freeze, cut, disrespect every single year for almost eight years under the previous government.

So there was lots of areas that we're now—we're cleaning up the mess. We're trying to get us back on the right track. And if the member brings forward legislation—again, I don't think he's answered the question why, as Government House Leader, he wouldn't bring this forward. He wouldn't actually get this passed when he was in government. He knows at the tail end, the dying days of the Stefanson government, it was dark days throughout the province, but there was opportunities for us to work together.

In fact, as legislators, we said—we put down our swords in many cases. We got good legislation passed that was, you know, maybe, you might argue, wasn't

exactly groundbreaking legislation, but it was legislation we could all agree on. And so if there was an opportunity to amend this legislation, to bring the opposition at that time in and to give more information, we certainly would have been excited to do that.

But again, the member opposite didn't prioritize that. And nor should he have. I think he should have been very concerned about his seat and his colleagues' seats and about the future of their government and trying to turn things around at the very end as they were off the rails so poorly. And, you know, that's certainly where we were focused.

But again, good legislation is an important part of what we can do here. So I'm so glad that we have members on this side who are willing to stand up, to put words on the record, to actually talk about the importance of this for their communities and for all Manitobans. And if there's a way that we can do this that brings in all parties, that makes sure that access to justice, that safety for all Manitobans, is the primary focus, then I certainly welcome that work that can be done.

I ask that the member opposite take the time to provide the Chamber with those additional pieces of information. And let's get to work on keeping Manitobans safe.

Thank you, Honourable Speaker.

**MLA David Pankratz (Waverley):** I am happy to put some words on the record for this bill here today. And I'd like to wish everybody in the Chamber a very happy Pi Day today. It is March 14th: 3.141592, Pi. It is a—it's the food as well as the mathematical constant, so it's an exciting day here in the Legislature.

So I just want to go over, quickly, some of the issues we're speaking about today. So under the amendment to The Occupiers' Liability Act, notice of a personal injury claim related to snow or ice on private property must be given within 60 days after that injury occurred. The notice also would have to be given to the occupier of that property or a contractor engaged to remove snow or ice on the property. And the notice would also have to be given to one of them is—notice to everyone who may be subject to the claim.

And then also, it says here the 60-day notice period does not apply in cases of injuries resulting in death, or if a court determines that there was a reasonable excuse. So I think that that's an important exclusion from this as well.

You know, it actually—it's—it kind of reminds me of a personal story that I'd like to tell. My great-grandfather was a real pillar in the community. He actually emigrated from Russia in the 1920s from Molotschna, a Mennonite colony, so he faced a fair bit of persecution in Russia, and they came over.

He ended up becoming a pastor and he led his community for a number of years. He started a family here in Canada. And I actually—I have a lot of really great memories driving out to see him—they lived in Saskatoon—and the family that we have there. I'd show up. His daughter, my grandmother, would meet us at the door. We'd have—it would smell like roast in the house because she knew we'd been travelling all day, and, you know, root beer floats, the whole thing. We'd sit down, listen to some records, usually blue grass or quack grass bands, together. It was excellent.

And, ultimately, what I'm trying to sort of portray here is that, you know, this is an individual and important person that's—has an important history and people that cared about him, and a community that really meant a lot to him. So he spent quite a few—he actually, in fact, now that I think of it, too, he was one of the first—the people who started CMU, the Mennonite university here in Manitoba, and was chair of that board for quite a number of years. So you can imagine there was a lot of love for this person in the community.

So, unfortunately, there is a sad story here, that relates to this bill, specifically. In his 80s, he was walking up some stairs and he slipped and fell down the stairs, and ultimately, he ended up passing away due to this. So, it's sad, it's deeply sad. It was a really trying time for the family and for the community.

And what I'm saying here is, I want to make sure that when we bring legislation forward, here in the Chamber, that we're really thinking about the individuals that it could affect, right? So this 60-day idea: does this give families enough time? I know there's an exclusion specifically for death, and I appreciate that. I think that that's really important to note here, so I understand. I'm more painting the picture that, you know, you could have a really serious injury that affects you long term but doesn't necessarily—and I've seen this in my experience as a firefighter and paramedic as well. It doesn't necessarily rear its head until later on in your life.

So if we look at this and we think of my great-grandfather, and then we think of some of the patients that I've had the privilege of treating here, in Winnipeg, as well, with Winnipeg Fire Paramedic

Service, I am just concerned that it doesn't necessarily protect the people that we really want to be protecting with a bill like this. And maybe causes more barriers for folks like this.

I actually, now that I'm speaking of it, I recall a time, it was the middle of winter, freezing cold day. It was, actually, it was -40° with the wind chill. So, a fair bit of ice and snow and ground cover that is really difficult to deal with. And I know you can often deal with it a number of different ways. You can use beet juice, in fact. I think my grandmother, the daughter of the great-grandfather who passed a way, taught me that. You can use beet juice to deal with ice, so—else that could be something that owners could possibly use.

But unfortunately, on this day we got a call to a woman's house, she was in her 70s, she was going out to try to clear that snow and she fell. She fell down, she slipped and she was a renter, and she told me that typically, what would happen is people would come and clear the snow for her. But they weren't coming on that day, so she had gone out herself to try to do it.

So my concern here, again, we get to this call, you know, and a big part of my job that I loved as a firefighter was actually connecting with the people that we were treating. So there was a lot of times when we were waiting with the patient. We would package them up, make sure that everything was safe and secure before we were going to be taking them to the hospital.

And, you know, on this occasion, it was freezing cold outside and she said, you know, I'm just not sure how to go forward now with this. And this was even before we had dealt with her injuries, completely, to be honest. So how could she start thinking about perhaps, you know, what some of the repercussions of this would be down the line.

So we eventually got her ready to go to the hospital. And the ambulance came, and she went—I didn't know—this is the problem with my job, I don't necessarily get closure to some of these cases that we deal with. So, about four months later, unfortunately, we were called back to this same person. The same woman called 911 again. And—

**The Speaker:** Order, please.

When this matter is before the House again, the honourable member for Waverley will have four minutes remaining.

\* (11:00)

## RESOLUTIONS

**The Speaker:** The hour is now 11 a.m. and time for private members' resolutions.

The resolution before us this morning is the resolution put forward by the member for Riding Mountain.

Therefore be it resolved that the Legislative—

The honourable member for Riding Mountain.

### **Res. 4—Protecting Lake Winnipeg from Sewage Pollution**

**Mr. Greg Nesbitt (Riding Mountain):** I move, seconded by the MLA for Interlake-Gimli,

THAT the Legislative Assembly of Manitoba urge the provincial government to expedite the funding and timeline of repairs to the Fort Garry Bridge sewer crossing and further collaborate with the City of Winnipeg to develop a comprehensive master plan to upgrade and rebuild the city sewer and wastewater infrastructure systems to prevent environmental catastrophes and provide for a long-term sustainable future.

**The Speaker:** It has been announced by honourable member—it has been moved by the honourable member for Riding Mountain, seconded by the honourable member for Interlake-Gimli (Mr. Johnson), that

*WHEREAS for more than two weeks in February, 230 million liters of raw sewage spilled unabated from the Fort Garry Bridge sewer interceptor crossing in the City of Winnipeg into the north Red River and Lake Winnipeg; and*

*WHEREAS the Provincial Government's response to this escalating environmental crisis lacked the necessary urgency, as it failed to promptly and transparently communicate the incident to downstream communities; and*

*WHEREAS it was revealed in the media that the Minister of Environment and Climate Change was unaware of the crisis and its severity until she was informed by representatives of Treaty One Nations; and*

*WHEREAS the discharge of untreated sewage into waterways by municipalities is illegal both in Manitoba and across Canada; and*

*WHEREAS the City of Winnipeg is undertaking expensive upgrades to renew and modernize its wastewater infrastructure; and*

*WHEREAS the estimated cost to replace the faulty infrastructure responsible for February's sewage spill is \$96 million; and*

*WHEREAS there is a projected two-year timeline before construction on the replacement infrastructure will commence; and*

*WHEREAS Manitobans prioritize the protection of their water and Lake Winnipeg from pollution; and*

*WHEREAS Winnipeg's waterways are Manitoba's waterways, and the Red River, Lake Winnipeg, and the Hudson Bay watershed are vital sources of drinking water, sustenance, and recreation for all Manitobans, including First Nation, Metis, and Inuit communities.*

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to expedite the funding and timeline for repairs to the Fort Garry Bridge sewer crossing and further collaborate with the City of Winnipeg to develop a comprehensive master plan to upgrade and rebuild the city sewer and wastewater infrastructure systems to prevent environmental catastrophes and provide for a long-term sustainable future.

**Mr. Nesbitt:** It is certainly my pleasure to get up here this morning and talk about a disastrous spill from—that happened between February 7 and 23 that allowed 228 million litres of raw sewage to flow into the Red River from the Fort Garry Bridge sewer interceptor crossing in the city of Winnipeg into the—and the Red River flowing into Lake Winnipeg.

Now, this affects certainly the city of Winnipeg, the Red River within the city, but also all the downstream effects. My colleagues on this side of the House, the member for Interlake-Gimli, the member for Red River North (Mr. Wharton) and the member for Selkirk (Mr. Perchotte) have all had constituents talk to them about this spill and are gravely concerned about the amount of sewage that is in the Red River and ultimately in Lake Winnipeg.

As I said, this spill began as the result of a pair of pipes failing underneath the Red River. And the perpetual flow of untreated sewage continued until the City of Winnipeg set up a temporary bypass system. However, this was too late. The damage had already been done and the sewage is there and there is no going back to prevent the issue from the beginning.

Now, the Red River plays a vital role in ensuring the health of Manitoba's waterways, flowing over 175 kilometres in this province, from its link with the

Pembina River near Emerson all the way to Lake Winnipeg and eventually into Hudson Bay.

In this House, we must recognize this spill does not just affect Winnipeg, but further affects incredibly important communities here in Manitoba. Like I said, Lockport, Selkirk and the Interlake. This spill also affects more than 14 First Nation, Inuit and Métis communities, including the Brokenhead First Nation and Peguis First Nation who live and rely on or near the Red River or Lake Winnipeg.

We must also recognize that this horrific spill also poses major threats to each of the streams, rivers and other waterways across the province that it meets, including the Nelson River, Pembina River, Roseau River, the Assiniboine River, many others, before ultimately draining into Lake Winnipeg.

It's imperative that we understand the fact that the provincial government has the obligation to protect our waterways and Lake Winnipeg from pollution—something this NDP government is failing to do. *[interjection]*

Now the member from Transcona is heckling me here. Let me continue and let me tell what didn't happen here in February.

So, as I said, this spill poses major threats to Indigenous groups, killing fish, changing ecosystems and removing the necessities that the many groups who use Lake Winnipeg—and also preventing them from exercising their treaty rights. Chief Gordon Bluesky of the Brokenhead First Nation said his members fish on Lake Winnipeg. He said no one from the City or Province, I say no one, reached out to him to inform him about the spill, and that he told the minister about the leakage, of which she seemed unaware.

Daniel Gladu Kanu with the Lake Winnipeg Indigenous Collective said, and I quote, there are multiple times a year, I am reminded from fishers and people from the community just how they've come to distrust the lake, in a way that we never did before.

We don't need to wait for a crisis like this to be horrified by what we're putting into the rivers. It's happening every single day, she said.

Now, Manitoba's waterways are certainly home to some of the most beautiful, clean and freshest water in all of North America. It is—and it is imperative that the NDP takes steps to ensure our waters remain that way. Lake Winnipeg, often referred to as the great lake of the West, holds significant ecological,

economic and cultural significance. This vital piece of our province helps support ecosystems inherently valuable to our communities and is the world's third largest reservoir, generating hydroelectric power for much of the province.

To repeat the comments from the stakeholders, Honourable Speaker, we do not need to wait for a crisis like this bill to occur to act. We do not need to wait to be horrified by events such as this to recognize that what we are putting into the rivers end up in Lake Winnipeg, and removing the natural advantages that it provides.

The environment minister said herself, and I quote, Lake Winnipeg is a jewel of our province, and we, certainly, on this side of the House agree with that. Yet the government is not acting and avoided taking responsibility on this matter by saying that there is no requirement in the environmental act for licensed authorities to tell affected communities there has been a severe incident.

The NDP must act now to prevent other aging sewer pipes, not just in Winnipeg, but all across Manitoba, from spilling and causing increased pollution into other vital waterways.

Councillor Russ Wyatt here in Winnipeg recognizes this, and he put forward a motion at City Hall calling on the Province to fine the City \$4 for every litre spilled, which would add up to \$900 million in fines.

There has to be penalties on the City of Winnipeg that are severe that acts as a deterrent to future spills, said Wyatt, because right now the City of Winnipeg is not taking this seriously.

On this side of the House, we're not advocating for fines like this, we're advocating for help from the government for the City to do the necessary repairs to aging infrastructure. And this same sense of accountability that Russ Wyatt has needs to be seen from the NDP Environment Minister, who is responsible for the health of Lake Winnipeg and all of our waterways.

Mr. Honourable Speaker, this government did not act. This government did not show urgency. This government did not promptly, or transparently communicate the incident to downstream communities. Instead of taking these measures, this government waited as the escalating environmental crisis continued and poured millions of litres into the Red River each day, for weeks.

Marcus Chambers, the deputy mayor of the City of Winnipeg, supports this notion of taking action and I quote, preserving the cleanliness of the Red River is imperative to mitigate the adverse impacts on Lake Winnipeg's health. Adopting a watershed-based approach that integrates science, policy and community involvement can facilitate holistic management strategies to mitigate pollution and enhance eco-structure resilience.

During his term in office, he's said he's been appointed to the Red River Basin Commission and can attest to all the initiatives underway towards this shared priority. But what did the NDP do? They gave the City \$10 million and talking about and strengthening the environmental act. That's not going to fix sewer pipes.

In 2002, we had the worst sewage spill in Winnipeg history. Under this—the previous NDP government, where 427 million litres of untreated sewage flowed into the Red River and eventually, Lake Winnipeg. And that originated from a mechanical failure out of the North End Sewage Treatment Plant.

Fast forward to last month and we see history repeating itself. The recent spill with 238 million litres was the second largest in history, again, under the NDP government. This spill is going to pose a detrimental effect to the health of Lake Winnipeg, now, and into the future. And everyone that uses it for recreation and sustenance, Honourable Speaker.

\* (11:10)

I just don't understand why this government is not listening to experts who are telling them directly that more must be done to prevent increased levels of phosphorus from entering the lake. The problem here is that the NDP government seems to have the attitude of I'll deal with it when it becomes a problem. That's just not going to work for Lake Winnipeg, Honourable Speaker.

**An Honourable Member:** Or they'll blame the farmers.

**Mr. Nesbitt:** Or, as my honourable friend from Portage la Prairie says, they'll bring—blame the farmers. Like, let's blame the hog producers, you know, as they've done in the past.

With all this evidence that I'm talking about today and that we've seen and heard about for the last couple of months, it's imperative that this Assembly recognize the importance of this resolution today and take

steps to ensure Lake Winnipeg does not become a dead lake.

We must hold this government to account for Manitoba citizens today and Manitoba citizens tomorrow. And on this side of the House, we're urging the provincial government to expedite the funding and timeline of repairs to the Fort Garry bridge sewer crossing and further collaborate with the City to develop a comprehensive master plan to upgrade and rebuild the city's sewer and wastewater infrastructure systems to prevent environmental catastrophes like this one in February and provide for a long-term sustainable future.

This resolution speaks to everyone: people who want to use the lake for swimming, people who want to use the lake for boating, our fishermen—our commercial fishermen—over 800 commercial fishermen here in Manitoba that use those lakes—

**An Honourable Member:** Tourism.

**Mr. Nesbitt:** Tourism. I mean, even the thought of coming to these lakes now after people realize about 238 million litres of raw sewage going into a lake. It will make people think twice.

So I urge the government to take this issue seriously and provide funding to the City of Winnipeg.

Thank you, Honourable Speaker.

### Questions

**The Speaker:** A question period of up to 10 minutes will now be held. Questions may be addressed in the following sequence: the first question may be asked by a member from another party; any subsequent questions must follow a rotation between the parties; each independent member may ask one question. And no question or answer shall exceed 45 seconds.

The floor is now open for questions.

**Hon. Tracy Schmidt (Minister of Environment and Climate Change):** In 2015, just prior to the PCs forming government in 2016, the Manitoba Law Reform Commission did a lot of great work. They put forward a report that brought forward wide-ranging recommendations about changes that would strengthen The Environment Act, that would modernize the act.

Those recommendations would've provided greater and more meaningful environmental protections. Those recommendations included greater public—called for greater public consultation, greater



Indigenous participation and consultation and also to address cumulative effects.

So my question is: Why didn't the former PC government take any steps to strengthen the environmental legislation here in Manitoba?

**Mr. Greg Nesbitt (Riding Mountain):** I'd like to thank my friend for that question here this morning.

Our government was busy helping the City of Winnipeg with their wastewater projects, like the North End Sewage Treatment Plant. We weren't all about carrying a big stick. We were working with the City to upgrade their facilities so that disastrous things wouldn't happen.

The NDP government—the previous NDP government was ordered to upgrade the North End water treatment plant, and it didn't happen. We took action.

**Mr. Derek Johnson (Interlake-Gimli):** Can the member tell us what impact the sewage spill will have on communities that reside near and on the Red River, Lake Winnipeg and all the way down to Hudson Bay, quite frankly. This isn't just a city of Winnipeg issue. And it's not just the communities that sustain off of Lake Winnipeg and the downstream tributaries. There's wildlife. There's polar bears. There's beluga whales. There's endangered piping plovers. There's livelihoods and sustenance that rely on this—drinking water. And can the member explain the impact the sewage spill will have on downstream tributaries?

**Mr. Nesbitt:** I'd like to thank the member from Interlake-Gimli who has first-hand knowledge of this for his question this morning.

So, Lake Winnipeg has—had—became the most endangered lake in the world under the previous NDP government, and this bill certainly isn't going to help it.

The health and longevity of our beautiful lakes that are used for commercial fishing—like I said, 800 commercial fishers make use of that lake every year. It's a major contributor to our economy: recreation, boating, swimming and, of course, even the leisure activities of laying on the beach at Lake Winnipeg. I think that the effects of this bill are going to be felt long-term.

**The Speaker:** The honourable member for—somewhere. River Heights.

**MLA Mike Moroz (River Heights):** Thank you; yes, it's a surprise to many.

I want to thank the member for bringing this forward, but I do have a question following up from the minister's question. The word expedite here is in the resolution, which we can all agree is probably necessary.

But what exactly was it that prevented the previous PC government from, at any point in its seven years in office, from doing exactly what this resolution says? Perhaps you can let us know what prevented you from doing so.

**Mr. Nesbitt:** Our government was pleased to work with the City of Winnipeg and extend basket funding to the City of Winnipeg to be used for projects that they deem necessary.

Our government took action and contributed \$167 million towards a \$550-million second phase for the North End water treatment plant, a plant that was ordered in 2003 under the previous NDP government, but nothing was started until we were elected in 2016.

**MLA Schmidt:** I want to echo the comments of my colleague—

**The Speaker:** Sorry. *[interjection]* Sorry. Order. The opposition turn to ask a question. My mistake.

**Mr. Richard Perchotte (Selkirk):** I was a little confused whose turn it was, but I thank you for correcting that.

In the area of Selkirk, we have a number of residents who are downright angry that this has happened. It's not the first time it's happened. It's happened several times.

Do we have any suggestions how to prevent future sewage spills like this from recurring and polluting our waterways, killing off our wildlife, killing our fishes, changing our species?

**Mr. Nesbitt:** I'd like to thank my friend from Selkirk for that question.

Certainly, accidents are going to happen. I mean, pipes break from time to time. But our infrastructure is getting old. We need the current government to act and provide money to the City of Winnipeg so they can do a waterline—or sewage line replacement program moving forward.

We have to take action. Not just here in Winnipeg, but throughout Manitoba, we have aging infrastructure that's going to need to be fixed, and the onus is on the government to provide the funding necessary to make that happen.

**MLA Schmidt:** Again, I want to just echo the comments, the thoughtful comments made by my colleague from River Heights, and to thank the member opposite for bringing forward this resolution.

This is a very important issue, it's a very important debate. I want to acknowledge the members opposite that represent Interlake-Gimli and Selkirk, all the impacted communities, also the impacted First Nations communities that live and rely upon the lake. So thank you for this opportunity to ask a question.

But it is a bit rich, because we know that during, you know, the member opposite talked about that they worked with the City of Winnipeg to make investments. We know that one of their ministers, during their time in government, actually directed the City of Winnipeg to divert some of that money that was intended for the North End plant to other projects.

So I would like to ask the member opposite how did that diversion of those—

**The Speaker:** The time has expired.

**Mr. Nesbitt:** I thank the honourable minister for that question.

Certainly, we trusted our municipal partners to deal with funds as they wanted. The North End treatment plant was certainly a priority for our government. And I know it's a priority for the City of Winnipeg.

I don't think the North End water treatment plant would have handled the 238 millions of raw-litres of raw sewage that came into the Red River at this point.

So I think the purpose of this resolution is not necessarily to point fingers, it's to say they're in government, the City needs money, infrastructure needs replaced.

**Mr. Johnson:** I was hoping the member can maybe explain to members opposite why he brought this resolution forward and the urgency behind it.

\* (11:20)

And maybe in his comments he could also talk about the \$167 million that the previous PC government has committed to the North End Water Pollution Control Centre and how they have not done their share since they've been put into government. They've done nothing—hopefully, they will follow up with at least the inflationary pressures. And we've sent them \$167 million.

So thank you.

**Mr. Nesbitt:** Thank you, again, to the member from Interlake-Gimli. Again, I think what concerns me here is that \$10 million was given to the City of Winnipeg after this bill; \$10 million is just going to be a drop in the bucket. I think there has to be some serious consideration to how they're going to fund major projects here in the city.

And I—on this side of the House, we'd like to hear that plan, and maybe that plan will come out in the April 2nd budget, I'm not sure, but it's imperative for the City of Winnipeg to know what they can count on from the current government in terms of repairs to the sewer system, money for the repairs. We did our part with the North End Sewage Treatment Plant, and I hope they will continue to follow what we did.

**MLA Moroz:** I think my favourite part of this resolution is the bit where it says, shall collaborate with the City of Winnipeg, given that the well-known relationship between previous premier Pallister and the City of Winnipeg, I'm assuming that it's only been the pilgrimage across the aisle that's caused the sudden desire for that kind of collaboration.

So I have to ask, then, why did it—or why did the former PC government let wastewater infrastructure collapse under your watch, when this is the priority?

**Mr. Nesbitt:** Well, Honourable Speaker, I think that's pretty rich coming from that member when they've—only gave the City \$10 million. Like I said, we've supported the North End Water Treatment Plant, \$167 million, basket funding to the City of Winnipeg. We worked 'collaboraty' with the City of Winnipeg. I know our ministers worked hard with the administration there to get things done here in the city. We had great representation here in the city that knew the value of the wastewater systems in Winnipeg, and, again, I just urge this government to continue the good work that our government did.

**The Speaker:** The time for questions has ended.

### Debate

**The Speaker:** The floor is open for debate.

**MLA Mike Moyes (Riel):** I'm pleased to rise today to speak about this important issue of water. I'm an environmentalist and someone that cares deeply about ensuring that we as people and as Manitobans are living in a good way and in a sustainable way.

Moreover—excuse me—the recent wastewater spill into the Red River after the two City of Winnipeg wastewater pipes broke, took place on the border of

my constituency of Riel. This was a deeply unfortunate incident, I think all members could agree on that.

To put the issue concisely, our government knows water is life. Water is our most precious resource. We need it for drinking water, irrigation of agriculture, it powers much of our energy through Manitoba Hydro. It is a key part of our province's identity with having over 100,000 lakes and the city of Winnipeg being at the junction of the Red River and the Assiniboine River, where it's been the natural meeting place for Indigenous people for time immemorial.

Our NDP government takes this sacred responsibility very seriously. It takes the protection of the environment seriously and the protection of our waterways is a top priority. This is why when the spill occurred, I was very proud of the steps our government's response—or the steps that our government took in response.

We immediately started collaborating with the City of Winnipeg to mitigate the problem and have it remedied. We've also committed those \$10 million which the members opposite have described as not enough, but it is a great start. It's something that we are working with the City on, and will continue to collaborate with.

The Minister of the Environment and Climate Change is also strengthening our ability to protect those lakes and rivers that we so deeply care about, by amending legislation which is going to allow interventions when—that's going to allow interventions to occur sooner, and also to address those issues as they come up, or—similarly to those recent sewage spills.

This is what a responsible government does. Our MLAs, our ministers and the Premier (Mr. Kinew) is actively working with the different levels of government and stakeholders to address these issues. Now, let's compare this. We've been in government for five months—great. Let's compare this with the past seven and a half years of the failed PC government.

For much of that time, we had a PC premier that wouldn't even meet with Winnipeg's mayor—the largest city in our province—wouldn't collaborate, wouldn't meet, wouldn't sit down, wouldn't discuss anything. This failed PC government did not want to listen, collaborate, with other levels of government, be it the federal, be it stakeholders, be it Indigenous leadership.

They also froze funding for much of that time. It took an election for them to unfreeze the municipal

funding, which directly leads to the infrastructure deficit that we see today. So I look forward to collaborating with the City of Winnipeg, with the other stakeholders, with communities downriver, with the federal government, to make sure that we are mitigating these issues and working in a co-operative fashion. Our government is a listening government, a collaborative government, an open government.

The fact of the matter is that the PCs have always dragged their heels on the environment. How else can you explain that during a time when Lake Winnipeg's phosphorous concentration was rising, the PCs were directing the City of Winnipeg to redirect millions and millions of dollars away from the North End treatment plant, but instead to put it towards other projects.

Now, there's further things that we can talk about for the PC track record. They—we have a greenhouse gas level that was at an all-time high. It's continued to grow faster under the PC government. We have CO<sub>2</sub> emissions that increased by 10 per cent since 2016.

We have the PCs wasting money on lawsuits instead of actually getting down to addressing our environmental issues. There was cuts to energy programs when we so desperately need more energy, clean energy. Cuts like Manitoba Hydro's solar rebate program, which was overwhelmingly successful, both in terms of residential and the agricultural community.

There was cuts to the annual funding for environmental organizations: the Green Action Centre, Climate Change Connection, and the Manitoba Eco-Network. So this false sense of outrage is a little bit ripe to hear after seven and a half years of this failed government. And thank goodness that they're on the opposite end of this Chamber.

Furthermore, they rolled back environmental protections on pesticides, which when you want to talk about water, those are the things that go directly into the water. It was an NDP government that brought those protections in in the first place, but instead these PC—the failed PC government rolled those back, rescinded that legislation.

They also rolled back building code, which is absolutely outrageous. Something that I heard time and time again on the doorstep about how it doesn't make sense that, with climate change and the environmental issues that we're facing, that we're actually going backwards. Instead of making our houses more efficient, let's go back to level 1. We were already at level 2 and 3; let's go backwards.

But that's what the PC government is. When the PCs are in power, they want to take us back to the 1950s. They want to have efficiency that is lacking. They don't care about the folks on—the average Manitoban. They don't want to see environmental protections.

Now, while I appreciate and would welcome this environment and climate change discussion—and specifically in this case regarding water—being a non-partisan issue, I really—it doesn't appear that this is anything more than just false outrage and looking to try to grab a hold of the—something that was in the media.

\* (11:30)

Now, I would comfort Manitobans, however, in knowing that they do have a Premier (Mr. Kinew), a Minister of Environment and Climate Change (MLA Schmidt) and a government that cares deeply about Manitoba's environment and about our waterways.

We are always going to protect Manitoba, and we're always going to protect Manitoba's waterways, and we are going to ensure that we do better, although the bar is fairly low with that failed PC government.

Thank you very much, Honourable Speaker.

**Mr. Derek Johnson (Interlake-Gimli):** Now, the members opposite, they seem to dismiss that 228 million litres of untreated waste water flowed right into the river.

Now, I'm not sure if they're aware, if their geography is off, but that flows right into Lake Winnipeg and, once again, going to be repeating what the NDP government did in 2003, where Lake Winnipeg—2013, sorry—where Lake Winnipeg became the most endangered lake in the world.

So in 2002, when a failure happened at the North End water treatment plant—so this is the second largest flow into our natural waterways. The largest was actually, coincidentally or not, under an N-T-P-NDP government; 427 million litres of untreated raw sewage flowed right into the rivers and into Lake Winnipeg in 2002. This is just history repeating itself.

Now, the members opposite, they were apparently unaware, according to Chief Bluesky, that this was even going. Front page of the papers, they're still unaware.

Now, this leak was reported to Manitoba Environment, Climate and Parks. It was reported the same

day. Yet this government was still unaware. Or if they were aware, they chose to do nothing. I don't know which one's worse. Either they've chose to do nothing or just completely unaware. Either one is unacceptable to the people that live downstream where this effluent runs.

Now, again, on February 7th, another spill. It was again reported that very same day to the minister, and again the minister was either unaware, didn't listen to her staff or just chose to do nothing. And if that is—that is quite scary, Honourable Speaker, if that's the case.

Now, these failed sewage pipes, I have nothing against 1970, but these failed sewage pipes were built in 1970. Just—I was built in 1970 as well, Honourable Speaker. That's what I was getting to. So these sewage pipes are failing, and they are taking the sewage from—now here's just a list of some of the neighbourhoods that flow into the river here in the last little bit.

So St. Norbert, Fort Richmond, Richmond West, Waverley West, Bridgwater, Linden Woods, Linden Ridge, Whyte Ridge, Waverley Heights and, of course, the University of Manitoba. So all this sewer from these combined neighbourhoods are flowing into the Red River.

Now, the city of Winnipeg has thousands of kilometres of combined sewer, and their goal is to have 85 per cent of it switched out from combined sewer and eliminated by 2045. Honourable Speaker, this is unacceptable; 2045 and still having combined sewers.

And I guess those who are unaware of what combined sewers are is that it takes the rainwater and the effluent from the houses and mixes them together. And if there is a huge rainfall, it takes the effluent and washes it into the river with the rainwater.

So this is an investment that is billions, billions of dollars with a B, Honourable Speaker, that needs to be invested in, and this government has no plan. We'll wait and see on April 2 if there's a plan to help the City of Winnipeg with combined sewers, as this government was in talks with the City at that point.

So let's talk a little bit about the North End Water Pollution Control Centre, Honourable Speaker. That handles 95 million litres per day of sewer and serves over 404,000 people.

This government—just our share—was \$167 million towards improving that facility. The inflationary pressures that are on that project have been unanswered by

this NDP government—zero increase towards that project.

So the North End Water Pollution Control Centre, Honourable Speaker, is 65.6 years average age. So that feels a little bit like retirement age to me. That project needs to get going, needs to get rebuilt. And just with the age of the system—some of the sewer pipes in the city of Winnipeg are 140 years old. So this government has done nothing to help the City of Winnipeg, and as a matter of fact, has refused to extend the support to the North End Water Pollution Control Centre.

So Winnipeg, as we well know—it's documented, published, written upon—Winnipeg is the largest nutrient load to Lake Winnipeg. Just the North End Water Pollution Control Centre puts in 7 per cent of the nutrient load on Lake Winnipeg out of the whole entire watershed of the Red River basin, and that is unacceptable.

We have put money forward for the North End Water Pollution Control Centre, and all of the members opposite sit on their hands and don't help with the cost escalations and inflationary pressures of that project. And probably, it'll stall and not happen again. And history will repeat itself.

Now, I talked a little bit in one of my questions, my preambles, about the communities that live along the lake. This is about sustenance. Our members that are in this Chamber that represent constituents from up there should be appalled at their own government. They should be appalled. Their drinking water comes from this source. Their drinking water, Honourable Speaker.

There's polar bears, beluga whales, there's even rare birds like the piping plover that rely on this water to—for their sustenance. It's not just sustenance of communities, First Nations, it's 'sustenance'—sustenance of wildlife as well, Honourable Speaker.

Now, there's about 23,000 people that live along the lake in 30 different communities, but I guess members opposite don't seem to care about them. There's thousands from Winnipeg that own recreational properties, as well, along there, where they get their water as well from the lake.

There's many First Nation communities with a population of, I don't know, roughly 14,000, as well, that—like, this affects more than just Winnipeg, Selkirk. The Red River, Lake Winnipeg goes all the way downstream to Hudson Bay, Honourable Speaker.

Now, this will not only threaten the ecological balance of the Red River, but also Lake Winnipeg. What are we going to do for our—I think I mentioned here the other day—what's the NDP's tourism slogan going to be, you know? Bring your kids and grandkids to swim at our E. coli-infested beaches? We have a lot of tourism in this province, and it is dependent on our pristine waters.

We have well over 100,000 lakes, Honourable Speaker. Sorry, Minnesota, with your meagre 10,000 lakes that you have on your licence plate, but we have over 100,000 lakes. And when the NDP was in government last time, they successfully made it the most endangered lake in the world in 2013.

Now, I'd be remiss if I didn't speak about the commercial fishers that earn their living on this lake. Between the fisheries, whether it's commercial, and angling, that's \$700 million that's put into our economy between commercial fishers and recreational fishing. This is the livelihood of a lot of commercial fishers and the sustenance for a lot of our people that live along the lake that live off the lake and the rivers.

\* (11:40)

So I have so much more to talk about here. Just quickly, there's a Canada-Manitoba memorandum of understanding that was signed in 2021 respecting Lake Winnipeg and the Lake Winnipeg basin.

Bill Buckels is a commercial fisherman that has written on this topic many, many times. He's been vocal on Facebook and other social media and these are one of the elders in our community that need to be listened to, need to be consulted with. And not that there's any consulting that needs to take place—stop the sewer from flowing into our rivers and lakes.

So, on behalf of Interlake-Gimli constituents and our members who represent northern communities that are silent on this, I implore—I implore—this NDP government to come to the plate and help the City of Winnipeg prevent future spills, like this one, that we—the current government needs to be embarrassed about.

**Ms. Amanda Lathlin (The Pas-Kameesak):** It's an absolute honour to be standing here and to be back into the Legislative Chamber.

As the MLA for The Pas-Kameesak, I just want to inform everyone here that Lake Winnipeg is entirely in my constituency. In fact, The Pas-Kameesak—kameesak is a Cree word meaning big,

which means Lake Winnipeg. It's a huge lake. So this profoundly has a huge effect on my constituents.

So water is life. It's a sacred resource that we want to protect. Our government believes in protecting our environment, including our lakes, rivers and waterways. That's why we're assisting the City of Winnipeg with \$10 million to improve waste water infrastructure. An NDP government is taking action by strengthening our ability to protect lakes, rivers for Manitobans.

Now, I heard the former—I heard the speaker before me talk about caring for communities along Lake Winnipeg. I must put on the record that when I became the MLA for The Pas-Kameesak, I inherited seven more communities, so I represent all the First Nations in the Interlake area.

So when I went into their community and introduced myself as the MLA, they didn't know what an MLA was, so which meant the former MLA that used to represent them never went to go visit them.

So that's why they know what an MLA is, they know who we are and I'm there to help them in any provincial issues, policies or any direction they may need. Not the former MLA—he did not do that, did not care about them at all.

Now, the purpose of this PC resolution is to undermine the work that is being done currently by the Minister of Environment and Climate Change (MLA Schmidt) and distance themselves from the failed environmental policies that they have placed. Protecting Manitoba waterways is an NDP government's top priority.

The recent sewage spill in Winnipeg raises concerns about how we can better protect our water. To do this, the Minister of Environment and Climate Change is strengthening our ability to protect lakes, rivers, by amending The Environment Act. New mechanisms in place—will place in place so authorities can intervene sooner when issues when the recent sewage spill happens.

Now, the communities that I represent around Lake Winnipeg: I've had very informative conversations with our commercial fishermen, in fact, along Lake Winnipeg. I've talked to a former chief, Emery Stagg, who represented—chief of Dauphin River.

He was explaining to me that back in the day, commercial fishermen was a huge industry for the Indigenous community. And there's a co-op that represents our fishermen. There's a 150 fishermen in

that co-op and half are Indigenous. And from my Indigenous fishermen, I've heard that there has been many, many unfair practices within non-Indigenous fishermen and Indigenous fishermen.

So the commercial fisherman industry is a dying breed because of these unfair practices, and, on top of that, now they have to deal with this sewage spill into Lake Winnipeg that's going to contaminate the fish that we consume and fish that we sell to reach those quotas.

Just like how Opaskwayak Cree Nation and the town of The Pas was surprised and shocked when the Canadian Kraft Paper revealed that they had released awful, awful chemicals into Saskatchewan River when our fishermen of Opaskwayak Cree Nation co-op fish there and we eat it. I eat it. Our elders eat it.

So this whole sewage spill has a domino effect that affects the livelihoods of many families that live along Lake Winnipeg. And I also want to say that, since we're on this topic, I want to let people know that our fishermen—it's like I said, it's a dying breed. Their children, of our fishermen, are thinking it's not—it's not a viable industry anymore because of these unfair practices.

Imagine if quotas, net sizes, everything was equal for all commercial fishermen, the industry wouldn't be dying, especially with the Indigenous community. If fishermen in Gimli, top-notch resources for them. They don't have to worry about net sizes, quotas, seasoning—opening seasonings—opening of fishing season and whatnot.

So I just wanted to say that even our fishermen in Moose Lake—it was quite wonderful seeing children in the boats untangling the nets. It was wonderful seeing the children with the fish and gutting them and filleting them. And so that is why water is such a sacred resource for many First Nations communities and other communities.

And that is why I'm standing here today to ensure that it's on record that this situation should not be happening anymore to our waterways and we need to protect them.

We need to protect our fish stock which help livelihoods, whether it comes to feeding your children at the kitchen table, or reaching those quotas to get some money for livelihood, to have, buy that food for the kitchen table.

So with that, Speaker, I just want to put a few words on the record and to let people know that Lake Winnipeg is a very important resource and it should be protected.

Ekosi.

**Mr. Richard Perchotte (Selkirk):** I spent a considerable amount of time yesterday preparing for this and I'm not going to go off my notes. I think this is very important. I'm just looking to speak from the heart.

This is a situation that impacts my community, not just the community of Selkirk, but all the people that I know in this province. Any amount of sewage entering our waterway is too much. Any amount. We would never permit any environmental disaster to happen.

If anything is preventable, we should be on it. We should be looking forward to stop stuff before it happens. You can't get the sewage back into the plant. After the disaster happens, you can't go back, you can't apologize to the fish or to the families or the people who are going to drink that water and hope it doesn't harm them. You can't go back to the microorganisms that are polluting our water.

And it's not just sewage that's hitting the water. There's discarded medications that get dumped down the sewer. There's grease and oils from cooking that get dumped in there. There is tons of different things that are going to change our ecosystem that are allowed to go into the waterways.

I don't know if anybody here has ever had a flood in their house. When you live in the country, it happens. Power goes out. And when you have sewer systems that are connected to septic fields—I was a recipient one day of getting home on a beautiful Sunday morning after being away and having my basement full of sewage.

I didn't have to wait to react. You react right away. You cannot have sewage in your house. The fact that we're here today asking for funds blows my mind. This should be done automatically.

\* (11:50)

Prior to taking politics as a career, I would have assumed that government would be there, hands down, saying, whatever you need, let's solve this problem. Let's make sure this doesn't happen again. Let's make sure that we don't have a drop of sewage in our waterways. Let's make sure that we are the stewards of the future.

Every day we come in here, we do a land acknowledgment. The families that came before us, the ancestors chose this area. The Red River and the Assiniboine were the lifeline of the people and we're the stewards of that.

And what did we choose to do? We failed them. I'm not here to point fingers; I'm here to say, as representatives of the people who put us here—the approximately 20,000 that put every member in their constituents here—they put us here to make things better.

And we have that duty. We have that duty to move forward. Going back to having a house, walking home and discovering that you have sewage in your house, you would not wait. You have to take immediate action, but you don't stop there. You make sure that will never happen again.

I put in a backup system so that the sewage cannot back up into the house. I put up a generator system to make sure that when the power goes out, that stuff still keeps getting pumped out.

I made sure that I have a contingency plan. And I test that system over and over, and over on a weekly basis automatically to make sure that we don't have a problem.

How do we as a government move forward if we don't address the situations that we face?

Many years ago, I was invited to take part in a project going down in Las Vegas. They were looking at realigning their storm sewers and their sewer system. Now, my part was a very small part of that. I showed up there to provide them a structure to create and to manufacture the realigning system in.

But what I learned at that time was how simple it is to realign a system. You divert—you have a backup system that you divert your sewage to, you clean the system and then you run a—essentially, a giant sock with resin through there. Let it cure.

That type of resin replacement allows that system to live another 50 years. And as my colleague said, the system was designed in 1970. So was he, and I'm very close to that.

From 1970 'til now, what have we been doing? If we are not looking at our infrastructure and coming up with a plan to move forward to make sure that we don't have these catastrophes, these disasters happen. This is what we are here for.

We argue back and forth and we have different beliefs, but this cannot be an issue of partisan. We have to look at the future of what we have. We have to make sure that the waterways, our environment, is taken care of.

As a teenager in Lockport, we used those waterways all the time. We walked along them, we skipped rocks, we went fishing. I remember sitting down there, at 16 years old, waiting for midnight to hit to be the first person out fishing.

The water was flowing and it was way too fast, but—and the weights we had were not adequate. We really just soaked our strings that day; we didn't catch any fish. But those memories were amazing, and it was because of the Red River.

The families and the lifeline of the people went there. Some of my closest friends were from the Monkman family. The Monkman family traced their generations back to two people who fell in love—an Indigenous community of two people who fell in love—and now they have over a thousand offspring who live and work on our waterways.

They're fishermen and pillars of the industry. I've been at their places and provided them buildings for their net storage and their boat storage. And they love their way of life. But as my friend from up north has said, that way of life is changing.

We cannot be allowed to dump sewage in our waterways. I am blown away that we're having this conversation. I'm blown away that as a government, they—there wasn't funds immediately released to take care of the problem, to have a backup system, to ensure that backup system is tested on a weekly basis, to make sure there is monitoring.

Today, with the technology that we have, the X-ray equipment that we can check and check thicknesses and materials, we get it. Things wear out. But why do we wait to a point that we have a disaster before we let this happen?

I—it's crazy that we're here. I don't understand the process until I became elected. I thought, as government, we worked together to solve issues like this.

And what I see in this House on a daily basis is yapping and yelling back and forth and a bunch of immaturity, and it's disgusting. If people—the camera would actually catch the childish behaviour in here—unreal. I don't think the people who elected us actually see how poorly we behave. This is terrible.

We need to work together, put our thoughts forward and say, we got to do something. You know, when it comes to the people, to the environment, to the species that we are here to represent, let's put our best foot forward. Nobody is showing up here today hoping to do a bad job.

If somebody didn't let the minister know, let's change the process. Let's make sure that they're informed right away. If Chief Bluesky wasn't informed right away, change the process. That's what we're here to govern for. Let's make sure we can move ahead and make some progress and change and put this crap behind us, literally.

Thank you.

**MLA Billie Cross (Seine River):** Water is life. First Nations people know that water is life and that water is alive. Where you find water, you will find life.

We are all born out of water. In our mothers' wombs, we are surrounded by water. Water is sacred. And it's essential for our health, for our lives and for the lives of all living beings.

Even though United Nations has recognized the right of every human being to have access to enough water for personal and domestic uses, many countries, including our own, have still not invested what is needed to achieve this critical goal.

And I bring that up because, as the member across just said, the member from Selkirk, what have we been doing for so many years where we have not invested in our infrastructure, where we don't care enough about the very thing that sustains our lives?

As the representative for Seine River, I represent folks in St. Norbert, who were asked recently to minimize their water use to ensure that more spillage wasn't going in than necessary.

In Manitoba, provincially, municipalities were starved for funding for seven years under this former PC government, funds necessary to update infrastructure that was aging, including pipes and sewer systems. The list can go on and on: bridges, roadways, et cetera.

But it's a new day in Manitoba, and our NDP government is a collaborative government. And we understand the importance of making these critical investments. That is why we're working with municipalities to assist them in these crucial upgrades.



Our Minister of Environment has shared that we are providing the City of Winnipeg with \$10 million to improve waste water infrastructure.

There is legislation on notice that will hold polluters accountable and require them to notify all affected parties when there is a spill.

As mentioned, we are that collaborative government, and so our ministers are working with First Nations governments to ensure that this building block of life is protected for future generations.

As an educator, water was something I had to teach about. Students in grade 2 learn about water. They learn about the importance of it, water and the environment.

In grade 8, students explore a cluster in science called water systems, where they learn that water is

essential for life on earth and needs to be managed sustainably.

If we are not the group or the government that takes action, if we don't do it now, then when? If not us, then who?

I think members opposite should also do some internal reflection on why they put off so many important funding initiatives so that we can support our critical—

**The Speaker:** Order, please.

When this matter is again before the House, the honourable member will have seven minutes remaining.

The hour being 12 o'clock, this House is recessed and stands recessed until 1:30 p.m.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, March 14, 2024**

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