

Third Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Mr. Daryl Reid
Constituency of Transcona

Vol. LXI No. 3 – 6 p.m., Wednesday, September 16, 2009

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT

Wednesday, September 16, 2009

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Daryl Reid (Transcona)

VICE-CHAIRPERSON – Ms. Bonnie Korzeniowski (St. James)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Mr. Struthers

Ms. Blady, Messrs. Briese, Dewar, Eichler, Graydon, Mr. Jennissen, Ms. Korzeniowski, Messrs. Nevakshonoff, Reid, Mrs. Rowat

WITNESSES:

Bill 238–The Service Animals Protection Act

Ms. Yvonne Peters, Manitoba Human Rights Commission

Mr. Doug Parisian, Private Citizen

Bill 217–The Hunting, Fishing and Trapping Heritage Act

Mr. Rick Wishart, Ducks Unlimited Canada

Bill 226–The Pregnancy and Infant Loss Awareness Day Act

Ms. Brenda Brand, Compassionate Friends of Portage Plains

Ms. Colleen Johnson, Private Citizen

WRITTEN SUBMISSIONS:

Bill 238–The Service Animals Protection Act

Doug Parisian, Private Citizen

MATTERS UNDER CONSIDERATION:

Bill 217–The Hunting, Fishing and Trapping Heritage Act

Bill 226–The Pregnancy and Infant Loss Awareness Day Act

Bill 238–The Service Animals Protection Act

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Committee Clerk (Ms. Monique Grenier): Good evening. Will the Standing Committee on Social and Economic Development please come to order.

Before the committee can proceed with the business before it, it must elect a new Chairperson. Are there any nominations for this position?

Mr. Gregory Dewar (Selkirk): I nominate Mr. Reid.

Committee Clerk: Mr. Reid has been nominated. Are there any other nominations? Hearing no other nominations, Mr. Reid, will you please take the Chair.

Mr. Chairperson: Thank you, folks. The next item of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Dewar: I nominate Ms. Korzeniowski.

Mr. Chairperson: Ms. Korzeniowski has been nominated. Are there any further nominations? Seeing none, Ms. Korzeniowski is elected as Vice-Chairperson of this committee.

This meeting has been called to consider the following bills: Bill 217, The Hunting, Fishing and Trapping Heritage Act; Bill 226, The Pregnancy and Infant Loss Awareness Day Act; and Bill 238, The Service Animals Protection Act.

We have a number of presenters registered to speak here this evening, as noted on the list before committee members.

If there are any additional members of the public with us here this evening that would like to make a presentation and are not on the list that was posted outside of the committee room doors, please see the clerk at the back of this chamber room, and we'll add your name to the list of presenters for the specific bills.

Before we proceed with the presentations, we do have a number of items to deal with and points of information for this committee to consider.

First of all, if there is anyone else in the audience, as I've indicated, please indicate to the clerk and, also, for the information of all presenters here this evening, while written versions of the

presentations are not required, if you are going accompany your presentation with a written material, we ask that you provide 20 copies. If you do not have 20 copies, please see the clerk, and we'll assist you with photocopying to make sure that all members of the committee will have copies of your written presentation.

As well, I would like to inform the presenters with us here this evening that, in accordance with our rules, a time limit of 10 minutes has been allotted for presentations with an additional five minutes allowed for questions from the various committee members that may wish to ask those questions.

Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If a presenter is not in attendance when their name is called a second time, their name will be removed from the list of presenters for that specific bill.

On the topic of determining the order of public presentations, I will note that we do have some out-of-town presenters in attendance, marked with an asterisk, on the list before committee members.

As well, I had been advised that Yvonne Peters, presenter No. 1, on Bill 238 has requested, if possible, to present first due to having other commitments this evening.

With these considerations in mind, what order does the committee members wish to have the bills considered?

Mr. Ralph Eichler (Lakeside): We're certainly in favour of having Mrs. Peters and Bill 238 heard first in order to accommodate her schedule.

Mr. Chairperson: It has been recommended to this committee that Ms. Peters be the first presenter on Bill 238. Is that agreed? *[Agreed]*

A written submission for information of committee members, a written submission on Bill 238 from Doug Parisian has been received and distributed to the committee members. Does this committee agree to have that written presentation document appear in the *Hansard* transcript of this evening's meetings? *[Agreed]*

Now I would like to ask for the indulgence of the committee members, I'd like to—and the audience, I'd like to inform all in attendance of some provisions regarding the hour of adjournment and the consideration of our business here this evening. In accordance with the sessional order adopted in the

House, as we currently have less than 20 presenters registered for this committee this evening, if this committee has not completed clause-by-clause consideration of the bills by midnight, the number of rules will apply, including sitting past midnight to hear presentations if necessary. If they are not already finished, concluding the presentations at 1 a.m. and three interrupting proceedings to conclude clause-by-clause on this bill at 3 a.m.

How late does this committee wish to sit this evening?

Mr. Eichler: Mr. Chair, until the bills have all been completed.

Mr. Chairperson: It has been suggested to the committee that we continue working until all the bills have concluded the business.

An Honourable Member: Agreed.

Mr. Chairperson: Agreed? *[Agreed]*

Thank you.

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in the committee here this evening. The proceedings of this meeting are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter from the public, the Chairperson first has to say the person's name. This is a signal for the *Hansard* folks sitting behind the Chairperson to turn the microphones on and off.

Now, I thank you for your patience, and we'll now proceed with public presentation.

Bill 238—The Service Animals Protection Act

Mr. Chairperson: The first bill for consideration is Bill No. 238, public presentations, The Service Animals Protection Act, and Yvonne Peters, Manitoba Human Rights Commission.

Good evening, Ms. Peters. Yes. Does she need assistance?

Ms. Yvonne Peters (Manitoba Human Rights Commission): Good evening.

Mr. Chairperson: Good evening, Ms. Peters. Please proceed when you're ready.

Ms. Peters: Yes, well, thank you very much for accommodating my request to go early.

Ladies and gentlemen of the committee, on behalf of the Manitoba Human Rights Commission, I

would like to thank you for giving us the opportunity to comment on Bill 238, The Service Animals Protection Act. I am the vice-chair of the Manitoba Human Rights Commission, and with me tonight in the front row is Dianna Scarth, who is the executive director of the commission.

The commission wishes to commend the Manitoba Legislature for introducing this very important piece of legislation. We're particularly pleased as our commission had the opportunity to discuss this matter with the Honourable Gord Mackintosh several years ago about the need for such legislation, and it is, indeed, very gratifying to see that these discussions have now come to fruition. Certainly, many other people pushed for it as well.

So why is this legislation so important? If I may, I would like to address this question by first offering some personal comments as a dog guide user, and then I'd like to say a few words from the perspective of the commission.

I've used a dog guide for approximately 30 years. This method of travel for me has given me a wonderful sense of independence. In addition, having a dog guide can also be an interesting way to meet some wonderful people, because dogs seem to be a very good icebreaker. And I'm happy to say that I've met many wonderful dog lovers, and some have actually become my friends. However, I am aware that there have been instances, albeit perhaps rare in my experience, where the behaviour of people or other dogs and animals have put dog guide users and their dogs at risk.

*(18:10)

Now, the closest I've come to a risky situation of this nature involving the behaviour of others occurred while I was waiting to cross, I believe, it was Portage Avenue, here in Winnipeg. A stranger walked up beside me, and I guess he or she thought my dog looked hungry and so began feeding my dog chips. My dog was a Lab at the time and loved food, and so it took a bit of time for me to get her mind back on her work so that we could cross the street safely. Certainly, that may not be the kind of situation where one would want to bring a legal action, but I think this legislation provides an opportunity for education in terms of how to deal with working dogs in harness, and I'll say more about that in a minute.

Dog guides are generally well-trained, well-behaved animals. However, they're not robots and

they're not machines and their work can be disrupted or interfered with by people who want to pet or feed them or by uncontrolled dogs who want to play or, worse yet, are aggressive. Some people may not realize that feeding, petting, or talking to a service dog while it is in harness and working is a—can be a serious safety issue for both the dog and the user. In my experience, such behaviour, as innocent as it may seem, is just as dangerous as a passenger grabbing a steering wheel or interfering with a driver while a car is in motion.

As a dog guide user, I spend a good deal of time educating people about the work of a dog guide and in most instances, I'm happy to report that they are very receptive and understanding. However, I do believe that there are some situations that are very serious and where the support of the law is needed.

A dog guide whose work is affected by dog attacks or human interference can leave either the—either one of the partners of the team physically or emotionally injured and, in fact, the dog guide may be unable to continue working. This is a very serious matter for many reasons, including the fact that the cost of breeding and training a dog guide can range from \$20,000 to \$60,000. Moreover, when a dog guide needs to be replaced, the process of matching a dog with a handler can take several months.

The commission is very proud that Manitoba is—appears to us the first Canadian province to recognize the role of service animals through protective legislation. We believe that it reinforces the rights that are already protected under the Human Rights Code. Unfortunately, the commission continues to receive complaints from individuals with service animals who have been denied the right to enter restaurants or other public facilities.

So Bill 238 is important because it offers persons who use service animals with legal recourse, should it be necessary. However, the commission believes that it also offers an excellent opportunity for the government to promote and educate the public about the human rights of people who use service animals. It also provides an excellent opportunity for the government to educate the public on the role that service animals play in the lives of many Manitobans and the appropriate way to behave when in the presence of a working service animal. In other words, don't feed them chips at the corner of the street.

In closing, I would like to thank MLA Sharon Blady for bringing this legislation forward through a

private member's bill. I believe that she has done an excellent job in consulting with persons with disabilities and has responded very positively to our concerns and issues. Thank you very much for this opportunity.

Mr. Chairperson: Thank you very much for your presentation, Ms. Peters. Any questions of the presenter from committee members?

Ms. Sharon Blady (Kirkfield Park): Thank you, Yvonne. It's wonderful to have you here, and I really appreciate it. I have to return the thanks to you for being the impetus for this bill and for bringing this issue to our attention, and I'm honoured to have been the one that was, I guess, able to carry the ball over the goal line or, hopefully, over the goal line. I guess we're kind of down to the last couple of yards.

But I really want to thank you, and the working relationship that we've been able to establish throughout various parts of the community has been wonderful. And I really, again, think that this can be a wonderful opportunity for education, and so I look forward to that next phase of the relationship as we go and move forward to educate Manitobans about the important role that service animals play in all of our lives and show the animals the respect they need, but also, more importantly, that this is legislation that is meant to protect the humans in that animal-human team. So thank you, again, Yvonne, for being here tonight and for all the work that you've done to get this piece of legislation as far as it's gone so far.

Mr. Chairperson: Any other questions of committee members? Thank you very much, Ms. Peters, for your presentation this evening.

The Chairperson has been advised that Doug Parisian, who the committee members had been requested, has requested not only the addition of his written presentation into the transcript of these proceedings, but also to make an oral presentation.

Is it the will of the committee to allow this presentation to continue?

Some Honourable Members: Agreed.

Mr. Chairperson: Thank you to committee members. Good evening, Mr. Parisian, sir. Please proceed when you're ready, sir.

Mr. Doug Parisian (Private Citizen): Thank you for the opportunity. I won't say too much more because most of my ideas have been provided in the written presentation.

I, too, am a dog guide user of 33 years. This one is my present dog guide. And each one of these animals have different experiences. I have travelled on airplanes throughout the States, Canada. I've visited any place from Florida to Los Angeles with me and my guide, and mostly, it's been a good experience.

However, I think that there are enough experiences and enough issues which really support the idea of legislation for protection of we folks who use service animals, and I'm quite pleased to see, also, that the legislation deals with the person who is controlling the animal more than the animal. Frankly, it's not the animal's fault that the master may not be quite as smart as their dog sometimes.

And so I won't take up anymore time, though, because, as I say, most of my—what I have to say was written down, and it's before you and you can work with that.

And I'd like to just say thanks to Sharon for all of the efforts and thanks to the Human Rights Commission for getting this bill as far as it's gone, and I'm glad I did find out about it to have my input.

Mr. Chairperson: Thank you very much, Mr. Parisian, for your comments here this evening. Questions to the presenter?

Ms. Blady: Good evening, Doug. It's wonderful to see you here tonight and thank you for the input that you, too, have made. I look forward to moving forward on some of the suggestions that you have made in our conversations and, again, the experiences that you've shared with me through the consultation process has really been an eye opener and it's also been—it's also made for some wonderfully entertaining conversations.

So, again, I thank you for what you've brought to the table and for helping, again, move this forward. And I just hope that I'm doing this service that you need and bringing that forward meeting your needs.

Mr. Chairperson: Mr. Parisian, did you wish to comment, sir?

Mr. Parisian: No, I think I've said enough for the time being.

Mr. Chairperson: Okay, thank you very much, sir. Any further questions for the presenter from committee members? Seeing none, thank you very much, Mr. Parisian, for your presentation here this evening.

Are there any additional presenters for Bill 238, The Service Animals Protection Act? For the second time, are there any additional presenters for Bill 238, The Service Animals Protection Act? Seeing none, that will conclude public presentations on Bill 238.

* (18:20)

Bill 217—The Hunting, Fishing and Trapping Heritage Act

Mr. Chairperson: We will now move to out-of-town presenters in numerical sequence of bills. Bill No. 217, The Hunting, Fishing and Trapping Heritage Act.

And we have two out-of-town presenters. The first out-of-town presenter is Gaile Whelan Enns, the Manitoba Wild Lands. Is Gaile Whelan Enns with us here this evening? Her name—Ms. Whelan Enns' name will dropped to the bottom of the list.

The next individual from out-of-town is Rick Wishart, Ducks Unlimited Canada.

Good evening, Mr. Wishart, welcome. Do you have a written presentation, sir?

Mr. Rick Wishart (Ducks Unlimited Canada): I do.

Mr. Chairperson: Then give us a few moments and we'll distribute to committee members.

Mr. Wishart: Sure.

Mr. Chairperson: Please proceed, Mr. Wishart, when you're ready, sir.

Mr. Wishart: Thanks very much, Mr. Chair, and thanks for this opportunity to address the standing committee this evening on behalf of Ducks Unlimited Canada in support of Bill 217.

In part, this bill highlights the important role that hunting, trapping and fishing have played in shaping Manitoba's social, cultural and economic heritage and we agree that this merits inclusion in the legislation of our province.

Following the retreat of the glaciers, Aboriginal peoples settled in Manitoba. These first human inhabitants depended on trapping, fishing and hunting for their livelihood and survival. Their culture, belief systems and economic development all had roots in their hunting way of life. The traditional ecological knowledge that Aboriginal people have used to harvest Manitoba's renewable resources remains pertinent to this day.

Indeed, modern environmental sciences that guide our land use, development and conservation practices nowadays often take into account traditional ecological knowledge in order to allow us to make the wisest sustainable decisions.

When European settlers and explorers came to Manitoba in the 17th and 18th centuries, they also depended on hunting and fishing for survival as well as trading with Aboriginal peoples for furs. In the early 1700s, both the Hudson's Bay Company and the North West Company developed settlements along the rivers that flow into the Hudson Bay for trade in fur. It was not for another 100 years that the province's first agricultural settlement was developed at Selkirk.

Across North America with settlement and technological advances came unregulated exploitation of wildlife populations and degradations of their habitat and Manitoba was no different. Several species like the passenger pigeon became extinct and others like the bison and whooping crane became endangered. Even once prolific species like the wood duck, greater Canada goose, beaver and white tailed deer declined from unregulated pressures and habitat degradation in the early 1900s.

Bill 217 recognizes the importance of the advent of modern wildlife management in the early part of the 20th century and provincial and international acts that were put in place to conserve wildlife, and we believe this also merits inclusion in our Legislature in recognizing these acts.

The new profession of wildlife biology came into being at that time to provide the technicians and scientists needed to undertake the studies and enforcement practices to support the implementation of these regulations.

And that work of parks and refuges and wildlife-managed areas were put in place by state, provincial and federal governments across the continent, including here in Manitoba, with funding largely coming from outdoor product sales and licence fees provided largely by hunters, anglers and trappers.

Aldo Leopold, who wrote the universally known book, *A Sand County Almanac*, is recognized as the father of modern wildlife management. And in the 1930s one of his young graduate students from the University of Wisconsin, Albert Hochbaum, came to Manitoba to undertake waterfowl studies and he helped to open the well-known Delta Waterfowl Research Station, which exists in Manitoba.

Also, in about that same year, Ducks Unlimited was incorporated by a group of businessmen and conservation-minded waterfowlers who were concerned about the continental decline in waterfowl populations as a result of unsustainable agricultural practices and drought conditions at that time. Based then out of Winnipeg, the national office of Ducks Unlimited remains in Manitoba at the Oak Hammock Marsh interpretive and conservation centre near Stonewall.

Ducks Unlimited and the Manitoba government in partnership have developed and operate the award-winning wetland interpretive facilities at Oak Hammock, which annually attracts over 200,000 people to this province.

Ducks Unlimited is a private non-profit organization that conserves, restores and manages wetland habitats and associated habitats for waterfowl and other species. These also benefit people.

Ducks Unlimited's annual budget is about \$87 million, and about 270,000 hectares of habitat have been conserved in Manitoba as a result of Ducks Unlimited's actions, largely as a result of contributions by hunters.

DUC also has a conservation arm, the Institute for Waterfowl and Wetland Research, and their study completed recently on Broughtons Creek, north of Brandon, has shown that approximately 70 percent of our wetland basins in southern Manitoba have been lost and the tremendous impact this has had on water quality in our great lakes, Lake Manitoba and Lake Winnipeg, and it demonstrates a need for a comprehensive wetland policy for this province.

Due to the work of conservation agencies, governments and concerned citizens, many wildlife populations are again healthy, but more needs to be done. It should be emphasized that hunting is the reason for the success to date of conserving North Americans' wildlife, both hunted and non-hunted species. The North American model of wildlife conservation, where fees are paid by hunters, anglers and trappers to cover the costs associated with conservation is unique in the world, and it's operational here and healthy in Manitoba as well.

Those who hunt, fish and trap wildlife are the greatest advocates of this model, and over the past 75 years have been the force, along with government, in supporting the settlement—the setting of bag limits, creating of refuges and undertaking

research and putting programs in place to train and license hunters.

The largest and most successful wildlife management program in history, the North American Waterfowl Management Plan, is a great example of the success of partnerships for conservation, an example of the model in action. Canada and the United States, along with Mexico, are signatories to the North American plan, and it's operational and very productive in this province as well, with the support of the government. Since 1987 the planned joint ventures have invested \$4.5 billion U.S. to protect, restore or enhance 15.7 million acres of waterfowl habitat across the continent. These projects have not only advanced waterfowl conservation, but have made substantial contributions toward the conservation of all wetland-associated species.

These conserved habitats also provide significant ecological goods and services for people, including clean water, flood protection or reduced greenhouse gas emissions. Ducks Unlimited plays a unique role in delivering this planned—in all three of the signatory countries and we're proud to play this role.

The key to Bill 217 lies in its attention to grass roots. Hunters have contributed funds through their purchase of licences and hunting equipment to conserve—to conservation. For example, waterfowl hunters in the States have contributed \$700 million to habitat conservation through the purchase of just one product, the federal hunting licence duck stamp and, in Canada, a similar program through Wildlife Habitat Canada has raised \$57 million for wildlife conservation. A similarly intended fishing licence stamp raises \$450,000 per year in Manitoba alone, with the funds going back into habitat conservation and disease control for fish populations.

In spite of these investments, we continue to lose valuable wildlife and waterfowl habitat, which can only be stemmed with significant provincial and federal support. Bill 217 helps to recognize the significant contributions that hunters and fishers have made and still need to make as a catalyst for conservation efforts.

The final point I want to make in support of the bill is the important role that hunting, fishing and trapping play in educating and engaging youth and adults alike in the outdoors, and through this greater education will come a greater caring for the environment.

With increased urbanization, other demographic and socio-economic changes, Manitobans are spending less of their leisure time in outdoor activities. Enrolment in such groups as 4-H and Scouts has declined significantly over the last decades and, indeed, the number of waterfowl hunters has declined across Canada by over 70 percent—since the 1970s.

People are not connected with wilderness and wild places are less likely to care about conserving and protecting these valuable natural places. A recent review paper by the National Wildlife Federation, entitled *Connecting kids with nature*, concluded that hunting and fishing, like any—array of other outdoor activities, have a significant, positive association with the environmental attitudes and behaviours of both young and old people. Time spent outdoors in activities, including hunting and fishing, is correlated with people developing an environmental ethic.

* (18:30)

Government of Manitoba recognizes the value that hunting and fishing play in the economy of the province and has been a leader in encouraging young people to take up these activities. The provincial government is to be commended for designating the week before the regular waterfowl hunting season as Waterfowler Heritage Days where teens that have passed their hunter safety training can go hunting with an accredited adult mentor without the need to purchase a hunting licence. DU is a partner with Manitoba Conservation and other like-minded groups in promoting this program across the province and organizing mentored hunt opportunities for novice hunters. A similar program is also in place to encourage families to go fishing in Manitoba. Future generations of hunters and anglers will be needed to ensure that there are sufficient revenues and the public will to continue important environmental and wildlife conservation programs here.

In summary, hunting, fishing and trapping have played an important role in the historical, cultural and economic heritage of the province since people first settled Manitoba and this continues to the present day. Hunters, anglers and trappers have made important contributions over the last seven decades to the understanding, restoration and management of Manitoba's fish and wildlife resources. The North American model of wildlife conservation which links grass-roots resource users to big-scale conservation

programs like the North American Waterfowl Management plan continues to function as an integral part of the environmental fabric of this province. People engaged in hunting, fishing and trapping care for the environment and that is demonstrated by their conservation ethic and actions.

DU believes that Bill 217 will play an important role by highlighting and promoting these values for future generations and by recognizing the right of people to hunt, fish and trap in a sustainable and ethical manner. We see the outcome of this action being Manitoba's enhanced capability to sustain healthy ecosystems which will benefit all citizens. On that basis, I encourage the standing committee to approve the act in its present form and bring it before the Legislature. Thank you.

Mr. Chairperson: Thank you very much for your presentation here this evening, Mr. Wishart.

Questions of the presenter?

Mr. Ralph Eichler (Lakeside): Thank you, Mr. Wishart, for your presentation. Certainly want to commend you and your organization on all that you do to promote wildlife within the province of Manitoba and the surrounding provinces as well, and we recognize the importance that the right to hunt, trap and fish plays within the educational process, and, with that said, I know that the provinces to the south and to the west, east, are also having those same very concerns, along with the States, the northern part, and all throughout the United States, so certainly very important role that you play and certainly encourage you to keep on doing so.

Floor Comment: I certainly appreciate that.

Mr. Chairperson: Mr. Wishart, did you wish to comment, sir?

Mr. Wishart: No, I just appreciate the comments and agree that enshrining these rights in our Legislature is an important process to go through and in recognizing the value that they play in encouraging future participation by our citizens.

Mr. Chairperson: Any further questions from committee members? Seeing none, thank you very much for your presentation, sir.

Bill 226—The Pregnancy and Infant Loss Awareness Day Act

Mr. Chairperson: The next out-of-town presenter we have is on Bill 226, The Pregnancy and Infant Loss Awareness Day Act, and the out-of-town

presenter is Brenda Brand, Compassionate Friends of Portage Plains.

Good evening, ma'am. Welcome. Do you have a written presentation?

Floor Comment: Well, I got about three-quarters of the way through writing it so—

Mr. Chairperson: That's fine.

Floor Comment: —and it's scratched up now.

Mr. Chairperson: That's fine. Oral presentation is fine. You may proceed when you're ready.

Ms. Brenda Brand (Compassionate Friends of Portage Plains): Okay. I want to express my appreciation that this bill is being considered. I'm the long-time chapter leader and newsletter editor for the Compassionate Friends of Portage Plains, which is one chapter in an international self-help organization offering support to bereaved parents and siblings when a son or daughter, sister or brother, has died at any age from prebirth to adulthood.

I'm a mother of five, two of whom are still living. As I speak today, I reflect on my own experiences which are far from unique after the deaths of three of our children during a two-year period approximately 20 years ago, and will also mention the experiences of many other bereaved parents gleaned through reading books, facilitating sharing circles, being a telephone friend and leading our annual Christmas candlelight service.

Those of you who are sitting here that are parents may feel the same way most parents do. I don't know how I would cope if my child were to die. Most bereaved parents feel that the grief we carry is the deepest and most traumatic grief of all, though in fairness, I must add that many, if not most, of our members have not experienced the death of a spouse, sibling or parent.

Though you don't know me, let me assure you that I am one of the most upbeat people you would likely ever meet, and for me, it took about six years of grieving to feel that I had made a significant degree of peace with the death of my five-year-old son from cancer.

We live in a death denying culture where the f-word is heard much more than the d-word. Denial and avoidance of death are rampant. We were much more educated about science and math, about hard facts than about the nuances of providing emotional support in uncomfortable situations.

Euphemisms for death abound and in their discomfort well-meaning friends and acquaintances often offer remarks intended to comfort which are actually hurtful. She's in a better place now, doesn't offer much comfort to a parent who yearns only to hold that child in his or her arms right here, right now. Nor does it help resolve the religious and spiritual questioning which often accompany a child's death.

In their discomfort, friends and acquaintances may be seen crossing the street a block away in an apparent attempt to avoid encountering the grieving parent and invitations to share in dinners or entertainment fall away dramatically for many bereaved parents. Some are accused by extended family members of spoiling family celebrations with their grief only a few months after their child has died. Feeling abandoned by friends and family is unfortunately not uncommon.

Another great difficulty in grieving is one's sense of isolation from the community and world around us. In so many ways, times and places, we are completely out of step with what is going on around us. Parents and siblings struggle to keep it together in the workplace or at school. Amidst the great hubbub and excitement of a dressed up Christmas concert, the parents cry in a dark pit of despair while trying to fake Christmas for the surviving siblings.

On Mother's or Father's Day when an only child or all children have died, the parents struggle with the question, am I still a mother or father? Weddings, graduations and other special events remind us of what might have been, but never will be for us and these children and many cry out, why us?

So all this happens in all situations pretty much of children's death but when we come to infant loss, miscarriage, still birth, neonatal death, this grief is highly underestimated by the public around us. When my five-year-old son Caillin died, he had lived long enough to be involved in nursery and kindergarten, church and community club and other activities. He had both child and adult friends. The community mourned not only for us, but also with us for they, too, were directly touched by his life. They, too, had favourite memories and photos to share all of which brought us significant comfort in the early days of grief.

When his class graduated, there were several students who still remembered him 13 years later and the class gifted us with flowers. In the early days of grieving, bereaved parents need to tell their story

often. Nothing helps more than an emphatic non-judgmental listener who is willing to go through photos and be shown favourite toys or other artifacts of the child's life.

We had hundreds of photos of Caillin and many of his possessions, clothes, toys, favourite storybooks, certificates, artwork and so on. How different it was when Baby Lauren died at six-and-a-half weeks from sudden infant death syndrome, or crib death. Luckily, she looked so beautiful napping that afternoon that I had taken four or five photos, which captured the rapidly changing baby as she was when we last knew her in this world. There are few other mementos, a couple of nice sleepers, receiving blanket and soother.

* (18:40)

Since she was born in June, when many groups are becoming inactive for the summer and lived for such a short time, many in our communities of involvement never met or knew her. They mourned for us, not with us or for her.

I could predict some of the painful things in my grief over Lauren: the difficulty of seeing or encountering people with babies in particular, though some of my normally very sensitive and with-it friends clearly did not think to leave their babies at home when they came to visit, nor to warn me that someone coming to this dinner party would have a baby in tow. I was lucky that only once someone who happened to be the father of a young baby said to me in his discomfort, oh well, at least you could have another baby, a remark that I doubt he would ever make to a newly bereaved spouse. I was unprepared for the pain I felt when I saw blonde eight- or 10-year-old girls riding their bikes on the street.

Baby Jordan died at 17 weeks gestation due to a lethal chromosome abnormality in the midst of our two-year battle with Caillin's cancer. There are no photos, no mementos, no clothes, no tangible things to hold or stroke when grieving, and in that situation not much emotional space to process his loss. With him died the hope and dream that our lives would return to normal as Caillin finished treatment and a healthy new baby would be added to our family.

I wanted to read here an excerpt from a poem by Lisa Marie Emerle: How do I say good-bye . . . when I didn't get to say hello? / I want so bad to keep you . . . how do I let you go? / I have so many dreams, so

much love I want to share / There's nothing I can do . . . why is life unfair? / You're my perfect angel . . . I dreamed you long ago / I never got to hold you but it breaks my heart to let you go / The pain and confusion I feel inside / I cannot explain . . . I cannot describe.

This brings me to the crux of my message today that within the abyss and prolonged pain of bereaved parenthood many people do not grasp the intensity of grief which accompanies a baby's death. When parents happily anticipate a birth, their hopes and dreams for that child and their relationship with him or her begin at conception, if not before. Lauren was my third baby after two sons and she carried the hope that I would have both a son and a daughter to raise. More subtly, because my mother died when I was 20, she carried my hopes for experiencing a mature mother-daughter relationship, only in this case I would be the mother, not the daughter.

Perhaps those girls on bikes represented my hopes for the fun we would share together, the skills she would accomplish, the freedom and independence she would gain as she matured. All those un-lived forever-gone tomorrows that parents envision whether it's our pleasures of day-to-day life or our hopes for careers or achievements.

The baby is due. The parents make room in their lives, perhaps decorating a room, assembling a layette and various baby paraphernalia. The mother may change her lifestyle to include healthier habits. The community supports with baby showers and takes great interests in the mother's growing belly. There are fears and apprehensions about the birth process and the role of parenting, along with great expectations. There are wonderings about what the baby will be like, who he or she will resemble and so on.

And when we consider miscarriage and neonatal death, along with all these other sorts of grief and loss that I've mentioned, there's also the complication of people's relationship with their bodies where genetic problems, fertility problems, the ability to carry the baby to a viable term and so on can all leave people feeling let down or betrayed by their bodies and can leave them fearful about attempting another pregnancy.

We cannot judge the worth of a life by its length. We cannot know what hopes and dreams and attachments were formed from the time the pregnancy was attempted or became known. In

situations of miscarriage, the knowing of this life and certainty of its death may occur in such close proximity as to further complicate this most under-recognized of griefs.

And so, I say with all my heart that I believe the passing of this bill will provide a window of opportunity for the public to become more educated, as it rolls around each year, about the deep grief connected with infant death, whether it occurs before, during or after birth. It would also affirm for grieving parents that their grief is publicly recognized as normal and justified, and this alone will offer them significant comfort and support.

So I commend this bill to you and hope that you will support it and get it passed. Thank you very much.

Mr. Chairperson: Thank you very much for your presentation, Ms. Brand. Very powerful.

Questions of the presenter—committee members for presenter?

Mrs. Leanne Rowat (Minnedosa): Thank you very much for your powerful presentation and unforgettable message that you've shared with the committee this evening. Your support that you provide to individuals through your personal experience is to be commended. I'm sure that the Compassionate Friends of Portage Plains are blessed to have you be a part of their organization and a part of their group. Sharing your personal experiences validates the importance of this legislation in creating awareness and to provide, you know, reasons why we need to learn about the significance of little people who have blessed us, and I want to thank you for sharing. Thank you.

Mr. Chairperson: Ms. Brand, did you wish to comment?

Ms. Brand: No, I don't think so. Thank you for having me.

Mr. Chairperson: Any further questions of committee members for the presenter?

Seeing none, thank you very much, ma'am, for your presentation this evening.

Are there any additional out-of-town presenters for any of the bills under consideration before committee this evening?

We have one name that was dropped to the bottom of the list as an out-of-town presenter, and that was for Bill 217, The Hunting, Fishing and

Trapping Heritage Act. Gaile Whelan Enns, Manitoba Wild Lands, is an out-of-town presenter. Ms. Whelan Enns, are you here this evening?

That was the second call for Gaile Whelan Enns, and the name will be struck from the list.

Are there—we'll now proceed to presenters on Bill 226, The Pregnancy and Infant Loss Awareness Day Act. The presenter I have listed next is Colleen Johnson, private citizen.

Good evening, ma'am. Welcome. Do you have a written presentation for committee members in addition to your oral presentation?

Ms. Colleen Johnson (Private Citizen): I do not. I just have the oral presentation.

Mr. Chairperson: Please proceed when you're ready.

Ms. Johnson: First of all, I'd like to thank you for the opportunity to speak to Bill 226, The Pregnancy and Infant Loss Awareness Act.

If I may, I would like to talk on a more personal level as to why I think this act is important to me. This year marks a decade that I've lived a life as a bereaved mother. I've experienced the devastating effects of not only one miscarriage, but five times over. On top of that, this also marks the eighth year since the birth of my premature son, who earned his angel wings.

*(18:50)

No words can fully describe the experience of being a bereaved parent and a mommy to six angel babies. The moment you find out that you are pregnant, you realize a lifetime of dreams. Will it be a boy or a girl? Will they look like me or my husband? Will they be academic, artistic or athletic? And then there's all the firsts: the first smile, the first tooth, the first word, the first step, the first day of school, the first relationship and the first heartbreak. I imagined all those firsts for each one of my children. A moment a life is growing in your belly a lifetime of dreams and plans have been made, and then, the next moment, your heart is broken and there's a void that can never be filled.

Then there are some of us who have had the blessing to spend a few moments, seconds, minutes, hours, days, sometimes months with our children and, even with the loss of that life, our love for that child is unchanged, and it's forever growing. Not a

moment will go by that I don't think of all of my children.

After the death of my son, I was lost in my grief. I desperately searched for help and support that I needed only to be lost in direction of where to turn or how to start to search for pregnancy and infant loss resources that could help me through my journey of grief. Access to resources in those days was apparently not easy to find. I was lucky enough to stumble upon help that I needed to start the healing process and to live my life and embrace this grief that will forever be with me.

I have been able to acknowledge October 15th in the past, in the past number of years because of people who have helped organize events such as the International Wave of Light and the Winnipeg Walk to Remember.

One thing you have to understand is many suffer silently because they're not sure that people want to listen. They don't want to make other people uncomfortable, and the people around them don't know what to say, so they say nothing. And this silence is a result of the lack of awareness that is out there.

By introducing pregnancy and infant loss awareness, you are opening new doors for families to reach out and to heal, for people to learn how they can help, to provide a network of support that could be readily available. Perhaps even out of this awareness, it may also trigger more research to happen towards the prevention of pregnancy and infant loss, and this could potentially prevent some of the grief that is suffered in our province. Relationships and support, expressions and honouring is healing.

This loss, this grief affects not only the mothers, the women, it also affects the dads, the men, the children, the families and the friends. Grief parents already have dates such as due dates and birth dates and angel dates. By recognizing October 15th for pregnancy and infant loss awareness, this provides all of us a recognized date for our hearts. As bereaved parents, their families and friends can come together and honour our babies who have and will always have a significant impact in our lives.

Do you want to understand how it feels to lose a child? I can tell you. If you want to understand what it means to create a lifetime of dreams for your child and have that shattered, I can tell you. Do you want to understand how it feels to see that ultrasound of

your child, to hear and see that heartbeat and, in a moment, it's gone? I can tell you.

If you want to understand what it's like to give birth, to hold your son, to name him, to sing to him, to love him and then to watch him take his last breath, I can tell you. If you want to see how someone can experience such devastating loss six times over and see that they can still function, I can show you.

I want to thank those individuals who have taken the steps to bring Bill 226 forward and those individuals who have already started groups and events and activities that already recognize pregnancy and infant loss awareness. These actions have given me a sense of hope and have given these angel babies a position in our society.

This day, October 15th, for pregnancy and infant loss awareness means more to me than words could ever express. To have a day where our province unites in honouring all of the angel babies including my very own would be awesome, but to take all of my experiences and use it to raise awareness, to provide support, to initiate possible medical changes that could make a significant difference to the future of pregnancy and infant loss is beyond my wildest dreams. I thank you so very much for your time as there are not many opportunities that I get to speak on behalf of my children.

Mr. Chairperson: Thank you very much for your presentation, Ms. Johnson. Questions of the committee members for Ms. Johnson?

Mrs. Rowat: Thank you, Colleen. You spoke beautifully on behalf of your children. Your comments today, I speak to the need for awareness and from awareness does grow opportunities for prevention and ways to strengthen the supports that are available for families, so I want to thank you for sharing your thoughts, your experiences, and showing the room today that this is a highly underestimated work, underestimated loss as was said it earlier today and that we need to show that we do care and that we do need to recognize the significance of your loss. Thank you.

Mr. Chairperson: Ms. Johnson, do you wish to comment?

Ms. Johnson: No, I would just like to thank you for your comments.

Mr. Chairperson: Any further questions from committee members of the presenter? Seeing none,

thank you very much, Ms. Johnson, for your presentation this evening.

Are there any additional presenters for Bill 226, The Pregnancy and Infant Loss Awareness Day Act? Seeing no further presenters, that will conclude public presentations on Bill 226.

Are there any additional presenters on Bill 217, The Hunting, Fishing and Trapping Heritage Act? Seeing no further presentations, that will conclude public presentations on Bill 217.

In what order does the committee wish to consider the bills for clause-by-clause consideration?

Mr. Gregory Dewar (Selkirk): As listed.

Mr. Chairperson: In numerical sequence as listed? Is that the will of the committee? *[Agreed]* Thank you.

We'll now proceed with clause-by-clause consideration of the bills. During the consideration of a bill, the table of contents, the preamble, the enacting clauses and the titles are postponed until all other clauses have been considered in their proper order. Also, if there is agreement from the committee members, I will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions, or amendments to propose. Is that agreed? *[Agreed]* Thank you committee members. That's agreed.

Bill 217—The Hunting, Fishing and Trapping Heritage Act

Mr. Chairperson: We'll now proceed with clause-by-clause consideration of Bill 217.

Does the bill sponsored by the honourable member for Lakeside have an opening statement?

Mr. Ralph Eichler (Lakeside): I do.

Mr. Chairperson: Please proceed, sir.

Mr. Eichler: First off, thank you, Mr. Chair, and I want to thank the members and my colleagues in the House and the Assembly for their support on this particular bill that's been brought forward here tonight for committee and for the consideration of the final passing towards the next step in third and final reading. So I know I want to keep those comments short, and I know the Minister of Conservation (Mr. Struthers) certainly has done his homework as well. And I do understand there is a friendly amendment that may be coming forward, so

we look forward to that and moving the Bill 217 back for third and final reading.

* (19:00)

Mr. Chairperson: We thank the honourable member for Lakeside for the opening comments.

Does any other member of the committee wish to make an opening statement on Bill 217?

Mr. Tom Nevakshonoff (Interlake): Yes, I would like to begin my remarks by complimenting the member for Lakeside for bringing this act forward.

I am all of the above here: a hunter, a fisher and a trapper, when I was a young man. And now I have some beaver problems in my back 40 so I'm a trapper once again here, so—but I've—my brother and I are owners of a fishing lodge up in northern Manitoba. It's been in our family for close to 40 years, so I know the value of that business, that industry and how much it's enriched me as an individual partaking in that activity, as well as on the hunting side of things as well.

It's, in terms of promotion of healthy living, appreciation of the world around you, and so forth, these are very important activities. And I want to compliment the member in that we should not take these rights for granted and just assume that they will be with us forever, because a future government may come along and decide that this may not be the way to go.

I was told once by some of our Conservation staff that 10 percent of the population are hunters, 10 percent are adamantly opposed to hunting and 80 percent of the population are basically ambivalent to that, but they can be mobilized either for or against this type of activity. And we always have to be aware of this.

We see how the green movement in Europe, for instance, painted trapping in such a negative light. And the results of that, the negative impact on our Aboriginal peoples I don't think can be overstated. This was one of their staple industries, and the loss of the trapping sector has been cataclysmic on our First Nations' people. And I think it was misguided. I think that that movement overseas may have had good intentions, but it definitely backfired in this particular regard.

I know when we came to office one of our first activities, one of the first three bills that went through the Legislature was a ban on pen hunting.

And we went that route because pen hunting had a bad image to it. And that was one of those activities that could have mobilized that 80 percent against hunting in general. So I think that action was very well thought out. And, I might add, that almost at the same time we took a position that we would, we would not ban the practice of the spring bear hunt, which was done in other provinces. And that's another debate altogether, but I think that was a wise move as well.

So, just to conclude, once again, my compliments to the member of Lakeside for taking us down this worthy path. Thank you.

Mr. Chairperson: I thank the honourable member for the opening statements.

We will now proceed to clause by clause consideration.

Clause 1—pass. Shall clause 2 pass?

Mr. Nevakshonoff: No, I would like to make an amendment at this point.

Mr. Chairperson: Just give us a moment to circulate to committee members, please.

Please proceed, Mr. Nevakshonoff.

Mr. Nevakshonoff: I move

THAT Clause 2 of the Bill be replaced with the following:

Aboriginal rights protected

2 This Act is not to be interpreted so as to abrogate or derogate from the aboriginal and treaty rights of the aboriginal peoples of Canada that are recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Motion presented.

Mr. Chairperson: The amendment is in order. Any comments, questions from the floor?

Mr. Nevakshonoff: Yes, I would begin by saying this is indeed a friendly amendment that we've worked with opposition on this, and although we make this correction, I wanna state that there was no feelings that the members opposite were trying to do anything nefarious. I think they know me well enough that, if I did feel that way, that I would certainly put that on the record. So, when I say this is friendly, I speak from the heart.

The reason for making this particular amendment is that we don't want to compromise

Aboriginal treaty rights in any way, shape or form, and I notice that the original text in the amendment was somewhat different from the language that is found in The Interpretation Act, which works in conjunction with the Constitution Act. I'm not a lawyer, but I know there are many lawyers out there and some of them, if they were being mischievous, might take something like that and may possibly be able to twist it so that it might be interpreted as a dilution of those rights and inherent freedoms that Aboriginal people have.

So, in essence, just to be on the safe side, we want to make this amendment so that the clause is in line with what is written in The Interpretation Act and the Constitution Act. Thank you.

Mr. Chairperson: Thank you, Mr. Nevakshonoff. Further comments from committee members?

Mr. Eichler: I'll thank the member from Interlake for his comments, and it's certainly good to see the change in attitude. We certainly take that as a positive, and we have no problem with the amendment as it stands. As you know, there's several pieces of legislation in regards to the legislation that I brought forward. So we accept it as a friendly amendment and adopt it accordingly.

Mr. Chairperson: Thank you, Mr. Eichler. Any further comments?

Shall the amendment pass?

Some Honourable Members: Pass.

Mr. Chairperson: Do you wish to have the amendment read back first? No. You're all fine with that. The amendment is accordingly passed.

Clause 2 as amended—pass; clauses 3 and 4—pass; preamble—pass; enacting clause—pass; title—pass. Bill as amended be reported.

Thank you to committee members.

I believe that concludes the business on Bill 217.

Bill 226—The Pregnancy and Infant Loss Awareness Day Act

Mr. Chairperson: The next bill before committee members for clause-by-clause consideration is Bill 226, The Pregnancy and Infant Loss Awareness Day Act.

Does the bill's sponsor, the honourable member for Minnedosa, have an opening statement?

Mrs. Leanne Rowat (Minnedosa): I just would like to put a few words on the record with regard to establishing October 15th of every year as The Pregnancy and Infant Loss Awareness Day.

This bill is not about reminding families who have lost a child or a baby through miscarriage, stillbirth or shortly after birth. This is more to help families provide awareness and to give people the opportunity to speak to and share in the family's loss.

As was shared earlier this evening by the two presenters, who I both want—I want to thank both of them for coming forward and presenting their personal stories. Brenda and Colleen, your presentations were powerful, and I know that there's another woman in the audience, Theresa [*phonetic*], who has attended tonight. So I want to thank all of you for coming today and showing your support.

*(19:10)

By passing this bill, Manitobans will be—Manitoba will be a leader among other provinces in creating a day of remembrance and support to the families that have lost a loved one this way. And, as I had mentioned in previous debates on this, Janice Desjarlais, a woman behind Heaven's Little Angels, has to be commended for bringing this issue forward and sharing her personal story and encouraging me to bring legislation forward in this way. Janice now lives out of province, but we will definitely share with her the leadership that she's shown in making Manitoba a leader in this legislation.

So I want to just thank the Legislature for moving this bill forward, and I look forward to commemorating Pregnancy and Infant Loss Awareness Day this October 15th.

Mr. Chairperson: Thank you, Ms. Rowat, for your opening comments.

Do any other—does any other committee member wish to make an opening statement?

Seeing none, we'll now proceed to clause-by-clause consideration of Bill 226.

Clause 1—pass; clauses 2 and 3—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to committee members for your work on Bill 226. And that concludes that bill.

Bill 238—The Service Animals Protection Act

Mr. Chairperson: Next bill for consideration before committee members is Bill 238—238 is The Service Animals Protection Act.

Does the sponsor for Bill 238, the honourable member for Kirkfield Park, have an opening statement?

Ms. Blady?

Ms. Sharon Blady (Kirkfield Park): Yes, I do. Yes. I'd like to keep my remarks short, but I do need to thank so many people that have helped bring this bill forward that were not able to be here tonight, including the wonderful people at CNIB; the Deputy Fire Commissioner, Christopher Jones, and the Office of the Fire Commissioner; Sergeant David Bessason, of the Winnipeg canine unit, among others.

And, I guess, it's also important to note that tonight, as we have been at committee, Sergeant Bessason and others in the Manitoba canine community are training and working with service animals tonight, those animals that dedicate their lives to our protection, and that is the reason why they have—many have sent their regrets tonight.

I would also like to note that I will be bringing forward an amendment to the legislation, and that I thank Doug Parisian for his insight and guidance on this matter.

Moving this bill forward has really been a learning experience, and I have gained ever-growing respect for the training and dedication required of service animals. And I hope that this bill will increase the respect that these animals and their human partners receive and that it will help educate Manitobans about the valuable role that service animals play in all of our lives. Thank you.

Mr. Chairperson: Thank you, Ms. Blady, for the opening comments.

Does any other committee member wish to make an opening statement?

Seeing none, we'll then proceed to clause-by-clause consideration of Bill 238.

Clause 1 and 2—pass; clause 3—pass. Shall clause 3.1 pass? Ms. Blady?

Ms. Blady: I would like to make an amendment.

Mr. Chairperson: Ms. Blady?

Ms. Blady: I move

THAT the following be added after Clause 3 of the Bill:

Animal Obedience Training

3.1 If a justice finds a person guilty of an offence under subsection 2(2), the justice may, in a probation order and in addition to any other penalty, prescribe that the person attend animal obedience training with the animal that touched, impeded or interfered with the service animal.

Mr. Chairperson: It is has been moved by Ms. Blady

THAT the following be added after Clause 3 of the Bill:—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

The amendment is in order. Comments or questions about the amendment? Seeing none, is the committee ready—oh, Ms. Blady.

Ms. Blady: Okay, I would just like to say that the reason for adding this amendment has been from feedback within the disabilities community, in light of the nature of interference that has occurred, and it's hoped that this will also be part of the education process, because there is a belief that, especially in the case of a first offence, if an owner and their animal can attend obedience training, that it will, hopefully, also be a last offence. So this has been in response to the desire of the community that does not want to see disproportionate financial penalties, but rather consequences that are logical and will have a positive outcome for all involved.

And so, again, I'd like to thank Mr. Parisian for bringing this issue to my attention.

Mr. Chairperson: Thanks, Ms. Blady. Any further comments from committee members? Questions? Seeing none, are you ready for the question on the amendment?

An Honourable Member: Question.

Mr. Chairperson: You wish to have the amendment read back?

An Honourable Member: No.

Mr. Chairperson: Dispense.

Shall clause 3.1—pardon me, shall the amendment pass?

Some Honourable Members: Pass.

Mr. Chairperson: The amendment is accordingly passed.

Shall clause 3.1 as amended pass?

Some Honourable Members: Pass.

Mr. Chairperson: Pardon me for the interruption. Okay, clause 3.1 is a new addition to the bill.

Clause 3.1—pass; clauses 4 through 7—pass; table of contents—pass; enacting clause—pass; title—pass. Bill as amended be reported.

Thank you to committee members. That concludes the work on Bill 238. I believe that concludes the business of this committee.

The hour being 7:18 p.m., what's the will of committee?

An Honourable Member: Rise.

Mr. Chairperson: Committee rise. Thank you for your work here this evening, and thank you to members of the public for your presentations.

COMMITTEE ROSE AT: 7:18 p.m.

WRITTEN SUBMISSIONS PRESENTED BUT NOT READ

Re: Bill 238

For hundreds of years, man and canine have worked together to accomplish numerous tasks. These include hunting, protection, and management of other agricultural animals. This agrarian concept is carried forward today in an urban based society where dogs are more commonly kept as pets than for any strictly utilitarian function; therein lies one of the potential difficulties associated with today's human/canine working partnerships.

Specifically, with over 30 years experience partnering with our dog guides, the two of us working through crowded stores at Christmas time, negotiating our way safely around large busy airports, working our way through conferences of up to 2000 people, traveling on streets of unfamiliar cities and staying in the unfamiliar hotel environment, etc, I believe that such a progressive thinking piece of legislation as bill 238 is long overdue and necessary for the safety of the working human canine team.

I am aware of numerous injuries and close calls as a result of an individual or other uncontrolled animal interfering with a dog guide at the most inopportune times, while crossing streets, negotiating a path through construction zones, working around a vehicle in the path, and so forth. The interference may take the form of issuing unrequested commands or praise, lip sucking or general googooing, prolonged distracting eye contact and so forth. The offender blatantly ignores requests of the master not to coax or command the dog. Serious injury to either team member or at least a correction given to the dog by the master, without such interference, would not be necessary and can be the result. I have personally experienced cracked shins, scaffolding bars across the face, bruised shoulders from parking metres or truck mirrors, and torn clothing. I have had uncontrolled dogs harassing my guide making safe movement virtually impossible, especially when carrying an item in my free hand.

I know of individuals whose guides could no longer work because of dog attacks. To train a dog guide costs approximately \$40,000 and I suspect such costs are similar for other service animals, including those used in law enforcement. In addition, there are the sacrifices made in training with a replacement guide, not to mention the unnecessary grief and suffering endured by the premature loss of a trusted partner.

Bill 238 affords dog guide teams, as well as other service animal partnerships, some assurance of protection against such dangerous and totally unnecessary interference, as well as recovery of any associated costs. Such costs hopefully include injury to human or animal, any loss of income, and/or damage to any personal property on the person of the master. Many folks partnering with a service animal may carry specific adaptive technologies with them, such as a talking GPS to help keep a blind person informed about their environment. Replacing such a device, depending on whether or not it might be a component of a more complex system, which can cost up to \$8000.

I throw out a note of caution if other witnesses intend on turning in an individual they believe is interfering with, in my case, a dog guide, without first discussing their intent with the dog owner. Like it or not, I have had guides respond to people who call my name, no doubt a learned behaviour from me doing exactly that, and perhaps even joining that

person for business and/or social reasons. (I actually did meet a dog guide named Doug—a truly fine intelligent specimen!)

On the other side of the coin, I have had other identifiable individuals attempt to defend the actions of the troublesome party and would hope to have some mechanism whereby such defenders of inappropriate actors would be obliged to perform the required identification.

Some dog guides are by nature extremely gregarious and if the master either is a less skilled handler, or unaware, it may seem that another party is performing wilful distracting behaviour. Often, the outgoing accepting nature of these animals are the very attributes which allow for movement of the team through social gatherings, community events, congested areas in general without becoming aggressive or in any way unnerved.

Unwanted feeding of service animals such as dog guides may seem at first glance, a trivial matter. Aside from taking the dogs attention away from its duties, or simply making the animal more difficult to manage, embarrassing and humiliating accidents can often result. Dog guides are on strict feeding and relieving schedules and having to take an unscheduled "potty" break can cause all kinds of serious inconvenience and problems.

Unless I am not properly understanding the nuances of the items under "Penalty" and "compensation," I find no reference to any required sensitivity training and/or education. Sensitivity involves understanding the function of the service animal and understanding how certain behaviours such as staring, smacking of lips etc can cause serious difficulties. Education may require that the offender ensure that they are aware and practice effective animal control. I believe that we need some assurance that part of animal control includes appropriate limits such as a fence, or other restraint. I am indeed encouraged that in the case of other animal interference, it is the owner rather than the badly managed animal who is being held accountable. Sadly, many dogs would appear more intelligent than their owners and truly deserve better.

To paraphrase a young woman who witnessed my guide getting unwanted attention while I was transacting business in a store, the reason you don't interfere with any dog without permission is really quite simple--it's not your dog! Many people working with service animals, in my case a dog guide, have been told that they have a beautiful

animal. Often such is the case though there are no doubt many dogs who have their own beauty. If you think about it gentle reader, much of that perceived beauty is a result of the developed team work and not solely to physical attributes, and I for one would like

to keep it that way, and bill 238 will go a long way in helping to realize this most desirable state.

Doug Parisian

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