

**Fourth Session – Forty-Second Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Social and Economic Development**

*Chairperson*  
*Mr. Greg Nesbitt*  
*Constituency of Riding Mountain*

**Vol. LXXVI No. 4 - 6 p.m., Wednesday, April 20, 2022**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

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

**Wednesday, April 20, 2022**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Greg Nesbitt**  
*(Riding Mountain)*

**VICE-CHAIRPERSON – Ms. Janice**  
*Morley-Lecomte (Seine River)*

**ATTENDANCE – 6 QUORUM – 4**

*Members of the committee present:*

*Messrs. Brar, Isleifson, MLA Marcelino,*  
*Ms. Morley-Lecomte, Messrs. Nesbitt, Smook,*

**APPEARING:**

*Hon. Kelvin Goertzen, Minister of Justice and*  
*Attorney General*

*Mr. Mark Wasyliw, MLA for Fort Garry*

*Ms. Cindy Lamoureux, MLA for Tyndall Park*

**MATTERS UNDER CONSIDERATION:**

*Bill 31–The Minor Amendments and Corrections*  
*Act, 2022*

*Bill 32–The Victims' Bill of Rights Amendment*  
*Act*

*Bill 205–The Filipino Heritage Month Act*

*Bill 223–The Ukrainian Heritage Month Act*

*Bill 227–The Turban Day Act*

\* \* \*

**Clerk Assistant (Ms. Katerina Tefft):** 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 Chairperson. Are there any nominations?

**Mr. Len Isleifson (Brandon East):** I nominate Mr. Nesbitt.

**Clerk Assistant:** Mr. Nesbitt has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Nesbitt is elected Chairperson.

Would you please take the Chair.

**Mr. Chairperson:** Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Mr. Dennis Smook (La Vérendrye):** I nominate Ms. Morley-Lecomte.

**Mr. Chairperson:** Ms. Morley-Lecomte has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Morley-Lecomte is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 31, The Minor Amendments and Corrections Act, 2022; Bill 32, The Victims' Bill of Rights Amendment Act; Bill 205, The Filipino Heritage Month Act; Bill 223, The Ukrainian Heritage Month Act; Bill 227, The Turban Day Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill, except by unanimous consent of the committee.

In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

**Mr. Isleifson:** Numerical?

**Mr. Chairperson:** That's good. We will now proceed with the clause by clause—*[interjection]*

Okay, it has been proposed we consider the bills in numerical order. Agreed? *[Agreed]*

**Bill 31–The Minor Amendments**  
**and Corrections Act, 2022**

**Mr. Chairperson:** We will now proceed with clause by clause of Bill 31.

Does the minister responsible for Bill 31 have an opening statement?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I do not have an opening statement, Mr. Chair.

**Mr. Chairperson:** Thank you.

Does the critic from the official opposition have an opening statement? *[interjection]* Thank you.

**Mr. Mark Wasyliw (Fort Garry):** We do not.

**Mr. Chairperson:** Thank you.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair 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]*

Clause 1—pass; clauses 2 and 3—pass; clauses 4 and 5—pass; clauses 6 and 7—pass; clause 8—pass; clauses 9 and 10—pass; clauses 11 through 13—pass; clauses 14 through 17—pass; clause 18—pass; clauses 19 through 21—pass; clauses 22 and 23—pass; clauses 24 and 25—pass; clauses 26 through 29—pass; clauses 30 and 31—pass; clauses 32 through 34—pass; clauses 35 through 38—pass; clauses 39 through 42—pass; clauses 43 through 47—pass; clauses 48 and 49—pass; clause 50—pass; clause 51—pass; schedule—pass; enacting clause—pass; title—pass. Bill be reported.

### **Bill 32—The Victims' Bill of Rights Amendment Act**

**Mr. Chairperson:** Okay, we'll now proceed with Bill 32.

Does the minister responsible for Bill 32 have an opening statement?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I do have an opening statement. I'll use this time to answer some questions that I received at second reading. As I often do, I take the questions as notice and report back at committee.

So there was a question regarding if we could provide some criteria that would be in place that the director would use to start making decisions and whether or not we could explain what the appeal process would be.

When amendments are made to section 54, the director will have the ability to approve all and any claim for a family member of a deceased victim of crime, notwithstanding any criminal convictions that may be on the record for the deceased victim. This significantly expands the discretion of the director, who, under the current legislation, has no choice but

to deny the family member when there is a serious offence.

Key stakeholder consultation is being planned in order to seek input on the direction of the program policy with regard to denial of claims; however, the intention is to allow the denial of claims only in the exceptional circumstances, which may have broader societal or unethical implications.

Under sections 59 and 60 of the act, any discretion for compensation may be appealed, first by requesting a reconsideration by the director of Victim Services and by appeal to the designated appeal board.

Mr. Chair, there was also question about how broad or narrow would be the definition of sexual assault as it's referenced in the act. I can advise—and I won't give a description of all the different Criminal Code sections, but sexual harassment is not a offence under the Criminal Code, so that is not included.

These are sections of the Criminal Code process regarding records and information, both production and admissibility would apply, and those would be sections—you can see sections 278.2 of the Criminal Code, (1), and 278.92(1). Also offences under section 151, 152, 153, 153.1, 55, 160, 170, 171, 172, 173, 213, 271, 272, 273, 279.01, 279.011, 279.02, 279.03, 286.1, 286.2 or 286.3 or any offence under this act as it relates from time to time before the day on which this paragraph comes into force if the conduct alleged would be an offence referred to in paragraph (a), if it occurred on or after that date.

There was a question regarding additional costs of this would be incurred under the act. The department advises that they expect cost to be approximately \$105,000 increase as a result of changes to this act and providing additional Victim Services.

And then were asked in terms of where there would be places where compensation might be denied. Family members of a deceased victim who was—were convicted, for example, of a drug trafficking act or possession of drugs for the purpose of trafficking within the past years could now be included. However, if there was a concern that the process would be used to commit a crime, then there could be discretion to not provide Victim Services.

\* (18:10)

And, finally, there was a question regarding whether somebody who had been—had an offence under the cannabis laws as they existed previously which are now legal, whether they would be

compensated. With the amendments to section 54, family members of deceased victims will not be denied eligibility based on any criminal convictions including these sorts of drug convictions.

So I hope that that answers the questions that members put at second reading, and if there are other questions, I'm—always endeavour to try and get those answers for members when they ask them.

Thank you very much, Mr. Chair.

**Mr. Chairperson:** We thank the minister.

Does the critic from the official opposition have an opening statement? *[interjection]* Mr. Wasyliw.

**Mr. Mark Wasyliw (Fort Garry):** Sorry. We don't.

**Mr. Chairperson:** We thank the member.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Is that agreed? *[Agreed]*

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; enacting clause—pass; title—pass. Bill be reported.

#### **Bill 205—The Filipino Heritage Month Act**

**Mr. Chairperson:** We'll now move on to Bill 205.

Does the bill sponsor, the honourable member for Brandon East, have an opening statement? *[interjection]* Mr. Isleifson.

**Mr. Len Isleifson (Brandon East):** I do, thank you. So, again, thank you, Mr. Chair. I'll make my comments very brief. I just want to put on the record again, for the second time, that this bill was originated by the Honourable Minister Reyes. I think we can say names in here at this committee meeting, so I want to make sure that it's out there that this was his brainchild a few months ago, and then with the switch-up, Minister Smith, the Honourable Minister Smith then put it on the floor for first reading back in, I believe it was November 30th, '21.

Recently, I had the honour to bring this bill to the floor for second reading on March the 22nd, and since then, I have taken an extra opportunity to reach out to Filipino members throughout Manitoba and get their continued feedback and any additional feedback that they would like to provide.

I also want to note that I have met with the member from Notre Dame, MLA Marcelino, who also took the opportunity to do some outreach with the

Filipino community as well, and I want to thank the member for her willingness to work together in strengthening this bill.

And with this co-operation in mind, I will be bringing forth an amendment to the Bill 205 this evening that only serves to strengthen this bill.

So, thank you.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 205?

Okay. During the—*[interjection]* Does any other member wish to make an opening statement on Bill 205?

**MLA Malaya Marcelino (Notre Dame):** On behalf of our caucus, we welcome and support the Filipino heritage month bill, since it seeks to positively recognize the contributions of Filipinos in Manitoba.

I would like to note that after some consultation with Filipino community members and leaders, as well as researchers who study the field of history of Filipinos in Manitoba, who study ethnic relations, equity, inclusion and diversity in the province, I'd like to propose an amendment for the committee to consider, and it's an amendment that will strengthen the aims of this bill.

Thank you.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 205? Ms. Lamoureux?

**Ms. Cindy Lamoureux (Tyndall Park):** Am I allowed to make a statement?

**Mr. Chairperson:** Yes.

**Ms. Lamoureux:** Okay, yes, I would like to make a statement.

I think it's a wonderful bill that is being brought forward and it's being celebrated all over Canada, June being the month for national Filipino heritage, and it's really, really great because here in Manitoba, we have such a huge population of Filipinos. And in Canada, in total, we actually just exceeded over 1 million Filipino people or of people of Filipino heritage.

So I think it's something we should be very excited about and we should be very proud of. And so to be able to bring this bill forward and celebrate it unanimously, all three parties here in the Manitoba Legislature, I think it's a wonderful bill.

**Mr. Chairperson:** We thank the member.

During the consideration of a bill, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass.

Shall the preamble pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Mr. Chairperson:** No, I hear a no. The floor is open for questions.

**Mr. Isleifson:** As I previously mentioned, I would like to move

That the preamble of this Bill be amended by adding the following after the fourth paragraph:

And whereas recognizing the Filipino Community will provide opportunities to educate the public about the contributions of the community and increase public awareness of their role in enhancing Manitobans;

Thank you.

**Mr. Chairperson:** Just bear with us for a few moments here. We make—want to make sure the amendments are distributed properly.

It has been moved by Mr. Isleifson

*THAT the preamble of the Bill be amended by adding the following after the fourth paragraph:*

AND WHEREAS recognizing the Filipino Community will provide opportunities to educate the public about the contributions of the community and increase public awareness of their role in enhancing Manitoba;

The amendment is in order. The floor is open for questions.

Is the committee ready for the question?  
[interjection] Sorry. Ms. Marcelino.

**MLA Marcelino:** I just wanted to ask the member what prompted the amendment that he brought forward.

**Mr. Isleifson:** Yes, it's—as I said in my preamble, it's the co-operation of working together, and certainly the member across the aisle had reached out to, as I mentioned, to folks in the Filipino community as well, and she has proposed the amendment, and I feel

it fits well into what this bill is designed to do and therefore would love to see it invoked.

**Mr. Chairperson:** Is the committee ready for the question?

**Some Honourable Members:** Question.

**Mr. Chairperson:** The question before the committee is as follows:

*THAT the preamble of the Bill be amended by adding the following after the fourth paragraph:*

AND WHEREAS recognizing the Filipino Community will provide opportunities to educate the public about the contributions of the community and increase public awareness of their role in enhancing Manitoba;

Amendment—pass; preamble as amended—pass; enacting clause—pass; title—pass. Bill be reported as amended.

\* (18:20)

**Mr. Isleifson:** Just as a point, just for clarification—I noticed on the bill, it was originally submitted by Mr. Smith. Does that change because he was no longer able to provide a private member's bill? [interjection] No? Okay, thank you.

**Mr. Chairperson:** No, it doesn't change.

#### **Bill 223—The Ukrainian Heritage Month Act**

**Mr. Chairperson:** We're going to move on to Bill 223.

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

**Mr. Dennis Smook (La Vérendrye):** I do have a very brief one.

**Mr. Chairperson:** Mr. Smook.

**Mr. Smook:** As a Manitoban with Ukrainian heritage, I am proud and honoured to bring forward this bill. I would like to thank the members opposite for their support. I first brought forward a bill very similar to this in 2016, it's—but we never got it to the floor to debate it, so I felt with everything that's going on in Ukraine today, that it was an opportune time to bring this bill forward. So I'd just like to thank everybody for support.

Thank you.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 223?

**Mr. Mark Wasyliv (Fort Garry):** I just, as again, a member of the Ukrainian community, obviously, I'm in support of this, and I'm proud that Mr. Smook has brought this forward, and I know members of the Ukrainian community would be very excited that he's done this and has been successful in getting it this far in the legislative process. And I know Mr. Smook has connections with my family and I know my relatives will be personally proud and happy for not only the community but for Mr. Smook's legislative success. And so I want to just honour him and his work on this, and I think he deserves credit.

That being said, these are wonderful, nice, symbolic gestures, but as you can see that there's not anybody from the Ukrainian community that's here that wants to speak on it. And I think the danger with these types of legislations is that they can be hollow; they can be symbolic. And as Mr. Smook had pointed out, now more than ever, the Ukrainian community is calling out for help with issues with refugees and resettlement, and I hope that this gesture of goodwill by the government goes further and that we can actually see meaningful resources put into refugee resettlement with Ukrainians coming to Manitoba.

So with that note, I again want to thank Mr. Smook for his work and I'm equally proud that this is moving forward today.

**Mr. Chairperson:** We thank the member.

Ms. Lamoureux.

**Ms. Cindy Lamoureux (Tyndall Park):** Thank you, Mr.—*[interjection]*

**Mr. Chairperson:** Okay, Ms. Lamoureux, I'm being informed that you need leave to make a statement.

Is there leave for Ms. Lamoureux to make a statement? *[Agreed]*

**Ms. Lamoureux:** I thought I got away with it too easily last time around.

I too just sort of want to echo some thoughts and thank Mr. Smook for bringing forward this legislation and just providing some background even here today that he had brought something similar forward back in 2016 and the timeliness of it now coming forward again and passing again, ideally through the House unanimously, with everything going on right now in Ukraine, this is the very bare minimum that we can be doing. But with that, I think it's essential.

And so I think it's wonderful that it's being brought forward, that it's getting all-party support, and

I do think, to echo some of the thoughts of the member for—Fort Garry, correct?—I appreciate that there is a much greater need than just this legislation, and whenever we get the opportunity to talk about that need, we need to, and we need to be doing more to help Ukrainians who are displaced and refugees that are going to be coming from Poland and all over the world here to Canada and make sure that they know Manitoba is an option.

I think a lot of people who are going to be seeking refuge have never heard of Manitoba, and we need to do our part, our responsibility, and be aggressive and ensure that we have refugees coming here and that they have the transitions in place to have housing, to have child care, to have their education recognized, many supports, and I hope we can all do that all-party status again.

Thank you.

**Mr. Chairperson:** We thank the member.

During the consideration of a bill, the preamble, enacting clause and title are postponed until all other clauses have been considered in their proper order.

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

### **Bill 227—The Turban Day Act**

**Mr. Chairperson:** Okay, we'll now move on to Bill 227.

Does the bill sponsor, the honourable member for Burrows, have an opening statement?

**Mr. Diljeet Brar (Burrows):** Yes, Mr. Chair, I do.

**Mr. Chairperson:** Go ahead, Mr. Brar.

**Mr. Brar:** I am taking this opportunity to share a few thoughts regarding what's happening all around in this world based upon religion, hatred, bullying and discrimination to the minorities. So I'm taking this opportunity.

A religion-based hatred, bullying and discrimination—it's not new. It has been happening all over the globe and, unfortunately, it continues to happen 'til date. It does not happen to people from one faith only. It happens all, especially to minorities in a particular geographical area.

In the Western world, it happens to Black, Indigenous and people of colour. In other parts of the world, it happens to those who are not a dominant

population. Political reasons also play a part to encourage this violence against people of faith.

If you look at the news from India these days, Muslim and Hindu groups are being reported clashing on religious issues. Policemen have been allegedly abusing citizens by entering their homes. Indian citizens are being called Bangladeshies. They are being told to go to Pakistan or Afghanistan because they're Muslims.

During 1984, Sikhs were killed, raped and burned alive because they had turbans on them. Their faith was Sikhism. That is called 1984 Sikh genocide. Recent attacks on turban-wearing Sikhs in North America also reflect racial discrimination. Racial slurs and abusive comments to turban-wearing Sikhs and people of colour in our own province, Manitoba, is also not uncommon.

Discrimination and judgment based on your appearance at the workplace is also happening. People are being bullied, yelled at while on duty in our city of Winnipeg. People are being stared at to the point to make them uncomfortable due to their appearance and choice of articles of faith.

Why do these things happen? Just because of intolerance and lack of understanding of each other's faith and values. This race- and religion-based hatred has to end. We can end it by working together on educational activities and initiatives like Bill 227, The Turban Day Act.

I also want to share some positive experiences that I had as the first turban-wearing MLA elected to the Manitoba Legislature.

Our wonderful Clerk of the Legislative Assembly would always compliment me for my turban colours and matching dresses. My NDP colleagues allowed me to tie turbans on their heads in April 2021 to honour the Sikh community with Vaisakhi greetings. My colleagues in Manitoba Agriculture welcomed me to organize turban-tying demonstrations to them to understand the importance of turbans for Sikh communities. All these experiences made me feel so special and respected in Manitoba. That's why we call it Friendly Manitoba.

The NDP recognizes that Sikhs have made important contributions to Manitoba's social, economic, political and cultural life. It is important to honour the history and contributions of Sikhs in Manitoba. Manitoba would not be the inclusive and progressive province it is today without the hard work of the Sikh community.

\* (18:30)

Every individual wants to deserve—wants and deserves the freedom to carry themselves and their unique identities without any fear or oppression. However, turbaned Sikhs continue to experience racist and xenophobic acts of discrimination which we cannot turn a blind eye to. A turban or dastar is an article of faith that symbolizes peace, equality, inclusiveness, identity, courage, compassion, sacrifice and respect.

With this bill, we have an opportunity to change the narrative, foster inclusivity and combat racial violence by recognizing the turban as a spiritual and temporal symbol of the Sikh heritage and culture.

The story of Sikh Canadians is a multifaceted one of community, resilience, optimism. We want to support Sikh heritage, art and culture, and those organizations in Manitoba that promote and enhance Sikh social and cultural life, which is why we put forward a bill in 2019 to establish the Sikh Heritage Month.

Bill 227 today goes further by celebrating April 13th as Turban Day. The turban was formalized on April 13th, 1699, when Guru Gobind Singh Ji formed the Khalsa Panth and pronounced the turban a pillar of Sikh faith.

We hope that all the members of this House will also support this bill celebrating Turban Day, would help educate Manitobans and offer an opportunity for people to learn cross-cultural values.

Thank you, Mr. Chair.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 227?

**Mr. Len Isleifson (Brandon East):** Mr. Brar, thank you very much for bringing this forward.

As I mentioned in my debate in the House, I appreciate learning about other cultures and the significance within their culture of why things are done and how they're done. And I also mentioned that I would love the opportunity for you to demonstrate to me how to put on a turban. I believe I mentioned that I saw it on YouTube, but talking to some of my colleagues, I know they've experienced it themselves and I think that would be great opportunity to learn even more about what our culture here in Manitoba really is.



So, again, I just want to congratulate you on bringing this bill forward, and I know as a—the PC caucus, as the government, we certainly support all Manitobans—and, again, I appreciate and thank you for bringing this forward.

**Mr. Chairperson:** We thank the member.

Does Ms. Lamoureux have leave to make an opening statement? *[Agreed]*

**Ms. Cindy Lamoureux (Tyndall Park):** I, too, just want to thank Mr. Brar for bringing this legislation forward.

You know, symbolism can be so incredibly important in many different contexts, and in this case the turban is a very, very significant and important symbol of Sikhism and the faith of Sikhism.

And I think it is so cool the debate that we had in the Legislature—I think it was just last week—and the galleries—we had people filling the galleries here for debate, and we had all members of the House contributing personal stories to the debate, contributing learnings about the turban, contributing learnings about Sikhism as a faith.

And I know I can only speak for myself. I learned a lot through listening to what everyone else had to say, and am very eager to want to learn more. And, again, I just want to thank the member for Burrows (Mr. Brar) for bringing forward this legislation, and making us all very proud.

Thanks.

**Mr. Chairperson:** We thank the member.

During the consideration of a bill, the preamble, enacting clause and title are postponed until all other clauses have been considered in their proper order.

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

The hour being 6:34, what is the will of the committee?

**Some Honourable Members:** Committee rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT: 6:34 p.m.**

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