

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

Chairperson
Mr. Dennis Smook
Constituency of La Vérendrye

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ALTOMARE, Nello	Transcona	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT

Wednesday, November 30, 2022

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Dennis Smook
(La Vérendrye)

VICE-CHAIRPERSON – Mr. Brad Michaleski
(Dauphin)

ATTENDANCE – 6 QUORUM – 4

Members of the Committee present:

Hon. Messrs. Goertzen, Helwer

Mr. Bushie, MLA Fontaine, Messrs. Michaleski, Smook

APPEARING:

Mr. Obby Khan, MLA for Fort Whyte

MATTERS UNDER CONSIDERATION:

Bill 3–The Vital Statistics Amendment Act (Name Registration)

Bill 5–The Demise of the Crown Act (Various Acts Amended)

Bill 213–The Animal Care Amendment Act

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Clerk Assistant (Mr. Tim Abbott): Good evening, everyone. Will the Standing Committee on Social and Economic Development please come to order.

The first item of business before the committee can begin its proceedings is to elect a Chairperson. Are there any nominations?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): My honour to nominate Mr. Smook for the auspicious position of Chair.

Clerk Assistant: Mr. Smook has been nominated Chairperson. Any further nominations?

Seeing none, Mr. Smook, please take the Chair.

Mr. Chairperson: Thank you.

Our next item of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Goertzen: I believe the right person for this difficult job is Mr. Michaleski.

Mr. Chairperson: Mr. Michaleski has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Michaleski is elected Vice-Chairperson.

This meeting has been called to consider the following: Bill 3, The Vital Statistics Amendment Act (Name Registration); Bill 5, The Demise of the Crown Act (Various Acts Amended); Bill 213, The Animal Care Amendment Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee must 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.

We do not have any registered presenter.

Is there anyone present in the room wishing to make a presentation to any of the bills before the committee?

* * *

Mr. Chairperson: Seeing none, in what order does the committee wish to proceed with clause-by-clause consideration of these bills?

Mr. Goertzen: In the order in which they are listed under matters under consideration.

Mr. Chairperson: Is that agreed? *[Agreed]*

Bill 3–The Vital Statistics Amendment Act
(Name Registration)

Mr. Chairperson: We will start with Bill 3.

Does the minister responsible for Bill 3 have an opening statement?

Hon. Reg Helwer (Minister of Labour, Consumer Protection and Government Services): So I'm pleased to be at committee with Bill 3, Vital Statistics Amendment Act (Name Registration). There's been a considerable amount of work done on this legislation, and we have been following the legislation for several years, even though this will enable us to do so legally,

along with adding some other parts to the abilities of the government on names.

And we have been continuing consultations. Had another consultation this afternoon that gave us some other ideas or suggestions on—not changes to the legislation, but making sure that we followed through on a few other areas.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement?

Mr. Ian Bushie (Keewatinook): Yes, just in regards to Bill 3, The Vital Statistics Amendment Act, which was, again, mirrored of bill 236, which was brought forth about six months ago or so. And, again, I just wanted to take this opportunity to mention that this doesn't actually completely address the issue, including the TRC Call to Action, to be able to acknowledge name recognition, because it does call on all levels of government to do their part, understanding Manitoba does do their part in regards to, potentially, Manitoba Health cards and birth certificates, here in Manitoba. But at the same time, First Nation, Indigenous communities and people actually use a lot of federal identification, so in debate we did call upon the government to actually solidify exactly how they're going to call on the federal government to enact this on the national level.

Mr. Chairperson: We thank the member for those words.

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]*

Clauses 1 and 2—pass; clauses 3 through 6—pass; clauses 7 through 11—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 5—The Demise of the Crown Act
(Various Acts Amended)**

Mr. Chairperson: We will now move on to Bill 5, The Demise of the Crown Act (Various Acts Amended).

Does the Honourable Mr. Goertzen have anything to—opening statement?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I do, Mr. Chairperson. As is my tradition, I took some questions at second reading and I'll endeavour to answer them now.

The honourable Official Opposition House Leader (MLA Fontaine) asked the question. She asked: A change of reigning sovereign does not affect anything done or begun under the previous reigning sovereign and all matters continue as if no succession has occurred; what's the reason for this change and wouldn't it be—wouldn't this be true even without these additional revisions.

I'm advised the answer is that Legislative Counsel has confirmed that this amendment is a clarification of current practice. The new section is declaratory statement of the common law and enhances certainty and accessibility of the law.

Mr. Gerrard, the member for River Heights, asked the question: The bill will result in the power to revise the legislation for bills but there are a substantial amount of regulations which are passed by order-in-council, and he wants to check whether those also are covered by the potential revisions, if they need to be revised. And this bill provides the chief Legislative Counsel with the authority to revise language and punctuation in legislation to deal with the demise of the Crown.

Legislation is defined in The Statutes and Regulations Act to mean an act or regulation. So, therefore, I can confirm that the revision power can be used to revise both acts and regulations.

There was a question, also from Mr. Gerrard, about the depth of the ability he suspects would want to be conferred with those—oh, sorry, I don't see our response—Mr. Gerrard asked—oh, about the possibility of pronouns of her or him and whether or not those would be affected if it was necessary. The response from official—is that official sources indicate that the present sovereign wishes to be referred to using a gendered pronoun.

It is the view of Legislative Counsel that the revision of power could be used to reflect a gender-neutral pronoun if a reigning sovereign indicated that is how they wish to be referred. But to be clear, a change of this nature would only be exercised based on the express direction of the sovereign.

The Official Opposition House Leader asked the following question: A quick look at bills before the legislature of other provinces doesn't show similar legislation. How have they arranged themselves to deal with the demise of the Crown and will it differ from our own, once this piece of legislation passes.

The department advises that we know that each jurisdiction is unique with its own underlying legal and legislative framework. Because of this, a variety of different approaches are used to address the demise of the Crown. After careful review, Bill 5 was drafted to reflect the changes necessary for Manitoba, given its statute book.

And I believe those are all the questions that I committed to return answers to.

Mr. Chairperson: We thank the minister for those comments.

Does the critic from the official opposition have an opening statement?

Hearing no opening statement, we will now move on to 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 this 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*]

* (18:10)

Clause 1—pass; clauses 2 and 3—pass; clause 4—pass; clauses 5 through 9—pass; clause 10—pass; clauses 11 through 14—pass; clauses 15 and 16—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 213—The Animal Care Amendment Act

Mr. Chairperson: We will now move on to Bill 213.

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

Mr. Obby Khan (Fort Whyte): I do.

Mr. Chairperson: Mr. Khan, you may proceed with your opening statement.

Mr. Khan: I am honoured to be here today in committee. This is my first bill that we're at committee and my first time at committee, actually, even. I wasn't

aware that I could even come in and listen to committee, so it's—my first time here is actually with a bill. So, I'm honoured to be here presenting Bill 213.

Yesterday was a fun day. It was a really, really good day, and I think we all needed that in the House and this building, where we all came together. We shared a lot of laughs in the House. You know, the dogs were in the viewing gallery, the questions were very good and jovial back and forth and it was just a mood in the Chamber that, being a new MLA here, I haven't had to experience yet. So I was really honoured and glad that I was part of that, and I got to, you know, really bring this bill forward and it showed the real value of us working together.

The picture on the stairs was a moment, also, that I will cherish. And I think a lot of people really enjoyed that, standing there with members opposite, petting the dogs and getting to know each other a little bit more, a little more about each other's, you know, love for animals, what type of animals and sharing funny stories like that.

So, this bill is a real important one to me. My son was on cloud nine all day, all night; and today, he couldn't wait to go to school and share his stories with everyone on how he helped make a law in Manitoba. So, that was really exciting.

I want to thank everyone that supported this bill yesterday and today, and the stakeholders, as I mentioned yesterday: Jessica Miller, CEO of Winnipeg Humane Society; Brittany Semeniuk, also with Winnipeg Humane Society; Leland Gordon, City of Winnipeg; and Corey Wilson. With—their consultations were really vital in helping provide me with information and ideas on how to move this bill forward.

So, with that, I say I do look forward to working collaboratively with members opposite on working towards further protections for animals and looking at The Animal Care Act in more detail and seeing what more we can do to protect animals and animals' wellness. And it was an honour for me. It's an honour for me to be here today; it's an honour for me to get this bill through.

So, thank you, Mr. Chair.

Mr. Chairperson: We thank the member for those words.

Does any other member wish to make an opening statement on Bill 213?

MLA Nahanni Fontaine (St. Johns): First and foremost, let me just congratulate the member for Fort Whyte on Bill 213.

I agree that yesterday was a good day. Any day that you can have animals in the Chamber is a good day. And, certainly, that is what we saw yesterday, is the power and the beauty of animals to bring people that are typically on opposite ends of the spectrum on many, many things, and to bring us together just for moments of actual just pure joy. And so, yesterday, I agree, was a really good day.

And, as I said to the member yesterday, I didn't even realize that this was something that we needed.

Of course, as we all know, the City of Winnipeg, with the leadership of Leland Gordon, who I've known for many years and who I absolutely just love and adore, does really, really good work. He's brought forward bylaws that are very, very progressive for the City of Winnipeg. And so I didn't even realize that we kind of needed this, obviously, provincially.

So I, obviously, support the bill. I say congratulations. It was nice to meet your son. I'm glad that your son enjoyed himself and got to see a good part of this House, right?

To that end, I would be remiss if I didn't say that, you know, since I became elected, as everybody knows in the Chamber, and well before that, I think some members around the table know that my first degree is in environmental studies and international development, and I took many, many courses and, throughout the last 30 years, have been doing a lot of work in respect of animal welfare.

And when I got elected, one of the things that I knew that I wanted to do was pursue animal welfare and animal rights in the province because here, now, I was in a position where, hopefully, you could bring forward some legislation, or at the bare minimum, at least bring some additional attention to the issues that we face here in Manitoba, across Canada and certainly across the globe.

And so, you know, I want—I know that the member said that, you know, he'd like to look at The Animal Care Act, and I would be remiss if I didn't bring up bill 227, which I introduced, I think, in 2017. It was the animal care amendment dogs breeding and exotic animals amendment act.

And what that bill was trying to do was, you know, we have an overpopulation of dogs here in Manitoba, and I know that everybody around the table

knows that. And again, as I've said in the House many, many times, particularly within northern and rural communities, and it's because there's no veterinarian care. There's no access to veterinarian care.

And so, you know, folks like Brittany and everybody at the Humane Society and, you know, Save A Dog Network and all these other canine advocates, all of these, like—I think we've got, like, over 30 different animal rescues that work in Manitoba, again, trying to fill the gaps from both the federal, provincial government that—this is not a matter that has any attention.

And so, you know, this overpopulation of dogs, one of the things that I wanted to do in this bill 227 was to reduce the number of intact female dogs that any one person can own for the purpose of breeding. You know, it does—if you ask anybody on the front lines that work in animal rescue, they would tell you that it doesn't make any sense to allow people to just breed all of these dogs; to have, you know, up to eight intact dogs, female dogs. When you look at their litters, you know, sometimes those litters are 12 dogs, 10 dogs, when we are in the midst of—when we're one of the provinces across Canada that has such a huge issue of overpopulation of dogs.

And so, that is something that I would like to see and I, you know—and maybe there is an opportunity to work together.

The other piece is, again, falling in line with the Winnipeg bylaw, again led by Leland Gordon, one of the things that the City does is that you—it prohibits the possession of exotic animals. And so, again, this animal care amendment act that I had proposed was also to have a—banned provincially on the prohibiting exotic animals; i.e., for example, you know—and I know that there are many folks, because I got many, many emails in respect of folks that, you know, want to breed reptiles or birds and stuff like that, but really, they're—those are—those animals are not for this environment.

And so, you know, I hope that there's some work that can be done there. You know, I also want to put on the official record here, I've been working very closely with Brittany and the Winnipeg Humane Society in respect of the issue of live horse transportation.

And again, most citizens don't even realize that Winnipeg is one of three hubs across the country that live horses are shipped from to Japan. And again, there—it is federally regulated.

So, you know, I'm not sure—and I've started to have—try to have some of these conversation legally or legislatively what we can do, but, you know, there's federal regulation that once a live horse gets on a plane for transport to Japan, that there should be—they should have access to water and to food and all of these things. But once they get on the plane and then once they get to Japan, we don't know anything that happens.

* (18:20)

So that's one piece that I would—I'm also—I want to bring up right now. There is a movement across Canada. In fact, Jann Arden has—is a proponent and our strong advocate for the end of live horse transport.

And then, you know, I want to bring up, as well, you know, the regulations that we have in respect of horses being sold for slaughter. Right? So, horses go to auction, and then they're sold for slaughter. And one of the reasons for that is, again, lack of access to veterinarian care, but also, you know, when you—a lot of these horses are actually pets. They—or, I don't even know if you can call a horse a pet—but within that realm, they're like, you know, a family animal.

But to humanely put down a horse requires a lot of money, and a lot of times, a lot of folks don't have that. And so it costs more money to humanely put down a horse than it is to ship it off to be sold for slaughter—you actually make money.

But the problem is that, is that there's no regulation in respect of these horses that are being sold for slaughter to be sold as meat in respect of whether or not that horse was sick, what medication that horse was on. That all—that transfers to human population that eats it. So, that's one of the things, as well.

And then, finally, I just want to put on the record that we do not have a strong animal protection legislative framework here in Manitoba. You know, I don't

even know, you know, what the infrastructure is in respect of animal—or, protection—I can't remember what they used to be called—animal protection officers or—I can't remember the name—but I don't think that the infrastructure has been very strong there for many, many years.

And, again, all of that goes to the protection of animals, making sure that communities are safe, making sure that people are safe.

And so, you know, I'm glad to see in the member for fort right—Fort Whyte someone who is wanting to look at The Animal Care Act. There's a lot of work to be done in the province, and I hope that we can start looking at some of that.

Miigwech.

Mr. Chairperson: We thank the member for that statement.

Any other members? Hearing none, we will now move on to consideration of the clause by clause.

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.

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

This completes the business of the committee this evening.

The hour being 6:25—[interjection]—twenty-four, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Agreed. Committee rise.

COMMITTEE ROSE AT: 6:24 p.m.

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are also available on the Internet at the following address:

<http://www.manitoba.ca/legislature/hansard/hansard.html>