

Third Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Legislative Affairs

Chairperson
Mr. Daryl Reid
Constituency of Transcona

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS

Monday, June 6, 2005

TIME – 9:30 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Daryl Reid (Transcona)

VICE-CHAIRPERSON – Mr. Andrew Swan (Minto)

ATTENDANCE - 11 QUORUM - 6

Members of the Committee present:

Hon. Mr. Lemieux, Hon. Ms. Oswald, Hon. Messrs. Selinger, Struthers, Hon. Ms. Wowchuk

Messrs. Eichler, Faurschou, Goertzen, Reid, Reimer, Swan

Substitutions:

Hon. Mr. Mackintosh for Hon. Mr. Struthers at 11:56 a.m.

APPEARING:

Hon. Jon Gerrard, MLA for River Heights
 Hon. Gord Mackintosh, MLA for St. Johns

WITNESSES:

Bill 16 – The Wildlife Amendment Act

Mr. Wyman Sangster, Manitoba Lodges and Outfitters Association

Bill 30 – The Manitoba Agricultural Services Corporation Act

Mr. Ian Wishart, Keystone Agricultural Producers

Bill 8 – The Manitoba Council on Aging Act

Mr. Gerry Kaplan, Co-Chair, Manitoba Committee of Seniors

Ms. Norma Drosdowech, Chairperson, Manitoba Council on Aging

Bill 31 – The Condominium Amendment Act

Mr. George Mulder, Private Citizen

Bill 34 – The Highway Traffic Amendment Act

Ms. Diane Rybak, Private Citizen

MATTERS UNDER CONSIDERATION:

Bill 5 – The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission)

Bill 8 – The Manitoba Council on Aging Act

Bill 16 – The Wildlife Amendment Act

Bill 30 – The Manitoba Agricultural Services Corporation Act

Bill 31 – The Condominium Amendment Act

Bill 34 – The Highway Traffic Amendment Act

Bill 39 – The Investment Trust Unitholders' Protection Act

Bill 41 – The Drivers and Vehicles Act and The Highway Traffic Amendment Act

Bill 50 – The Statutes Correction and Minor Amendments Act, 2005

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Mr. Chairperson: Good morning, everyone. Will the Standing Committee on Legislative Affairs please come to order.

This morning the committee will be considering the following bills: Bill 5, The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission); Bill 8, The Manitoba Council on Aging Act; Bill 16, The Wildlife Amendment Act; Bill 30, The Manitoba Agricultural Services Corporation Act; Bill 31, The Condominium Amendment Act; Bill 34, The Highway Traffic Amendment Act; Bill 39, The Investment Trust Unitholders' Protection Act;

Bill 41, The Drivers and Vehicles Act and The Highway Traffic Amendment Act; and Bill 50, The Statutes Correction and Minor Amendments Act, 2005.

We do have presenters registered to speak to Bills 8, 16, 30, 31 and 34. It is the custom to hear public presentations before consideration of bills.

Is it the will of the committee to hear public presentations on these bills? *[Agreed]*

I will then read the names of the persons who have registered to make presentations this morning.

Bill 8, The Manitoba Council on Aging Act: Gerry Kaplan, Manitoba Committee of Seniors; Norma Drosdowech, Manitoba Council on Aging.

Bill 16, The Wildlife Amendment Act: Jim Ticknor and Wyman Sangster, Manitoba Lodges and Outfitters Association.

Bill 30: Ian Wishart, Keystone Agricultural Producers. Bill 30 is The Manitoba Agricultural Services Corporation Act.

Bill 31, The Condominium Amendment Act: George Mulder, private citizen.

Bill 34, The Highway Traffic Amendment Act: Diane Rybak, private citizen.

Those are the persons and organizations that have registered so far. If there is anyone else in the audience here today that would like to register to speak and has not yet registered, just please register at the back of the room. See the Clerk and they will add your name to the list.

Just a reminder to those wishing to present here this morning that 20 copies of your presentation are required for committee. If you require assistance with photocopying, please see the Clerk and we will assist in that regard.

I also understand that we have some out-of-town presenters in attendance this morning. The names are marked with an asterisk on the presenters list.

Is it the will of the committee to hear from out-of-town presenters first? *[Agreed]* Thank you.

I would also like to inform presenters that, in accordance with our rules, a time limit of 10 minutes

has been allotted for presentations and 5 minutes for questions from committee members. As well, in accordance with our rules, if a presenter is not in attendance, their name will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, their name will be removed from the presenters' list.

Just prior to proceeding with public presentations, I would like to inform members of the public of the process when it comes time for questions from committee members regarding your presentation. The proceedings of our committee meetings are recorded, have a verbatim transcript, and each time someone wishes to speak, the Chair, myself, must first recognize that individual to allow our Hansard recording folks behind us to turn on and off the microphones. So please allow the Chair to recognize you prior to your speaking.

I thank you for your patience, and we will now proceed with public presentations.

Is it the will of the committee to proceed in numerical order of the out-of-town presenters, bill numerical order? *[Agreed]* Thank you.

Bill 16—The Wildlife Amendment Act

Mr. Chairperson: We will then proceed with Bill 16, The Wildlife Amendment Act. The first out-of-town presenters we have are Jim Ticknor and Wyman Sangster, Manitoba Lodges and Outfitters Association. Please come forward, sir. Good morning, Mr. Sangster.

Mr. Wyman Sangster (Manitoba Lodges and Outfitters Association): Good morning. Jim Ticknor could not make it this morning. He has a back injury.

Mr. Chairperson: Do you have copies of your presentation, sir?

Mr. Sangster: No. I am just going to make a couple of brief comments for the committee and let you proceed with your function.

We were apprised of this legislation approximately a week ago at the Manitoba Lodges and Outfitters Association. In essence, we have no problem with the purpose of the legislation. We have two concerns from the lodge and outfitters

perspective: the first being in section 63.1(1), where the change appears to be that guides can be now licensed and receive an allocation for possible big game permits, in section (b) says that outfitters can be licensed under the resource tourism act.

It is our opinion that they should be one and the same, that to set two separate policies possibly where guides can obtain an allocation and an outfitter obtains an allocation under the resource tourism act, is setting a different playing field in the same area.

Now, the purpose of this, we believe, we have been told, is to give the department flexibility in the future to handle issues in different fields. If that is the true purpose of this, it is not to set two different agendas for assigning allocations, as long as we are part of the policy-making process so that we are assured that the outfitters are going to be protected in this.

We are all guides and outfitters, one and the same. There are some-1400 guides in Manitoba, 300 outfitters. We all have guide's licences. So it is confusing why we would have two separate pieces of legislation to deal with one and the same issue. That is our main concern that when the policy is being set that it does not create two separate policies for assigning big game allocations.

Mr. Chairperson: Thank you, Mr. Sangster.

* (09:40)

Hon. Stan Struthers (Minister of Conservation): Thank you very much, Wyman. Express my regrets to Jim that I did not get to talk with him here today. I hope his back recovers.

Yes, you have hit the nail on the head in terms of the flexibility in terms of the policy that you have brought forward. It seems to me what the department needs is flexibility, and what the MLOA needs is consultation. I know we have talked about that at meetings in her department and have committed ourselves to do that.

So I appreciate your presentation here this morning, and I am very glad that you have come forward to speak to this committee. I do appreciate the work that Jim and Brent Fleck and others and yourself have done in meeting with me on a number of the issues that have been dealt with in this bill. I

appreciate attending your annual meetings and keeping myself up to date on your issues. So thank you very much.

Mr. Chairperson: Mr. Sangster, did you wish to respond?

Mr. Sangster: I have another comment on the other sections. We are very supportive of the enforcement clauses. We believe that those are excellent changes to support the DNR officers in the field as they conduct their duties.

The other concern the MLOA has is on the clause dealing with charges that must be paid in respect of applications and permits, licences that go out under the "skins, pelts and hides," which has been amended now to skins, pelts, hides and parts. Again, the same comment, we hope to be part of the consultative process, and that applies to resale by resident only, not impact on the allocations that are assigned to big game hunters.

What legislation says and what policy says sometimes can have a drastic impact on the front end of the industry. This wording is very broad, and we would like to see it clarified to make sure it is for resale by residents only. That is all my comments. Thank you very much.

Mr. Ralph Eichler (Lakeside): Thank you, Mr. Sangster, for your comments and your presentation.

I do have a question for your organization with respect to the fees. Do you think your association will have an impact as far as the increase in the fees is concerned?

Mr. Sangster: Yes, obviously, in a business structure where you are very limited on what you can obtain for a non-resident coming here to attend on a resource tourism licence, that extra fee is going to be a huge imposition to some outfitters. It is going to cost some outfitters up to \$5,000 up front. We are faced with increased fuel costs, a decreased U.S. exchange on the dollar, increased travel costs to go to the United States to promote our trade and industry, and for some outfitters it will be a huge imposition to pay that surcharge. We have been informed that we must pay it up front and then, on the licences we do not use, we apply for a refund. If that is the case it is extra paperwork and extra work for everyone.

So, again, we agreed at our meetings with the department that, if the surcharge had to go in, we would support it if it was going to help the department, because we believe they need to do their work. But is it just going to be used as a tax, or is it actually going to help programming and resource do their job? That is our main concern on that. We will handle the problem if it is used for a good purpose because we know the department does good work with their money.

Mr. Eichler: The concern that I have is a consultation process. In your opening comments, you had mentioned that there was no consultation with your group. We all know that usually it is the devil in the details that we do not know that bothers us. Have there been any attempts by your organization to contact the minister's office with respect to the writing of the regulations?

I know, in particular, there was an incident where the association was not approached with respect to shotguns being carried by the outfitters, where they used to be able to carry a rifle. Is there some type of a correlation or relationship of your organization with the minister's office to try and get by some of these, where regulations can be discussed before they are implemented?

Mr. Sangster: We have a half-time executive director. We are in the process this month of proceeding to a full-time executive director. We have obtained legal counsel on retainer to help run our organization. We are trying to improve our ability to communicate with the department and the minister's office.

I believe there was a letter sent by our executive director to the minister. I do not think he received it. That is what I was informed. For some reason the consultation process did not occur on this piece of legislation. If it is a revenue-based piece, I assume we do not get consulted on revenue legislation, I guess, but we are not here to oppose what the government is doing. We just want to be included in the process so that it does not cause detrimental impacts on the front end of our industry.

Mr. Eichler: One last question. I do know that this brings a huge amount of tourism dollars into the province. It is something that we on this side of the House have been very encouraging of to the government.

This \$100 increase, I believe it is \$100 in the fee itself for the licensing, has your organization made recommendations to the minister on how this might be used to the betterment of tourism and also the outfitting guides within the province of Manitoba?

I know Saskatchewan and Alberta went kind of the other way where they have really got out in front of it, and it seems like we are kind of lagging behind even the province of Ontario. Our neighbouring province is also very aggressive in that area.

Mr. Sangster: In our consultations in I believe it was January with the department, we suggested that it be added to the licence if it was strictly an increase in revenue. We were told that it was not going to go as an increase in licences, the surcharge was to be used possibly for other things in the department, and that it was a done deal. The surcharge would be the surcharge.

We were told of alternatives which were not very pleasing to the outfitters. So we accepted the surcharge as the best of other options, I guess, at the time. That was what we decided in January, to support the surcharge if the department was to use it for some of their programs.

Mr. David Faurshou (Portage la Prairie): Good morning, Wyman. I was wanting to ask you about the consultative process as it pertains to, you mentioned the surcharge and changing of regulations regarding firearms carried by outfitters. The consultative process, is your organization pleased with the current situation regarding the communication between your organization and the department?

Mr. Sangster: I believe there is always room for improvement. Some of it may be the department's pursuing of issues without consulting the MLOA. We do not have the guides under our umbrella currently. We are proceeding to include those under our umbrella so that we will be able to represent all of the people in the industry equally.

The second issue is that, at this time of year and in the fall, the 300 to 500 licensed outfitters are not available for consultation, and with the 50 percent executive director time we have had, we believe that some of the breakdowns may have been our fault. Some may be the department of fishers' fault. Phone calls may be made, and right now Brent Fleck, the president, is in his lodge in Laurie River.

I am the only executive member left in Manitoba that could come here this morning, and it was by default versus choice, because I would sooner be not bothering you gentlemen this morning with these issues. But we are seasonally occupied fishing lodges, hunting lodges. We only have about three months of the year where we are really available for full consultation. If this was at a different time, we could probably put 200 people in the room, type of thing, but it is so important that when we can consult, we are able to consult with the department. I believe we both have to do a better job to get to that end.

Mr. Faurshou: This bill makes a provision that animal parts are mentioned or added to the bill. The motivation, I believe, is to provide for the opportunity to apply royalties. I am wanting to ask yourself in regard to the application of royalties. Does your organization have a specific position on application of royalties at the present time?

Mr. Sangster: As an organization, obviously, our business is providing a service for people to hunt big game, pursue trophy fish and to take advantage of eco-tourism opportunities. If there is an opportunity to purchase something from a resident hunter, it may take away from that opportunity.

I am also concerned that any time you create a resale opportunity, you also create a business. Your resource officers are tapped to the end in the field. If you create an opportunity where there is an economic gain to sell an animal part, you may unwittingly create a business that the department of natural resources cannot enforce. That is our concern. It may not happen. It may be very easily controlled through regulation and policy, but it opens up a door to another area where I think we have been combating that very effectively over the last number of years. I would just caution when the policy and regulations are being compiled that it restricts the ability to create a business from the sale of animal parts.

Mr. Faurshou: I am just going to use this opportunity to ask your observations from the outfitters as they are out in the wilds of Manitoba. Have you seen of late increased activities, illicit activity, I shall say poaching, in the province? Is it increasing, decreasing, staying about the same? I am interested in your observations.

* (09:50)

Mr. Sangster: I can only speak personally to that, what I see in the area. We are predominantly in the north Interlake, central Interlake area, and we have had fantastic response from the resource officer in the field. If we see a problem, they work diligently to apprehend the few individuals that do that. I can say that 10, 15 years ago, when you went out in the evenings in Manitoba, you would see lights all over the sky. I was in law enforcement a long time ago now, it seems like. We would be plagued with nightlighting offences, the sale of meat, et cetera.

I believe that, through the programming, through some of the enforcement programs, it is contained to a relatively small group of people. Therefore, again, when you change legislation, sometimes you change it to address a few people rather than the larger group. In the north Interlake, we see very little poaching or resale of parts at this point in time. That is through, I believe, the work of the department officials at the field level, and I think an overall downturn in the desire to go out and illegally hunt at night anyway.

Mr. Chairperson: Any other questions of the presenter? Seeing none, thank you very much, Mr. Sangster.

Mr. Sangster: Thank you.

Bill 30—The Manitoba Agricultural Services Corporation Act

Mr. Chairperson: The next bill we have with out-of-town presenters is Bill 30, The Manitoba Agricultural Services Corporation Act, and we have Ian Wishart of the Keystone Agricultural Producers. Good morning, sir.

Mr. Ian Wishart (Keystone Agricultural Producers): Good morning.

Mr. Chairperson: Do you have copies of your presentation?

Mr. Wishart: Yes, I do.

Mr. Chairperson: Thank you. You may proceed when you are ready, sir.

Mr. Wishart: Thank you very much. Good morning. Keystone Ag Producers is a democratically controlled general farm policy organization representing and promoting the interests of agricultural producers

in Manitoba. We are run and funded by our members, representing approximately 5000 farm families from across the province.

KAP is Manitoba's general farm policy organization representing individual farmers and farm organizations throughout the province and 12 districts. The strength of our organization is a result of our structure which requires policy to be developed and approved by our membership through their district boards and representatives. Our mission statement reads, "to be a democratic and effective policy organization promoting the social, economic and physical well-being of Manitoba agricultural producers."

Regarding Bill 30, The Manitoba Agricultural Services Corporation Act, since Manitoba Ag Credit Corporation and Manitoba Crop Insurance Corporation were founded in 1958 and 1960, respectively, the province's farmers have been able to rely on these familiar and well-trusted institutions for expertise relating to farm finance and risk management. As challenges in the farm economy continue, it is imperative that Manitoba's producers can continue to receive the needed services provided by MACC and MCIC.

The government has stated that the purpose of Bill 30 is to create efficiencies within these two corporations. Keystone supports this initiative based on the understanding that the level of service, the range of products and the staff expertise are not to decrease as a result of the amalgamation. At times of financial challenges, farmers are expected to tighten their belts and find efficiencies. We would expect no less of the government.

We believe that the first efficiencies may be found in common services, including finance and information technology, and that will have a lesser impact on the producer. All changes that come as a result of Bill 30 must be evaluated with the producer in mind and be weighed on their ability to decrease cost to the government while maintaining or improving services to the farmer.

Keystone strongly believes that any efficiencies gained from the amalgamation of MACC and MCIC must stay within the Manitoba Agriculture, Food and Rural Initiatives budgetary envelope for the benefit of provincial farm families. MCIC has acquired a significant surplus which sat at over \$300 million

last fall. All of this is producers' money paid in through annual premiums, and these funds must absolutely remain within the crop insurance envelope. These funds can and should be used to decrease the cost of producers' premiums in the future or to expand services and levels of protection that MCIC offers to producers.

The newly amalgamated Manitoba Ag Services Corporation will play a key role in farm management, and so it is imperative that it is responsive to the changing agricultural landscape and the needs of Manitoba's farmers. KAP strongly believes that the board of the new corporation must have strong producer representation with consideration being given to regional and commodity-based equity.

There is also a role for the new corporation in the area of diversification and farmer empowerment. The financial lending component must support value-added initiatives that allow for greater returns to producers and new ventures. We believe that the Manitoba Ag Services Corporation must find ways to provide the financial and technical support that these new investments will require.

In conclusion, the opportunity to present on Bill 30 is a welcome opportunity for Keystone to provide feedback on this proposed legislation. The financial and risk management tools that are currently provided by MACC and MCIC will continue to be extremely important following the proposed amalgamation and KAP believes the government has a continued responsibility to ensure that these services meet the needs of farmers now and in the future. Thank you.

Mr. Chairperson: Thank you, Mr. Wishart.

Mr. Ralph Eichler (Lakeside): Mr. Chairman, it is always good to hear from the Keystone Ag Producers, and thanks for your presentation.

I have two questions. Number one, was the Keystone Ag Producers consulted in the drafting of the bill? I guess the second question is a follow-up to that: Was the Keystone Ag Producers, as far as the timing of the bill and implementation of the bill, do you think the organization feels the timing is right for the restructuring, as far as the two organizations are concerned?

Mr. Wishart: In response to the first part, yes, we were consulted. As you know, this has been

discussed for some time, and we had not a lot of concerns, as is obvious from our presentation, just a few details that we want to be clear on, but we were consulted.

In terms of timing of the consultation, of course, the timing of the hearings is less than perfect. I know that is not completely controllable. But in the big picture, in terms of where other provinces are heading and in respect to the changing demands, full-time risk management and in regard to financing needs, I think the timing is appropriate.

Mr. David Faurschou (Portage la Prairie): I thank you very much, and I appreciate the drive in. I know that you would appreciate more sunshine and to finish off the planning process.

In regard to the process, you mention that it has been ongoing for quite some time. Has your organization consulted at all with, I believe it is the Wild Rose organization in Alberta? I believe that they went through this process a number of years ago. Have you heard of their successes in this regard, or perhaps words of wisdom that come from experience?

Mr. Wishart: Yes, we have had informal discussions with Wild Rose. They went through this process it must be eight or nine years ago. It is quite a little while ago, and they have a third corporation that they rolled into that, too, that does some investment and value-added or venture capital in agriculture. That is one of the reasons we added the comments on expanded roles for MACC.

Certainly, they had some concerns about their insurance portion. Frankly, we do not consider their crop insurance program in Alberta to be as good as ours, though it is certainly better funded, with the funding the province has available to it, but we had relatively few concerns in that regard. I think this is a positive step. I would, as our comment indicates, like to see some examination of more investment in the venture capital portion, particularly in light of Manitoba Agriculture, Food and Rural Initiatives' new push in that direction.

Mr. Faurschou: I know you have had board experience with Manitoba Crop Insurance, and I am sure there is no bias in your comment about being the better corporation on the Prairies, but, having that experience, is there an observation you would like to

share in regard to board make-up of the new corporation, once established, as far as appointments that the government should consider, to make this an effective organization?

* (10:00)

Mr. Wishart: As you referenced, David, I did spend some time on the board of directors of the Manitoba Crop Insurance Corporation. I guess I am a little biased but, frankly, other organizations across Canada that we are associated with frequently are very envious of our crop insurance corporation in this province, how well-run it is and how producer-responsive, and I think that is the key comment there, that we have a history of being very producer-responsive. I think that is something that we need to maintain in the future. To do that, I think there has to be a very open process where the boards continue to meet, not only with Keystone, but with the various commodity groups that are impacted by the risk management services they provide. I think that is very important.

It is also key to have on the board a wide range of experience. I know that is a challenge because it is a very large corporation. We have a very diverse type of agriculture in this province, and it is difficult to get people from as many sectors as possible. We have offered our services to the minister in the past to help facilitate that and we will continue to do so.

Hon. Jon Gerrard (River Heights): Thank you, Ian. What I would like to raise with you is you have now got, if this act passes, a single corporation with two functions. Are there any concerns about cross-subsidization, the money from crop insurance being used to make loans and so on? Should there be stipulations in the act with regard to this?

Clearly, the intent as you have already indicated is primarily to merge common services, financial information, technology, and so on which makes sense. But, both for trade purposes and perhaps for other reasons, there could be some potential problems if the board got into cross-subsidizing one with the other. Would you comment?

Mr. Wishart: It is certainly our understanding that it was not the intent of the act to use the funds one for the other. Yes, I guess I could share your concern that there would, obviously, be trade impacts if that started to happen. But, as based on our comment, I

see the funding kept separate. There is not only a provincial bill on crop insurance, but there are also federal rules and regulations. I believe that they too would make that very difficult, so I do not think that, at least, that is not our concern. We certainly would not want to see that begin to happen. We see the two things as completely separate, and, frankly, when it comes to setting the rates for insurance premiums, the minute that started to happen, I think you would find the actuaries that set the rates getting pretty nervous and probably changing rates significantly because they are very restrictive as to what can be done with the money.

Mr. Gerrard: Is that important enough that there should be a clause in the act?

Mr. Wishart: It is very important, whether it is necessary to put the clause in the act, I am not completely clear. As I had mentioned earlier, especially with crop insurance, the joint federal legislation that goes with it, I think that would probably be impossible, but I guess I would, if it is deemed necessary, I would certainly support it. I certainly do not want that to happen because I think there are trade implications as well as implications to those people who have contributed to the existing surplus.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Thank you, Ian, for coming in this morning. I talked to you earlier, and you were saying that seeding was still going on in Portage la Prairie. I hope that the weather will hold for that to continue, but I think that this weather that we are experiencing right now just indicates to us how important the services that are funded through the insurance part of the corporation are very important to our producers.

So I thank you for your presentation and I want to indicate a couple of things to you. First of all, it is defined in the legislation that there cannot be any cross-subsidization. You are right, there is a federal component and crop insurance is a partnership with the federal government, and that is one of the things that we checked out. There cannot be, and there will not be, any cross-subsidization. The money that is in the insurance portion will be used for insurance or, as we have been using, to bring down premiums as we have for the past several years. We will continue that.

I am interested in your comments in the value-added initiative. I would ask you, as you look at the

changes that we have made that will allow the lending arm of the corporation to do, to invest in rural initiatives, do you have anything specific that you are talking about investments in value-added?

Mr. Wishart: Thank you for the comments, Madam Minister, and, yes, I am happy, I guess, that there are assurances. I was always under that impression that cross-subsidization was not possible, but it is good to see that.

In regard to the value-added ventures, it is difficult to say what exactly the needs are because producers are now just beginning to venture down these roads a little more ambitiously than they were before. Having some experience in that area, I know one thing that would certainly help is what would be termed "patient money," money that has a period of grace before payments have to start because, as with many value-added ventures, there is quite a long start-up period before profitability is often achieved, particularly when it comes to doing more processing.

In finding that bridge financing from private institutions, who are frankly a little leery about the whole agricultural industry, not only primary, but especially the early value-added end of things these days, it would probably be something that would be worth looking at, and we would be more than happy to sit down and discuss what we think might be needed on that, but the specifics, I cannot really give you at the moment.

Ms. Wowchuk: I just want to close by saying thank you for those comments, because that is really what fits in with our whole reorganization of the department and moving into rural initiatives. One of the parts of all of this is to be able to have further value-added and further economic development. We see the corporation as being a useful tool, as they have been in a few projects even under the old corporation. This will allow us to broaden up, so I thank you for your comments.

Mr. Chairperson: Do you wish to comment, Mr. Wishart?

Mr. Wishart: Yes. Just one other one, in terms of, yes, it is great to support those. We may have to also look at guarantees from government on some of these loans especially for the larger ones. I know you have been more than happy to do that with the beef initiatives, but not every initiative, of course, will be related to beef, and perhaps in some of the other sectors that that will be necessary too.

It is not that we do not think these things are profitable. It is that the companies that we are competing with in these marketplaces are often very large and multinational in nature and have very deep pockets and a lot of patience. If we find a sector that we think is very profitable and so do they, for example, the ethanol industry, they have certainly been buying up a lot of the farm co-ops on the U.S. side and making that market less than competitive too.

Given that these ventures or these initiatives are where we seem to want to take agriculture in Canada and Manitoba, we will probably have to look at ways to protect the companies, at least for a period of time, until they get their feet under them.

Mr. Chairperson: Thank you, Mr. Wishart, for your presentation this morning.

Mr. Wishart: Thank you for the opportunity.

* * *

Mr. Chairperson: The next bill with out-of-town presenters is Bill 34, The Highway Traffic Amendment Act, and the presenter we have is Diane Rybak, a private citizen.

Ms. Rybak, are you in the audience this morning?

Seeing that Ms. Rybak is not here, her name will drop to the bottom of the list. That concludes the bills with out-of-town presenters.

Bill 8—The Manitoba Council on Aging Act

Mr. Chairperson: We will now proceed with Bill 8, The Manitoba Council on Aging Act, and the first presenter we have is Gerry Kaplan, the Manitoba Committee of Seniors.

Good morning, sir. Do you have a copy of your presentation for committee?

Mr. Gerry Kaplan (Co-Chair, Manitoba Committee of Seniors): I do, but not enough.

Mr. Chairperson: Well, we will assist with that. One moment while we distribute, and then we will proceed.

Mr. Kaplan, you may proceed when you are ready, sir.

Mr. Kaplan: Thank you. Good morning. My name is Gerry Kaplan. I am here as the co-chair of the Manitoba Committee of Seniors, and on behalf of the committee, I appreciate the opportunity to make this presentation with respect to Bill 8, The Manitoba Council on Aging Act.

* (10:10)

While my time is limited this morning, I would like to take a few minutes to talk a bit about the Manitoba Committee of Seniors. The committee was formed in 2002 with the assistance of Mr. Jim Hamilton and the Seniors Directorate. We are a coalition of Manitoba-based senior-serving organizations which collectively represent an estimated 100 000 Manitoba seniors.

Current member organizations include, in alphabetical order, I have to state: Age & Opportunity, Circle of Life Thunderbird House, Creative Retirement Manitoba, the Federal Superannuates National Association, Good Neighbours Seniors Centre, le Fédération des aînés franco-manitobains Inc.—I have been practising that one—the Manitoba Association of Multi-Purpose Senior Centres, Manitoba Council on Aging, Manitoba Society of Seniors, National Advisory Committee on Aging, the Retired Teachers' Association of Manitoba, and several esteemed members at large. I would like to mention I have got about four or five members of the committee in the gallery today for support.

The committee is a non-partisan coalition of individuals who are members by virtue of their involvement with senior-serving organizations or their roles as key members at large within the seniors community. Our catchment area extends across the province of Manitoba. All organizational members of the MCOS agree to leave their organizational hats at the door, which is the secret of our success and longevity. MCOS collectively represents and promotes the needs of all seniors in Manitoba with a single voice in order to ensure that seniors are viewed as valued and contributing members of the communities in which they live.

Several of the original objectives of the committee included identifying and raising common issues that affect Manitoba seniors; reviewing and critiquing government policies and programs designed to serve seniors or that may impact on the

well-being of seniors in Manitoba; strengthening the role of the Minister responsible for Seniors and working to have the Seniors Directorate elevated to the role of seniors' secretariat, mark one on our side; educating policy makers, managers and key stakeholders about seniors' issues, needs, profiles, trends, strengths and attributes; working to improve the image of seniors among the general public; and raising the profile of seniors within government departments and community programs, basically getting the seniors' agenda on the radar screen.

Three themes provided the original context for the development of the committee. Seniors seemed to be invisible, excluded and irrelevant. With a few exceptions, the needs and issues faced by seniors as a distinct population had been excluded from the mission statements and strategic plans of most government departments, Crown corporations and NGOs. In other words, up until now, as a population, seniors have been invisible. However, we are just now beginning to see some recognition of the important roles and talents of Manitoba's senior population. We are also seeing a more co-ordinated and holistic understanding of seniors' diverse needs and related solutions to address these needs.

Three recent changes have given us hope in this respect. First, a recent Throne Speech of the Province of Manitoba noted the constructive and valued role that seniors play in the larger community. We perceive this as an important and symbolic step forward. Secondly, the Seniors Directorate has recently been recast into the Manitoba Seniors and Healthy Aging Secretariat by the Honourable Theresa Oswald, Minister responsible for Seniors. We are greatly encouraged by the advent of the secretariat and look forward to its continuing evolution. The third positive change is the introduction of Bill 8, The Manitoba Council on Aging Act. While the Manitoba Council on Aging has been an active and effective source of advice and information for the minister, the adoption of Bill 8 will ensure its continuing existence and role in this respect. As such, the Manitoba Committee of Seniors commends the government of Manitoba in general and Minister Oswald in particular for introducing Bill 8.

We had the opportunity to meet with Minister Oswald this past February. Part of this very open and constructive meeting with the minister related to Bill 8. We shared our support for the bill and the

continuing role of the Manitoba Council on Aging. We also put forward two proposed amendments to Bill 8, which I would like to share again today.

The first amendment relates to section 3 of the bill, the responsibilities of council. Section 3 currently states that the Manitoba Council on Aging is responsible for providing the minister with information and advice about "(i) the aging process and its implications for all age groups in Manitoba," and secondly, "(ii) programs, services, policies and legislation that relate to the aging process and the needs and interests of older Manitobans," and also "promoting awareness and understanding of the aging process and its implications for all age groups in Manitoba."

We have proposed the addition of a third area of responsibility for the council, one that we believe would broaden the advice and opinions that the council shares with the minister, incorporating the views of both seniors at large and Manitoba's senior-serving organizations. That specifically is that the Manitoba Council on Aging would be responsible for consulting periodically with senior-serving organizations and seniors at large regarding matters of importance to the senior population of Manitoba.

The second proposed amendment relates to section 4 of Bill 8, criteria used to appoint members to the council. Section 4 currently states that "in appointing or reappointing persons to the council, the Lieutenant Governor in Council must endeavour to select persons who are representative of the geographic regions and the cultural and socio-economic groups in Manitoba."

We are proposing the addition of one more criterion for individuals to be appointed to the council. That is that preference be given to appointing persons to the council who are 55 years of age or older. By putting forward this amendment, we are not proposing that all members of the council should be seniors, or that individuals under 55 years of age do not have valuable related insights and talents to share. We are also aware that many of the current council members are themselves seniors. However, we want to ensure that the primary focus of the council continues to be on Manitoba's senior population.

Accordingly, we are concerned about the inclusion of the phrase "for all age groups in

Manitoba" within section 3 of Bill 8. We believe that this may be an inadvertent precursor to lessening the council's focus on Manitoba's seniors by broadening its mandate to subsume all Manitobans. For this reason, we believe that the inclusion of seniors on the council, wherever possible, should be enshrined in the legislation. We also believe that this would be consistent with the philosophy of empowerment and consumerism, of and for seniors, that forms the basis of many of the initiatives and programs of this government.

We are hopeful that the principles underlying these amendments will be reflected in the operation of the council, although it is our preference that they be formally enshrined in Bill 8. Nonetheless, the Manitoba Committee of Seniors acknowledges and applauds the government of Manitoba and the Minister responsible for Seniors (Ms. Oswald) for the introduction of Bill 8 and the other policies and programs it is currently developing so that seniors can lead lives of dignity, that they are able to comfortably and safely age in place and that they are viewed as valued and contributing members of the communities in which they live.

Mr. Chairperson: Thank you, Mr. Kaplan. Questions for the presenter?

Mr. Jack Reimer (Southdale): I want to thank you very much for your presentation, Mr. Kaplan. Your association is fairly wide in scope here. You have covered an awful lot of various organizations and groups.

Have you been meeting with these groups on a regular basis, individually or as a collective?

Mr. Kaplan: Yes, we meet collectively. We are a coalition and a fairly loose coalition, but we do meet collectively.

Mr. Reimer: You say it was formed in 2002. How many meetings have there been?

Mr. Kaplan: It feels like hundreds, but I think it has probably been about 15 to 20 meetings over the last several years.

Mr. Reimer: So you get good participation from all groups whenever you call a meeting?

Floor comment: And it is a growing—

Mr. Chairperson: Mr. Kaplan.

Mr. Kaplan: Sorry. I will get this yet.

It is a growing coalition. We have tried to determine how we decide which organizations or groups or individuals are eligible to attend or become part of the coalition, and, to this point, we have just left it very loose because we do not want to be exclusive; we want to be inclusive.

Mr. Reimer: And then the two amendments, if you call them, to the bill. This was a unanimous decision by the whole group?

Mr. Kaplan: Yes, it was.

Hon. Theresa Oswald (Minister responsible for Seniors): Thank you very much, Mr. Kaplan, for being here today, advocating on behalf of our Manitoba seniors and certainly ably providing commentary from the committee of seniors. I truly appreciate seeing you again, and I appreciate the kind words in the document.

Again, we have had some conversations about entrenching the Council on Aging in legislation and some of your suggestions from the committee and your words concerning keeping the focus on seniors are, indeed, heard loud and clear, and, in fact, we find on the Council on Aging's terms of reference that those very ideals are represented there and have been since 1980.

Of course, I have shared with you some of my own concerns about the potential amendments and how inadvertently, again, as you would say, they could be perceived in days long ahead of us as being potentially prescriptive, and we certainly would not want that.

Reference, for example, to membership of 55-plus. Well, that has absolutely been the spirit of the Council on Aging and is, indeed, so as we speak, we do have some concerns about putting a limit on that. We know that one of the No. 1 concerns coming out of your committee, when we last met, was the issue of ageism and its spread. Certainly, we also know as a society one of the best ways to combat such things is to have voices from all sectors of our society, have them on the inside, learning the issues and then going out and spreading the word.

* (10:20)

So we remain focussed on the fact that this needs to be a focus on seniors, but fear any sort of prescriptive line in the legislation, as we have talked about before. As far as the council having a specific mandate to consult with seniors' services organizations, again, it is entrenched in their terms of reference as it is. We would hesitate to put a line in the legislation itself that might imply in some way by people we have not met yet down the road that that would be the only mandate of the council, and we know that would be the agenda, the very lively agenda, concerning housing, concerning healthy aging, that the Council on Aging wants to be free to consult with all organizations that will help them towards their ultimate end, and that is ensuring that seniors in Manitoba are in the place that they ought to be, and that is one of prominence.

So I thank you once again so much for your comments and really appreciate you being here today.

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

Mr. Kaplan: Yes, we cannot predict what people not yet born will do, and we have no concerns about the current administration and, really, cannot control the future. Our goal was never to exclude people under the age of 55. I am one, for a little while longer. I guess the consideration, though, is that, looking at, for example, Aboriginal organizations as a group and interests regarding Aboriginal people, the practice really is that you get people who are part of the constituency looking out for their own needs as really the ideal way to ensure that needs are met appropriately. We are not looking at anything different than that. What we are saying is that all other things being equal, if you have two candidates for an opening on the council, that we would just, and it may not be enshrined, but it may be enshrined in standards or policies as it was in the legislation, that consideration be given to the person who is 55-plus as opposed to the other person. Again, all other things begin equal on that.

Ms. Oswald: Certainly, we appreciate your commentary and I, for one, have every confidence that the committee of seniors and the Council on Aging would never let us forget it. Thank you.

Mr. Chairperson: Do you wish to comment, Mr. Kaplan?

Mr. Kaplan: No, that is fine.

Mr. Chairperson: Any other questions of the presenter? No? Thank you for coming out this morning, Mr. Kaplan.

The next presenter we have on the list is Norma Drosdowech, Manitoba Council on Aging. Good morning.

Ms. Norma Drosdowech (Chairperson, Manitoba Council on Aging): Good morning.

Mr. Chairperson: Do you have copies of your presentation?

Ms. Drosdowech: No.

Mr. Chairperson: Then you may proceed when you are ready.

Ms. Drosdowech: Well, good morning, everyone. My name is Norma Drosdowech, and I am Chairperson of the Manitoba Council on Aging. On behalf of the members of the current council who are, in fact, meeting today without their chair with a very full agenda, I bring greetings from them to members of the Legislature who are presiding over this committee's review of the proposed Manitoba Council on Aging Act. Greetings as well to staff and to the representatives of community organizations and the public at large present at these committee hearings.

It is my great privilege to speak today in support of this important piece of legislation. I have been a member of this Council on Aging since 2001, at which time Murray Smith served as its most capable chair. Following his untimely death in December of 2002, I accepted the position of chairperson of the council, a position which has afforded me the opportunity of working closely with the Minister responsible for Seniors (Ms. Oswald). Actually, having worked with Minister McGifford and then Minister Rondeau, I am now on my third minister, and I am not sure whether I should read anything personal in these changes that keep occurring.

Suffice it to say, however, that I am delighted to have worked with each of Minister Oswald's predecessors and to be now working with her to address seniors' issues, especially with the capable assistance of the staff of the seniors in the Healthy

Aging Secretariat, especially Jim Hamilton and Patti Chiappetta.

The Manitoba Council on Aging as it exists today began in 1980 with a mandate to ensure that a senior's perspective is reflected in government programs and policies that relate to seniors by dialogue with seniors in the community, to review and provide recommendations to the minister to reflect the changing issues and concerns of a rapidly growing seniors population and to increase public awareness and understanding of the aging process and its implications for all age groups in Manitoba.

The council is currently composed of up to 15 members, including the chairperson and vice-chairperson appointed now by the Minister responsible for Seniors for a two-year term. Members are drawn from a cross-section of geographic, ethnic and community service backgrounds in Manitoba.

As one of the longest-standing councils on aging in Canada, Manitoba has often played a key role at meetings of the chairs of existing provincial councils with the chair of the National Council on Aging at the annual conference of the Canadian Association of Gerontology. It is most worthwhile to have an opportunity to share with other provincial chairs the issues they see as most significant and the recommendations they are putting forward to their governments.

Each year has brought changes in the councils represented at CAG, and current chairs have welcomed newcomers from several councils which have been formed within the past three years, including Prince Edward Island, New Brunswick and Saskatchewan. We have also sent a letter of regret that the B.C. government dismantled its council on aging, which was not enshrined in legislation. That factor alone is a key reason why I strongly support the legislation which is before us today.

As well as presentations at these meetings, I have just been afforded an exceptional opportunity to speak to the joint meeting of the Federal-Provincial-Territorial Ministers Responsible for Seniors to reflect on the work of the Manitoba council and the important role that advisory councils can play at both the provincial and the federal levels of government.

The first question put to the presenter was: What has your advisory council accomplished? My list was extensive. With the secretariat, the Manitoba

council publishes informational material of interest to seniors, including the annual *Seniors' Guide*, a comprehensive listing of services and programs available to Manitoba seniors. Council members annually celebrate seniors on International Seniors Day and at the council's recognition award ceremony honouring organizations and individuals who have enhanced seniors' lives.

Much time and effort has gone into researching relevant issues and presenting recommendations to the minister in a series of letters, memos and discussion papers. Issues have included seniors' access to government benefits, core funding for seniors organizations, government responsibility for lifelong learning, seniors' housing needs, and two hotly debated issues: the relationship of property taxes to education, and the impact of international pharmacy on seniors. Council is now completing a major comprehensive discussion paper on health issues.

The question was then asked do we have access to government and do we have an influence on government. Feedback suggested our discussion papers encourage people involved in policy planning to consider the seniors' perspective at each stage of development. Government responses to seniors' issues certainly suggests that they are listening.

Council welcomed the seniors' issues strategy, *Advancing Age: Promoting Older Manitobans*, which will involve seniors in policy forums as an important step in addressing their needs. Council also welcomed the special funding provided to key seniors organizations as part of this strategy and recent funding to build new community programs to help seniors remain independent.

Government increases in funding to enable our council to travel to rural areas, and The Manitoba Council on Aging Act now before the Legislature, are positive steps to raise the public profile, both of the council and of seniors. Feedback also suggests that seniors organizations appreciate the support of members of the Council on Aging. Council has been represented on the committees, developing an Alzheimer's strategy, a diabetes strategy and currently works with partners seeking solutions with seniors on issues related to addictions.

Council sits on the Seniors Day celebrations committee, the inter-agency committee, and the seniors' Advocacy Committee. We continue to

participate in regional health authorities' consultations on health issues, and on the advisory committee for the Manitoba Centre on Aging's research proposal, which will examine the creation of a healthy environment for Manitoba seniors. Both the chair and the vice-chair, René Toupin, representing Franco-Manitoban seniors, are members of the newly established Manitoba Committee of Seniors.

Council shows its support of seniors organizations through letters of recommendation for funding applications, involvement as active members themselves, attendance as guests at special events, and participation as delegates to consultations on issues of importance to the seniors' community. As chair, I have represented council on Manitoba's seniors provincially and nationally as part of the Law Commission's consultation on law and relationship between generations.

* (10:30)

The Manitoba Justice survey of seniors on personal safety last summer's interesting online consultation process, part of the work of the Federal-Provincial-Territorial Ministers Responsible for Seniors, and attendance at the Canadian Seniors Partnership symposium in Brockville, integrating service delivery to seniors. The vice-chair has participated in the Prime Minister's Task Force on Active Living and Dignity for Seniors, and represents council on the Seniors Canada On-line project.

The task of speaking for all Manitoba seniors certainly can be daunting. The Council on Aging and seniors organizations in Manitoba have had to work hard to be a strong voice over the years. The question is whether the seniors' voice is heard by those in power. By enacting the Manitoba Council on Aging, members of government on both sides of the House have an opportunity to signal that elected officials do want to hear the seniors' voice, that they do have a vision of the power of a collaborative partnership with seniors.

The question then will not become whether seniors should be included in policy deliberations, but rather what method would work best for specific issues. The advisory council itself, focus groups, personal interviews, online surveys, workshops and conferences, all of these can be used to involve seniors in this process.

I do see advisory councils as a particularly valuable tool and would urge the government to make a commitment to ensure that adequate funding and resources are consistently made available to ensure the effectiveness of the work of the Council on Aging and its strong relationship to the Minister responsible for Seniors.

Now, and in the future, government and seniors need to continually communicate with one another to evaluate the effective positioning of advisory councils and seniors organizations to speak to seniors' needs, interests and concerns.

Above all, all members of the Legislature, the policy makers, must value the role of citizens as partners of government in developing a new society. I suggest to you that it is of seminal importance to successful aging for all seniors to actively participate as citizens, to be involved in the decision-making processes that affect our lives.

Seniors both need to know and understand not only how the systems of how governments work but how to navigate them. The Manitoba Council on Aging Act will effectively allow seniors the important opportunity to work with government to address barriers to our participation, for our engagement with you increases the government's chances of getting it right, and that benefits both citizens and government.

Much is being written today of the growing cynicism and pessimism about the role that government plays in our society, and it should be of great concern to all of us. By this legislation, the government signals its respect for the participation of all citizens in the democratic process, and by agreeing to serve on council, members can indicate their still strong belief that democracy works. The government has as its goal serving the needs of the people and that we can work together in an atmosphere of respect and trust to find solutions to the problems that face our society.

Members of the current Manitoba Council on Aging feel strongly that the work of encouraging and empowering people to participate effectively, creatively and critically in community life must be a priority of government, and it will require that elected officials make strong commitments of the legislation, the time, the resources and the funding necessary to accomplish this goal.

There is important work to be done, and I certainly urge the support of this legislation as a signal of the willingness of government to engage in that work together with the seniors of Manitoba.

Mr. Chairperson: Thank you, Ms. Drosdowech. I hope I pronounced your name correctly.

Ms. Drosdowech: Yes.

Mr. Chairperson: Questions of the presenter.

Mr. Reimer: I would like to thank you very, very much for your presentation, Norma. Very thoughtful, very concerned of yourself to bring this. The topics of discussion are wide and varied, but as you mentioned, I think that any government, whether it is in government or opposition, has to be duly aware that there is a force out there, if you want to call it, that we have to be aware of, especially here in Manitoba when you look at how our population is aging and some of the challenges that government faces in addressing some of the things.

You mentioned a health strategy that you are working on right now. Is there a time line when you wanted to have this finished?

Ms. Drosdowech: The health issues paper will be going to the minister within this month, yes.

Mr. Reimer: Is it a paper or a complete study that you are embarking on?

Ms. Drosdowech: When council does a paper, it has access to the staff of the secretariat for research purposes, but a large part of it has been done by ourselves in research. What we did was we looked at the federal outline of the determinants of health. We have taken each of those and we have looked in particular at how that affects seniors. For example, you might look at the housing issues related to health, transportation related to health, waiting times related to health, all of these things. But what do they particularly mean for seniors? When we offer advice to government, we are not usually offering direct solutions because we know that those come from policy makers but rather for them to see the seniors' perspective.

Transportation becomes very different when you are a senior. You can move into one of your high-class supportive housing units which has its

own bus that takes you places, or you can be living in a poorer part of town where you do not even have transportation to the nearest resource centre. So we need to look at both sides of that equation.

So we have a series of recommendations that we are putting forth to government as reminders, if you like. I know that we got feedback when we did the paper on housing, that people within housing said, "H'm, I never thought of it that way." I must admit I am learning to think that way, a crash course in being a senior.

Mr. Reimer: One other area that you mentioned, I guess, which is a concern not only to seniors but all taxpayers in Manitoba, is the educational portion on property tax. You mentioned that. Have you been lobbying for this? Has it been more of a concern with your group?

Ms. Drosdowech: We have been bringing forward our concerns, and they have been explaining their balance they are trying to allow us to see. We have some strong people on our committee who certainly advocate the removal, if possible, of the property taxes related to education and seeing that different. It is a very complex issue and we recognize that, and we have been very pleased with what the government has done so far. I mean, the government has certainly moved along that way and certainly given a lot of support to seniors around those issues. We still see that it could be further.

Mr. Reimer: Have you made a sort of a formal request or presentation to the government requesting that the educational portion be taken off taxes? Has that come in a definitive statement to government?

Ms. Drosdowech: The paper that went forward went forward to the minister, yes.

Ms. Oswald: Thank you very much, Ms. Drosdowech, for being here today and offering your support as we endeavour to enact the Council on Aging in legislation. I also want to say thank you on behalf of all Manitobans for your very able work in chairing the committee and representing us.

If I may editorialize for a moment. For all members at the federal-provincial-territorial meeting in Québec just recently where Ms. Drosdowech presented along with three other representatives concerning councils on aging, I can assure you

that she did, as always, Manitoba proud. With a little more editorial, I can also say that the federal ministers, Dryden and Ianno, sat up a little straighter and listened a little more intently than any other time in the meeting when Ms. Drosdowech was speaking. She has that effect on many people and has had all her life.

So I thank you so much for that. I thank you for your continued excellent relationship with the staff at the Healthy Aging Secretariat, and I look forward to our continued work and success in the future. Again, many thanks.

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

Ms. Drosdowech: Just to say that Minister Ianno did make reference to stealing me away to Ottawa, but I assured him that Manitoba was the only place that one really wants to live.

Hon. Jon Gerrard (River Heights): Thank you for your presentation. Now you mentioned the work that you had done on the diabetes strategy. Was that part of the health report or was that separate? Maybe you could tell us a little bit about it.

Ms. Drosdowech: When issues arise such as the diabetes, council asked for a member to be represented on the diabetes strategy committee. They have been with that committee, working with them, just as we have had one working on the Alzheimer's committee. So we have become a part of the working committees.

Mr. Chairperson: Mr. Gerrard, did you wish further questions?

Mr. Gerrard: No.

* (10:40)

Mr. Chairperson: Any other questions of this presenter?

Thank you, Ms. Drosdowech, for coming out this morning.

Are there any additional presenters on Bill 8, The Manitoba Council on Aging Act? Seeing no further public presentations, we will close public presentations on this bill.

* * *

Mr. Chairperson: Bill 16. Are there any further public presentations on Bill 16, The Wildlife Amendment Act? Seeing no further presentations, we will close presentations on Bill 16.

Bill 30, The Manitoba Agricultural Services Corporation Act, are there any further public presentations on that bill? Seeing none, we will close public presentations on Bill 30.

Bill 31—The Condominium Amendment Act

Mr. Chairperson: Bill 31, The Condominium Amendment Act. We have, registered to speak, Mr. George Mulder, private citizen. Please come forward, sir.

Good morning. Do you have copies of your presentation for committee?

Mr. George Mulder (Private Citizen): Yes, I do.

Mr. Chairperson: Thank you. You may proceed when you are ready, sir.

Mr. Mulder: Good morning. I would like to thank this committee for giving me this opportunity to express my concerns and to put forward some recommendations for your consideration.

Before I put forward the actual recommendations for amendment, I would like to quickly review the circumstances and experiences I had when I moved into my new condo at 1954 Henderson Highway. I believe that I speak on behalf of the majority of the 29 unit owners in this five-year-old building. We comprise, collectively, a cross section of our community, predominantly vulnerable seniors who wished to simplify our lives for our retirement years. The last thing that any of us needed was additional stress and financial consequences as a result of a poorly designed building, sloppy workmanship and the apparent capacity of a corporate developer to shield itself through the use of several numbered corporations.

The City of Winnipeg approved the design of this building, and we assumed that all building codes would be adhered to. During the last five years, this condo has experienced three major structural failures which have cost us \$486,000 to correct. This includes legal and engineering expense.

By way of a special assessment, the unit owners were compelled to pay for these costs.

When the unit owners decided to engage in a lawsuit to recover these funds, we found that the architect, the design engineer, were no longer practising their professions in Manitoba. Also, we found that the developer was attempting to shield itself and escape liability behind a series of numbered corporations. In our case, our claim in litigation was laid against 26 individuals and numbered corporations which are spread throughout North America. I might be exaggerating slightly on the North America part, but a few of the people we put claims against are living in the States.

I realize your time and my time here is limited, and I will get right to the point. Specifically, in terms of legislative amendments, I would recommend the following: To affix strict liability upon developers, project managers, their directors and their corporations from making any substantive deviations from the original design plans for the construction of the condominium, which has been submitted to the appropriate authority for approval. I can elaborate on that further, if you like.

Number 2, to assist upon design criteria that will adequately meet the need of the structure being proposed. In our situation, structural beams and piles had to be reinforced. The parkade leaking required replacement of the outdoor patios surrounding our building.

In our experience, it seems the paramount concern of the City of Winnipeg was the fact that an engineer hired by the developer had approved the design. I was somewhat apprehensive including that No. 1 and No. 2 in my presentation because I feel that the building and inspection departments should be looking after that type of thing, but what happened in our case, there was no enforcement of the regulations. I do not want to re-emphasize the horrendous experience that we had, but in our case, our building was subject to, how did the engineer put it, to imminent catastrophic collapse. Unfortunately, the City of Winnipeg was aware of this and failed to even notify the people that were living in the building at the time.

However, I will carry on. Number 3, and this is the one that I feel is quite important along with No. 4., I think it is important that we establish an arbitration process which compels participation at

the request of any of the parties in a non-appealable decision. This would preclude the misuse of the legal process. The threat of expensive litigation discourages legitimate claims by unit owners. This would be minimized and would permit the speedy resolution of a claim.

Number 4, we recommend that it be required that there be a surety bond and a reasonable warranty period from a developer to protect unit owners having a legitimate claim.

These proposed legislative changes, if they had been in effect when we purchased our units, could have made our lives considerably less stressful. Our litigation and its considerable expense might have been avoided. The proposed legislative changes, if they are enacted, might benefit future unit owners of condominiums. Our experience has been horrendous and it would be satisfying to witness some positive legislative change as a result.

Thank you for your interest and consideration.

Mr. Chairperson: Thank you very much, Mr. Mulder, for your presentation here this morning.

Hon. Greg Selinger (Minister of Finance): First of all, Mr. Mulder, I would like to thank you for your presentation. It is right to the point, which I appreciate. As you know, this bill does not specifically adopt all the recommendations you have made here, but I have been informed that you have been invited to work with our department officials on a complete overhaul of The Condominium Act legislation. Is that the case? You have been contacted and have you met with the officials yet?

Mr. Mulder: We have had some initial contact some period of time ago.

Mr. Selinger: Well, I just want to give you an assurance that we will continue to work with you until we can get better protection for condominium owners.

I want to check one thing. Are you saying here that after the official approval had been given for the construction, that they actually changed the design of it without getting approval again?

Mr. Mulder: Without any legal proof of the matter, how do you account for the fact that a building with the piers that are in the ground are being overloaded

by factors of four? How do you account for the fact that a structural beam that might be suspending a ceiling, or as a matter of fact in our case, it is a beam of a certain length which supports the whole building, has only got 20 percent of the required steel and reinforcing in it? In other words, there is no enforcement of the regulations. I am sure the regulations called for a certain amount of steel to be put into a certain beam. I am sure that legislation is there. It is not being enforced. It is only through our experience, when the beam started to sag, that the engineers found that there was only 20 percent of the steel that was required.

Mr. Selinger: You are indicating that there was a failure in the inspection process to ensure that the proper strength of materials was used, as originally required.

Mr. Mulder: That is my assumption.

Mr. Ralph Eichler (Lakeside): Thank you for your presentation, Mr. Mulder. My sister went through a similar problem like your group and what you people are going through, in fact, it cost her hundreds of thousands of dollars before she finally got out of it, in order to make the place where it was viable for her to live.

But my concern is on item 4. When you are talking about a reasonable warranty period, how long do you think that warranty period should be, having gone through five years of what you went through? Do you think it should be ten years, five years? How long should that bond be?

* (10:50)

Mr. Mulder: I would like to hope that after a five-year period, if nothing shows up in the construction, that five years might be near adequate. Ten would be more desirable I would think, but you take in our case, everything showed up within a matter of months after the building was occupied.

Mr. David Faurchou (Portage la Prairie): Thank you very much, Mr. Mulder, for coming down and sharing with us a horrendous experience that you had. Unquestionably, what you have experienced is the most significant event of this kind that I have had heard of personally, and it alarms me that not only in your situation as a condo owner but that this situation could, effectively, as you have described, occur in

other structures being constructed here in the province of Manitoba.

I have heard of your experience through your MLA from River East. She has been most active in this regard, and I believe the minister has alluded to the contacts that she has had as well as you with this government. Now, the actual experience that you have had here, are you in litigation right at the present time, just to fill in between the lines here?

Mr. Mulder: Essentially, our litigation is complete. We have settled out of court, not to my satisfaction, but to the majority of the unit owners. They were prepared to drop any further litigation, and we took a settlement where we are going to recover approximately half of our costs. I might add, when I have mentioned that the litigation is essentially complete, we have not got the cheque in our hand at this point.

Mr. Faurchou: This amount of money for persons that are looking to retirement and limited or fixed incomes, have you lost individuals that were residing in the complex because of just inability to bear the additional expenses?

Mr. Mulder: I do not feel that we have lost anybody, in other words that they have moved out of there, but I have to admit because of the seniors' age group that we have lost through death four of our unit owners, and I like to think that some of the stress probably brought their demise along a little earlier than it should have been.

Mr. Faurchou: Thank you very much. That is very saddening. I do not doubt that the added stresses are causing health concerns without question. But have you been consulted as to a time line that the government has committed to a full review with your participation of the acts necessary to address the shortcomings obviously.

Mr. Mulder: At this point, we have not been advised as to what the time line for the amendments, at what period it might take place.

Mr. Faurchou: Just in engineering terms here, I believe it is imminent catastrophic failure of the structure, and this obviously was due to oversights of inspection personnel as well as the redesign that took place during construction.

Were you the actual owner of the condos prior to the construction phase, or were the units made available to you after construction so that you had no understanding of the changes that were made?

Mr. Mulder: In some cases, the people bought prior to construction. I would say possibly a dozen of the unit owners. Personally, I bought in after the building was somewhat occupied. I would say the building was about half occupied when I came in there, and I was not aware of any structural deficiencies or failures at that point. But soon after it became quite obvious that the main structure, the main beams in the basement of our parkade, were starting to sag.

Hon. Jon Gerrard (River Heights): I certainly feel for what you have been through. Now this dates back about five years that the first problems were brought forward. Can you tell us a little bit about what the first evidence was or indications were that there were major problems? Can you tell us when you first then approached the department about the need for changes in the act?

Mr. Mulder: As you understand, the new building was constructed during 1998 and 1999, and I moved in November 1, '99. At that point, nobody had reported any obvious failures except I noticed that at the very first rainfall we had, the parkade area in the basement leaked. It was not just a little moisture creeping in; it was actually a severe failure in the membrane above the parkade. In other words, I have told this story a few times that when 10 drops of rain came down, 9 of them ended up in our basement, and that is one failure.

Shortly after I moved in, and when I say shortly I mean within a matter of weeks, I am looking at the main beam which supports the whole building, and there is a crack in it which I thought was unusual. So what I did, just for your interest, I put a toothpick in it. About a week later the toothpick was gone. I now took a matchstick and put the matchstick in there which indicates that this crack is slowly opening up. At that point, we notified the developer, and, of course, with no response from him, he just totally ignored us.

We hired a private engineer to determine what might be happening here, and at that particular time, when our engineer brought this concern to the attention of the City of Winnipeg, the developer then

hired another engineer and they reviewed all the plans. That was when they found out that the pilings that hold the whole building, the pilings that go into the ground, were overloaded by factors of four. Now I am not sure if that is a design problem or whether it was just a shortcut on the part of the developer, nobody will admit to that.

What is the third thing? There were sagging beams, pilings in the ground and the leaking parkade.

Mr. Gerrard: When did you first notify the department that there was a problem?

Mr. Mulder: That would have been early in 2000.

Mr. Gerrard: So you have been working with the department since early 2000, in trying to get this legislation fixed?

Mr. Mulder: No, we only, after going through this legal litigation, what have you, it occurred to me and a few others in the building that we would like to see some change in the legislation. We would not wish this upon anybody, and if we can bring in some legislation that will prevent this from happening again, that would be quite satisfying. I realize that this litigation or this amendment will not benefit us who went through the experience, but hopefully it can be remedied for the future.

Mr. Gerrard: When did you first talk to people in the department about need for legislative changes?

Mr. Mulder: I think it is two years coming up in about a month's time. I think it was July 2003 when we first made a proposal.

Mr. Faurschou: I am curious then, the department was aware of your situation. Do you believe then that the clauses that are in existence in this legislation, the 90 days referring to current bookkeeping of the condo organization, as well as the maintenance of current construction documents?

Mr. Mulder: Yes, we reviewed that, and I feel that that is a necessary step for the legislation.

* (11:00)

Mr. Faurschou: Mr. Mulder, I just want to thank you very much for coming out this morning and remaining active and showing your determination to

see this through so that others will not have a repeat of your experience. My hat is off to you, and thank you so much.

Mr. Mulder: Thanks for your consideration.

Mr. Chairperson: Thank you, Mr. Mulder, for your presentation here this morning.

Any other presenters on Bill 31, The Condominium Amendment Act? Seeing no further public presentations, presentations are closed.

Bill 34—The Highway Traffic Amendment Act

Mr. Chairperson: Bill 34, The Highway Traffic Amendment Act. We had called Diane Rybak once, private citizen. Ms. Rybak, please come forward. Good morning.

Ms. Diane Rybak (Private Citizen): Good morning.

Mr. Chairperson: Do you have a copy of your presentation for committee?

Ms. Rybak: I am sorry, I do not. That does not matter, but I will just be very brief.

Mr. Chairperson: Please proceed when you are ready.

Ms. Rybak: I just wanted to appear in support of the passing of this bill. What I would urge committee to recommend is a legislative amendment to age 18 to avoid disparity in the Manitoba legal age of reaching adult status. A 16-year-old is not yet considered an adult in Manitoba and may, in fact, believe that drinking and driving is acceptable and may not have the necessary knowledge or tools or cognitive reasoning to understand and acknowledge the dangers associated with driving under the influence, or they may not be able to refuse a ride in their parents' vehicle as it may be the only transportation available to them as they are still under the care and supervision of their parents.

I would also like to urge more enforcement check stops in rural Manitoba. I have lived in rural Manitoba now for eight years and I have yet to see a check stop. I would also like to see the same types of penalties be extended to watercraft and other moving objects.

That is basically what I wanted to say today.

Mr. Chairperson: Thank you very much for your presentation. Questions of the presenter?

Mr. Kelvin Goertzen (Steinbach): I would like to say, Ms. Rybak—and I know you have another engagement, so I will not keep you long—that certainly it is something I think that we have raised on the enforcement side. While we do not oppose tougher legislation for drinking and driving, in fact we as a party brought much of it in, we do think that there is an issue with a lack of enforcement. I feel strongly being from rural Manitoba that the message gets across in terms of deterrence when people see that there is a reason to be deterred. Tough penalties and tough legislation can be there, but if nobody believes that they are going to be caught, then it is kind of a moot point from that perspective.

Could you indicate, from your own experience and maybe in discussing with others from rural Manitoba, do you think that is part of the reason why we continue to see more and more people who are caught drinking and driving, both in rural Manitoba and in the city of Winnipeg, as evidenced by last year, is because of maybe a lack of resources for police officers?

Ms. Rybak: There may be a lack of resources, but sometimes I think there is an unwillingness to really enforce it. We live on a waterfront and we live in a recreational area. We see people drinking and driving all the time on a regular basis. It is a very popular activity and it is very acceptable where we live. People come out. They sit and they drink all weekend, and then they get in their cars and they drive or they get in their watercraft. Oftentimes, they have children they are taking waterskiing and that is after drinking. We have yet, within that time frame, to ever see anything monitored or a check stop. It is very scary to us.

We drive down the highways. Every day we commute back and forth. Some of the accidents we have seen have been pretty horrific. I often wonder if those people would have died if they had not been under the influence. Reactions on the highway, when you are going 90, 100 kilometres an hour, have to be very fast. There cannot be a delay. With the deer and the wildlife and everything running across the road, drinking and driving is just unacceptable.

Hon. Jon Gerrard (River Heights): It has been suggested that we should treat other vulnerable people as we do children and that this legislation

should be extended to cover other people who are vulnerable in a broad sense. What would be your comment on that?

Ms. Rybak: I would agree with that, for the main reason is that certain people are unable to provide transportation for themselves, and they are relying solely on someone else to provide that transportation and they may not have an ability, they may not have the cognitive reasoning, to understand the dangers associated with it.

As a child myself, and I will speak from first hand personal experience, I did not know if my parents were drinking. It was not until much later, in fact, it was not until I reached my 40s that I started to recognize certain physical ways of determining that a person has been drinking, and has taken me not 16, not 18, not 20, not 30, but into my 40s to recognize, wait a minute, that person has been drinking. I do not need to issue a breathalyser. I can tell by their behaviour, the way they are moving and it takes a long time, sometimes, for people to recognize the behaviour of someone that has been drinking. And someone that has been drinking, their behaviour changes. If they drink on a regular basis, their behaviour changes significantly. They become a different person from the time when they are not drinking, and, over a course of time, that behaviour becomes more and more pronounced.

Mr. David Faurshou (Portage la Prairie): Diane, I just want to thank you very much for your presence here today because the message you bring has to get hammered home more than it is today and my colleague from Steinbach did, indeed, bring forward the enforcement side of things, as your observations and your presentation are, I believe, very just. The enforcement element not only on our roadways but on our waterways, as well, it is sadly lacking. We have to do more as a government on enforcement, otherwise whatever is written on paper is pretty well useless. So I do want to say that I sincerely appreciate your attendance here this morning and the very best to you.

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

Ms. Rybak: No, I just appreciate the comments, and I would agree with them.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Thanks very much for coming

down and sharing your concerns. I certainly share your concerns and I think you have made some suggestions that should be considered.

One concern I had, and a question, really, was—you may not be comfortable saying this on the record, but perhaps you could share with us your area detachment so that, perhaps, we can relay a concern to about enforcement levels. You can do so now or you could—perhaps we could chat after, and we could ask what options are available and if the local detachment is pursuing different enforcement ideas in the coming season.

Ms. Rybak: Yes, it would be in the Whitemouth-Whiteshell area.

Mr. Chairperson: Any other questions of the presenter?

Mr. Goertzen: Just a note, and, certainly, I know the minister will pass on to that detachment, but I have that correspondence from them and other about the lack of resources that they have been allocated by the government. I suppose it is probably a two-pronged approach. Certainly, the minister can pass on those concerns, but I would encourage him to ensure those resources are in place as well.

Mr. Mackintosh: Just so there is not some partisan nonsense here, you should know, of course, that we have increased resources to the RCMP every year. In fact, in this year's budget, we have increased investment in policing resources at a historical high level, a new \$9.5 million, but the deployment of resources, of course, is something that we entrust to the police to make decisions about. Having said that, we certainly will relay any concerns that you share with the committee about their deployment in that area.

Mr. Chairperson: Ms. Rybak, any comment?

Ms. Rybak: I guess my concern is that we have not seen any check stops. We have not seen any checks, and we have been there for eight years. So I guess we are kind of questioning if we do not put the police out there on the weekends, where there would be more of a problem and more of an instance of drinking and driving, then where is the deterrent to change that behaviour?

* (11:10)

You know, we have to set the role model for our children. One of the things that is happening is that, well, I guess it is, you know, not just in rural but in the city, as well, city police are really cracking down and I believe they had a wonderful initiative this past Christmas where they were stopping people and staying closer to the local bars or where there was a function. That is reasonable to me.

If you know there is a function going on and there is drinking, then why would you sit 60 miles away in the ditch waiting for somebody who might happen to drive by? We know that in rural Manitoba there is a beer garden that is open or some type of drinking activity, then why would we not have a stop put out to check for people who are drinking and driving?

Mr. Faurschou: Diane, you are close to cottage country, and there is a significant population shift in our province, as we are now coming upon, hopefully, some summer sunshine, and then people would do as they have done in the past. Have you seen any increased resources towards policing as this population shift out of the city and into the rurals of Manitoba to enjoy the summer?

Ms. Rybak: I have not noticed anything, not to date, but it is more or less the beginning of summer. Again, in eight years, we have not seen a check stop, and I think there has to be that kind of deterrent. We have to have that visual deterrent so that people know that when they drink and they get into that car, there is a chance that they can be caught, and there are consequences as a result of that.

It is also the message we are sending to our children because if children are watching their parents drinking, they are believing and they are developing a behavioural pattern that will now extend itself, more than likely, into their adulthood. It is the behaviour pattern that we have to break.

We have to reach the children, and maybe what we need too is more education in the schools. Alcohol is reaching children at a much younger age than when I was at school, and I think we have to start at a very young age to educate the children of the problems with consuming alcohol to begin with, and certainly try to get them to understand the dangerous behaviour, the seriousness, the risks associated with drinking and then getting in a car and driving. We have to protect our children. They are

our future generation, and unless we effect that change in behaviour, it is not going to happen.

Mr. Chairperson: Any other questions of the presenter? Thank you, Ms. Rybak, for coming out this morning, and your presentation.

Ms. Rybak: Thank you.

Mr. Chairperson: Are there any additional presentations on Bill 34, The Highway Traffic Amendment Act? Seeing no further presenters, public presentations on Bill 34 are now closed.

That concludes the list of presenters that I have before me this morning. Are there any other persons in attendance who wish to make a presentation?

Seeing none, is it the will of the committee to proceed with detailed clause-by-clause consideration of Bills 5, 8, 16, 30, 31, 34, 39, 41 and 50? *[Agreed]*

With the will of the committee, we will proceed in numerical sequence of the bills. *[Agreed]*

Bill 5—The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission)

Mr. Chairperson: Does the minister responsible for Bill 5 have an opening statement?

Hon. Greg Selinger (Minister charged with the administration of The Crown Corporations Public Review and Accountability Act): No.

Mr. Chairperson: We thank the minister.

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

Mr. Eichler, are you the official critic of Bill 5?

An Honourable Member: MPIC.

Mr. Chairperson: No comments from the opposition critic? 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.

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

Thank you to the members of the committee.

Bill 8—The Manitoba Council on Aging Act

Mr. Chairperson: Next bill is Bill 8, The Manitoba Council on Aging Act.

Does the minister responsible for Bill 8 have an opening statement?

Hon. Theresa Oswald (Minister responsible for Seniors): No, thank you, Mr. Chair.

Mr. Chairperson: We thank the minister.

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

An Honourable Member: No.

Mr. Chairperson: We thank the critic.

During the consideration of a bill, the table of contents, 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]* Thank you to the committee.

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 through 9—pass; clauses 10 through 12—pass; table of contents—pass; enacting clause—pass.

Shall the title pass?

Some Honourable Members: Pass.

Mr. Kelvin Goertzen (Steinbach): Mr. Chairperson, I do want to take this opportunity to thank not only the presenters but the staff who worked on this bill. I know that the staff is very active and involved in ensuring that seniors' lives are improved and there is quality of life.

I also want to commend the minister. I understand this is her first bill as a minister. She should be fortunate that if they all go as smoothly to

this point as this one does, she could probably talk to some of her colleagues who have had more tumultuous waters on bills in the past, but I know this is her first bill and so I am glad for that.

Ms. Oswald: I thank the member for his comments and his ever-present encouragement, and I really look forward to working on bills with him and all members opposite in the future.

Mr. Chairperson: Title—pass. Bill be reported.

Thank you to members of the committee.

Bill 16—The Wildlife Amendment Act

Mr. Chairperson: Next bill is Bill 16.

Does the minister responsible for Bill 16 have an opening statement?

Hon. Stan Struthers (Minister of Conservation): No thanks.

Mr. Chairperson: I thank the minister.

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

Mr. David Faurschou (Portage la Prairie): I appreciate the minister's brevity in his opening comments. I will say that this bill has received a fair amount of dialogue through the department and into the field. It does engage a lot of different organizations and varied walks of life and employees. We will be proposing two amendments, and I hope the minister will consider them when they come forward. Thank you.

Mr. Chairperson: We thank the critic from the official opposition.

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]* Thank you.

Shall clauses 1 through 3 pass?

Mr. Faurshou: No. Perhaps my "no" was of a much higher volume than was necessary. I wanted to make certain everyone was still awake.

Could we break down page 1 and go clause 1, 2 and 3 in numerical order, please?

* (11:20)

Mr. Chairperson: Thank you, Mr. Faurshou, for the suggestion.

Would the will of the committee be to proceed with the individual clauses? *[Agreed]* Thank you.

Clause 1—pass.

Shall clause 2 pass?

Mr. Faurshou: Mr. Chairperson, I seek to have this clause deleted, dropped, or passed over, whatever the terminology is, in the legislation, because certain concerns have come to light just recently. This clause pertains to the use of chemical control of wildlife in the province of Manitoba, acknowledging that there is perhaps at this time limited options available for chemicals in this area or this pursuit of predator control.

In consultation with the Association of Manitoba Municipalities, there are a number of municipalities within the province currently that have provided for by-laws which prevent the use of firearms for the control of predators in their flocks and herds. With this amendment being passed in the Legislative Assembly, there would virtually be no option available to these producers for control of predators. I think that, in light of this consideration, this clause should be held over for further consideration and consultation at this time.

Mr. Ralph Eichler (Lakeside): Mr. Chair, I, too, would like to speak to have this withdrawn. I know I have made several calls over the past number of days to the turkey producers and the sheep producers and also the cattle producers. There was not proper consultation done with these particular groups, in particular within the close proximity of the towns and cities. I know several of the municipalities have passed by-laws whereby you cannot just fire a firearm within a certain range of the city. With those producers that have turkeys and cattle, largely a number of people have a number of dogs within the

proximity of these towns. Sometimes they run at large, and they need to have some type of protection. I know I talked to the minister about this last week when we were talking about the bill, and I think he realizes that it has been a bit of an oversight. I think the best way to handle it, for the time being, is to have it withdrawn from the bill at this point in time until such time we can come up with some type of amendment that would be workable for the people that are concerned.

Having said that, I know the municipalities that I talked to also are very concerned about it, but I just think the onus is on us at this point in time to see that it be withdrawn from the bill.

Mr. Struthers: I appreciate the heads-up that members opposite have given us in the Legislature in debates that we have had. It gave me an opportunity to consider the request that I knew was coming forward. But I want to be very specific that this part of the act is brought forward because of the number of endangered species, eagles and others, that do ingest the poison that is put out, either directly or through the picking of carcasses that have been poisoned. We have a very real problem in terms of the collateral damage that is done to the wildlife which I am responsible for as the minister.

I want to mention that the federal government, through Health Canada, is the body that considers the poisons that are used. They have restricted and limited severely that ability, so in part we are reacting to what is happening out of the federal government.

I want to deal with two other issues that have been brought forward. Municipalities close to Winnipeg, through the leadership of people in my department, have been getting together with the City of Winnipeg and others in the capital region to try to work out a better way to handle the problem of discharging of firearms. We had a whole number of by-laws, a hodgepodge of by-laws, all around the city of Winnipeg, in or near urban area. We have been able to move forward, I think, very progressively in helping municipalities deal with these kinds of problems.

The other thing we have been doing is working with the Manitoba Trappers Association. It is not my intent to take away the ability of farmers to protect cattle, calves, to protect turkeys, to protect animals

that are preyed upon by predators. We want to be able to work with the farm community to help them in that regard.

The laying of poison is a big problem that we have to deal with. The Trappers Association has committed to work with us on that, and we are not taking away any other method that the farmer could use to control predators in their area. So I am afraid I cannot support the amendment that is being brought forward by my friends in the opposition.

Mr. Chairperson: Shall clause 2 pass?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Mr. Chairperson: All those in favour of clause 2, please indicate by saying yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the opinion of the Chair, the Yeas have it.

Formal Vote

Mr. Faurchou: I would like it counted.

Mr. Chairperson: A counted vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 5, Nays 4.

Mr. Chairperson: The clause is accordingly carried. Clause 2 is passed.

* * *

Hon. Greg Selinger (Minister of Finance): We wondered if the count included the minister because we saw six hands up.

Mr. Chairperson: Thank you, Mr. Selinger. The Clerk has counted the members of the committee that are listed here this morning. I assume that addresses the concerns.

Shall clause 3 pass?

Mr. Faurchou: Mr. Chairperson, I would like to ask that the clauses within No. 3 be called forward independently, please.

Mr. Chairperson: Advice given to the Chair, Mr. Faurchou, is that clause 3 is one independent unit by itself, and it would, I think, have to stand alone as it is with all the parts covered under that particular clause.

Mr. Faurchou: Mr. Chairperson, I appreciate the counsel of the Clerk's office. What I was referring to is that in clause 3 there are two sections, 63.1(1) and 63.1(2).

My comments were pertinent to the 63.1(1), and that is the minister in the act placing two related organizations, the guides and the outfitters, essentially under two different acts and the responsibility of the two acts then to essentially outfit the outfitters and the guides with licences specific to classes, kinds and types of hunting licences.

There has been expressed concern by a presenter this morning that having two acts responds, perhaps, to administrative components and the close relationship that this licensing process has effectively experienced may be jeopardized by citing within legislation that there are two specific acts that will provide for the licensing. I believe that it is worked by consultation with the organizations well to this point in time. The organizations would like to see the continued proviso for licences as it exists today.

* (11:30)

Mr. Struthers: I appreciate, again, the advice of my colleague from Portage la Prairie and the advice that I have been given by other members of the opposition.

I understand completely the advice that I was given this morning by Mr. Sangster, and I think I made it clear this morning that he does have his finger on both sides of this issue when he pointed out

that what the department needs is the flexibility to deal with this and that the MLOA needs the ability to consult with the minister. We have been doing that consultation. Mr. Ticknor and I have met. My door is open to the members of the MLOA, and certainly I have met with individual lodge and outfitters, because I think they provide a very good service to our province and this industry. So as we move forward, that consultation will take place.

But, again, we need to have the kind of flexibility that Wyman pointed to this morning. We also need to, I think this underscores how important it is not to see all of these kinds of issues in terms of silos. We just cannot have one department working on something in isolation from other departments. I think this provides us a way to hook up with my colleague the Minister for Tourism (Mr. Robinson) and people within our departments, so that we can make good integrated decisions that in the end will serve us better, the industry and the resource.

So I appreciate the advice of the Member for Portage la Prairie, but I would prefer to move ahead with the clause as it stands.

Mr. Eichler: We are just not, after hearing the presentation this morning, convinced of the fact that there has been consultation ongoing, and I know the presentation that was presented so that there was a three-month window of which they have the opportunity to meet with the minister. When I asked the question directly, there was not consultation done, and that is the purpose for the withdrawal of this amendment and to make sure that this consultation is ongoing. Just for the minister to sit there and say that it is, somebody is wrong, because the consultation has not been done the way it should have been done, at least with the presentation this morning.

Mr. Faurshou: Yes, Mr. Chairperson, just as a supplementary comment. The minister stated how important it is to have communication, but we are not certain at this point in time that the communication between his department's staff and that in Agriculture exists and is operating, may exist, but perhaps not operating as efficiently as it could or needs to be. Right now we are also concerned that that may be the case between Culture, Heritage and Tourism and the Department of Conservation as well. So perhaps we can entertain something of this

nature once we have had the assurance that the communication is there between Agriculture and Conservation, and Conservation and Tourism.

Mr. Struthers: Well, without getting in a whole he said, she said kind of a scrap here at the committee, I could provide dates, if the members so wish, of times when the MLOA and I had just meetings with me, never mind meetings with my staff have occurred. My door is open always to both members opposite and the MLOA to walk through and talk to me about all aspects of this bill that we are debating today, and certainly that has happened.

I want to also commend the Minister of Agriculture (Ms. Wowchuk) and her staff for the work that they do with our department. There are so many areas that overlap between our departments, and we understand fully that we need to be moving forward in such a way that we do not have a negative impact on Agriculture. That approach is there with whatever department we deal with. That is the view from Conservation, and I know that other ministers and other staffs have been very co-operative in that.

So, with that, Mr. Chair, I would recommend this section of the bill as well.

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

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is shall clause 3 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of clause 3, indicate by saying yea.

Some Honourable Members: Yea.

Mr. Chairperson: All opposed, please indicate by saying nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the opinion of the Chair, the Yeas have it.

Formal Vote

Mr. Faurschou: May we have a count.

Mr. Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Mr. Chairperson: The clause is accordingly passed.

* * *

Mr. Chairperson: Clauses 4 through 6—pass.

Shall clauses 7 through 9 pass?

An Honourable Member: No.

Mr. Chairperson: Mr. Faurschou, you wish not to break them into individual clauses?

Mr. Faurschou: I would like the individual clauses separated on this page, please, 7, then 8, then 9, as I have amendments in 7 and 8.

Mr. Chairperson: Okay. Shall clause 7 pass?

Mr. Faurschou: No. Mr. Chairperson, I move

THAT Clause 8 of the Bill be amended by striking out "and" at the end of Clause (a) and adding the following after Clause (b)—

An Honourable Member: We are in 7.

Mr. Chairperson: Mr. Faurschou, did you wish to repeat the motion?

Mr. Faurschou: Thank you. My apologies, Mr. Chairperson. Adjusting one's glasses, I picked up the wrong amendment and dove right in.

I move

THAT Clause 7(2) of the Bill be amended by striking out everything after "skins, pelts and hides" and substituting the following:

and substituting "skins, pelts and hides, or in relation to the sale of parts,".

Mr. Chairperson: It has been moved by Mr. Faurschou

THAT Clause 7(2) of the Bill be amended by striking out everything after—

Some Honourable Members: Dispense.

Mr. Chairperson: Dispense. The amendment is in order.

Mr. Faurschou: This amendment is proposed in consultation to affected persons as it relates to the hunting and fishing and trapping sectors here in the province of Manitoba. We recognize the intent of the legislation is to provide for the application of royalties to animal parts as it has existed, I believe, since the Conservative years of Duff Roblin, that royalties could be applied.

But what one is concerned about, and should be considerate of, is that persons have paid for the hunting licences and it should be considered that that is inclusive of royalties and that they should be able to take some of the wildlife that they have acquired through their hunting and their fishing licences and be able to take it to a taxidermist and have it prepared so that the trophy, if you will, will be preserved into the future. I think it is incumbent upon ourselves to pass legislation that recognizes these points and I hope that the minister will consider this as a friendly amendment, because it is in keeping with the rationale which the department provided when we were briefed.

Mr. Struthers: Well, it seems to me that, if Duff Roblin likes my bill the way it is, then it is good enough for me, too.

* (11:40)

There is a long precedent in terms of pelts and other parts of animals that are legally taken to warrant that this kind of a consistent and fair approach be taken with all parts. One of the things that is happening is that the number of shed antlers that are collected out in our landscape, it is becoming more and more popular, and a lot more people are involved in collecting antlers. It seems fair to me, and it seems fair to many of the collectors that I have talked to, that they, too, be included as any other collector, as any other person involved with wild animal parts.

Let us not forget that this is a public resource. This is a resource of the people of Manitoba and the

people of Manitoba, I think, need to have some type of a reward, some type of a contribution back from people who are making money off the parts of wild animals. So, as friendly as the Member for Portage indicates this is, I am afraid I must decline his suggestion.

Mr. Eichler: Mr. Chairman, I think the minister is missing a point. I know he wants to make the bill the best that it can, and with this amendment, I know that with the member from Portage la Prairie bringing this amendment forward, it addresses the issue that is a concern. I know that the minister wants to zero in on the selling of parts but that is totally irrelevant when it comes to the bill the way it is being drafted.

I think the amendment definitely addresses those issues. I know that the government is short of money, and I hope this does not become another backdoor tax of selling parts, but it certainly would not want to come across that way. I know the minister would not want to see it preclude that way but I know the outfitters and the guides are in favour of seeing this done. I think the minister should take the opportunity to welcome the amendment the way it stands and definitely cleans up the bill in a way that is workable for all parties concerned.

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

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is the amendment moved by Mr. Faurichou

THAT Clause 7(2) of the Bill be amended by striking out everything after "skins, pelts and hides—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense. What is the will of the committee? Shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please signify by saying yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please signify by saying nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the opinion of the Chair, the Nays have it.

Formal Vote

Mr. Faurichou: A recorded vote, please.

Mr. Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 4, Nays 6.

Mr. Chairperson: The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clause 7—pass.

Shall clause 8 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Mr. Faurichou: I have an amendment to this clause. I believe the copies have been distributed to the members, and I move

THAT Clause 8 of the Bill be amended by striking out "and" at the end of Clause (a) and adding the following after Clause (b):

(c) by renumbering it as subsection 90(1); and

(d) by adding the following as subsection 90(2):

Regulation development

90(2) Except in circumstances considered by the minister to be of an emergency nature, in the formulation or substantive review of regulations respecting the allocation of hunting licences to guides and outfitters, the minister must

(a) provide opportunity for consultation with the guiding and outfitting industries and with other interested persons and groups; and

(b) seek their advice and recommendations regarding the proposed regulations or amendments.

Mr. Chairperson: It has been moved by Mr. Faurshou

THAT Clause 8 of the Bill be amended by striking out "and—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense. The amendment is in order.

Mr. Faurshou: Mr. Chairperson, I believe that this amendment, although the minister disagreed on the last, this is truly complementary to the existing proposed amendments to The Wildlife Act. The minister has remarked on a number of occasions this morning that he values the opportunity to consult with organizations and groups that are related to legislation.

I trust that the minister is not hesitant in any way to place in legislation what he has committed to verbally to the presenters, the organizations and individuals that have come forward with concerns. This would make absolutely certain. I know that there is opportunity for changing of the guard, shall we say, between ministers and responsibilities. We want to make certain that his legacy is continued and that this amendment affords just that and, I believe is, friendly to the proposed legislation.

I hope that other members of the committee will see the merit of the amendment and, too, will support it.

Mr. Eichler: Mr. Chairman, I think it is a great amendment brought forward by the member from Portage la Prairie. Listening to the minister earlier today, I know he has gone on the record as saying that his door is always open, not only to the members of the community, but to members of all the legislative offices within the Chamber. I know the minister is a great guy, but sometimes ministers change. This not only has the opportunity for change, but I think there is an opportunity for the minister to make sure that his legacy is carried on and make sure that consultation is there for these groups to come and meet with the minister. The consultation, I think, is the utmost importance that this legacy carry forward.

So I am sure the members on the other side of the House will endorse this amendment and help the minister make sure that that consultation process moves forward.

Mr. Kelvin Goertzen (Steinbach): Mr. Chairperson, I want to commend the Member for Portage for a very well-reasoned amendment that he has brought forward. I note that there are provisions within the amendment if there is an emergency nature to forego those consultations, so there is flexibility built in within the amendment. I suspect that the Member for Portage, in crafting this amendment, specifically thought that it would be good to have that flexibility. We have heard, not just today, I do not want to single out the minister, the new minister in particular, but, certainly, with this government as a whole, we have heard through different committees and different pieces of legislation, the lack of consultation that sometimes goes on with legislation or, perhaps, the fact that it is drawn out over an extended period of time, two years, three years, four years of consultation without much result.

By putting within the legislation a need for consultation where it is a non-emergent situation, it does, I think, give assurances to those within this important industry that they will, in fact, have that important consultation and have it on a timely basis, because it will mean that any legislative changes that are coming forward will have to be done so first with the consultation. We see it with this government in other ways, where legislation is brought forward, enabling legislation, with the regulations to be brought in after. We are kind of left to trust the government that those regulations will reflect the spirit of the bill.

* (11:50)

I know that the Deputy Premier (Ms. Wowchuk) says that we can trust them, but we have seen incidences like Crocus which is being debated before the House, where red flags have been raised, where, in fact, some 34 000 Manitobans now understand that they cannot trust the government. I think it is unfortunate in some ways that an amendment, even though it is a good one, has to be brought forward to strong-arm the government into consultations, but if that is what it takes, then that is what it takes to give those assurances.

I know the minister, this is his first bill. We have seen other ministers bring forward bills in a more

smooth fashion than Bill 16. Just saw it before this committee. I think that the minister could reach out in an agreeable way by accepting this motion. He is quite proud of the fact that there was a report in a local newspaper grading the work of the ministers of this government, and he had a "B" in a sea of "C's." Virtually everybody else got a "C" or a "D" on the ministers' side, and here, there was one minister that got a "B" in that report card.

I am scared, I am worried that it is slipping from him, and I would be happy to see that the next time that report card comes forward he would have an "A," that he would strive forward. I would say that this is one way to move forward. The Member for Portage la Prairie (Mr. Faurischou) is trying to move that minister up from the mediocre "B," although recognizing it is higher than virtually every other one of his colleagues in Cabinet, getting them from that "B" to the "A," and I would encourage him to look at this amendment and support it. Then we can celebrate together next year when he gets that "A," although I still suspect that everybody else will be at "C" or lower on the government's side.

Mr. Struthers: Well, all this flattery. I do not know where to begin, except that I was one grade ahead of the Leader of the Conservative Party in that.

I appreciate the advice that I have been receiving from members opposite. I want to assure them that I have been working hard with the MLOA and other groups that are associated with issues in the Department of Conservation.

My concern with this specific suggestion that is being made here this morning in this amendment is that it would send the signal to not just the MLOA but other groups that, "Gee, we have to meet with that minister again. We have to meet with him. The minister has been meeting with us a lot, and now we have this in legislation that says we have to meet with him again."

It is not that we have to meet with people. The MLOA and our department have been working together, building a good, solid relationship. We attend annual general meetings. They are fun events. We exchange ideas. We meet with the board of directors of the MLOA at least once and since I have been minister twice a year. The executive director, Jim Ticknor, and I have met on several occasions to talk about all of the issues that have been raised in

this bill and many of the things that have been coming forward from the members of opposition.

Despite all of the well-intentioned advice that I have received from the members opposite, I would not be supportive of this amendment.

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

An Honourable Member: Question.

Mr. Chairperson: The question before the committee is the amendment moved by Mr. Faurischou

THAT Clause 8 of the Bill be amended by striking out—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please signify by saying yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please signify by saying nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the opinion of the Chair, the Nays have it.

Formal Vote

Mr. Faurischou: Recorded vote, please.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 4, Nays 6.

Mr. Chairperson: The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clause 8—pass; clause 9—pass; enacting clause—pass.

Shall the title pass?

Mr. Faurchou: I would like to express to the committee, indeed, my disappointment. I had hoped that the presenter this morning would have actually been heard, and I know that the minister does recognize the importance of the two amendments that were brought forward here this morning and the concerns about two other clauses as well.

I will not be disappointed at all if the minister considers using as a template the amendments that we worked very hard on. I want to recognize the late night hours put in by our Legislative Counsel to assist in the democratic process here this morning.

I will look forward to the report stage and the minister rising to the occasion and amending the legislation to make it that much better. Thank you.

Mr. Chairperson: Any other comment?

Title—pass. Bill be reported.

Thank you to members of the committee.

Committee Substitutions

Mr. Andrew Swan (Minto): With unanimous consent of the committee, I would like to make the following membership substitutions, effective immediately, for the Standing Committee of Legislative Affairs: the honourable Member for St. Johns, Mr. Mackintosh, for the honourable Member for Dauphin, Mr. Struthers.

Mr. Chairperson: Is there unanimous consent for the substitution?

Some Honourable Members: Agreed.

Mr. Chairperson: Agreed. Thank you.

An Honourable Member: No, no.

An Honourable Member: It has passed already.

An Honourable Member: I said no.

An Honourable Member: There was a no.

An Honourable Member: To a committee substitution?

Point of Order

Mr. Faurchou: Mr. Chairperson, a point of order. I did say no when the request was made because I

believe it is important that committee members that sat this morning and heard presentations bear with us for just a few more minutes, or we can reconvene the committee to make certain that consistency and those that have been sitting here all this morning listening to presenters, that they are present for the clause by clause.

Mr. Chairperson: I am sorry, Mr. Faurchou. I asked the question, and I listened to the comments that were made with respect to the request. In the opinion of the Chair, there was no dissenting opinion, no dissenting voice in this regard, so the Chair ruled that the substitution was in order.

So I must conclude, Mr. Faurchou, that there is no point of order.

Bill 30—The Manitoba Agricultural Services Corporation Act

Mr. Chairperson: The next bill before the committee is Bill 30, The Manitoba Agricultural Services Corporation Act.

Does the minister responsible for Bill 30 have an opening statement?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Chairman, I would just like to say briefly that there has been a lot of discussion on the bill. Many comments have been put on the record.

I want to say how pleased I am that there is support for this bill and that there is a recognition that agriculture in Manitoba is changing and that there is need to make changes in the services that we provide. I want to also assure people who have asked the question that the existing functions of the corporation will be maintained in two separate streams. However, there will be enhancements and the ability for services to be delivered on both sides, both in the financial side and in the insurance side.

I look forward to seeing this legislation pass so that we can move forward with the new corporation, The Manitoba Agricultural Services Corporation Act.

Mr. Chairperson: We thank the honourable minister for the opening statement.

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

Mr. Ralph Eichler (Lakeside): I do, Mr. Chair. We do want to make sure that we do our due diligence on this particular bill with respect to Bill 30. I know it is a substantial bill whereby we are bringing two important parts, the working part of our government, especially the Department of Agriculture, together with respect to the Manitoba Crop Insurance and the Manitoba credit department.

I know that we have, time and time again, asked the question with respect to the time with bringing this bill forward. I know the minister and her staff have worked very diligently in trying to make sure that all the bases are covered. I know even with respect to the Liberals, there was not really a true sense that the bill had covered everything off. But I do appreciate the fact that the Liberals brought this forward this morning with respect to whether or not there would be any opportunity for the funds to be got at by the government in respect to the crop insurance. But, having studied the bill, I know this has been covered off and that that is not going to happen because of the hard work of the staff of the minister.

* (12:00)

Having said that, and looking at the presentation that was made by the Keystone Agricultural Producers, I think that it is imperative—the minister had talked about it lightly with the value-added initiatives that would allow for greater returns to the producers in their new ventures, and I think that some of the initiatives that have been taken forward in the new GO offices and GO centres, that maybe some of those opportunities will be taken advantage of and to be made sure that we have all the value-added that we need.

I know farming is in a critical situation right now. I know that, with today being June 6, I know that the corn is an issue that, if it does not get in the ground quite soon, it is not going to happen. So there is going to be another strain on the agricultural sector with respect to the cattle and the hogs that take a substantial amount of this product. We will rely more on the United States for providing those goods to us in order to make sure that we have enough feed grains and feed stocks for our producers, to make sure that those crops are, at least, planted in the States and imported. It looks like our exports will be not near where they should be, but I do know that, in respect to the agricultural sector, the farmers that are

still trying to get some of last year's crop off, at least in our area and some other parts of the province, that the uncertainty is there.

I think the idea, the concept, of merging these two, in respect to Bill 30, that some of the concerns—I know it is going to take a little time for the minister to get the bill proclaimed and get it working, and I am sure that her staff is in the process that that takes place as smoothly as possible. I do know that some of the farmers that I have talked to rely on KAP as being one of their leaders in this particular bill and, seeing that they have made their presentation today, I find it imperative, the fact that there should have been more presenters on this bill. I would have liked to have seen the other groups that are involved, the cattle producers and the sheep producers and also the turkey producers, in particular. I know the elk producers are also trying to make changes to their industry, and also the bison producers are talking about this as well.

I know that some of the things that we have talked about and brought forward in respect to some of the other bills, the consultation process, I think, is probably one that has been followed quite extensively in this particular bill. I know, having talked to the department on this, and the staff, that it seems like the due diligence has been done but we just want to make sure that the consultation process was followed.

Having said that, Mr. Chair, we just want to make sure that we see the bill through as quickly as we can. I know that the end of the House is coming shortly and, having said that, we will move forward at this point in time.

Mr. Chairperson: We thank the critic for the official opposition for the opening statement.

Ms. Wowchuk: Mr. Chairman, if I could just take a moment to clarify. The member asked about consultation with other commodity groups. Keystone Agricultural Producers, which represents all commodity groups, spoke here this morning and endorsed the bill. I take that as endorsement from all commodity groups. Thank you.

Mr. Eichler: I thank the minister for that. Yes, the Keystone Ag Producers are a large part of the consultation process, and I know that from time to time, the various organizations have difference of

opinion. We value those differences of opinion quite strongly. I know that the minister meets with each of these groups on an individual basis and I commend the minister for that, but having said that, we cannot rely just on what KAP has to say.

With that consultation process, I am sure the minister has taken the opportunity to discuss this with the other sectors because it is an important bill and I just want to come back and say that, yes, KAP did make a presentation and they did speak in favour of the bill and I am glad to see that, but to take it as gospel that KAP is speaking for all producers within the province, that I will not accept.

Mr. Chairperson: During the consideration of a bill, the table of contents, 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 amendment to propose. Is that agreed? *[Agreed]* Thank you.

Clause 1—pass; clause 2—pass; clauses 3 through 9—pass; clauses 10 through 16—pass; clauses 17 through 21—pass; clauses 22 through 26—pass; clauses 27 and 28—pass; clause 29—pass; clauses 30 through 33—pass; clauses 34 through 36—pass; clause 37—pass; clauses 38 through 41—pass; clauses 42 through 45—pass; clauses 46 and 47—pass; clause 48—pass; clauses 49 through 52—pass; clauses 53 through 58—pass; clauses 59 through 61—pass; clauses 62 through 66—pass; clause 67—pass; clause 68—pass; clause 69—pass; clauses 70 and 71—pass; clauses 72 through 76—pass; clauses 77 through 80—pass; clause 81—pass; clauses 82 through 85—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to members of the committee.

Bill 31—The Condominium Amendment Act

Mr. Chairperson: The next bill we have before us is Bill 31, The Condominium Amendment Act.

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

Hon. Greg Selinger (Minister of Finance): Just very briefly, this is the first of a two-step process to strengthen The Condominium Amendment Act. It does not address all the concerns that Mr. Mulder raised this morning, but it does provide greater protection for condominium purchasers.

Mr. Chairperson: We thank the minister for the opening statement.

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

Mr. David Faurshou (Portage la Prairie): Mr. Chairperson, I have been beaten down all day so far, but I do believe that the comments we heard this morning from Mr. Mulder are ones that we should be very attentive to. It is an experience that they have had as condo owners. However, it is alarming that this particular scenario could, in fact, take place in other construction here in the province of Manitoba, and knowing the Mulder family and the dominance or predominance they have in the construction industry here in the province of Manitoba, are well aware of construction.

* (12:10)

We heard from Mr. Mulder this morning, and I think that those persons in that complex should be very thankful that the experience and understanding of engineering was in their midst, because if these observations had not been made, I just shudder to think what may have transpired.

So I really appreciate Mr. Mulder taking time with us this morning and raising concerns. I do believe that the minister was listening to the four points that Mr. Mulder brought forward that would reinforce the legislation in this province. I think that there perhaps is opportunity to have a surety bond here in the province of Manitoba that would remain standing for a prescribed amount of time so that building occupants would have the opportunity to note deficiencies perhaps in there and that this bond remain in place.

I do not believe that it is of great concern to any individuals in the construction industry to acquire a bond because there are agencies that do provide this service, and I want to say that I think the suggestions that Mr. Mulder had this morning were well thought out, and I do believe that we should, as legislators, take note in this regard.

The timetabling, though, I know the minister was not quite prepared this morning to essentially come forward with a commitment that new and improved legislation would be forthcoming, and I would hope that the minister would perhaps be able to nail that down with department officials because I am really, really concerned that something such as this can take place in this day and age where effectively we have so much more technology and understanding and I hope that the minister does act quickly.

Mr. Chairperson: We thank the critic for the official opposition for the opening statement.

Mr. Selinger: Yes, I thank the member from Portage la Prairie for his concern. That will help speed along the next phase. This is the first phase. There are several additional protections here that we will be putting into law today including disclosure of plans which would allow a person like Mr. Mulder to more quickly identify whether the problem was in the plans or the actual construction and developers' work which had deviated from the plans.

We believe that, barring unforeseen circumstances, we can have a bill for phase 2 ready for next spring.

Mr. Chairperson: 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; clause 6—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to members of the committee.

Bill 34—The Highway Traffic Amendment Act

Mr. Chairperson: The next bill we have before us is Bill 34, The Highway Traffic Amendment Act.

Does the minister responsible for Bill 34 have an opening statement?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): No. If there are any questions perhaps we can field them at this time and leave it at that.

Mr. Chairperson: We thank the minister for the opening statement.

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

Mr. Kelvin Goertzen (Steinbach): Well, thank you very much, Mr. Chairperson. I do have an opening statement. I thought that the presentation that we had this morning, and I recognize it was only one presentation, it was the lone presentation, but I think sometimes one individual can speak volumes and certainly I think that the presentation that—*[interjection]* and I am glad that the member from Minto agrees with me that it was a good presentation. I think that all members of this committee would agree in fact that it gave us all pause for thought. I think it is a question that many, many Manitobans are wondering and asking about the impact of tougher legislation.

Certainly, I do not think there is anybody on this committee—I do not mean to prejudge the issue, but I do not think that there is anybody on this committee who would suggest that tougher legislation is not welcome or is not warranted. I know that the previous government had brought in very, very tough legislation on drinking and driving, had brought in legislation on the seizure of vehicles when there were some who thought that move would, in fact, be unconstitutional because it impinged upon Criminal Code jurisdiction and criminal law. Of course, we know through the passage of time that, in fact, it was seen as being within the purview of the provincial government to take action on that issue because it involved property, the seizure of vehicles.

So on this particular issue I am not expecting that there will be concern about the greater enforcement and greater penalties for those individuals under The Highway Traffic Act who are now convicted of driving causing death, and in particular, obviously, under the drinking and driving issue.

I know that the concern, though, that was raised by the presenter was not about the tougher penalties. In fact, I believe that she agreed with those and thought that they were warranted. I suspect even from her comments that she would have looked for even stronger penalties and even more significant penalties on the issue of drinking and driving. But she did raise a very salient point about the enforcement, and I was concerned and disturbed in some ways to hear the Minister of Justice (Mr. Mackintosh) lay at the feet of the police the blame for this particular issue.

You know, I have had the opportunity, as I suspect that the minister has, to spend time with law enforcement in our province, throughout the province, obviously within my own home community, through ride-alongs and through other areas in Winnipeg and indeed in the area that was referenced, the Whiteshell area. I have had correspondence from detachments across the province and in the region of the Whiteshell area, as well, about the lack of resources the police officers have.

I was, not too long ago, in one of the communities in rural Manitoba, in the Dauphin area, and it was discussed that the caseload for officers was 170 to 180 per officer. I think the Member for Portage would tell me that in his region the caseload per officer is equal to that number and perhaps even higher. So when the minister says that we are going to turn to these detachments or these departments and raise the concern about enforcement, I think that he has to pause and reflect on what many of these police officers in rural Manitoba, and I would suggest in Winnipeg as well, are dealing with in terms of their caseload, in terms of their workload.

You know, I relate the experience that I had riding along with police officers in rural Manitoba. You enter the vehicle and they have kind of a litany, a list of a variety of checkpoints that they need to go to, a variety of things that have to be done in the context of their shift. That is only the foreseen; that is only what they know. In fact, as the evening progresses and as their duties transpire, we see that there are many other unforeseen circumstances that arise, many things that occur that they simply could not have allotted or slotted into their time and into the planning of their affairs.

Some of them, if it is a particular type of a crime like a break-and-enter where they respond to, we see that it literally takes the remainder of their shift for them to do the appropriate checks and the investigation, but then to return to the station and go through a number of the paperworks that have to be processed. Often, they do not get a chance to go back out onto their shift because they are busy filling the paperwork that is required because they are more than just reporting officers, particularly in rural Manitoba. They have to do this kind of leg work themselves. When I mentioned the caseload of 170 or 180 per officer, there is an expectation, because behind each one of those numbers, behind the 180,

there is an individual who is expecting some movement on their particular case.

* (12:20)

As the Justice critic for our party, I get calls more frequently than I would like to admit to from individuals who will phone and say, you know, "I reported something to the police on a break-and-enter." Quite often, it is a break-and-enter case or something that is stolen from the yard. "But I have not had a call. I have not had a follow-up, even though I think I know who it might be." Of course, we all know that there are those individual circumstances, and people themselves often have a sense of what transpired. Those are difficult calls to take.

I am sure that the minister understands that it is not enough just to say, "Well, we do not think that the police are then following up." In fact, from what I have experienced first-hand, I think that the police would very much like to follow up on those kinds of occurrences if they had the resources allocated for them to do that. Whether that is a structural change or whether that is simply more officers, I think that that discussion could take place. But certainly we know that there are officers who are out there doing all that they can every day.

So, when the presenter that we had here this morning raises the issue that, to paraphrase her, I think she said she had not seen an officer on that road for years, then the response that comes back from the minister is that we will check with the detachment. We have put more resources, historical levels. The usual verbiage that he puts out, certainly he puts out to us as opposition, I was a little surprised that he would put that out to a citizen of the public.

But we do know that, while the minister puts out press releases about our record numbers, it is not being reflected in our individual detachments. It is not being reflected in the municipal forces. I continue to receive calls, whether it is from the City of Winnipeg police force or others, that say that their numbers are slipping because of retirements and the inability to recruit and fill those positions.

So there is kind of that dichotomy of reality that we see. The reality that the minister purports to be true in that there are more and more officers on the

street. But then we have average citizens, and it is not a political issue, this is an average citizen who comes in and says, "Well, it is not being reflected from where I am driving."

I have some experiences in driving on that stretch of highway between Deacon's Corner, I believe, which the Member for Southdale (Mr. Reimer) is familiar with, and the eastern border of our province, the Ontario border. Certainly, I drive much of that stretch to get home on a frequent basis, but also often continue on into the great constituency of La Verendrye to visit friends who have cottages and who are vacationing out in the Whiteshell area. I have to echo that experience. Over the last few years, I cannot recall police officers on that stretch of highway. Certainly, between the Legislature and my own community, it is very, very infrequent these times that I see a police officer patrolling that stretch of highway when it used to be a very common occurrence, so much so that you almost knew where police officers would be doing their highway patrol.

I suppose that there would be some in Manitoba who would say, "Well, that is not necessarily our greatest loss." But when you think of the accidents that happen on that stretch of highway and the need to respond to accidents, for patrol to ensure that when emergency personnel come in, the traffic is being properly monitored and properly adhered to so the safety of those emergency personnel is maintained. It is a significant issue.

When you think of the drugs that sometimes come, and there is a corridor down that stretch of highway, ensuring that there is not only a monitoring of that, but deterrence. That is really what I think our presenter raised is this issue of deterrence. You know, we can have legislation that is stronger and stronger, but if there is very little thought in people's minds that they are ever going to get caught on a particular crime, then that legislation falls flat. I think that deterrence really goes to the fact of an individual first believing that they will have a likely chance of being caught, but then also that when those laws come to bear they will come to bear in a quick manner.

I know that members of the Department of Justice, it may have been the minister himself, the instance is not clear to me at this point if it was the minister or members of his staff who made a presentation to the standing committee on justice in

Ottawa some years back regarding the Young Offenders Act, the new Youth Criminal Justice Act.

One of the, I thought, good points that was made by either department staff or the minister, or a combination of both, was that the closeness between the incident happening and the punishment being meted out is, in fact, a deterrence and that the closer one's punishment comes to the actual crime, the greater that there is a deterrence. And that recognition of that deterrence, I think, also extends to the likelihood of an individual being caught in whatever offence it is. Here we are talking about driving charges and possibly drinking and driving, but really, I think the same principle extends to a variety of areas of the law.

So the point that I think was made this morning regarding the importance of enforcement is one that the minister needs to more than just simply point blame at police officers. Certainly, we know that deployment issues are always there and those are realities, but we need to recognize the realities that individual officers deal with on a daily basis, on a day-to-day basis, in terms of doing their job. If restructuring is needed, if restructuring is a valuable process, then I think that that is something that could be considered, Mr. Chairperson.

But just to simply say, "Well, we are going to send a memo to this particular detachment or that particular detachment," is not, I think, addressing the root of the problem, and the root of the problem is resources. Now, if there is a recruitment issue, and we know that there are problems with recruitment. I have not seen the statistics in the last couple of months regarding graduates from the RCMP depot out of Saskatchewan as compared to the number of officers who are retiring, but I do understand that almost half of the RCMP force is eligible for retirement in the coming few years, and that rate of retirement obviously has an effect on the ability of detachments, municipal detachments, to recruit, but also the City of Winnipeg, which is not recruiting necessarily RCMP officers, but it is also difficult for them to bring in, because it is all one competitive structure. Whether we are competing with jurisdictions in Alberta, or other jurisdictions, we know that there is competition for officers, officers who are doing this important job.

I think that the minister should simply come forward then with that information and not

continually say, "Well, we have put so-and-so many more officers on the streets and there are X amount more officers than there were a year ago," when, in fact, he knows it is not true. Not only is it a false assurance, I think, for Manitobans, it is also, for those who see in stark reality that it is not the case in their daily lives, I think that they are concerned and worried about that misrepresentation.

It also, I think, unfairly leaves them, in turn, to wonder if their police officers are not doing their job and, in fact, the presenter who was here this morning probably left, and I would say unfortunately, may have left with the impression from the minister that the police officers in the particular detachment that was referenced, are not properly doing their job. And that sort of lack of confidence that the minister tries to do, and I suspect he does it purely for political purposes, but that lack of confidence that is then instilled in our public on the work that our officers and the municipal forces in Winnipeg and in Brandon and in other areas like Morden, or on our national police forces working in the different municipalities, they need to know that they have a minister who stands behind them, that they have a minister who is not quick to point blame at the work that they are doing within their different areas.

I think it is incumbent upon the minister, in fact, to say that we do have faith in the work that the officers are doing, and if there is an issue of resources there, that then we will address that particular issue. I do not think one could summarily dismiss the fact that this individual who was in our cottage country on a regular basis has not seen an officer for a number of years. I do not think that that is simply a deployment issue. There must be more hidden behind that problem than simply an issue of where deployment is, because I suspect that those concerns will have been raised with a number of individuals in the past and through the areas.

* (12:30)

Mr. Speaker, I know that it is one of those times when it is probably easier for the minister to be in his chair, to say, "Well, let us simply pass off the blame to the police officers of the detachment and we will try to voice our concerns with them," because it must be difficult for the minister to hear those kinds of concerns that are brought forward and to say that there have been many, many years that this individual has not seen police officers on the

road. As I said, I can recognize and, in some way, echo that experience, because I have seen with my own eyes, there seems to be less officers in rural Manitoba.

You know, we heard, also, I think, this past week, about the possible closure of the Morris detachment. I think this is an issue that has been raised, of concern, with the Member for Morris (Mrs. Taillieu), of course. I know, if she was here and not serving her other legislative duties, that she would raise those concerns and be happy that I raise them on her behalf, about the possible closure of that detachment.

I know that members, I think, of the Morris Chamber of Commerce had raised that concern. I had the opportunity, and I say this to the minister, you might want to check this out, this issue was raised with the federal minister of safety. In talking to a reporter about this issue, the reporter's response back was, "Well, the federal minister has said that it was the provincial minister's responsibility on that." So now here we get into this ping-pong. The federal minister will blame the provincial Minister of Justice (Mr. Mackintosh) and perhaps the provincial Minister of Justice would shoot it back into the federal Minister of Justice's court, or perhaps he will blame the police officers in our province in some way or another. But that kind of blame, I think, is not conducive or helpful to us as a province. It certainly is not helpful to any of us as we look at this significant issue.

On the Morris detachment side, I understand, the rationale is now there is going to be a consolidation and that there will not be a loss of resources but, in fact, I think that members on this side have heard that kind of discussion, or that kind of spin, from the government in the past, that we are going to consolidate this or move something into that, but there is not going to actually be any loss of services, or is not going to be any loss of resources.

Frankly, we heard it in the context of one of the presentations that came forward before about the consolidation of Agriculture offices and I notice that, in that presentation, one of the strict concerns that was raised was that they were leery that there might be a reduction of services, that there might be some sort of reduction in terms of personnel and the agricultural services that might be made forward. I would say that, on the issue of the Morris

detachment, that, too, is an issue and a concern that I have, that consolidation does not always mean that there will be no changes. One plus one does not always equal two when we are talking about this government and when they make these sort of moves, strategically or otherwise, in terms of departments within the government.

The other issue that this Bill 34, The Highway Traffic Amendment Act, does not always address is the issue of will these tougher laws actually be applied. One of the great concerns that we have heard about within our media over the last few years is regarding drinking and driving causing death sentences and the propensity for conditional sentences to fall onto those offenders who are convicted.

Certainly, I know that the minister would say that he has gone to Ottawa on this particular issue and has had discussions with the minister on that. In fact, it is now June 6, I believe, and the minister has said that there would be an interim report coming back on conditional sentences in June, so we are expecting a positive update on that soon, because the minister has sort of staked himself out on that issue and said that this was a momentous change from the federal government, and if it is, then I will say that is good and will stand by that change. We wait to see that whether or not, in fact, this was something different than all the promises in the past, whether or not this study that Minister Cotler undertook was different than all the other studies that were undertaken by the standing committee of Justice over the years and prior to elections, whether or not this will actually result in real change. If it does, I think that we will stand with the minister and say that we are happy for that.

The point is that stricter sentences, in and of themselves, do not always translate, or stricter availability of sentences do not always translate into stricter sentences. There were changes, I believe, regarding the drunk driving causing death penalties, and I suspect most Canadians would be surprised to hear this, that the maximum penalty is now life imprisonment for drinking and driving causing death. I do not believe that there is a limitation on the fine, although I could stand to be corrected.

Again, I think that I am going from memory on this issue, but I do not believe that there has been a sentence any more than 12 or 13 years on drunk

driving causing death. Although that is certainly more significant than what we have seen here in our province, there has not been a use of those higher sentences.

So the minister can say, yes, we have those tougher laws now, but if they are not actually going to be applied in any meaningful fashion, then it is simply a news release without meaning.

We have seen that in others areas where the minister has said, well, we need to have tougher laws on this. He did it, I think, about three months ago on the issue of methamphetamine and other drug usages and said, well, we want to go to Ottawa and increase the penalty for those who deal in methamphetamine and other sorts of drugs so that it is much stricter. We do not oppose that, Mr. Chairperson. In fact, I would say, again, it is difficult to not support that kind of legislation that would have tougher penalties for those individuals who are dealing in horrific drugs and are putting other individuals in our society at risk, particularly young people. I know that the minister and his colleague the Minister of Healthy Living (Ms. Oswald) will soon be going to Regina to discuss this issue.

The minister is looking for lunch, and if she needs to be excused, I certainly would be gracious enough. She can certainly go and take care of that priority.

But, in fact, you know, Mr. Speaker, when we talk about these higher penalties, they need to be enforced. It is not enough just to have them on the books. So it all, I think, comes down to enforcement, and I say that on behalf of the presenter who was here this morning who brought forward that point, that enforcement needs to be in place. It is not enough just to have the possibility of tougher sentences.

So I look forward to seeing the minister not just have legislation on the books, but also ensuring that legislation is enforced and that legislation is used.

With those few comments, Mr. Speaker, we can proceed.

Mr. Chairperson: We thank the critic for the official opposition for the opening statements.

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]* Thank you.

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 and 6—pass; clause 7—pass; enacting clause—pass; title—pass.

Shall the bill be reported?

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. David Faurschou (Portage la Prairie): Mr. Chairperson, just three very brief points here. We have talked about resources, and it is very important that we see the resources dedicated to our police forces. I wholeheartedly agree that more should be done.

While the minister recognizes that we are trying to support the complement, the agreement and understanding between us and the police forces in the province of Manitoba, I want to make note that a lot of deployment has taken place for special initiatives, which, again, are something we can support as well, whether it be the gang or the car theft initiatives. But that takes away from the more visible on-the-street public awareness of police forces out and about, and I hope that the minister recognizes that.

* (12:40)

Having the opportunity to go along on the ride-along program, in which I had to sign a form from the department in order to be able to occupy the passenger seat, I will say that I observed an inordinate amount of paperwork. For the three engagements that we had during that night that I was out recently, it was three to four hours of paperwork for half an hour out on the road.

It is really something that is curtailing police officers attending to the streets and being visible. Whether it is more money to resources towards support staff or whether it is a close examination of every particular piece of paper that must currently be filled in by police officers, but I really, truly believe

we have to examine our effectiveness with the load that is currently carried, administratively wise, by our police officers in the province.

I appreciate the opportunity for those three brief comments, and I hope the minister is able to act on them.

Mr. Chairperson: Shall the bill be reported? *[Agreed]* Bill be reported.

I thank the members of the committee.

I ask the indulgence of the committee. Would it be okay if we moved to Bill 50, which is out of numeric sequence, to allow the same minister to remain in the chair? *[Agreed]*

Bill 50—The Statutes Correction and Minor Amendments Act, 2005

Mr. Chairperson: Does the minister responsible for Bill 50, The Statutes Correction and Minor Amendments Act, 2005, have an opening statement?

Honourable Minister? We thank the honourable minister.

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

An Honourable Member: No.

Mr. Chairperson: We thank the critic for the official opposition.

During the consideration of a bill, the table of contents, 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. *[Agreed]*

Clause 1—pass; clauses 2 through 4—pass; clauses 5 and 6—pass; clauses 7 through 9—pass; clause 10—pass; clauses 11 through 13—pass; clauses 14 through 17—pass; clauses 18 through 20—pass; clauses 21 through 23—pass; clauses 24 through 28—pass;

clauses 29 through 31—pass; clauses 32 and 33—pass; clauses 34 and 35—pass; clauses 36 through 39—pass; clauses 40 and 41—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to members of the committee.

Bill 39—The Investment Trust Unitholders' Protection Act.

Mr. Chairperson: The next bill we have before us is Bill 39, The Investment Trust Unitholders' Protection Act.

Does the minister responsible for Bill 39 have an opening statement?

Hon. Greg Selinger (Minister of Finance): No. It is all good.

Mr. Chairperson: We thank the honourable minister.

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

An Honourable Member: No.

Mr. Chairperson: We thank the critic for the official opposition.

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. *[Agreed]*

Thank you to members of the committee.

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

Thank you to members of the committee.

Bill 41—The Drivers and Vehicles Act and The Highway Traffic Amendment Act

Mr. Chairperson: We will now deal with Bill 41, The Drivers and Vehicles Act and The Highway Traffic Amendment Act.

Does the minister responsible for Bill 41 have an opening statement?

Hon. Ron Lemieux (Minister of Transportation and Government Services): Just a quick comment, yes. We are going from a bill of 2 pages to a bill of 208 pages, but a lot of this is just complementary amendments to about 13 other statutes. Thank you.

Mr. Chairperson: We thank the minister for the opening statement.

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

An Honourable Member: No.

Mr. Chairperson: We thank the critic for the opposition.

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

Additionally, due to the size and structure of this particular bill, the Chair would like to suggest to the committee the following process for consideration of this bill: Defer consideration of clauses 1 to 3 on page 1 until the schedules have been considered.

Point two, consider all clauses and the table of contents for The Drivers and Vehicles Act contained in Schedule A, calling the clauses in blocks that conform to the 10 parts of the act, stopping at any clause or clauses where the members may have comments, questions or amendments to propose; point three, consider all of the clauses for The Highway Traffic Amendment Act contained in Schedule B, calling the clauses in blocks that conform to pages, stopping at any clause or clauses where members may have comments, questions or amendments to propose; point four, consider clauses 1 to 3 on page 1; point five, consider the enacting clause; point six, consider the bill title; point seven, consider reporting the bill.

Are there any comments or questions on this proposal? Is it agreed? *[Agreed]*

Schedule A, The Drivers and Vehicles Act. We will begin then with the consideration of all the clauses in the table of contents for The Drivers

and Vehicles Act contained in Schedule A. Beginning on page 8, the clauses will be called in blocks conforming to the 10 parts of the act.

Part 1, pages 8 to 15, clause 1—pass.

Part 2, pages 16 and 17, shall clauses 2 and 3 pass?

Mr. David Faurshou (Portage la Prairie): I just want to bear witness to the fact that, in this section that gives power over administration to MPIC from the Manitoba Department of Highways, the registration fees that have been increasing year over year over year. It has been stated at times that this potentially is a backdoor tax.

* (12:50)

Where just two short years ago, we were paying about \$50 for registering any particular vehicle, this year it is \$99. Surely to goodness the department administrative costs have not increased 100 percent in just a couple of years. I know I have been looking at the department budgets over the years, and it is not my observation that this is indeed taking place. I do not know whether more administration has been hired or how things are that it needs that kind of increase, but I am all for reinvesting in our infrastructure. Heaven knows the Department of Transportation needs additional resources, but I want to make certain that the collection of road-related monies stays with the department.

I appreciate the opportunity to make that observation, to state that fact and to encourage the minister that that indeed be the case.

Mr. Chairperson: Part 2, pages 16 and 17, clauses 2 and 3—pass; Part 3, pages 18 to 42, clauses 4 through 32—pass; Part 4, pages 43 to 72, clauses 33 through 68—pass; Part 5, pages 73 to 85, clauses 69 through 89—pass; Part 6, pages 86 to 91, clauses 90 through 94—pass; Part 7, pages 92 to 101, clauses 95 through 111—pass; Part 8, pages 102 to page 137, clauses 112 through 150—pass; Part 9, pages 138 to 154, clauses 151 through 162—pass; Part 10, pages 155 to 162,

clauses 163 through 172—pass. Table of Contents in Schedule A, pages 2 to 7—pass.

That concludes the consideration of The Drivers and Vehicles Act contained in Schedule A.

Schedule B, The Highway Traffic Amendment Act. We will now move on to consideration of all clauses in The Highway Traffic Amendment Act contained in Schedule B beginning on page 163.

Clauses 1 and 2—pass; clause 3—pass; clauses 4 and 5—pass; clauses 6 through 9—pass; clauses 10 through 12—pass; clauses 13 through 16—pass; clause 17—pass; clauses 18 through 24—pass; clauses 25 through 28—pass; clauses 29 through 33—pass; clauses 34 through 36—pass; clauses 37 through 39—pass; clauses 40 through 42—pass; clauses 43 through 45—pass; clauses 46 through 49—pass; clauses 50 through 52—pass; clauses 53 and 54—pass; clauses 55 and 56—pass; clauses 57 through 60—pass; clause 61—pass; clauses 62 and 63—pass; clauses 64 through 68—pass; clauses 69 through 73—pass; clauses 74 and 75—pass; clause 76—pass; clauses 77 and 78—pass; clause 79—pass; clauses 80 through 83—pass; clauses 84 and 85—pass; clauses 86 through 88—pass.

That concludes the consideration of The Highway Traffic Amendment Act contained in Schedule B.

We will now consider the remaining items in the bill, starting on page 1.

Clauses 1 through 3—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to members of the committee.

What is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise. The time being 12:58 p.m., committee rise.

COMMITTEE ROSE AT: 12:58 p.m.