

Fourth Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Agriculture and Food

Chairperson
Mr. Tom Nevakshonoff
Constituency of Interlake

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON AGRICULTURE AND FOOD

Monday, June 5, 2006

TIME – 9 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Tom Nevakshonoff (Interlake)

VICE-CHAIRPERSON – Mr. Cris Aglugub (The Maples)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Ms. Allan, Hon. Mr. Rondeau, Hon. Ms. Wowchuk

Messrs. Aglugub, Dewar, Eichler, Faurshou, Maguire, Nevakshonoff, Schellenberg, Schuler

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

WITNESSES:

Bill 30–The Fires Prevention and Emergency Response Act

Mr. Doug Dobrowolski, Association of Manitoba Municipalities
 Mr. Don Thomson, President, Manitoba Association of Fire Chiefs

Bill 19–The Agri-Food and Rural Development Council Act

Mr. David Rolfe, President, Keystone Agricultural Producers
 Mr. James Wade, General Manager, Dairy Farmers of Manitoba

Bill 31–The Animal Diseases Amendment Act

Mr. Ken Crockatt, President, Manitoba Cattle Producers

Mr. Keith Robertson, Executive Director, Manitoba Cattle Producers

Mr. David Rolfe, President, Keystone Agricultural Producers

Mrs. Betty Green, Canadian Animal Health Coalition

Mr. Andrew Dickson, General Manager, Manitoba Pork Council

Mr. James Wade, General Manager, Dairy Farmers of Manitoba

MATTERS UNDER CONSIDERATION:

Bill 19–The Agri-Food and Rural Development Council Act

Bill 20–The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act

Bill 30–The Fires Prevention and Emergency Response Act

Bill 31–The Animal Diseases Amendment Act

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Madam Deputy Clerk (Bev Bosiak): Good morning. Will the Standing Committee on Agriculture and Food please come to order.

Our first business this morning is the election of a Chairperson. Are there any nominations for this position?

Mr. Gregory Dewar (Selkirk): Madam Chair, it is my honour to nominate Mr. Nevakshonoff, MLA for Interlake.

Madam Deputy Clerk: The honourable Member for Interlake has been nominated.

Are there any other nominations?

No? Hearing none, the honourable member, please take the Chair.

Mr. Chairperson: Good morning, ladies and gentlemen.

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

Mr. Dewar: Mr. Chairperson, I nominate Mr. Aglugub.

Mr. Chairperson: Are there any further nominations?

Seeing none, Mr. Aglugub is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 19, The Agri-Food and Rural Development Council Act; Bill 20, The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act; Bill 30, The Fires Prevention and Emergency Response Act; and Bill 31, The Animal Diseases Act.

We have a number of presenters registered to speak this morning. They are as follows: On Bill 19, we have David Rolfe, President of Keystone Agricultural Producers, and James Wade, Dairy Farmers of Manitoba.

On Bill 31, we have Mary Paziuk, Manitoba Cattle Producers; James Wade, Dairy Farmers of Manitoba; David Rolfe, President of Keystone Agricultural Producers; Betty Green, Canadian Animal Health Coalition; and Andrew Dickson of the Manitoba Pork Council.

On Bill 30, we have Doug Dobrowolski of AMM, and Don Thomson, president of Manitoba fire chiefs association.

Before we proceed with presentations, we do have a number of items and points of information to consider. First of all, if there is anyone else in the audience who would like to make a presentation this morning, please register with staff at the entrance to the room.

Also for the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need help photocopying, please speak with our staff.

As well, I would like to inform presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

On the topic of determining the order of public presentations, I will note that we do have some out-of-town presenters in attendance, marked with an asterisk on the list. With these considerations in mind then, in what order does the committee wish to hear presentations?

Mr. Dewar: It is normal practice, I believe, to listen to the out-of-town presenters first.

Mr. Chairperson: Is that agreed, committee, out of town first? *[Agreed]*

Anybody else in regard to the order of bills?

Hon. Nancy Allan (Minister of Labour and Immigration): I would like leave of the committee to consider Bill 31 first, considering the fact that there are only two presenters—Bill 30, sorry.

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

We will hear Bill 30 first.

Hours of adjournment, how long does the committee wish to sit this morning?

Ms. Allan: Well, I believe all members would probably like to sit so that we can get all of the bills accomplished this morning. So if we have to sit a little past 12, that would be fine with us.

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

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it is an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn microphones on and off. Thank you for your patience.

We will now proceed with public presentations.

* (9:10)

Bill 30—The Fires Prevention and Emergency Response Act

Mr. Chairperson: I will now call on Mr. Doug Dobrowolski of the AMM.

Good morning, sir. Do you have any written copies of your presentation?

Mr. Doug Dobrowolski (Association of Manitoba Municipalities): Yes, I do.

Mr. Chairperson: Okay. Please proceed with your presentation.

Mr. Dobrowolski: Good morning. On behalf of Manitoba Municipalities, I am pleased to appear before this committee today to outline the Association of Manitoba Municipalities' position on Bill 30, The Fires Prevention and Emergency Response Act.

This is an important piece of legislation for municipalities, as it mandates increased responsibilities for local authorities. Primarily, municipalities will be mandated to carry out increased inspections on public buildings. Public safety is paramount for all levels of government, and municipalities understand the need to ensure public buildings are safe. There are no logical benefits to standardized codes across the province to ensure all buildings are kept to a high level of safety.

While this bill increases municipal responsibilities, there has been a commitment from the Office of the Fire Commissioner to work with municipalities to make this process as easy as possible. The Office of the Fire Commissioner has indicated that there will be training opportunities provided for municipal fire inspectors. Municipalities also have the option to contract the inspections out to a third party, as long as the Province approves the third party. The legislation also allows municipalities to charge for inspections to recover costs, if needed.

The AMM is pleased with the commitment of the Office of the Fire Commissioner to work with the AMM and the fire chiefs' association to determine the types of buildings to be inspected and the frequency of inspections. There has also been an assurance that the Province will inspect provincial buildings. One of the issues raised by our membership has been the number of buildings that will need to be inspected. By working through this committee, we can ensure that all priorities are addressed.

Overall, Bill 30 clarifies the roles of both Province and municipalities in these important areas. While this bill does mandate additional responsibilities for municipalities, we are confident that, by working closely with the department, Manitobans will all benefit.

Mr. Chairperson: Thank you, sir.

Do members of the committee have questions for the presenter?

Hon. Nancy Allan (Minister of Labour and Immigration): I would like to thank you very much for making it here this morning to present on this bill. I want to thank you as well on behalf of the Office of the Fire Commissioner and my department. We have appreciated the working relationship with AMM, and we will continue to work with you in regard to this important piece of legislation. It is all

about public safety. So thank you very much, and we look forward to working with you in the future.

Mr. Ron Schuler (Springfield): Thank you very much, Doug. Good to see you out at committee. Again, I just want to be very clear. You have been consulted as AMM through this whole process and your association clearly supports Bill 30. Is that correct?

Mr. Dobrowski: We have been consulted through the whole process and we are happy with this bill.

Mr. Chairperson: Okay. Seeing no further questions, I thank you for your presentation.

I next call Mr. Don Thomson, president, Manitoba fire chiefs association.

Do you have a written presentation, sir?

Mr. Don Thomson (President, Manitoba Association of Fire Chiefs): Yes, I do, Mr. Chairman.

Mr. Chairperson: Okay. Please proceed.

Mr. Thomson: Mr. Chairman, thank you very much for this opportunity to speak.

Just for clarification, my name is Don Thomson. I am the Fire Marshal for Manitoba Hydro, and I am the industrial representative on the board of directors for the Manitoba Association of Fire Chiefs.

I have been requested by the MAFC to speak in support of Bill 30, The Fires Prevention and Emergency Response Act. The MAFC is a non-profit organization recognized for their professional advancement of the Manitoba Fire Service to ensure greater protection of life, property, and the environment. It is a group of dedicated fire officers who volunteer their time as members of the association to protect the interests of firefighters for the betterment of the fire service in the communities in which they serve and protect.

Over the years the MAFC has worked with and lobbied various levels of government, as well as the Office of the Fire Commissioner to make improvements to various pieces of legislation to make our communities safer from the ravages of unwanted fires. The world in which we live is faced with disasters on a daily basis. There are floods, tornadoes, hurricanes and snowstorms, just to name a few. However, each of these disasters is a seasonal occurrence, whereby fires are happening all the time. Based on statistics, I could almost say that there is a fire happening somewhere in Manitoba right now.

It is a sad note that Canada's fire death rate, at 17 deaths per million people, is second only to the USA in leading the developing countries in fire deaths. In 2004, there were a total of 5,254 reported fires in the province of Manitoba, resulting in \$82.7 million loss with 16 fatalities and 332 injuries.

The proposed changes to the antiquated Fires Prevention Act will provide the means for local fire service to work with, and under the authority of, the Office of the Fire Commissioner to better protect the people and property in our communities. Acceptance of the proposed Fires Prevention and Emergency Response Act will give the fire service the tools needed to help reduce and possibly eliminate the losses from fires happening in our communities,

On behalf of the MAFC, I thank you for the opportunity to speak in support of this important piece of legislation. Your support of Bill 30 will help ensure the safety and security of all Manitobans. Thank you.

Mr. Chairperson: Thank you, Mr. Thomson. Questions from the committee?

Ms. Allan: Thank you very much for being here this morning, Mr. Thomson.

We appreciate the work that the Manitoba Association of Fire Chiefs does in our communities all across the province, and we certainly appreciate working with you. I know I say that on behalf of my staff in the Office of the Fire Commissioner, and we are very pleased that you are here this morning to speak so positively about this legislation.

I know it has been a while and it is long overdue, but we are finally going to get it done. So thank you very much.

Mr. Schuler: Thank you very much for coming, Don, and to your colleagues who are here also this morning, great to see you guys out.

Again, I have two very simple questions, and then you have to wait for the Chair to acknowledge you so you can get your comments on the record.

Throughout this process, I understand that you have been consulted and second, you clearly support Bill 30 and that it move along as quickly as possible. Is that correct?

Mr. Thomson: Yes. Throughout the whole process, the Manitoba Association of Fire Chiefs has been very involved in the discussion process with The Fires Prevention and Emergency Response Act, and,

in fact, we have very ardently pushed changes so that we can better protect the people in communities in which we live. And yes, we are in support of this. We, in fact, just had our annual general meeting on Saturday in Winkler, and it was unanimous that we support this bill.

Hon. Jon Gerrard (River Heights): Thank you for your presentation and support during the preparation of the legislation.

One of the questions that I have, Section 43, deals with sending orders by e-mail in the assumption that once an e-mail has been sent, it has been received. I would like to know what kind of experience you have had so far in the use of e-mail, in terms of contacting, sending out orders for people. Second, in today's world where there are often huge amounts of junk e-mail, people have filters which may filter out important messages, as well as unimportant messages. I am just wondering, in your experience, how solid is that assumption that when you have sent out an e-mail that it has actually been received.

Mr. Thomson: Yes, in my position I quite often send e-mails for inspection reports that I send out. Every one of them I will ask for a response of some sort. You can do it by asking for just a read receipt and if I do not get that, I will follow up with a phone call to make sure that they have received it. If not, they will get it delivered to them by mail if we have to. But we will follow up. I am sure that I speak on behalf of my colleagues that they will be doing the same thing.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir.

* (09:20)

Bill 19—The Agri-Food and Rural Development Council Act

Mr. Chairperson: We will now move on to presenters for Bill 19, The Agri-Food and Rural Development Council Act.

I call Mr. David Rolfe, President of Keystone Agricultural Producers.

Do you have a written presentation, Mr. Rolfe? Okay, I will ask the Clerk to distribute that, and proceed when ready.

Mr. David Rolfe (President, Keystone Agricultural Producers): Good morning. On behalf of Keystone Agricultural Producers, I am pleased to

share our organization's position with respect to Bill 19, The Agri-Food and Rural Development Council Act.

Keystone Agricultural Producers is a democratically controlled non-partisan general farm policy organization, representing and promoting the interests of thousands of agricultural producers in Manitoba. Our membership consists of farmers and commodity groups throughout the province, and our organization is proud to act as the voice of Manitoba's farmers.

It is from this perspective that I provide comments today. While we understand and respect that it is important for the Minister of Agriculture (Ms. Wowchuk) and Manitoba Agriculture, Food and Rural Initiatives to have timely, accurate and forward-thinking ideas and input on the issues relating to farming, agri-business and rural communities, KAP strongly believes that there are already effective mechanisms in place to serve this purpose. A council is unnecessary and also puts additional demands on a finite pool of departmental, financial and human resources.

In Manitoba, we are fortunate to have strong commodity group organizations and a general farm organization, Keystone Agricultural Producers, to provide input and advice to the minister and the department staff on a wide range of issues. The positions put forward by KAP and other groups are not considered lightly.

Our organization, for example, has a wide range of committees dealing with issues ranging from safety net programming to transportation to the environment to rural issues to workplace safety, and even a committee that deals specifically with the issues of Manitoba's young and beginning farmers. These committees, comprised primarily of working farmers, are tasked with identifying and researching emerging and priority issues in their field, and then proposing policies and positions for our organization, either via a resolution or a brief. These research positions, along with recommendations from our 12 districts, are then taken to our general council where farmer delegates from across the province meet, discuss and ultimately vote on the resolutions.

The result: KAP forwards issues and recommendations to governments which have been developed, considered and approved by farmers from across the province. KAP's policy is developed from the ground up, and should serve as a solid basis for government's direction. On matters of importance

across the agricultural industry, KAP has, and will continue to, consult with the province's agricultural commodity groups as well as other key stakeholders.

We share this information to show that there are already strong non-partisan advisory groups in place that may provide input to the minister and the department. Perhaps more importantly, the messages put forward by these groups are developed democratically by producers and are advocated by farmers' elected representatives.

In a recent survey conducted by the Canadian Wheat Board, western Canadian farmers were asked which organization or government's views on agriculture most closely represented their own. KAP was listed the highest among Manitoba respondents, with 84 percent saying our views very closely or somewhat closely matched their own.

In addition, we believe that the creation of this council may counter or limit some of the excellent advice and policy development processes already undertaken by MAFRI. The department already has an excellent staff who are committed to innovative ideas through positive policy development and implementation. We question how the minister will weigh and consider recommendations from the proposed appointed council, existing staff resources, and groups like KAP, especially if they are in conflict or highlight different priorities for the department. We also question the scope, structure, cost, partisanship and practical operation of the council, as it is broadly defined.

Bill 19 identifies some very important objectives for MAFRI: long-term strategies for capturing opportunities, utilizing Manitoba's competitive advantage, creating vibrant rural communities, and exploring new ideas for economic growth. All of these priorities are shared by farmers and are essential to their continued existence on Manitoba's agricultural landscape. We cannot overemphasize how critical it is that farmers are engaged and actively involved in all processes that the department undertakes on these issues.

KAP believes that MAFRI would be better served by developing a comprehensive plan to gather and focus farmers' ideas and recommendations to achieve these goals. Like the department, farmers continue to put a high priority on innovation and planning for the future. As an organization, KAP also wants to be a part of this process to advocate for the views of our members from across the province and also across all agricultural sectors.

In closing, we recommend that Bill 19 not be passed. We believe that the department already has access to excellent resources and advice through MAFRI staff, non-partisan democratic farm organizations like KAP and other stakeholders that will help to achieve its long-term vision for agriculture. We are concerned that the creation of a council will muddy the waters when it comes to policy direction, and that the practical and researched opinion of the department and farmers, themselves, could be overlooked as a result.

KAP, currently, has an excellent working relationship with the minister and the department, and we do not wish to jeopardize this through the creation of a council that duplicates existing mechanisms. To ensure efficiency and adequate consultation with farmers, the department's primary clients, KAP recommends that MAFRI develop a plan to better access the existing knowledge and resources of Manitoba's farmers and farm organizations.

Mr. Chairperson: Thank you, Mr. Rolfe.

Questions from the committee?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Thank you very much, Tom, and thank you, David, for making the presentation this morning.

I want to say to you that I, certainly, value the work that the primary producer groups and farm organizations do, and we do have a good working relationship. The focus, I believe, of those groups is very much on primary agriculture.

The purpose of this council is to bring together more people, as you have mentioned agriculture is changing. There are many new and innovative ideas out there, and we are looking at ways of capturing some of those new opportunities for the producers and for Manitoba and, in particular, for rural Manitoba.

So I want you to know that I do value the work that the various groups do, but I also feel very strongly that there is room and need to bring another group of people that captures some of the farm groups, but also captures some of the other people that are involved in value adding and innovative thinking to help this industry.

Can you see a problem with bringing those people together on a council to work on progressive ideas for this province?

Mr. Rolfe: Thank you, Minister. I, certainly, appreciate those comments. However, in other provinces, we have seen where similar councils are being structured that the impact and the opportunity for input by general farm organizations and commodity groups are somewhat being sidelined, which is an unfortunate consequence.

When it comes to value adding and opportunities in the province, I do not think there is anyone that is more concerned about the well-being and the financial health of farmers, themselves, than farmers represented through a democratic farm organization.

We, all too often, see that opportunities, if directed by others, other business interests tend to favour those business interests, shall I say, to the financial disadvantage of farmers. We see opportunities coming before us now in the biodiesel industry, in the ethanol industry, and it is going to be extremely difficult for farmers, themselves, to participate in those industries to gain additional business opportunities or gain some of the wealth from those financial opportunities.

So, given that circumstance, I think it is critical that due consideration be given to organizations that, certainly, represent totally the interest of the farming community versus, perhaps, the interest of those who are engaged in value adding.

Mr. Ralph Eichler (Lakeside): Thank you for your presentation, Mr. Rolfe. In respect to the work that KAP does, it just goes on to say that, without doubt, the organization contributes a lot, and the minister, and I know our party, really appreciates the work that you do.

Having said that, was KAP consulted before this bill was drafted? Did you have any input into consultation process?

* (9:30)

Mr. Rolfe: No. I am certainly not aware of any consultation with our organization on the particular intent of the bill. I will mention one thing, though, while I have an opportunity, and that is that we are not only an organization that deals with current issues. We are also an organization that looks forward. For example, we took time out of schedules to complete a vision setting session for the industry that looked forward for short-term opportunities and for long-term opportunities, three years and 10 years-plus. We have forwarded that report on to the minister and also to the committee that the minister struck earlier on this winter looking for those

opportunities. So, as an organization, we not only focus on current issues but we focus on the long-term opportunities for the industry as well.

Hon. Jon Gerrard (River Heights): Thank you for your comments.

First of all, clearly, the work that you and others in KAP do is very important to Manitoba. We have a fair amount of concern that this council might replace the advice of people who have been appropriately elected through processes at KAP with people who are appointed, maybe partisan, primarily, maybe meeting behind closed doors, if we have examples of other councils, and not, you know, making their deliberations fully public. So I think it was very important to have your input today.

If this were to go ahead in spite of advice from people like yourself, do you think it would be important that Keystone Agricultural Producers would be represented in some fashion on a council like this?

Mr. Rolfe: Given, if the bill does move forward, if there is creation of a council, then I think it would be critical that farm organizations across Manitoba and commodity groups across Manitoba be well represented on that council to represent the interests of the primary producer in Manitoba. Unfortunately, we have seen in other provinces where that has not happened, and I think there is a lesson to be learned there. We need that input into any council from the primary producer sector.

Ms. Wowchuk: David, you talk about the role of KAP, and you work over a wide range of issues, as do other commodity groups. Do you not see KAP, continuing to address the issues that they address, but do you not see any benefit in another council that would look at a broader range of issues and do some very innovative thinking, and then bring those ideas together with the farm commodity groups? Do you not see any benefit in having more people look at the issues that are challenging this industry and our rural economic development activities?

Mr. Rolfe: With all due respect, Minister, I think you have that opportunity now. You have all the commodity groups in Manitoba. You have MRAC. You have Keystone Agricultural Producers. You have various other bodies that are out there that certainly could fulfil that function. The model that could possibly be used, rather than a council, rather than using up existing resources and finite resources, could be the same as the provincial Safety Net

Committee. That probably would have been an excellent model to do some brain storming with, that type of model, but on a different topic, on the expansion and business opportunities for all producers in Manitoba.

Discern the concern that any committee or any council that may be appointed carries the risk of partisanship. That would be unfortunate. I think you have an ideal opportunity right now to use the resources that are at hand, the non-partisan farm organizations and the commodity groups themselves.

Mr. Chairperson: The time for questions has expired. However, there are still some people on the speaking list. Mr. Rolfe only used about five minutes of his presentation time.

What is the advice of the committee in this regard? Allow a few more questions? *[Agreed]*

Mr. Larry Maguire (Arthur-Virden): Thank you very much, Mr. Chairman, and committee members.

Mr. Rolfe, thank you for your presentation today. David, I wanted to add to the list there ARDI, as well, the agri-research diversification initiative, as another area of a lot of ideas that come to it, the same as ARDI. People come to it with great ideas and lots of initiatives for that.

We can always look for new ideas within each one of the organizations that are there today, but your organization with the commodity groups that are represented on it and the general base of farm membership across the province does a great job of fielding those ideas and knowing what is out there.

I have also had a number of individuals come forward from across the province in International Affairs and Trade, and my responsibility is there, and as well in Agriculture here, with Mr. Eichler from Lakeside, to look at projects that they would like to see move forward in the province of Manitoba, none of them asking for government money, many of them asking for some support from government in relation to areas of infrastructure and some of those other areas. Of course, there are environmental aspects that we have to go through on each of those projects.

Can you give me an indication of how—well, No. 1, you have made it very clear what you think your organization feels would be alternatives to Bill 19—could you also, perhaps, indicate what other areas you could see government being involved in, particularly in these cases where a number of times the people have a very sound business plan? They

have come forward; they are seeking some government support, but not direct funding, or the government being involved in their projects.

Mr. Rolfe: That is, certainly, the case in a number of projects. We have those same people phoning our office, from time to time, that have very good ideas, sound business plans, and appear to have run up against a brick wall when it comes to getting those projects off the ground. It does create some very difficult circumstances for those people. They have some very good ideas that, certainly, would help to move our industry forward and create other opportunities.

The department, I think, needs to probably cooperate a little better with those people. Obviously, due diligence has to happen when it comes to moving things forward. But, given the current economic climate and the urgency of increasing farmers' incomes to the point where they become sustainable again, it is critical that government help and facilitate, as much as possible, those projects to move forward in the province.

Mr. Chairperson: Thank you, Mr. Rolfe.

Seeing no further questions—

Mr. Gregory Dewar (Selkirk): Mr. Chair, considering we only have one more presenter on this bill, I was wondering if we have leave of the committee to have him present now, rather than later.

Mr. Chairperson: Thank you, Mr. Rolfe, for your presentation.

Mr. Dewar suggests that, rather than move on with other out-of-town presenters, since there is only one presenter left on this bill, Mr. James Wade, we hear this individual so we can move on to the next bill.

What is the will? *[Agreed]*

I call Mr. James Wade, Dairy Farmers of Manitoba.

Good morning, Mr. Wade. Do you have a written presentation?

Mr. James Wade (General Manager, Dairy Farmers of Manitoba): Yes. I do.

Mr. Chairperson: I ask the Clerk to distribute that. You may proceed.

Mr. Wade: Mr. Chairman, Dairy Farmers of Manitoba supports Bill 19, The Agri-Food and Rural Development Council Act. Dairy Farmers of

Manitoba is wholly owned, directed and funded by dairy farmers. We are incorporated under The Farm Products Marketing Act, and we represent all Manitoba milk producers.

Dairy Farmers of Manitoba represents 460 dairy farmers, and we market 307 million litres of milk annually with a farm gate value of \$196 million. All of which, I should note, remains in rural Manitoba. Manitoba milk is 100 percent value added. All of Manitoba's milk is processed into a consumer-ready product before it leaves Manitoba. Eight Manitoba dairy processors prepare fluid milk, yogurt, ice cream, cheese, butter and skim milk powder for markets anywhere in Canada.

The Manitoba agriculture industry has had many challenges in the last few years that have affected all aspects of the rural fabric of Manitoba. Some of these challenges include bovine spongiform encephalopathy or BSE, as it is commonly known, excessive rainfall in the last two years, drought the year before that, extremely low grains and oilseed prices, and trade challenges from the United States of America and other countries.

* (9:40)

On several occasions in the last five years, it has been suggested that the Minister of Agriculture, Food and Rural Initiatives (Ms. Wowchuk) and indeed, the Premier (Mr. Doer) of Manitoba would benefit from the counsel of the leadership of the agricultural industry and the rural community. These suggestions have been made quietly. These have not been official notes to the Premier or to the minister. It has been a part of our conversation in all of the various challenges that we have gone through. It would have been a lot easier to deal with some of these issues if we had regular contact with the minister in the focus that is brought about normally by such a council.

The agriculture industry in Manitoba is one of the largest economic forces in the province, and it involves more jobs than any other sector in Manitoba. I think it is important to point out that the type of advisory council that we are talking about in Bill 19 already exists in the Premier's Economic Advisory Council. This type of relationship that we are supporting with our Minister of Agriculture (Ms. Wowchuk) would actually provide us with that opportunity that exists within the Premier's office. We have seen such a council operate in Ontario for a number of years, and it draws on elected farm and rural community leadership. It has a direct

connection with the issues of the day, and that is the type of council that we would support.

The Dairy Farmers of Manitoba recommends that the minister select members of the council from the elected farm and rural leadership, and include the presidents of Keystone Agricultural Producers and the Union of Manitoba Municipalities on that council.

We are pleased to see that there is an unlimited number of members for the council. From time to time, the minister should have the authority to reach out to all facets of the agricultural and rural community. Many issues may require short-term appointment to the council. For these reasons, Dairy Farmers of Manitoba supports Bill 19.

These notes are respectfully submitted by myself, on behalf of Dairy Farmers of Manitoba.

Mr. Chairperson: Thank you, Mr. Wade.

Questions from the committee?

Ms. Wowchuk: Thank you very much, Tom, and thank you, Jim, for making your presentation, and for supporting the concept. I am pleased to know that you have looked at how other councils work.

You talk about representation from farm groups. Do you see benefit of bringing in people who are not only directly involved in farming, but people who are involved in the industry, similar to what you have said about the Premier's Economic Development Council?

Mr. Wade: Madam Minister, in one of my former employments, I was a regional director with New Brunswick Agriculture and Rural Development. Part of my job was rural development. We had such a council at the time. Many members of the community that I worked with in two counties in southeast New Brunswick had representation on that council, and they represented agricultural producers' leadership, and I want to underline that, "elected leadership." It also included rural leadership in the form of municipal folks, people who were involved in many other things other than agriculture, including food processing, industrial development, various forms of construction. Part of the rural fabric is agriculture. A good, huge part of it in Manitoba is agriculture. There are many other aspects out there that should be reflected on the council, as well, and that is what we are saying in the phrases that we used, which we refer to the rural community and the Union of Manitoba Municipalities. There should be

representation that is broader than agriculture, but agriculture should be a big part of it.

Mr. Eichler: Thank you for your presentation, Mr. Wade, and for your Dairy Farmers. We appreciate the work that your organization does. I know you are very active in lobbying the minister for various concerns that your organization has.

The question I have for you has two parts. First of all, was your organization consulted in the input of the draft of the bill? The second question would be: In your last paragraph, when you said you were pleased to see an unlimited number of members, do you have a number that you feel would be beneficial for this council, in order to make it work efficiently?

Mr. Wade: Mr. Chairman, no. As far as I know, Dairy Farmers of Manitoba was not consulted. I did have a conversation with the minister's staff last week, after the bill had been prepared.

As regards the number, I think that number needs to be a workable number. The council itself is likely going to have, and I would recommend, if I had my druthers at this point, that it would be a council that has a core, and the minister would then have the authority to bring in groups of people on various issues that might come up from time to time.

I hope that this council is actually a forward-thinking, future-thinking developmental council. That is what is in its name. Development takes a long time. I cannot see these things being for a two- or three-month type of thing, but perhaps for a three- to five-year kind of an approach on various projects. So I see the size of the council being a moving kind of a thing, where you have some parts of the council working on various subjects.

Mr. Maguire: Thanks, Jim, for your presentation. Of course, I was looking at it from a perspective of development. Do you feel that there would be any duplication in this, given that the department already has a group of, I think, very sound persons involved with it in regard to economic development in some areas, right down to the fact that we have GO Team economic development people in rural areas for whom their job is to be in touch with persons on the ground out there who are looking at some of the development issues.

For the last speaker, I mentioned that there were a number of ongoing projects in Manitoba that were both large and small, that individuals have come forward looking for development opportunities, presenting development opportunities to the

government, in Agriculture and in other departments as well, that I am aware of. I guess I am just wondering if you see any duplication between those people being able to work with the GO Team people on the ground already and a new council like this as well.

Mr. Wade: As far as I am concerned, any time that agriculture and rural development are invited into the minister's office on a regular basis through such a council as this, we are not talking about duplication; we are talking about focus. We are talking about an opportunity for the minister to hear what the opportunities are and perhaps provide some leadership to those things, and a direct line into Cabinet when those kinds of opportunities are coming forward. We see the opportunity here as a regular opportunity to get the minister's ear and make things happen.

Mr. Maguire: Just a clarification, I am assuming that it is the Association of Manitoba Municipalities. The union is the old—

Floor Comment: I beg your pardon.

Mr. Maguire: —group. Okay. Thanks, Jim.

Mr. Gerrard: Thank you for your presentation.

Just on your comments about the council setup in Ontario, how many members did that council have? How many of those were presidents or senior people from agricultural or rural-based organizations?

You were complimentary of the council. Can you give us an example of something that the council was effective in achieving?

Mr. Wade: I am not aware of the actual work of the council, but I did have a conversation with one member of the council to get some feel for what had happened there. The council in Ontario is made up of approximately 30 appointees. That total body is drawn upon on a regular basis by the minister to give her advice.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir.

Bill 31—The Animal Diseases Amendment Act

Mr. Chairperson: We will now move on to Bill 31, The Animal Diseases Amendment Act.

The first presenter I have is Mr. Ken Crockatt of the Manitoba Cattle Producers, who has replaced Mary Paziuk on the speakers' list.

Mr. Crockatt, do you have a written presentation?

Mr. Ken Crockatt (President, Manitoba Cattle Producers Association): Yes, I do.

Mr. Chairperson: I ask the Clerk to distribute it. You may proceed when ready, sir.

* (9:50)

Mr. Crockatt: Good morning, everyone, Mr. Chair, and your committee members here.

The Manitoba Cattle Producers Association is pleased to offer some comments regarding Bill 31, The Animal Diseases Amendment Act.

The MCPA appreciates the provincial government's efforts to mitigate and to manage risks related to the potential outbreak of the foreign animal disease in Manitoba, and the associated consequences for trade. As an industry that has been deeply affected by the effects of trade disruptions, the MCPA recognizes the importance of taking swift actions in an attempt to normalize trade and to restore market access. A case in point is the BSE crisis and the extensive economic damage it has, and continues to visit on our industry.

The outbreak of a foreign animal disease, such as foot-and-mouth disease, could also prove extremely damaging for Manitoba's livestock sector, potentially costing the local economy tens of millions of dollars. The industry recognizes the necessity of having the tools to respond to, and isolate an animal disease outbreak as swiftly as possible. Thus there was the industry initiative to create the Canadian Cattle Identification Agency that is now recognized globally for its efficiency and its effectiveness.

The powers provided in Bill 31 could work in concert with the measures being developed in the West Hawk Lake Border Initiative. The Canadian Animal Health Coalition is working on this initiative, which deals with zoning, animal movement and traceability. When implemented, the West Hawk Lake Zone Border Initiative could provide potential benefits during an outbreak of a foreign animal disease in Canada.

Manitoba's industry has utilized the zoning concept already, as seen in the creation of the Riding

Mountain Eradication Area to help manage bovine tuberculosis. In this situation, the Riding Mountain Eradication Area is classified as TB-accredited-advanced, or having a very low prevalence of the disease, the rest of Manitoba as TB-free, meaning bovine TB is rare or not present.

Cattle from the RMEA require a movement permit before they can be removed from the zone, but cattle outside the zone can be moved without additional paperwork. In addition, cattle of breeding potential from the RMEA must be tested for bovine TB before they can be exported, but animals outside the zone can be exported without this testing.

One potential area of concern with Bill 31 is a lack of compensation component if animals must be destroyed due to an event, such as a trade disruption. Producers recognize that this type of welfare destruction of animals may be necessary in certain situations. However, the destruction of animals without any measure of compensation would create financial hardships for affected producers. The MCPA believes this issue warrants further examination by both the provincial and the federal governments.

Another area of ongoing concern is the lack of animal disposal sites in Manitoba in the event of a major foreign animal disease outbreak, such as foot-and-mouth disease. On-farm disposal of animals could be extremely challenging in certain instances. It is our understanding that the various levels of government will continue to work with industry on addressing this challenge.

Bill 31 gives provincial officials considerable powers to stop livestock haulers, and to collect information about the operators and their loads. Similarly, government inspectors will be able to enter premises and dwellings as part of their efforts related to animal disease control. We strongly request that these powers be exercised judiciously. The information collected as part of the vehicle inspections and premise visits must be managed and shared in a responsible manner. Producers must have assurances that their privacy rights will be protected.

Similarly, those individuals entering a premise during a foreign animal disease outbreak must be well versed in disease-management practices. This will help ensure that a disease is not accidentally transported to another premise with potentially devastating consequences. The MCPA also asks that governments recognize that the destruction of livestock can be very difficult for producers.

Officials need to be sensitive to this, and to provide appropriate supports to affected producers. By exercising these types of cautious approaches, it would help ensure greater industry trust and confidence in the entire disease-management process.

It is unclear, at this time, how the cost of the initiatives outlined in Bill 31 will be financed. Will the provincial government bear the cost of the inspections, or will the costs ultimately trickle back down to the local livestock industry? Or, if a provincial government director or inspector causes some type of property damage or animal injury during a premises inspection, will the provincial government cover these costs? Cattle producers would like some clarification about this potential cost to the industry.

The MCPA would also like to strongly encourage the provincial government to work cooperatively with its federal counterparts, and with livestock tracking groups, such as the Canadian Cattle Identification Agency, when developing these types of legislation, avoiding the duplication of services in areas, such as animal traceability, and the associated costs to the producers is a must.

Once again, the MCPA appreciates the provincial government's efforts to mitigate the potential risks associated with animal disease outbreaks in Manitoba. Thank you.

Mr. Chairperson: Thank you, Mr. Crockatt.

Questions from the committee?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Thank you, Mr. Chairman, and thank you, Ken, for coming forward and making this presentation on behalf of the Manitoba Cattle Producers on a very important issue.

I want to focus on some of the issues at the end of your presentation about people being sensitive if this situation should arise. We all hope that we would never have another disease outbreak, but, if it does, these are the tools that are put in place to help producers should animals have to be destroyed.

There are some questions that you have asked that will be worked out. But, one of the questions that sticks out in my mind is, you talked about the lack of animal disposal sites in the province, and that is true. Can you give any suggestions? Have Manitoba Cattle Producers thought about how we

might move this along, in order to establish more sites?

There is the option of on-farm and composting that have been talked about. But, if there is a large amount of animals that would have to be put down, have you had any thought on how we might move forward on the issue of increasing the number of disposal sites, because that has been a challenge?

Mr. Crockatt: Yes, Madam Minister. I guess, as far as farm animal disposal sites, you are only dealing with a small number of animals. If you come to a larger group of animals, you have to work with your rural municipalities, which, I think, you have been. Trying to designate these sites is very difficult. They are running into problems with the local residents. I think, as a government, it needs to step forward and just take the powers in implementing sites on the landscape that is suitable for a larger disposal site.

*(10:00)

Mr. Ralph Eichler (Lakeside): Thank you, Mr. Crockatt, for your presentation. We, certainly, do appreciate MCPA's role they play in presenting information to the committee in respect to Bill 31, and the work that your organization has done.

First of all, did your organization have any input or consultation in the drafting of Bill 31? The second question would be: In regard to compensation, does the MCPA have a baseline or a recommendation they would like to see the minister's department look at as far as compensation with respect to MCPA's cost?

Mr. Crockatt: The first question, no. We have not had any consultation with the government at all, and we have had no formal matter, yet, with them.

The second question as to compensation level, I believe we have got no set level, yet. I may ask my executive director to come forward. Maybe he can help me answer that question. If that is okay with you, Mr. Chair?

Mr. Chairperson: Certainly.

Would you identify yourself for the—

Mr. Keith Robertson (Executive Director, Manitoba Cattle Producers): Keith Robertson, Executive Director for the Manitoba Cattle Producers. We have not taken a formal position on compensation. Although, we would certainly refer to the federal Health of Animals Act, where it is being reviewed for \$4,000 indemnity on commercial

animals, and a maximum now they have set of \$8,000 on purebreds.

Mr. Chairperson: Thank you, Mr. Robertson.

Hon. Jon Gerrard (River Heights): Thank you for your presentation. One of the conditions, which, of course, has brought this to the fore is bovine spongiform encephalitis, and you referenced that. But, if we are going to protect from BSE, one of the concerns is contaminated feed. Do you see a need, if we are going to look at protecting producers from BSE, to be able to inspect for the possibility of feed which might transmit disease, as well as animals?

Mr. Crockatt: Yes. CCA, Canadian Cattle Association has been working on this, and they have set out—the government set regulations that these feed companies, feed mills had to follow, in order to keep our feed safe for the animals.

Mr. Chairperson: Seeing no further questions, I thank you—

Ms. Wowchuk: If I could, just to clarify the discussion about no consultation. There has been ongoing discussion between the cattle industry and the Canadian Cattle Association about the issues of zoning, and on the issues of what would happen—but, in particular on the issue of zoning, which is the one that affects your industry quite a lot, and on the issue of tracing and tagging.

Mr. Crockatt: As far as I know, Madam Minister, consultation, sitting down as a group, I do not think it has happened. There have been some individuals talking back and forth, but I know that is not a proper way to do it. You need to sit down together as a group to do it, other than individuals, I believe.

Ms. Wowchuk: I am sorry to take the time here, but I just want to clarify the record. When you indicate that there was no consultation, what I am saying is that there has been an ongoing discussion over a long period of time about the need to move toward, in particular, on zoning, and we have talked about these issues. Is that right?

Mr. Crockatt: Not in a formal manner, it has not been.

Ms. Wowchuk: I will check the record, and I will indicate to you when those meetings happened. Thank you, Mr. Chairman.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir.

I next call Mr. David Rolfe, president, Keystone Agricultural Producers. Do you have a written presentation, sir?

Mr. David Rolfe (President, Keystone Agricultural Producers): I do.

Mr. Chairperson: I ask the Clerk to distribute it.

You may proceed when ready.

Mr. Rolfe: Thank you to the committee for hearing us, again. On behalf of Keystone Agricultural Producers, I am pleased to share our organization's position with respect to Bill 31, The Animal Diseases Amendment Act. KAP is a democratically controlled general farm policy organization representing and promoting the interest of thousands of agricultural producers in Manitoba. Our membership consists of farmers and commodity groups throughout the province, and our organization is proud to act as the voice of Manitoba farmers.

A foreign animal disease outbreak in Manitoba would have a critical, immediate and long-lasting impact on our agricultural industry. While we wish that it would never happen, we must realistically plan for such an event to manage and mitigate the impacts on the farm community, the economy and the environment, and also on the health and welfare of the affected farm animals.

KAP commends the provincial government for continuing to plan and prepare for these scenarios, via necessary legislative changes and other actions. As farmers, we put the highest priority on the health and well-being of our animals. While it is always difficult to destroy animals, especially those that are healthy, we understand and support the need to do so in the event of quarantine restrictions following a foreign animal disease outbreak.

We are also in favour of the proposed amendments that allow for increased and more stringent inspection of vehicles that are transporting animals. We believe that these controls will help to manage the flow of animals in the case of an outbreak, and assist the entire industry in its eventual recovery.

There is, however, one issue that has not been addressed in this amendment. We strongly believe that its absence must be corrected. The provisions for animals euthanized, due to welfare concerns or into animal movement restrictions or premise quarantine orders, contain no reference to compensation that a

livestock farmer should receive as a result. This is a serious oversight.

The individual producer and the industry, as a whole, will no doubt already be suffering from extreme financial hardship as a result of any disease outbreak. We believe that government may only be compounding these challenges by not clearly specifying that farmers must be compensated for any animals that must be destroyed under these circumstances.

KAP encourages government to amend this bill to specifically reference compensation, and commit to working with farmers and farm organizations in the development of a process that identifies the criteria for a fair level of compensation. It is essential that farmers, who will already be dealing with the challenges of disease containment, border closures and an immediate decline in income, must not also have to deal with another loss when their animals are destroyed due to welfare concerns. We encourage government to take this opportunity to further amend Bill 31 to protect producers' significant investment in their farm animals, and help ensure the stability of Manitoba's livestock sector. Thank you.

Mr. Chairperson: Thank you, Mr. Rolfe.

Questions from the committee?

Mr. Eichler: Thank you for your presentation, Mr. Rolfe. In respect to consultation, did KAP have consultation before the bill was drafted, and, once the bill was drafted, did you have consultation after that? The other, is the issue you bring forward in regard to compensation: Are there some suggestions from your organization, as far as compensation, a baseline that you, maybe, want to recommend?

Mr. Rolfe: In regard to Bill 31 and the drafting of Bill 31, I am not aware of any consultations with our particular group. After the fact, no. I am still not aware of any consultations on Bill 31.

With regard to compensation, obviously, market fluctuations do occur from time to time. We would, obviously, not want animals to be valued that were subject to welfare kill, to the day's price because, obviously, prices would be dramatically depressed. So there ought to be some mechanism in place that can average out prices over a previous length of time that would provide a fair return for those animals that had to be destroyed.

The other aspect to the bill that was not in the presentation, was the fact of business interruption,

and how those producers could be assisted to get back into business because, as we all know, farmers depend solely on income from their animals, and if that income is not there for an extended period of time due to foreign animal disease, it can have a serious impact on a farm's viability in the long term. So that is, certainly, another area that would need to be addressed, the business interruption portion of any bill.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir. Thank you.

I next call Mrs. Betty Green, Canadian Animal Health Coalition.

Good morning, Mrs. Green. Do you have a presentation?

Mrs. Betty Green (Canadian Animal Health Coalition): I do.

Mr. Chairperson: A written presentation? I ask the Clerk to distribute it.

You may proceed when ready.

*(10:10)

Mrs. Green: On behalf of the Canadian Animal Health Coalition, I am pleased to appear before the committee today to outline the coalition's position on Bill 31, The Animal Disease Amendment Act.

The proposed changes to The Animal Diseases Amendment Act will enable West Hawk Lake to be an incremental component of the further use of zoning and movement tracking and traceability in Canada. An effective zoning capability starts with the two-zone system, an operational east-west zoning capability, and near the Ontario-Manitoba border. An effective east-west zoning capability, together with effective disease control measures can help to prevent and mitigate the spread of foreign animal disease.

In addition, it can assist to isolate or control the disease during an outbreak, track animal movement and, hence, disease spread in, out and between zones. It can re-establish trade with other nations from disease-free zones, establish a paper trail to monitor data at the zone border, reduce economic impact and return the industry to normal or near normal status faster.

Zoning is an internationally recognized practice for disease control and regaining market re-entry. The proposed West Hawk Lake control zone will

meet international guidelines, the OIE guidelines, and legislative evaluation criteria in the U.S.

Zoning has been successfully used in Canada and recognized by the U.S., and it is being used by our trading partners. West Hawk Lake offers the ideal control site for zoning and is the most effective geographic and environmental barrier to disease in our country. It is located near the political border between Manitoba and Ontario. It has relatively low volume of livestock and product movement, is isolated, remote from agricultural activity, and all east-west traffic must pass through this point.

So The Animal Disease Amendment Act will help to control disease by permitting inspectors to stop, inspect and collect information from the drivers about the animals on their loads. This role ensures the capability of detecting and effectively responding to incursions of animal diseases.

Information relative to animal movement, i.e., departure time and location, as well as destination premises and time will be collected, as well as details about the consignment, identification of the animals, species, sex, whether there have been multiple stops and pickups, mixing of species in a single load, and so forth. All of this information is essential for tracing the event of an animal disease outbreak. This is the type of information that will help to ensure the speed of deployment and containment needed to limit the effect of the disease and the spread of the potential outbreak, and to minimize animal health risks.

The provision allowed for animal welfare slaughter also provides a way of minimizing the economic impact to industry should a disease outbreak occur. Border closures can result in a closure of major markets for our animals. Livestock values plummet, and producers may be faced with situations of not being able to house or feed the extra animals. So this portion of the amendments is also very important.

The Canadian Animal Health Coalition is a national association, comprising most of our livestock commodity groups, as well as the Meat Council, trucking associations, and we have had involvement with veterinarian associations and provincial associations.

I would like to thank you for the opportunity to present on this bill today. It is a very important bill. It will allow us to move forward with our West Hawk Lake zoning initiative. The animal disease

control is a key concern of our livestock industries, and the Coalition appreciates the opportunity to provide a national perspective to this proposed legislation.

Mr. Chairperson: Thank you, Mrs. Green.

Before we move on to questions, I noticed there was another document circulated. Shall we have that included in the presentation as well, committee? [Agreed]

*The Canadian Animal Health Coalition (CAHC)
Position on Bill 31—The Animal Diseases
Amendment Act*

Impact of the Proposed Bill on Zoning - Tracking

The proposed changes in Bill 31 will enable the West Hawk Lake Zoning initiative to drive incremental impact to the use of zoning, animal movement, tracking and traceability within Canada. Effective zoning capability includes: a two-zone system, operational east-west zoning capabilities at the Ontario-Manitoba border, effective disease control measures. Together, these have been proven to help prevent and mitigate the spread of Foreign Animal Disease (FAD).

Zoning Benefits

Zoning (when aligned with other risk mitigation strategies) can isolate and-or control the spread of disease in a FAD outbreak. Zoning can also: track animal movement in, out and between zones (ergo, tracking disease spread); re-establish trade with other nations from Canada's disease-free zones; establish a paper track to monitor animal movement data at zone borders; reduce the economic impact of a FAD outbreak to the animal industry and to Canada's trade balance by accelerating the resumption of domestic and global trade; and return the industry to "normal" or "near normal" status faster.

Zoning is internationally recognized as an effective practice for animal disease control and accelerating the re-establishment of market entry. Zoning has been successfully used in Canada and recognized by the U.S. (TB Manitoba). Canada's trading partners use zoning.

Strengths of the West Hawk Lake Control Point

Strengths of the West Hawk Lake Control Point: meets OIE guidelines and USDA legislated evaluation criteria; offers an ideal control point because it is both a geographic and environmental

barrier to disease and it is located at a political border (Manitoba-Ontario); has a relatively low volume of livestock product movement and is isolated from most agricultural activity; and all Canadian east-west traffic must pass through this control point.

Why CAHC Endorses Bill 31

CAHC identifies compelling rationale for endorsing The Animal Diseases Amendment Act because of: inspection, the bill will help to control disease by permitting inspectors to stop, inspect and collect information from drivers about the animals they are transporting; information, data collection relative to animal movement (identification of the animal, species, gender, number of pick ups and deliveries, mixing of species, et cetera) is critical for effective disease control; welfare slaughter, provisions in Bill 31 to allow for animal welfare slaughter will help to minimize economic impact on the industry in the event of a disease outbreak.

Disease outbreaks can result in border closures to major markets; plummeting livestock values; and the inability of producers to house and adequately maintain animals in distressing economic conditions. Bill 31 offers viable options to prevent, mitigate and manage FAD outbreaks.

Who does CAHC Represent?

The CAHC is a national association comprised of national producer organizations: the Canadian Meat Council, animal health agencies, Canadian veterinary colleges and their national and provincial associations, several provincial Agriculture and Food ministers and representation from Agriculture and Agri-Food Canada and the Canadian Food Inspection Agency.*

The CAHC has been formed to promote a collaborative, cross-sectoral approach to managing the health of animals.

The CAHC strongly endorses the Manitoba Agriculture, Food and Rural Initiatives in the decision to enhance and strengthen The Animal Disease Act.

**Industry CAHC Representation*

*Canadian Beef Breeds Council
Canadian Cattle Identification Agency
Canadian Cattlemen's Association
Bovine AI Partnership
Canadian Livestock Genetics Association
Canadian Pork Council
Canadian Sheep Breeders Association*

*Canadian Sheep Federation
Dairy Farmers of Canada
Equine Canada
Holstein Canada
www.animalhealth.ca*

Mr. Chairperson: Okay. Questions?

Ms. Wowchuk: I would like to take this opportunity, Betty, to thank you for the work that you have done on this important issue with regard to zoning. It is one that there has been a lot of discussion on, on how we can control the animals or keep track of the animals; that, at least, is starting. Certainly, that will not help us in all of Canada, but if we can start at the West Hawk border where there are, as you said, a small number of animals going through, first, and then look at other borders. Certainly, I do not think you could ever put something like this on the Saskatchewan-Manitoba border. There are too many crossings but perhaps looking at between Alberta and B.C. where you might be able to do these types of zones. I think this is important work.

I wanted to ask you your thoughts when we talk about the humane slaughter of animals. We have been through BSE, and there were, I believe, situations where you should have had to put animals down, but we did not have the authority. If you could reflect back to that situation, do you see where this kind of legislation would have been beneficial in that situation?

Mrs. Green: Yes, I think we certainly can acknowledge that, in a situation of a foreign animal disease incursion, having provision to be able to destroy animals for welfare reasons will be required, and certainly, it is compulsory to do the work ahead of time so that you are not trying to find locations during a crisis.

Ms. Wowchuk: This is not directly related to your presentation, but people have asked about compensation. There is a clause in this act that does allow for compensation. It is not compulsory, but there is the clause there that, should there be a need to put animals down, and I would ask you—I am not asking, I am making a comment for all the committee that there is a clause that allows it, but it is an area where more work has to be done—I guess I would ask if you would agree with that.

Mrs. Green: Yes, I think that is absolutely essential. While we did not address it in our presentation because it does sort of fall outside of the issues that we wanted to raise today, it is something that the

coalition works, at the national level, with the federal government, and would certainly encourage the provincial government to make that clearly apparent to producers because it would alleviate some of those concerns.

Mr. Eichler: Thank you, Mrs. Green, for your presentation. I want to ask you as well: Did your organization have consultation when the bill was being drafted or once it was drafted for your input?

The second question would be: When you are talking about these zones, and we realize that with the borders being as big as they are and West Hawk being the No. 1 first stop that we would be able to put this zone into place, is there a recommendation from your organization to the department in regard to increasing different zones, or is your organization content with the way it is set up at this point in time?

Mrs. Green: I will speak to the issue of the consultation. We have been fortunate to have a representative from the Manitoba provincial government on the coalition as well as on the West Hawk Lake zoning initiative. So, through that involvement, I think we have been able to provide some input to the provincial government in preparation for this legislation. We have also had one meeting on behalf of the West Hawk Lake zoning initiative with the minister and her staff.

* (10:20)

In terms of the issue of zoning and further initiatives, we really see this as the first incremental step toward zoning in Canada. There are other potential zones, and certainly during a foreign animal disease incursion, zones and buffer areas will be established as determined necessary by both the federal and provincial people. At this point, though, we want to establish the West Hawk Lake, identify all of the needs and the protocols that will be required, as well as making our producers aware of how these zones will work.

So, at this point, our focus is on the West Hawk Lake initiative.

Mr. David Faurshou (Portage la Prairie): Will it require capital infrastructure at the border, and are you looking to the provincial government to provide that resource?

Mrs. Green: We have taken a look at the facilities that are at the stop point, the check point, and, for the most part, it is going to be adequate. We are looking at a pre-authorization or a pre-registration of loads

going through; so that truckers who have live animals or products can pre-register their loads. It will require very little time to stop and present that information, in terms of a certification number. So the facilities going to be required are not significant.

Other than human resources, we are proposing that the facility would be manned 24/7. Currently, that is not the case.

In terms of the way that will be funded, we have a proposal that has gone forward to the federal and provincial governments, as well as to our industry that will cost share the costs of that initiative.

Mr. Faurshou: Just in relationship, you have mentioned the United States, their zoning as well. The West Hawk line, if I will, does that link up with a U.S. line? Where do they draw their east-west movement line?

Mrs. Green: The United States has zoned each state individually. I think one of the former questions addressed the issue of the complexity of trying to zone the Manitoba-Saskatchewan border, for example. Certainly, the U.S. meets those kinds of challenges as well. So we do not exactly line up, but the international border between Canada and the United States, of course, intercepts with the border that we would be proposing, and would become an effective zone itself.

Mr. Chairperson: Okay. Seeing no further questions, I thank you for your presentation, Mrs. Green.

Just for the record, Mrs. Green was speaking in place of Mr. Matt Taylor, the Canadian Animal Health Coalition.

I next call on Mr. Andrew Dickson of the Manitoba Pork Council.

Good morning, Mr. Dickson. Do you have a written presentation?

Mr. Andrew Dickson (General Manager, Manitoba Pork Council): Yes, I do, and I brought 20 copies with me.

Mr. Chairperson: Thank you. I ask the Clerk to distribute it.

You may proceed when ready, sir.

Mr. Dickson: I would like to thank the Chair, and members of the Legislature for this opportunity to speak on behalf of Manitoba Pork Council. We represent something like 1,400 hog producers in the

province and annual sales on the order of \$800-\$900 million a year. We are an important sector of the rural economy and of the city of Winnipeg, as it has come to light recently.

I am passing around some comments that we would like to make in support of this amendment to the act. This is a good first step, and we are very supportive of the measures that have been taken. It is critical to us that our provincial veterinarians have the appropriate authorities to move quickly on diseases.

We reviewed these proposed changes earlier this year, in a general sense, with some of the staff and encouraged them to move forward with moving it to a legislative procedure.

We are pleased at the direction the province is taking in addressing these administrative concerns, which would arise if Manitoba was to experience a major disease outbreak, such as foot-and-mouth disease.

The legislation will empower the Chief Veterinary Officer to take immediate steps to isolate the potential source of a disease and to restrict movement of animals. This would have a major impact on the control of a disease, especially in the first 48 hours. There is a delay period until the federal veterinarians are prepared to make a public announcement on such a major disease.

Manitoba Pork Council is in the process of setting up a traceability system, based on the standards set up by the Canadian Livestock Identification Agency. We have almost completed a premise ID process to identify all the hog barns in Manitoba, and will be shortly issuing the special premise ID numbers and unique tattoo numbers for each premise. Our next step is to set up a standardized shipping manifest system, which will provide a near real-time means of tracing all movements of hogs. We still need to work out a system for the weanling sector, probably something like the poultry flock tracing system.

Our provincial system will be harmonized through the CCIA with other provinces. We hope to have a fully functioning national system for pigs in place within two years. We have shared our efforts with the minister and her staff on this program and are working very closely with them to ensure we are co-ordinating our efforts with them.

In addition, we are working with the Canadian Food Inspection Agency at the national level through

the Canadian Pork Council to help set up a control point at West Hawk Lake on the Trans-Canada Highway, as mentioned earlier, so that we could restrict the movements of animals from Ontario to Manitoba, effectively creating two regions of Canada. This could allow one region to continue to trade as normal as the other region is recovering from some disease outbreak. This concept has been used at a provincial level when the cattle industry was dealing with an outbreak of TB in cattle around Riding Mountain park.

Our main concern with the provincial and federal governments at this time is the lack of any defined disaster compensation program for the welfare slaughter of animals in the event of a national or regional disease outbreak in either Canada or the United States. A foot-and-mouth outbreak anywhere in Canada and the United States would essentially close down the North American pig industry in a matter of days. While diseased animals which are slaughtered under the direction of CFIA will receive compensation, all the other animals that have to be killed because the movement of animals has ceased and the processing plants have closed will receive no compensation at this time.

In the F-and-M outbreak in the United Kingdom, this was a major issue. There have been numerous stories of farmers deliberately infecting their herds to get the compensation package. Business resumption costs are also part of this problem. This business resumption interruption cost was incorporated in the compensation package offered by the federal and provincial governments when they implemented the JERI program after the 1997 Red River flood disaster. What I am saying is there is experience of doing this.

However, the economic impact of a foot-and-mouth outbreak in Canada would be so large that the lack of government initiatives has been described as a form of cognitive dissonance. I am not a psychologist, but that is the phrase I was given. This is a huge problem and needs to be addressed by the federal government. It is beyond the capacity and jurisdiction of the province. However, we can scare ourselves to death on the immensity of the problem, but one should also realize we have never had such a catastrophe and diseases such as foot and mouth, which are endemic in certain countries around the world.

The current concern is rightly about avian flu, though there is some uncertainty as to its possible

spread into North America because our production systems are very different from those in, say, south China.

My second point: The province is still trying to set up sites for disposal of dead animals in the event of a major slaughter program. The scale of our sector would require the slaughter of 5,000 to 10,000 small pigs per day after day five for about three months, and another 2,000 to 3,000 large pigs per day after day five. Now please remember, in the BSE crisis cattle producers essentially parked their cattle in pasture and feed lots and carried on feeding. There is no spare barn space for hogs. They do not survive outside, especially in cold weather. The only site which has been identified to date is located on a piece of Crown land in the R.M. of De Salaberry, and our understanding is the local council has refused to allow this use for the property.

I hope these comments will be of some value in your deliberations, and I would be pleased to take questions.

Mr. Chairperson: Thank you, Mr. Dickson. Questions?

Ms. Wowchuk: Thank you very much for your presentation, Andrew, and thank you very much for acknowledging that there is ongoing consultation and input between the department and your industry, because I think that it is very important that we continue to have that dialogue. I appreciate you acknowledging that.

A couple of points that I want to make: With regard to the lack of compensation, I pointed out earlier there is a clause within the act that does allow for compensation from the Consolidated Fund, but there are no details spelled out. There is an area to do more work. It is an area that we would have to work on together with the federal government, but perhaps it is not necessary to spell out all of the details now because you do not know whether there will be a disaster or there will not.

Do you take any comfort in the fact that it says in the act that there is the ability to offer compensation from the Consolidated Fund? That is my first question.

* (10:30)

Mr. Dickson: Thank you, Minister. We realize there is the authority there. Our argument is that it would be important to try and spell that out as early as possible, because we do not want the diseased

animals becoming the most valuable animals at that moment in time. Because what will happen is, we will have diseased animals brought over to other barns to infect them because that is the only compensation you get. Market value will be zero on day one and a half whenever people find out about this.

Ms. Wowchuk: The second question is—and you have raised another important issue, and that is: Should we have this kind of disaster, the disposal of pigs is very different than the disposal of a beef animal, because a beef animal can go to the pasture, and we saw that. Although there may have been animals that should have been destroyed, there was a way to carry them through. The challenge is on the disposal sites.

Can you give us any advice, because this is something that governments have been working on for a long time, on how do we develop these sites, but we have to do this in co-operation with municipalities? How do we ensure that we have these sites, should we need them?

Mr. Dickson: Thank you, Minister. We have been working with a group of industry representatives, federal veterinarians and some provincial staff in trying to come forward with an approach on how to select specific sites in the province based on their physical characteristics, shall we say, rather than the issue of social considerations about proximity to neighbours and that sort of thing. The major problem we see right now is this NIMBY-up thing, "not in my backyard." No one wants a big pile of dead pigs being buried or burned next door to their \$150,000 house. We understand that, but we have to find sites ahead of time, whether we keep it secret until the day arrives, or we announce them ahead of time and set something up. We have had to deal with it in other pollution issues, in terms of setting up the waste treatment system. We have down in Morris, for example—there was a site picked out there and worked on, but we recognize fully this is a problematic area in terms of social acceptance.

Mr. Gerrard: You raise a pretty important point in terms of the compensation. You refer in your presentation to the fact that, in the United Kingdom, there was a real problem here in that people deliberately infected animals. Can you tell us a little bit more about—did that exacerbate the foot-and-mouth disease? Why it is so important to make sure that the compensation is clear ahead of time so we do not get into this problem?

Mr. Dickson: I think we have to look at the United Kingdom as a very special case. I was there during the foot-and-mouth outbreak on a vacation for about a month, and the reaction in the rural community was mixed. Some people had a terrible time dealing with the issue, psychologically. They closed farms off. People were restricted in movements, and so forth.

Compensation was a real issue, in the sense that people were not sure how they were going to be compensated. There were lots of stories going around of small producers, or big producers being blamed for deliberately infecting their animals in order to obtain compensation. I think we have to bear in mind that the United Kingdom is an area about half the size of Manitoba. It has got about 30 million sheep, 2.5 million dairy cattle, half a million sows, about 800,000 beef animals, and so forth. This is a very intensively developed land mass, and they still have big, open, wide areas, mountains and national parks, cities, et cetera. So there are lots of issues, lots of small producers, lots of hobby farmers, and so forth, and it was a very difficult situation for them to maneuver in.

The concept of the old county system of containing diseases broke down, did not work, and they found animals were being transported to Scotland and the southwest of England. Scottish lambs became English lambs that got moved in the middle of the night and ended up on Scottish farms because Tesco wanted Scottish lamb. All kinds of other issues got involved. It was not just the value of the animals. It was maintaining market supply issues, in terms of supermarkets, and so forth.

We have a very different situation here, but I have to remind the members that we have a just-in-time delivery system here for pigs into southern Iowa, Minnesota and Nebraska. We ship 3.5 million weanlings every year down there, and all those trucks come back, as well. If something happened in southern Iowa, within a matter of a day or two, we would have a major closure of an industry here that generates \$800 million of income in our economy. So, when we talk about business recovery insurance, it is not just for farmers. What is the credit union going to do? What is your local municipality going to do for taxes? Who is going to be running school buses on a part-time basis if they are not making their income off a hog farm? It is this sort of issue that needs to be dealt with.

Mr. Eichler: Thank you, Mr. Andrew Dickson, for your presentation. You said you had consultation

with the minister, and I know you meet with her on an ongoing basis. Did you have input and consultation in respect to Bill 31 is my first question, and the second question is: Do you feel your organization is prepared, the way the bill is drafted, to address your issue in the first 48 hours the way the bill is currently drafted that you point to in your first paragraph of your presentation?

Mr. Dickson: We did not formally see the written legislation in advance, but we have had numerous conversations with the staff about what needs to empower the veterinarians to move quickly, the provincial veterinarians to move quickly on an issue, because our fear was the federal veterinarians would not move quickly enough within the first three days.

On the second one, on compensation, I think it needs to be addressed. We need to get that sorted out.

Mr. Eichler: Just for clarification, it was not on compensation. The 48 hours, you felt, was an issue there, does that address your issue?

Mr. Dickson: We feel that the sooner the provincial and federal veterinarians work closely to identify a particular issue or disease outbreak—we should move more quickly forward. To raise another question: The issue is, for example, if the provincial veterinarian is aware that a disease is potentially going to occur, for example, does our organization then take measures to inform our producers that there is going to be a disease control measure brought into place immediately? There is a legal issue about what potential, if it did not happen, would there be some comeback on our organization? Things like that need to be sorted out. The phrase is "save harmless" in legal terms.

Mr. Chairperson: If there are no further questions, I thank you for your presentation, Mr. Dickson.

I will now call James Wade, Dairy Farmers of Manitoba. Do you have a written presentation, sir?

Mr. James Wade (General Manager, Dairy Farmers of Manitoba): Yes I do, Mr. Chairman, and I have 20 copies available.

Mr. Chairperson: Okay. The Clerk will distribute them, and you may proceed when ready.

Mr. Wade: Dairy farmers of Manitoba supports Bill 31, The Animal Diseases Amendment Act. I am sorry, Mr. Chairman, my presentation might seem a little repetitive, but I was not thinking that all these would be prepared or presented in the same day.

Dairy Farmers of Manitoba is wholly-owned, directed and funded by Manitoba dairy farmers. Dairy Farmers of Manitoba represents all Manitoba dairy farmers and markets, all of the raw milk produced in Manitoba.

Manitoba's total milk production in the last 12 months was 307 million litres, valued at \$196 million, and all of that revenue stays in rural Manitoba. Milk production in Manitoba is 100 percent value added. All milk produced in Manitoba is processed into a wide range of consumer-ready dairy products in Manitoba at eight Manitoba processing plants.

There are 460 dairy farms in Manitoba, and the average Manitoba milking herd is 70 cows. The average total dairy herd, including dry cows and young replacement animals, is approximately 170 animals per farm. Dairy farmers are heavily involved in the livestock industry, and Bill 31, The Animal Diseases Amendment Act affects all dairy farmers.

The code of practice for care and handling of dairy animals is referenced in The Animal Care Act, therefore, all dairy farmers are required, under the act, to provide prescribed care of the animals under their care. Dairy Farmers of Manitoba supports all measures that are designed to ensure that animals receive proper care and prevent animal suffering.

* (10:40)

Bill 31 provides for the destruction of animals to prevent suffering, and to authorize the director in certain circumstances, such as a disease outbreak, to destroy animals. Dairy Farmers of Manitoba request that, at all times, the director, as it is quoted in the act, be a doctor of veterinary medicine. It is our view that only a veterinarian should have the authority to destroy animals under this act.

The rest of Bill 31, in our view, is administrative in nature, and supports the Manitoba government activity in controlling animal disease.

The Animal Diseases Act is silent on compensation for lost animals in a disease outbreak. Bill 31 does not make reference to compensation either. In highly unlikely circumstances that an animal disease outbreak would require destruction of dairy animals, compensation for lost cattle would be required. We are aware that the Agriculture and Agri-Food Canada, Canadian Food Inspection Agency has an animal compensation program. That program is inadequate to compensate today's livestock. It has not been amended for some time. In

addition, the CFIA compensation does not place an adequate value on exceptional breeding stock.

The Dairy Farmers of Manitoba supports Bill 31.

Thank you, Mr. Chairman.

Mr. Chairperson: Thank you, Mr. Wade. Questions from the committee?

Ms. Wowchuk: Thank you, again, for making your presentation. You said it was repetitive, but when it goes down in print, they are going to be under two different bills and nobody will even realize that they were repetitive on the same day.

Thank you for your support and for your input that you give to the department on the important issues of the dairy industry. I know that you and your board have constant dialogue, or ongoing dialogue, with the staff in my department.

The one issue that you mentioned is the compensation and, indeed, this is an issue that has come up. There is compensation for certain diseases under the federal act. I agree with you that they have not been reviewed in some time, but under this act there is a clause that does allow for compensation from the consolidated fund. Although the details are not spelled out, do you have any comfort in knowing that there is a clause under the act that will allow for compensation, although details are not worked out?

Mr. Wade: Thank you, Mr. Chair. Madam Minister, I was aware about the clause that says that there could be, and without the details, as the old phrase goes, the devil is usually in the details.

Just to reflect a little bit on the previous commentary, we would much rather have the details specified in advance. I would offer our services to sit down with the department and work out a schedule that might be included in a further amendment, or an amendment at another time, that we could bring that kind of detail in so that farmers would know what sort of compensation would be available for diseased animals, and animals that are not diseased, in the case, as Mr. Dickson pointed out, where the market is actually shut off and healthy animals have to be destroyed.

We are aware that CFIA is reviewing the compensation in the federal act. We have made presentations over the last two and a half years to the president of CFIA, and CFIA has not even acknowledged the fact that we have made presentations to them on the very important issues of livestock valuation, general common agricultural

value for common animals, as well as exceptional breeding stock. We got into this discussion as early as 2003 with CFIA when the Riding Mounting eradication area was established to control bovine tuberculosis. We have yet to get any kind of satisfaction out of that process, and I would even encourage your offices to jump on the bandwagon and help us out with that as well.

Ms. Wowchuk: We are talking about very unusual circumstances that could happen where you would be putting healthy animals down, in some cases, just to control disease.

Do you believe that that should be a provincial responsibility, or should it be a joint responsibility, or should it be a federal responsibility? Given that compensation right now for diseased animals falls under the federal government, where do you think this should fall?

Mr. Wade: Good question. Thank you, Madam Minister. The compensation, it really does not matter to the farmer where the compensation comes from. We would suggest that the federal compensation is set aside in some very specific and very clear circumstances and, if The Animal Diseases Act in Manitoba has a clause in it that actually says that we would get compensation under other circumstances, perhaps the two of them can be complementary. Hopefully, there would not be any fighting over it.

Mr. Eichler: Thank you for your presentation, Mr. Wade, and from your organization. I have two questions. First of all, I know you have an ongoing dialog with the minister's office. Did you have input into drafting Bill 31, or consultation once the bill was drafted? The second comes back to your compensation concern. Given the fact that we have different levels of operators when it comes to value of animals, is there some type of a formula that your organization could maybe come up with or present to the committee or the minister's office in regard to establishing a fair market value for some of these animals?

Mr. Wade: In response to the first question, were we consulted prior to the drafting? We have had ongoing discussions with the department about animal disease. Were we consulted after the drafting? No, we were not. We had made our input earlier. The second question, could we provide a formula? Indeed, in our discussions with the Canadian Food Inspection Agency, we have provided a process whereby valuation could be established for exceptional animals. We have also recommended some

formula to come up with other values for other than purebred livestock. So, yes, there are some proposals in the mix, both provincially, and we also understand that nationally there have been some things presented to the president of the CFIA, so we could draw on those experiences.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir. That concludes the list of presenters that I have before me. Are there any other persons in attendance who wish to make a presentation? Seeing none, that concludes public presentations.

In what order does the committee wish to proceed with clause by clause consideration of these bills? Since our first presentation was on Bill 30, perhaps we could begin with that bill? What is the will? *[Agreed]*

Bill 30—The Fires Prevention and Emergency Response Act

Mr. Chairperson: Welcome, the honourable Minister of Labour and Immigration.

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

Hon. Nancy Allan (Minister of Labour and Immigration): Yes, Bill 30 is intended to modernize, clarify and enhance the powers of the Fire Commissioner, local assistants and municipalities in order to improve safety and provide a more effective response to fires and other emergencies.

One of the key changes in the new act will be binding on the Crown. Though the Crown complies with the current act as a matter of policy, it is not bound by the act. Making the legislation binding upon the Crown will ensure that the Manitoba fire code applies to Crown-owned buildings, and will require fire safety inspections of Crown property.

This bill requires authorities at the municipal level to establish a local incident management system for directing and managing emergency response services within their boundaries.

The role of the Fire Commissioner in emergencies will be clarified and extended to include disasters.

The bill provides for the creation of fire protection areas by regulation in areas that are not within a local authority, such as provincial parks.

* (10:50)

The bill also provides a more efficient system for dealing with structures that pose a fire hazard. Currently, the minister must approve the closure or demolition of such structures. Under the bill, the enforcement powers of the Fire Commissioner and local assistants will include the ability to close buildings and order the demolition of structures that are deemed dangerous to public safety because they pose a fire hazard.

Bill 30 also improves compliance measures by giving the Fire Commissioner and local authorities the power to remedy contraventions of the act if an owner or occupant of a building fails to comply with an order to take fire safety measures.

The bill also focusses on the importance of providing quality training for fire and emergency response professionals. The intent of the new legislation is to provide the best possible response to fires and other emergencies and disasters and effective preventive measures that will make our community safer. It has been developed in consultation with the Manitoba Association of Fire Chiefs and the Association of Manitoba Municipalities, and I thank them for being here today to present to the bill and for their ongoing commitment to working with our department.

Mr. Chairperson: We thank the minister.

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

Mr. Ron Schuler (Springfield): Thank you. Just a few brief comments. First of all, I would like to thank the minister's department for the briefing that we had on Bill 30. At that time it was indicated to us that there had been extensive consultation that had taken place and the bill was about six years in the making. We would like to thank all of those who participated in the process.

I do have some questions on Bill 30 and will conclude my comments. Hopefully, we can get those questions out of the way and then move on with the legislation.

Mr. Chairperson: Okay. I thank the member. During the consideration of bills, the table of contents, the enacting clauses and the titles are postponed until all other clauses have been considered in their proper order. Also, if there is agreement from the committee for the longer bills, I will call clauses in blocks that conform to pages with the understanding that we will stop at any particular clause or clauses where members may have

comments, questions or amendments to propose. Is that agreed? *[Agreed]*

We will now proceed to clause-by-clause consideration of the bills.

Mr. Schuler: With the indulgence of the committee, I do have a few questions that I would like to ask. My first question to the minister is: Those individuals that will now be inspecting buildings that have had a fire or in the case of where there might be a toxic spill or that kind of a situation, what kind of coverage do those individuals have? Would they get the same coverage that currently is extended to firefighters?

Ms. Allan: Yes, they would.

Mr. Schuler: Where is that provision? Where are they covered off? Is it through this legislation? Is it through other legislation? How is it that they are covered off to ensure that they are protected in case they contract an illness?

Ms. Allan: Through the legislative changes that we made to the WCB act last year in regard to the presumptive legislation.

Mr. Schuler: Then I have another question and that has to do with—in the act it speaks about the Fire Commissioner is authorized to respond to emergencies and disasters. My question to the minister is: Does that include all emergencies and all disasters? For instance, would that have included the flood of 1997?

Ms. Allan: It is only emergencies that are too technical or too complex for the local municipality, and I believe they make that determination in consultation with the local municipality.

Mr. Schuler: And that is laid out where in the legislation?

Ms. Allan: It is not in the legislation. It is by policy.

Mr. Schuler: Would that be something done through regulation?

Ms. Allan: There are a number of situations or a number of items in the legislation that are being done by regulation to provide clarity in regard to who is responsible, particularly around the incident management systems. We also have done quite a bit of consultation with the office of the Emergency Measures Organization to clarify roles. It is certainly something that we could do by regulation, if we felt it was necessary, but we believe that there is a high

level of confidence in these kinds of roles being laid out in public policy.

Mr. Schuler: Thank you very much. Again, for instance, taking the flood of 1997, who would then have been in charge of that? Would that be EMO or would it be the Fire Commissioner's office?

Ms. Allan: It was EMO.

Mr. Schuler: But under this legislation, who would it be and where would that be covered off?

Ms. Allan: The Emergency Measures Organization would still be the lead.

Mr. Schuler: Again, we just want on the record to be clear, how is it that EMO would be responsible in this case and not the Fire Commissioner's office? Just a very technical kind of a question.

Ms. Allan: The definitions in regard to emergencies and disasters are laid out in the legislation and provide clarity to the organizations.

Mr. Schuler: My last question is: The Fire Commissioner is clearly the one who takes control of a scene. So, if there is a train derailment in a remote or rural area and the Fire Commissioner tends to be more city-based, how is it that the Fire Commissioner's office takes control of a situation like that? How do you transfer some kind of authority?

Ms. Allan: The Office of the Fire Commissioner actually, operationally, is out of Brandon.

Mr. Schuler: That having been said, how would you, for instance, get some kind of authority in place if there was a train derailment in Thompson?

Ms. Allan: Well, there are two staff people in Thompson, and probably if you want to talk about a train derailment, there was one a few years ago, very close to my home town of MacGregor. Actually, the Office of the Fire Commissioner was involved in that derailment and it was toxic substances.

Mr. Schuler: So under this legislation then, the Fire Commissioner's office would still be the authority responsible. Would they then transfer the authority to a local office?

Ms. Allan: Not necessarily. It depends on the situation, and every situation is different, depending on exactly what the matter of the incident is.

Mr. Schuler: I guess, just—and these are just issues that were brought up to me. My question is: How do you get someone on site to be responsible to take

control of this situation? Because, I mean, clearly, that is what this legislation allows for: the Fire Commissioner's office to take control to ensure that the situation is being dealt with.

How do you do that when, basically, the leadership is in Winnipeg, anecdotally out of Brandon, but the incident happens in a remote location? Who actually then is in control? Or does the Fire Commissioner then have to get into his beautiful, shiny van and drive all the way up to Thompson? Which is impossible, also. I mean, the mechanics of it, how do you ensure that there is someone from the Fire Commissioner's office in charge? Is that then given over to a local authority?

Ms. Allan: Authority can be delegated even to a local assistant.

*(11:00)

Mr. Chairperson: Okay. No further questions?

Clause 1—pass; clause 2—pass; clauses 3 and 4—pass; clause 5—pass; clause 6 and 7—pass; clause 8—pass; clause 9—pass; clause 10 and 11—pass; clause 12—pass; clauses 13 and 14—pass; clause 15—pass; clause 16—pass; clauses 17 and 18—pass; clause 19—pass; clauses 20 through 22—pass; clause 23—pass; clauses 24 through 26—pass; clauses 27 and 28—pass; clause 29—pass; clauses 30 and 31—pass; clause 32—pass; clause 33—pass; clauses 34 through 37—pass; clauses 38 through 40—pass; clauses 41 through 43—pass; clause 44—pass; clauses 45 and 46—pass; clauses 47 through 51—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 19—The Agri-Food and Rural Development Council Act

Mr. Chairperson: We will now move to Bill 19, The Agri-Food and Rural Development Council Act.

Does the minister responsible for Bill 19 have an opening statement?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Yes, thank you, Mr. Chairperson. The Agri-Food and Rural Development Council is a new piece of legislation, and it is to establish an advisory council to the Minister of Agriculture, Food and Rural Initiatives.

Mr. Chairperson, this council is really a think-tank type of forum for me and for future ministers to consult and envision the long-term needs of rural and northern Manitoba, of agricultural producers, the secondary food sector and other rural industries.

Really, this council comes out of the Growing Opportunities consultation that involved many meetings with many organizations and communities. In establishing this council, there was, indeed, an awful lot of consultation and suggestions that were made from people across the province that we needed this type of think-tank, and, indeed, it is very similar to the Premier's Economic Advisory Council.

The council's mandate is consistent with our government's commitment for meaningful consultation with stakeholders. It is also important to use these insights to enhance the department's long-term strategic approaches to opportunities and challenges that face the industry, both the agriculture industry and the whole rural economy.

I will certainly be looking to this group for innovative ideas and options that help us build Manitoba's competitive advantage in agriculture, in the food sector and in working towards a vibrant rural community. The council members will examine agriculture and rural economies and explore new ideas for economic growth and for partnerships. Council ideas and recommendations will be brought forward and will help inform the department on long-term strategic plans.

To accomplish this goal appointees to the council will be Manitobans who demonstrate collaborative out-of-the-box thinking. They will have the breadth of understanding for long-term opportunities and challenges and will not be asked to bring forth specific issues but to be the bigger outside-the-box thinkers.

This act also repeals The Agricultural Productivity Council Act, which first received Royal Assent in 1966 but was re-enacted in 1987 to comply with requirements with all legislation to be in both English and French. Initially, it was The Agricultural Productivity Council Act, which may have been able to provide the format for the new council. We could have used the old act, but as we looked at it, it was very outdated and it would have required many changes. Given that agriculture has changed and the rural communities have changed so much during the past 40 years, it was the advice and our thought that it would be better to move forward with new recommendations rather than amendments to the old act.

So I am very pleased to have this legislation here where we can have an advisory council in place that will help all of us as we move forward with the many

challenges and opportunities in the industry. Thank you, Mr. Chairman.

Mr. Chairperson: Thank you, Minister.

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

Mr. Ralph Eichler (Lakeside): Mr. Chair, just a few words that I want to put on the record in regard to Bill 19.

The bill the way it stands is more of an advisory capacity for the minister, and we do have amendments we are bringing forward to assist the minister in making the bill that much better.

Mr. Chairperson: We thank the member.

Shall Clauses 1 and 2 pass?

Mr. Eichler: I move

THAT Clause 1 of the Bill be amended in the definition "council" by adding "Advisory" after "Development".

Mr. Chairperson: It has been moved by Mr. Eichler that—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense?

An Honourable Member: Yes.

Mr. Chairperson: The motion is in order.

The floor is open for questions.

Mr. Eichler: Just for clarification for the minister and the committee, what this amendment does is it allows the council to be giving advice to the minister. This is just a bit of a housekeeping amendment, but it does give the clear indication of what the council actually is. It is offering advice to the minister so that is basically the intent of the motion, Mr. Chair.

Mr. Chairperson: Thank you.

* (11:10)

Ms. Wowchuk: Mr. Chairman, I would speak against the recommendation that the member has put forward. If you put forward advisory council, that suggests that this committee will be making recommendations to the government and that government—with recommendations government would have to follow those.

This council is here for thinking and it is a development council, not an advisory council as the

member has suggested. So I would speak against the amendment.

Mr. Chairperson: Any other speakers? I see none.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clauses 1 and 2—

Mr. Eichler: I will withdraw my amendment that I was going to present because it will be ruled out of order. It had to do with the same intent as the first one, Mr. Chair. So I withdraw my comments.

Mr. Chairperson: Thank you.

Clause 1—pass; clause 2—pass; clauses 3 through 7—

Mr. Eichler: Mr. Chair, I have an amendment to 4(1).

I move

THAT Clause 4(1) of the Bill be replaced with the following:

Members of council

4(1) The council is to consist of up to 15 members, appointed by the minister, who are to represent all regions of the province.

Term of members

4(1.1) A member of the council is to hold office for up to three years, and continues to hold office until a successor is appointed.

Mr. Chairperson: It is an amendment to Clause 4, so I am going to ask if we have will to pass clause 3.

Clause 3—pass.

It has been moved by Mr. Eichler

THAT Clause 4(1) of the Bill be replaced with the following—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

The amendment is in order.

Mr. Eichler: What this does is that it gives the council a number of members that are going to be appointed. We feel that, with the number of members that are on committee that will be offering advice, 15, based upon the 30 that come from Ontario, this is actually quite generous. Population-wise, we would only need three, but because of the presentations on behalf of KAP and the dairy association, I think 15 is very clear, and the other thing that the amendment does is that it allows for a three-year term appointment. I think that also would be in order, Mr. Chair.

Ms. Wowchuk: Again, Mr Chairman, I will speak against this amendment. As clause 4 reads, it has "an unlimited number of persons." That gives the ability to deal with a broad range of issues, depending on what the issues are, the kinds of issues we want to see people be involved in. There may be someone who has a very different perspective of things, who could bring some new ideas to a table.

As I said, this is a council that we want to think outside the box, and I would not want to restrict the membership to only a few people when there might be someone outside of that number who could help us in a very effective way. I also do not think that it is necessary to restrict or control the number of years that a person can serve because we want flexibility. There may be somebody whom we can bring in for a short period of time or somebody who may work for a longer period of time. So I would speak against this amendment.

Mr. Eichler: I thank the minister for her comments. Does the minister have a number of which she is looking at as far as the committee, the number of people that she wanted to appoint? What does she feel is a fair representation as far as numbers on the committee?

Ms. Wowchuk: Mr. Chairman, it will depend on the issues that we are dealing with. What I envision is seeing a core group of people who will lead the council but having the flexibility to bring people depending on the issues that arise. That is why saying that somebody's term has to be three years will not work, because depending on issues we may have more people and we may have less people on the council.

Mr. Eichler: Having said that, then, would the minister clarify that this will be a revolving committee, or is she going to have a standard committee from which she will then draw other people in as a kind of a subcommittee that will be making recommendations to that committee or presentations to that committee?

Ms. Wowchuk: As I said, what we envision is having a core group of people, but it depends on the issues that may arise, on the expertise that is out there, on the kind of people that we want to draw in to talk about a particular issue.

It depends, but there will be a core group of people, and then there will be the ability to draw from other people depending on what the issues are that we are wanting to move forward on, where we want to have the discussion.

By having the ability to bring different people to the table, there may be an issue that you need a longer period of time to develop a position on. There may not be the need to have people there for a long time. So it depends on the issues.

Mr. Larry Maguire (Arthur-Virden): Just one particular question in regard to this issue as well, the minister has indicated that there will be an open-ended number and time frame that these individuals could sit under the auspices which will certainly encourage any kind of new development, that these individuals would come from anywhere in the province and look at development opportunities.

With the same opportunity in mind to not close out, then, any kind of opportunity, is the minister looking at all these members being from Manitoba, or would some of them from time to time be from outside the province?

Ms. Wowchuk: Mr. Chairperson, I would like to keep that open so that should there be an issue where we want to call expertise from another area to help us with a development issue, I would want that flexibility to be able to do that.

Mr. David Faurshou (Portage la Prairie): If I read the minister right, she is looking for just Manitobans, or can she draw from any other area of the country for this council participation?

Ms. Wowchuk: The core group of this council will be Manitobans, but I want to have the ability, should there be an issue where we want to draw expertise from another area, that we can bring them in. But the core group of the council will be Manitobans.

Mr. Maguire: Well, just as clarification, then, some of the council members might be from outside Manitoba.

Ms. Wowchuk: As an example, there could be an industry from outside the province that could help us, so, yes, there could be a possibility that someone on the council could be from outside the province. If there was a particular industry that was doing some work that we wanted to draw on, yes, there could be someone from outside the province.

I see nothing wrong with that because if somebody outside the province has expertise that we can use, we do not have to re-invent the wheel.

Mr. Maguire: Just a procedural question, then, Madam Minister, what would be the normal course if someone came in from an industry outside the province now and wanted to set up an economic development opportunity in agriculture today in Manitoba?

If you have someone who wanted to come into Manitoba with a project for an agricultural development, what would be the normal course—I mean, they would not be rejected now, so what would be the normal course of action for someone with an idea that you have just described coming into the province? What would be the normal course of action that they would take in regard to establishing their business?

Ms. Wowchuk: I think we are talking about two different things here. The normal process, I would say to you, look at a company like OlyWest that is outside the province. Look at Maple Leaf Foods. They are from outside the province. They came in.

* (11:20)

When I talk about having expertise, this is not somebody who is using the council to get their business established. This is a council that will help develop ideas. So we might draw on expertise from someone who may be looking at a business, may have a business here or may not have a business here, but has some ideas that would help us in our development. So there are many ideas of how it could work.

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

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is as follows: Moved by Mr. Eichler

THAT Clause 4(1) of the Bill be replaced with the following:

Members of council

4(1) The council is to consist of up to 15 members—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

—appointed by the minister, who are to represent all regions of the province.

Terms of members

4(1.1) *A member of the council is to hold office for up to three years, and continues to hold office until a successor is appointed.*

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clause 4—pass. Shall clauses 5 to 7 pass?

Mr. Eichler: I have an amendment for clause 5, Mr. Chair.

I move

That Clause 5 of the Bill be amended by adding "at least once every three months," after "meet".

Motion presented.

Mr. Chairperson: The motion is in order.

Mr. Eichler: What this does is allows the council to make a true commitment to meeting with the minister, and I think that it would be important that we define that they at least meet once every three months.

Ms. Wowchuk: Again, Mr. Chairperson, I will speak against this amendment because it is restricting the ability of the council. It becomes very difficult when you start to put in legislation when or when they are not going to meet. That is a decision that the council will make as they become established, but I also say to the member that summertime is a difficult

time for meetings. I really do not want to be saying to people that they have to meet every three months. So I would speak against this, and say that I would leave it in the council's hands as they become established, to determine how often and when they should meet.

Mr. Maguire: Just for clarification, would the minister then be amenable to looking at the council meeting four times a year?

Ms. Wowchuk: Again, Mr. Chairperson, I do not think you have to spell out in legislation when a council will meet. I think that becomes very difficult if you start to be so prescriptive that you are saying in this legislation that they have to meet at least four times a year. We are establishing a council, and I think that as they become established, set the ground rules on how they will meet without prescribing it in legislation.

Mr. Maguire: I only raised that because I also note in the bill that it states that the council may determine its own practice and procedure. I was assuming that the minister would be giving it some direction, other than that because that is pretty open-ended. It is nice to have a council, and it is certainly great to have an opportunity to hear people's views, but when it has not got its own practice and procedures that determine it, it sounds like some other areas that we are dealing with, in regard to trying to establish some other businesses in Manitoba right now, where there are some open-ended opportunities there. That is the only reason I raised the issue of meeting on a more regular basis.

Ms. Wowchuk: I think the member is mixing things up. He is talking about businesses that are trying to establish in Manitoba. This council is not about establishing business. This is a council that is a think tank giving ideas on where we might go.

The council will report annually and the council will set their terms of reference. I can assure the member that as the council is established, we will have set out the terms of reference that they will operate under.

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

Some Honourable Members: Question.

Mr. Chairperson: It has been moved by Mr. Eichler *THAT Clause 5 of the Bill be amended by adding "at least every three months," after "meet".*

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clause 5—pass; clauses 6 through 7—pass. Just for clarification, clauses 3 through 7—pass; clauses 8 through 10—pass. Shall the table of contents pass?

Mr. Faurshou: A question regarding the resources allocated to the council. It is stated that there will be an annual report provided to the minister. During meetings, will the minister's office be providing some type of recording personnel and to be able to also co-ordinate the meetings with agenda items and basically clerical administrative support. Also, if there is required investigation research on particular topics, will the minister's office be providing that to council unrestricted or will there be some restrictions?

Ms. Wowchuk: Mr. Chairman, yes, there will be staff available from the Strategic Planning division of the department, and there are resources available for them as well should there be work that has to be done, but it is that division of the department that will work with them and staff them to the extent that they need it.

Mr. Faurshou: If council members were wanting to further investigate, say, an issue involving potatoes and wanted to travel to Idaho or to P.E.I. for on-site, is that type of budget going to be afforded the council members, or is there a requisition or a request type of mechanism when you put in place by regulation so that council members will know the parameters of putting forward a request to further the investigation of a particular topic?

Ms. Wowchuk: As I said, there is a budget, but it is a modest budget and the council will have to prioritize prudently on which areas they want to work in. But the member talks about, for example, the potato industry. If there was a project that they wanted to look at, it would have to involve the industry and it would be a partnership between the industry and government on how these issues would

be addressed. But certainly—the member smiles, but I know that when we work on these kinds of issues, industry very much wants to be involved.

Mr. Faurschou: Now my smile was to recognize the minister's intuitiveness in my questioning and to look to the ideas that I had actually in mind and for her to bring attention, once again, to the potato industry as a very collaborative one here in the province of Manitoba.

Mr. Chairperson: Table of contents—pass; title—pass. Bill be reported.

* (11:30)

Bill 20—The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act

Mr. Chairperson: We will move on to Bill 20, The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act.

Does the minister responsible for Bill 20, have an opening statement?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Yes, Mr. Chairman. The proposed changes here are to amend two existing statutes, The Family Farm Protection Act and The Farm Lands Ownership Act, by removing all references to the executive director or chief executive officer position and replacing these with a more standard reference to staff being appointed. This is in accordance with The Civil Service Act.

This is consistent with other statutes administered by the Manitoba Agriculture, Food and Rural Initiatives and is reflective of the recent reorganizational changes in the department structure and staff responsibilities.

A further amendment replaces an outdated liability protection provision with one that is also consistent with other provincial statutes. The amendment provides protection from liability for members of the board, for employees and others acting under the authority of the act, unless the person was acting in bad faith.

The third aspect of the bill is to incorporate gender-neutral wording that is standard in provincial legislation.

Mr. Chairperson: We thank the minister.

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

Mr. Ralph Eichler (Lakeside): We agree that the government legislation should be modernized to reflect structural changes within organizations, such as the Manitoba mediation board.

It is important that the language in government legislation and regulation be gender-neutral to account for increasing presence of female professionals employed within the Manitoba civil service.

Revisions to the protection of board members from liability are also important for them to effectively carry out their duties; however, the amendments do not provide any solid definitions of what constitutes bad faith. Under the legislation, that is an important aspect of any government-appointed board in terms of accountability, so that is a concern that we have, Mr. Chair. But we do realize that the legislation is important and we need to move it forward.

Mr. Chairperson: We thank the member.

Clauses 1 to 2—pass; clauses 3 to 5—pass; clauses 6 to 7—pass. Shall clause 8 pass?

An Honourable Member: No.

Mr. Chairperson: No.

Mr. Eichler: Because of the definition of bad faith, could the minister put on record what her department constitutes as bad faith that they will be looking at in this particular legislation?

Ms. Wowchuk: The concept of bad faith has been interpreted by the Supreme Court of Canada and other Canadian courts. For example, an official cannot be motivated by an intention to harm an individual or act with malice toward that individual.

Mr. Eichler: So the Province of Manitoba then, for the record, would be following the federal guidelines as far as the definition of bad faith. Is that correct, Madam Minister?

Ms. Wowchuk: This would be following the courts. That is right.

Mr. Chairperson: Clause 8—pass; clause 9—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 31—The Animal Diseases Amendment Act

Mr. Chairperson: We now move on to Bill 31, The Animal Diseases Amendment Act.

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

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Chairman, as we heard earlier, this bill amends The Animal Diseases Act.

It makes minor housekeeping amendments made necessary when MAFRI was restructured. These include replacing the director of Veterinary Services with a general director for the purposes of this act, new responsibilities, and we have had to amend the act to address those new responsibilities.

A new provision is added for the purpose of animal welfare slaughter. The director, under the act, is authorized to order healthy animals to be destroyed in certain extraordinary circumstances as were outlined by our presenters today.

These might occur when a border closure disrupts normal market flow of animals resulting in a backlog or overcrowding on farms in Manitoba. If animals are abandoned or the owner is unlikely to be able to care for them, then they may also be ordered to be destroyed.

To help control diseases, inspectors are permitted to stop a vehicle that is transporting animals and to collect information about the driver and the animals. New regulations may prescribe where and when those drivers must report to an inspector, what information they must give, and how the department may use or disclose it.

Other regulations may be made about when and to whom the department may disclose information it collects about farms and other commercial places where animals are kept.

These provisions will also enable geographic zoning to be implemented thereby separating disease control areas by creating for the purpose of both controlling the disease and ascribing the zones' animal health status. This will reduce the impact of animal disease outbreak in other provinces and within the province.

Mr. Chairperson: We thank the minister. Does the critic from the official opposition have an opening statement?

Mr. Ralph Eichler (Lakeside): Yes, I do, thank you, Mr. Chair. We agree there needs to be an effective means of preventing or limiting the spread of disease among livestock populations in both Manitoba and Canada. This bill will give inspectors the power to stop vehicles transporting livestock, collect information about the driver and cargo, and

order healthy animals destroyed in the event of a border closure or disease outbreak. We also agree that should animals need to be destroyed, it is done in a humane manner.

This legislation focusses on stopping diseased livestock at the Manitoba-Ontario border but fails to address multiple access points between Manitoba and Saskatchewan. Should diseased animals enter Manitoba from the west, they would end up being transported across the entire province before they are intercepted. There needs to be provisions that specify establishment of inspection stations at western entry points. I know we talked about that at the briefing the minister gave us. We know that this is a good start so we have to work from that.

Also, there is no indication that a compensation program will be available for producers to recover their investment should healthy animals be destroyed. A number of presenters brought that forward, and we will talk about that a bit later into the bill.

The bill fails to provide for disposal sites to remove potentially hundreds of dead animals.

Under Bill 31, the Manitoba government will have the authority to share information on livestock shipments and inspections of other agencies, i.e., Canadian Food Inspection Agency, Transport Canada. This could create concerns among stakeholders over their right of confidentiality. I know that the minister is very concerned about confidentiality as well, and we have to ensure that for all producers and people within the province of Manitoba and all of Canada, that those rights be maintained.

I know that the minister has put on the record that there is compensation that would be made available, and, as I said, we will get into that once we start debating the bill.

I am also wanting to put on the record that I would like to see more consultation from her department. Out of the four presenters, we had two that had consultation, two that did not, and the parent organization of all of them which is KAP did not have consultation. I think maybe their presentation would have been a bit different had she had the consultation with that particular group.

So, having said that, Mr. Chair, we will move on with the bill.

Mr. Chairperson: I thank the member.

* (11:40)

Ms. Wowchuk: Just to clarify for the member, this has been a major topic of conversation with all aspects of the industry. I would say from the time that foot-and-mouth disease broke out in Europe, there have been discussions.

Certainly BSE made us more aware of it. The discussion of avian flu is also a topic of discussion. I can assure the member that this has been a long ongoing discussion. The industry has been very involved and, as well, has made many recommendations and recognizes how important it is that we have in place systems that will allow for some zoning, but also to control disease should there be an outbreak.

I did indicate to the member that there was a clause in the act that did allow for compensation, but it is not spelt out in this. But there is a clause under the main act that does allow for compensation.

Mr. Eichler: Just a response into the minister's consultation, and I am not making a big deal out of it, and we will not debate anymore unless she wants to, but I did specifically ask those two groups, and I asked all four. The record still states that two of them had consultation and two did not.

So she can put on the record if she likes that they were all consulted, that the presenters when asked the questions, denied having conversations with the minister in this particular regard. So we will just leave it at that.

Mr. Chairperson: Clauses 1 and 2—pass; clause 3—pass. Shall clause 4 pass?

Mr. Eichler: I think I would like to take this opportunity, since we are on that part of the bill, to ask the minister and her staff: We pulled The Animal Diseases Act and in Section 15(1): "A municipality may pay to the owner of any animal compensation for animals destroyed or otherwise disposed of under this Act." Also, Section 16, Payment of compensation, and it is Section 16(1): "From the Consolidated Fund, with moneys authorized by an Act of the Legislature for such purposes, the Minister of Finance on the written requisition of the minister may pay to the owner of any animal compensation for animals destroyed or otherwise disposed of under this Act."

My question for the minister is: I know she was asking the presenters on their input, and I certainly ask the same questions about feedback, as far as who

should be paying, whether it is provincial responsibility, federal responsibility. But in the way that I am reading this, the provincial government will be taking compensation, the way I read this, under their privy, under the Minister of Finance.

I would like to ask the minister if this is what the intent is, and if not, how she perceives that being done. Is there going to be a formula established for compensation for the producers, should a loss occur? Will there be maximums that will be allowed to be put on values for these animals?

Ms. Wowchuk: Mr. Chairman, as I had said earlier when people were asking about compensation, I did outline to the presenters that there was a clause within the act that did allow for compensation. You have the ability under that clause to move forward. But we have to remember that this does not mean the Province taking sole responsibility. That is why I said earlier, there have to be discussions with the federal government.

Certainly, the Province is not going to supersede what the federal government does under CFIA with compensation right now. There are things that are compensated, and I can tell the member that we are in discussion with the federal government. I have raised this particular issue, particularly the pork issue, with the federal government and there are discussions.

So there is the ability under the act to compensate, but there are no details. There are no schedules and we are not taking over federal responsibility. We want to work in conjunction with them should this kind of situation arise.

Mr. Eichler: The last part of my question, the minister was on maximum payouts. Is there indication on what the minister or her department feel would be a maximum payout or will there be an individual case by case basis?

Ms. Wowchuk: As I indicated in my previous answer there is no schedule on what the level of payouts will be. This is something that is being negotiated and discussed with the federal government. Should you have a disaster where animals have to be put down it is a very serious problem and we have to be sure that all levels of government are involved.

Mr. Eichler: I agree with the minister. It is a very serious problem and that is why we are talking about it now. The concern that I have with this compensation issue that has been brought up by a

number of people, could the minister indicate for us the timeline of what she sees trying to get something negotiated with the federal government. Is there some type of indication whether or not she wants to be doing that before the bill is proclaimed or would she like to see the bill proclaimed and then do the negotiation process?

Ms. Wowchuk: I want to see this bill proclaimed. We have no guarantees from the federal government as to how they are going to negotiate, but we need this bill to proceed. The discussion on compensation is one that we have to continue to work on.

Mr. Eichler: My final question for the minister is: If the minister cannot negotiate a compensation plan with the federal government, will her department indicate that they will be addressing this issue on a provincial level to ensure that the producers will be somewhat compensated for an animal that may have to just be destroyed?

Ms. Wowchuk: Mr. Chairman, if the member is asking me if I am going to take sole provincial responsibility for these kind of issues, no. We are not going to do that. If you get a disease outbreak, it is a national issue, and it is one that all levels of government have to work together on.

Mr. David Faurchou (Portage la Prairie): Just in relationship to the compensation and the discussions, there was made mention in presentations that one should also be cognizant of the related industries that would be adversely affected by catastrophic situations whether it be trucking or feed companies or any suppliers that base their own business upon the livestock industry here in the province and just wanting to make certain that the minister in her deliberations in regard to this topic that that is also a consideration.

Ms. Wowchuk: The ultimate goal is to deal with the producers and the animals. That is the main issue of the department. If you can mitigate as much as possible the effects, then there is not nearly as great a ripple effect as if you are not dealing with it.

Our primary goal is to set out a framework where we are able to deal with the primary producer,

with the animals should a situation like this arise, but a provincial government cannot take on that sole responsibility of all the ripple effect without other levels of government. That is why I say we have to have the discussion with other levels of government but our primary goal here is dealing humanely with animals and controlling spread of disease.

* (11:50)

Mr. Faurchou: I appreciate the minister's understanding of the situation, but times have changed on the farms insofar as that margins have narrowed not only as producers, but those that are supplying the primary agriculture here in the province as well. It would be not a stretch, I personally believe, for the department to make certain that there is business interruption insurance that is available in other sectors. I am not saying the department is to get into the insuring business, but, also, too, though, just an understanding that where one might acquire this type of protection, because I do know that it is actually quite devastating to not only producers but related suppliers and industries dependent upon the livestock producers of the province.

Ms. Wowchuk: Mr. Chairman, the member raises some interesting points, and that is why, as we look at different scenarios that may happen, that it is important that the industry be part of the discussions and part of the planning should a situation like this arise. Hopefully, it will not arise, but there has to be some planning, and certainly you cannot plan for everything, but I think it is important that the industry be involved and look at different scenarios.

Mr. Chairperson: Clause 4—pass; clause 5—pass; clause 6—pass; enacting clause—pass; title—pass. Bill be reported.

That concludes the business of this committee.

The hour being 11:50, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 11:52 a.m.

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