

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

*Chairperson*  
*Mr. Len Isleifson*  
*Constituency of Brandon East*

**Vol. LXXVI No. 2 - 6 p.m., Monday, March 14, 2022**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
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SANDHU, Mintu	The Maples	NDP
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SMITH, Andrew, Hon.	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
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SQUIRES, Rochelle, Hon.	Riel	PC
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WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
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<i>Vacant</i>	Thompson	

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

**Monday, March 14, 2022**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Len Isleifson**  
**(Brandon East)**

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

**ATTENDANCE – 6 QUORUM – 4**

*Members of the committee present:*

*Hon. Mr. Goertzen, Hon. Ms. Gordon*

*MLA Asagwara, Ms. Fontaine, Messrs. Isleifson,  
 Nesbitt*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

**PUBLIC PRESENTERS:**

*Bill 10 – An Act respecting Amendments  
 to The Health Services Insurance Act,  
 The Pharmaceutical Act and Various Corporate  
 Statutes*

*David Kron, Barrier-Free Manitoba*

**MATTERS UNDER CONSIDERATION:**

*Bill 5 – The Coat of Arms, Emblems and the  
 Manitoba Tartan Amendment Act*

*Bill 10 – An Act respecting Amendments  
 to The Health Services Insurance Act,  
 The Pharmaceutical Act and Various Corporate  
 Statutes*

*Bill 11 – The Elections Amendment Act*

\* \* \*

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

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

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I would like to nominate Mr. Isleifson.

**Clerk Assistant:** Mr. Isleifson has been nominated. Any other nominations?

Hearing none, Mr. Isleifson, please take the Chair.

**Mr. Chairperson:** Good evening, everyone.

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

**Mr. Goertzen:** Mr. Nesbitt, would you stand for nomination?

**Mr. Chairperson:** Mr. Nesbitt has been nominated. Are there any nominations?

Hearing no other—further nominations, Mr. Nesbitt is elected as Vice-Chairperson.

So, tonight's meeting has been called to consider the following bills: Bill 5, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act; Bill 10, An Act respecting Amendments to The Health Services Insurance Act, The Pharmaceutical Act and Various Corporate Statutes; and Bill 11, The Elections Amendment Act.

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

Prior to proceedings with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allotted for questions from committee members.

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.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I would first ask that I would say the

person's name. This is a signal for Hansard recorders to turn the mics on and off.

Also, if a presenter has any written materials for distribution to the committee, please send the file by email to the moderator, who will distribute it to committee members.

Again, thank you all for your patience. We will now proceed with public presentations.

**Bill 10—An Act respecting Amendments to  
The Health Services Insurance Act,  
The Pharmaceutical Act and  
Various Corporate Statutes**

**Mr. Chairperson:** With that, I will call on Mr. David Kron, and ask that the moderator invite them into the meeting.

Mr. Kron, I would ask you to please unmute yourself and proceed with your presentation.

**David Kron (Barrier-Free Manitoba):** Thank you. I'm David Kron, I'm with the Barrier-Free Manitoba, and I'm speaking to you all tonight on Bill 10, on changing how meetings are held in Manitoba.

As you might know, or might not know, Barrier-Free Manitoba was established in 2008 to—for the full implementation of The Accessibility for Manitobans Act, which was passed by the House in December of 2013.

I do want to thank the committee for bringing forward this bill to allow people to vote electronically going forward. We learned a lot during the pandemic.

The one thing I wanted to bring up is that not every Manitoban has the Internet or a computer for connection. So we don't want having electronic meetings to be a barrier for inclusion for those low-income Manitobans and for Manitobans that don't have that—those abilities.

One in—175,000 Manitobans have a disability and so that's a sizable portion of our population, and we really need to actively break down those barriers, whether it be technology, attitudinal or changing the way we do business in Manitoba.

So, a couple of thoughts: one is, nowhere in Bill 10 does it mention the AMA, The Accessibility for Manitobans Act.

Second, our recommendation to the committee is, put in legislation so that the people that are hosting or having the meetings in the election have an—offer an active offer.

So that—what that means is they have to put right in their materials that they'll provide it in a different way, in a way that allows a hybrid, let's say, of in-person and electronic voting and participation.

It really is important that we all be able to participate in all different various parts of community and you can't ask people to be a part of a society without allowing them the ability to access that meeting.

Just as an example, there's over 20,000 Manitobans on EIA disability, and EIA disability does not really allow for the purchase of Internet or a computer.

It just—the rates are too low. And also, for folks that aren't on EIA, there are a lot of low-income Manitobans, and as we all know that the cost of a Shaw or MTS bill is pretty high these days, and it's not realistic to have somebody go to a library and participate in a meeting.

So I just want to call to the attention of the committee and to the Legislature that we really need to have a process and an active offer for inclusion for all Manitobans, and so that's my presentation.

Thank you.

**Mr. Chairperson:** And I thank you very much for your presentation.

Okay, we will now proceed to the question phase. Do we have any members wish to ask questions of the presenter?

**MLA Uzoma Asagwara (Union Station):** Thank you, David, for your comments and for your feedback.

You know, the perspective that you bring to this, to the legislation and, you know, the perspective that you and many others bring, in terms of how all legislation should ensure that the needs and the experiences of folks living with disabilities, folks who face barriers are considered when legislation is being drafted and when it's proposed.

So I wanted to thank you for taking the time to share your concerns, and I'm wondering if you have any other thoughts on ways that legislation like Bill 10 could address the concerns you've raised in advance of this point.

So, specifically around, you know, consultation: Is that an area for, in your perspective, that could be enhanced in terms of this government bringing forward different bills so that before this point, these concerns are addressed?

Thanks.

**D. Kron:** So, thank you for the question. In essence, bill—the AMA or The Accessibility for Manitobans Act has already been passed, so we shouldn't need to do a consultation for a bill that's already been passed and not fully implemented.

What I really want the government and any political party and any organization is to really embrace the spirit and the legislation of the AMA and have those active offers and make sure that the government and the departments within that government are following the actual law of the AMA that's already been implemented.

\* (18:10)

**Ms. Nahanni Fontaine (St. Johns):** I just wanted to say miigwech to Mr. Kron for his presentation this evening and for the recommendations and the expertise and the insight that you provided the committee today, and also, I just wanted to say miigwech for all of the work that you do on behalf of Manitobans.

I know that Barrier-Free Manitoba does phenomenal work and does really critical, important work at ensuring that folks with disabilities' rights and concerns are brought forward on a myriad of different respects. And so I just want to thank you and say miigwech for that work as well.

**D. Kron:** Thank you for that.

And where—my goal and the goal of the committee is to change the way we look at disability rights as not a disability right but a human right so that eventually we won't have to have these meetings and advocate so hard to change all those systemic barriers that are built into society.

And we do it one bill at a time and one regulation at a time, so thank you for the committee.

**Hon. Audrey Gordon (Minister of Health):** Good evening, Mr. Kron. I'm Minister Audrey Gordon. I've brought forward this bill, and I want to thank you for your presentation this evening and for all your comments.

Thank you for sharing some information, some background information about Barrier-Free Manitoba, and your specific comments about AMA and access to technology such as the Internet, computer and other technology to be able to participate.

One of the things that we've made sure of through this bill, and we will be watching very closely to see

what happens with this section is—there's a section in the bill that refers to the power to make bylaws, and that allows a corporation or a board mate—to make amend or appeal bylaws, and one of the sections provides for the reimbursement of expenses incurred by directors, officers, agents and employees of the corporation in terms of attending to its business.

So we have created some flexibility in this bill to allow corporations and organizations that are having these virtual meet-ins to make bylaws to ensure access to these meet-ins.

So I do hope, going forward, accessibility for individuals who have a disability would be considered, and I thank you so much for your feedback on this. I will take this back to the department as well.

**D. Kron:** If there's anything that the department wants clarification and our point of view on it, I'd be more than willing to chat with them and try to make sure it's the most robust bill possible.

**Mr. Chairperson:** And we thank you very much for your time and your presentation this evening, Mr. Kron. Thank you again.

So this concludes our list of presenters that I have before me.

**Hon. Jon Gerrard (River Heights):** I would ask for leave to ask a question.

**Mr. Chairperson:** Is there leave for Mr. Gerrard to ask a question? *[Agreed]*

**Mr. Gerrard:** Thank you very much, David.

Just to be clear in terms of what you're asking for, I think that part of what you would like is that where we're amending The Condominium Act, The Cooperatives Act and The Corporations Act, that there should be a clause in each of these amendments that specifically says that the meetings must follow the requirements of The Accessibility for Manitobans Act.

Is that the direction that you would like?

**D. Kron:** Yes, that's exactly what we would recommend to the committee—is it reinforces a law that's already on the books, and it makes all those organizations look and see what the AMA act is.

Because one out of—almost 40 per cent of the business leaders in Manitoba do not know what the AMA is, and this just reinforces something that's already been passed.

**Mr. Gerrard:** Thank you very much, Mr. Kron, once again, for joining us this evening.

\* \* \*

**Mr. Chairperson:** So now we will proceed with clause by clause, and we will start with Bill 5.

**Bill 5—The Coat of Arms, Emblems  
and the Manitoba Tartan Amendment Act**

**Mr. Chairperson:** Does the minister responsible for the bill have an opening statement?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** Only briefly, Mr. Chairperson.

So, members of the committee will know that this bill will officially make the polar bear one of the official symbols of Manitoba. And as members know, I think it's good reason for that. I think that, in many ways, the polar bear is recognized as a symbol of Manitoba internationally and even among many in Manitoba, iconic symbol of the province and of Churchill.

I know that during the question-and-answer period before or after second reading, during second reading, there was questions about, you know, what does this bill do to stop the eradication of the polar bears' extinction, you know, which is, I think in some reports predicted in a hundred years if there's not measures taken, you know. What does the bill do to end world hunger—there was lots of questions.

The bill will do none of those things, but, yes, I think it's still an important bill and it can have a lot of tertiary or side benefits in terms of bringing awareness to the importance of the polar bear nationally, internationally and, of course, in Manitoba.

So, I think it's widespread support for the bill, recognizing it doesn't solve or cure every problem in the world or even those related directly to the polar bear, but it is certainly a step in the recognition of it's importance in Manitoba.

**Mr. Chairperson:** And we thank the minister for those comments.

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

**Ms. Nahanni Fontaine (St. Johns):** Yes, just a couple of brief words.

And I agree with my colleague that the bill's not going to solve a lot of the issues that are directly affecting polar bears.

But I would suggest—and, you know, we are in support of this. I love polar bears; most people do. I would suggest that actually making it an official symbol of Manitoba does go to creating more awareness, right? And ensuring I—you know, Manitobans then have something that they can buy into. It is a part of our heritage as Manitobans.

So, certainly, we support the bill, and we're glad to support it.

**Mr. Chairperson:** And thank you very much for those comments.

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

Is that agreed? [*Agreed*]

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

**Bill 10—An Act respecting Amendments to  
The Health Services Insurance Act,  
The Pharmaceutical Act and  
Various Corporate Statutes  
(Continued)**

**Mr. Chairperson:** Okay. We will now move on to clause by clause on Bill 10.

Does the minister responsible have an opening statement? [*interjection*]

Do you have an opening—okay, Minister Gordon.

**Hon. Audrey Gordon (Minister of Health):** So, this bill will allow for pharmacists to continue to do point-of-care testing, something that will end at the end of this month if this bill is not enacted.

And it will also allow, as Mr. Kron said, for virtual meetings to occur. And, again, as a result of The Emergency Measures Act no longer being in effect, without this bill going forward we would not be able to continue to have virtual meetings that some individuals feel is necessary because they want to continue to social distance and to be able to meet in their—at home or in their private residence, and this will allow for that to happen.

Thank you for your consideration.

**Mr. Chairperson:** We thank you, Minister.

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

**MLA Uzoma Asagwara (Union Station):** I want to thank Mr. Kron for his presentation this evening. It—

he spoke to some issues and concerns that we have with this bill as it stands currently.

We all know the pandemic has forced governments across the world to consider how they operate. We understand that this government wants to extend the changes made temporarily during the pandemic. The emergency orders made under the health services act expire on April 17th, 2022 this year, and the government has expressed its intention to have the legislation before us passed and in effect before then, which we do understand.

\* (18:20)

You know, we appreciate the government's wish to extend the current ability of pharmacists to administer point-of-care tests for those travelling internationally, since there are many international jurisdictions that require a test that has been verified by a pharmacist.

But we're concerned that the legislation opens the door to expanding testing available for a fee while government simultaneously holds back a commitment to testing. We need to make sure that government doesn't make testing less accessible and force Manitobans to pay private businesses for access to tests.

We also understand that the government wishes to make permanent provisions around electronic meetings and voting for things like condo boards, co-ops, corporations and credit unions. We're not opposed, in principle, to this part of the legislation.

We also see the value of technology for bringing people together. Used correctly, we see online meeting tools as a way to enhance participation and to make it more convenient.

However, we need to make sure that these changes are made without making it harder to participate for those without access to technology and those with disabilities. Example: Bill 10 envisions that organizations might send an email, not letter, providing a Zoom link and an explanation on how to use Zoom. We don't feel that this is sufficient to ensure access.

There should be a responsibility on these organizations, whether it be a condo board, co-op board, corporation or credit union, to ensure that if they're going to fully go online for their meetings, they must do everything possible to ensure that everyone can participate fully.

With that, I hope the minister considers amendments to ensure full participation for those without Internet and those with disabilities for board meetings and such.

Thank you.

**Mr. Chairperson:** And we thank the member for the statement.

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

Also, if there's agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Thank you.

Clauses 1 and 2—pass; clause 3—pass; clauses 4 through 7—pass; clauses 8 through 10—pass; clauses 11 through 14—pass; clauses 15 and 16—pass; clauses 17 and 18—pass; clauses 19 through 22—pass; clauses 23 and 24—pass; clauses 25 through 27—pass; clauses 28 and 29—pass; clauses 30 through 33—pass; clauses 34 and 35—pass; clauses 36 through 38—pass; clauses 39 and 40—pass; clauses 41 and 42—pass; clauses 43 through 45—pass; clauses 46 through 48—pass; clauses 49 through 51—pass; clauses 52 and 53—pass; clause 54—pass; enacting clause—pass; title—pass. Bill be reported.

#### **Bill 11—The Elections Amendment Act**

**Mr. Chairperson:** We'll move on to Bill 11.

Does the minister responsible for Bill 11 have an opening statement?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I thank the Opposition House Leader and the House leader for the Liberal caucus for discussions on this bill.

A lot of the—most of the content came from committee and recommendations from the Chief Electoral Officer and her team. We discussed it at the standing committee, came through recommendations in the annual report. Couple of things were added including the elimination of the publishing of addresses for candidates.

And I've had good discussions, even in advance of the bill being tabled, with the two opposition House

leaders. So I think there's good understanding of what the bill does, as it should for election bills.

I want to thank the Chief Electoral Officer and her team for these recommendations, and I know the process is sometimes a bit clunky when it comes to getting legislation passed but we're at this stage now when it comes to committee, and I look forward it going through third reading.

The provisions are new to legislation but they've been used before already under the committee provisions. So the vote anywhere—the electronic strike-off, I think, has been used in advanced voting. The tabulators have been used in other jurisdictions and, I think, maybe in by-elections. But it's been well-tested.

It's not electronic voting per se; I want to make that clear because there's some confusion about that—it's just counting the ballots electronically.

And then the provision to remove the addresses, I think, just brings us in line with other provinces, and there's lots of good reasons for that.

I know one of the things that was discussed was—and was added to the bill—was the ability for people to bring forward their own devices when it comes to reading, if they have a reading disability or a sight disability. I think that that's really, really important, so I thank the Chief Electoral Officer and her team for that as well.

So I think this has been a bill that has had good co-operation from start, hopefully, to finish, although we're not quite at the finish line yet.

I do know that officials from the Chief Electoral Officer's team from Elections Manitoba are here. If there are questions from the committee members that haven't already been answered, I suppose there could be a leave for them to answer questions.

But in the absence of that, we're certainly willing to see this bill pass at this point.

**Mr. Chairperson:** I thank the minister for those comments.

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

**Ms. Nahanni Fontaine (St. Johns):** So, first let me just say, I echo my colleague's sentiments here tonight. I just want to, as always, just say miigwech to the Chief Electoral Officer and the whole team at Elections Manitoba.

I agree with my colleague, the Government House Leader (Mr. Goertzen), that this has been a bill that has enjoyed the co-operation of all three parties here in the House.

Voter—and as we know, voter participation is the cornerstone of our democracy, and we must do everything possible to make voting easier and more accessible for anyone eligible to vote. And, certainly, Bill 11 is a step in the right direction.

The amendments for electronic strike-off using tabulators puts Manitoba in line with other jurisdictions, who indicate that the approach is welcomed by voters and staff, and by political participants who can access information quickly and accurately.

This will make the voting process more efficient, convenient and safe. Additionally, the ability to vote anywhere in advance voting and anywhere in your electoral district on election day will make it more convenient for Manitobans to cast their vote at a location near them.

While this bill has many positive steps forward in voter participation, I would still suggest in—we've heard from folks that are visually impaired that are eager to see the introduction of electronic voting machines to allow them to vote independently.

And, of course, in any election bills, you know, it is incumbent on us to modernize our electoral processes, so I'm assuming at some point we will get to that part for electronic voting. There's constantly a need for more improvements and advancements to ensure equitable access for all.

Additionally, a political candidate should feel safe in their homes, and that's why it's important not to publish their addresses online, as we've all seen in the last couple of years, and certainly in the last year, what politicians have had to endure in the last couple of years, particularly under the banner of COVID. So I welcome that our addresses will no longer be published online.

The NDP is in support of Bill 11's changes that enhance voter participation and protect those for running—those that are running in office.

And, again, I say miigwech to the whole team at Elections Manitoba.

\* (18:30)

**Mr. Chairperson:** We thank the member for those comments.



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

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clause 3—pass; clauses 4 through 8—pass; clauses 9 through 13—pass; clauses 14 through 16—pass; clauses 17 and 18—pass; clauses 19 through 22—pass; clauses 23 through 27—pass;

clauses 28 through 30—pass; clauses 31 and 32—pass; clauses 33 and 34—pass; clauses 35 and 36—pass; clause 37—pass; clauses 38 through 41—pass; clause 42—pass; clauses 43 through 46—pass; clauses 47 and 48—pass; clauses 49 through 52—pass; clauses 53 through 55—pass; clause 56—pass; clauses 57 through 59—pass; clauses 60 and 61—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 6:33 p.m., what is the will of the committee?

**Some Honourable Members:** Rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 6:33 p.m.

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