

First Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Human Resources

Chairperson
Mr. Rob Altemeyer
Constituency of Wolseley

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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ALLAN, Nancy, Hon.	St. Vital	NDP
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**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON HUMAN RESOURCES**

Monday, June 4, 2012

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Rob Altemeyer (Wolseley)

VICE-CHAIRPERSON – Mr. Dave Gaudreau (St. Norbert)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Mses. Allan, Oswald, Hon. Mr. Swan

Mr. Altemeyer, Ms. Crothers, Messrs. Cullen, Friesen, Gaudreau, Goertzen, Saran, Mrs. Taillieu

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

Hon. Jennifer Howard, MLA for Fort Rouge

PUBLIC PRESENTERS:

Bill 30–The Regulated Health Professions Amendment and Personal Health Information Amendment Act

William Pope, College of Physicians and Surgeons of Manitoba

Bill 36–The Human Rights Code Amendment Act

Ken Mandzuik, Manitoba Bar Association

Albert McLeod, Two-Spirited People of Manitoba Inc.

Ro Mills, private citizen

Kim Hunter, Institute for Women's and Gender Studies at the University of Winnipeg

Roewan Crowe and Jarvis Brownlie, private citizens

Jodie Layne, Hollaback! Winnipeg

WRITTEN SUBMISSIONS:

Bill 9–The Public Schools Amendment Act (Community Use of Schools)

Doug Dobrowolski, Association of Manitoba Municipalities

MATTERS UNDER CONSIDERATION:

Bill 4–The Missing Persons Act

Bill 9–The Public Schools Amendment Act (Community Use of Schools)

Bill 11–The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments)

Bill 14–The Protection for Persons in Care Amendment Act

Bill 15–The Fortified Buildings Amendment Act

Bill 19–The Use of Animals to Shield Unlawful Activities Act

Bill 22–The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program)

Bill 30–The Regulated Health Professions Amendment and Personal Health Information Amendment Act

Bill 36–The Human Rights Code Amendment Act

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Clerk Assistant (Ms. Monique Grenier): Good evening. Will the Standing Committee on Human Resources please come to order.

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

Hon. Andrew Swan (Minister of Justice and Attorney General): I nominate Mr. Altemeyer as Chair.

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

Hearing no other nominations, Mr. Altemeyer, will you please take the Chair.

Mr. Chairperson: Thank you all for that overwhelming show of support.

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

Mr. Swan: I'd like to nominate Mr. Gaudreau as Vice-Chair.

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

Hearing and seeing no other nominations, Honourable Mr. Gaudreau is elected Vice-Chairperson.

Now, this meeting has been called to consider the following bills, and I get to read them all out, so bear with me: Bill 4, The Missing Persons Act; Bill 9, The Public Schools Amendment Act (Community Use of Schools); Bill 11, The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments); Bill 14, The Protection for Persons in Care Amendment Act; Bill 15, The Fortified Buildings Amendment Act; Bill 19, The Use of Animals to Shield Unlawful Activities Act; Bill 22, The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program); Bill 30, The Regulated Health Professions Amendment and Personal Health Information Amendment Act; and Bill 36, The Human Rights Code Amendment Act.

Quick question for the committee. How long do you wish to sit this evening?

Mrs. Mavis Taillieu (Morris): I suggest we sit until we've finished the work of the committee and heard all the presenters.

Mr. Chairperson: It's been suggested we sit until the work is completed. Is that acceptable to the committee? [*Agreed*] Thank you very much.

We have a number of presenters registered to speak tonight on all of the different bills I just mentioned and as noted on the list of presenters before you.

Now, for the benefit of the members of the public who are with us here tonight, I'm just going to read through the process that we're going to use and the procedures involved.

Before we proceed with presentations, there's a number of items and points of information to consider. First of all, if there's anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance to the room, the very short gentleman who just sat down there in the big table by the front.

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, and if you need help with the photocopying we can

do that here. Please ask the staff at the front of the room again.

As well, I'd like to inform all presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations. So every person who presents has up to 10 minutes and with up to an additional five minutes afterwards allowed for questions from the 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, and if the presenter is not in attendance when their name is called a second time they will be removed from the presenters' list.

We do have one written submission already. A written submission, I can inform the committee, has been provided by Mr. Doug Dobrowolski from the Association of Manitoba Municipalities on Bill 9 and that has been received and distributed to committee members. You should see that in your package of information in front of you.

Is it the will of the committee to have this submission appear in the *Hansard* 'trabscit'—transcript, sorry—for this evening? [*Agreed*]

Thank you very much, members of the committee.

Speaking in committee, prior to proceeding with the public presentations, I'd 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 they are an MLA or a presenter, I first have to say the person's name and this is the signal for the marvellous folks sitting behind me who are in charge of Hansard to know which microphone to activate. So it sounds a little bit odd, but if you can wait for me to have a chance to recognize you before you start so we can capture your full presentation for the historical archives of the province.

That, I think, unless there's any questions, concludes the initial outline for our work here tonight. I am quickly scanning to see—our normal practice, I can also mention, is for out-of-town presenters to present first, or anyone requiring French translation. I don't see any noted on the list in front of me, but is there anyone here from out of town or requiring French translation? Okay, seeing none.

**Bill 30—The Regulated Health Professions
Amendment and Personal Health Information
Amendment Act**

Mr. Chairperson: Then we will proceed with Dr. William Pope, speaking on behalf of the College of Physicians and Surgeons of Manitoba. And I should mention this is in regards to Bill 30, so I'll ask the honourable Minister of Health (Ms. Oswald) to join us here at the front table.

Thank you for the written copies, sir. You may proceed.

Mr. William Pope (College of Physicians and Surgeons of Manitoba): Thank you, also, to the minister and to the committee for this opportunity to speak briefly about the proposed amendments of The Regulated Health Professions Act and the personal health information amendment act.

Along with the government, the College of Physicians and Surgeons is concerned about safe and proper maintenance of patient records and lab specimens, and is concerned about safe and proper maintenance, as I said, and about the responsibility of practitioners to maintain and store these records and specimens.

The council of the college, which just met recently, noted that there was a significant change to the obligations to all of the health governing bodies in the regulated health professions on individual patient records with this legislation. When our council met last Friday on June the 1st, they did express some concerns about the legislation, including that the college doesn't presently have a system for taking custody of storing and looking after abandoned patient records and it doesn't have the human and financial resources immediately to create and administer such a system.

* (18:10)

The cost of creating a proper system to become custodian of the records is unknown, but it is expected that this would be significant, and any such cost would be difficult to recover from physicians who have abandoned their responsibilities, especially those who have left the province or the country. As a result, the cost would have to be passed on to the physician members of our profession and our college. And it could be difficult for the college to find other physicians who are willing and able to take on the custodianship of abandoned records. And, therefore, by default, the college would become responsible for them.

The council is concerned that physicians may see the college to be the custodian of all patient records and, therefore, might shirk their own responsibilities to continue to look after their records upon leaving practice in Manitoba. And any physician who becomes the custodian of abandoned records and lab specimens would, in the college's opinion, have an ethical responsibility to ensure follow-up on any patient care issues which were identified upon their review of patient records. This makes it less likely that any physician would be willing to take on that responsibility of custodianship.

And so, at its meeting last Friday, the council did express these concerns but understands that the legislation will be moving forward. In light of this, council stressed that it's very important that the legislation be implemented thoughtfully and practically. It's important for Manitoba Health to work with the college and with Doctors Manitoba to develop a long-range plan for the storage and administration of patient records and lab specimens which will be safe, confidential and financially practical for all Manitobans.

Manitoba Health and the College of Physicians and Surgeons of Manitoba have a long history of respectful collaboration. The department has committed to work cooperatively to create an acceptable plan. And so, at the present time the college is satisfied and pleased that the government has made a strong commitment to significant consultation in implementing this legislation. Thank you.

Mr. Chairperson: Thank you very much for your presentation. Any questions, comments from committee members?

Hon. Jon Gerrard (River Heights): Thank you for your comments. You raise some significant issues. Just several quick points. One is, is there any other option beside the college in terms of storing and administering the records?

Mr. Chairperson: Mr. Pope.

Mr. Gerrard: And, two—

Mr. Chairperson: Oh sorry.

Mr. Gerrard: When the records are stored by, whether it's the college or otherwise, one of the issues that seems to me is important is that patients be informed that the store-records are stored there,

and third that, where needed, that those records not just be stored, but they be available when necessary.

I'm just wondering whether you've addressed these issues.

Mr. Pope: Firstly, there are some other options but at the present time apart from individual physicians taking the responsibility for following up with their records when they do leave practice, we're not comfortable that there is at the present time another business option that will meet all the requirements that do exist under The Personal Health Information Act.

So we do understand that there ought to be this kind of process out there that does protect both physicians and patients when it comes to information that is required—where such confidentiality is required.

I'm sorry, your second question was?

Mr. Gerrard: Making sure that patients are informed when the record is taken over and making sure that the record is available.

Mr. Pope: Oh thank you, I'm sorry, Mr. Chair. That is part of the concern of the bill, is that the requirements and expectations are significant, and the bill does, actually, also say that although initially the college could become the custodian, if within 30 days we don't find someone else to take on that responsibility, it will become the trustee under PHIA, which is a very significant responsibility, which includes notifying patients—all patients whose records are kept by us that they—where they are.

Now we at presently have processes to do that. When a physician leaves practice, that physician is required under our bylaws, our ethical requirements, to notify us where the records can be found. And so we do keep that routinely. The issue, of course, of having actual responsibility for them is a very different issue. And so that's why, I think, what we would ask is that government has already committed and will work with us to develop a thoughtful system before anything concrete begins to happen because the real issue for us at the moment would be that if this were suddenly to become law, we just can't handle it all.

We believe that there are potential good processes which could be developed with government, with the other half of the doctors, which is Doctors Manitoba, to create a system that will allow this information to be appropriately safe,

looked after, and available to the appropriate individuals, both patients and other health care providers, in the future.

So what we are really asking is that this is not something that is suddenly operationalized, but it's done thoughtfully, with appropriate financial [*inaudible*], and then that long-range process could very well become a really good process which could actually be a model across the country. So I think that's the kind—we would like to work with government to ensure it's done right, so that it's not going to be astronomically expensive, either for patients or for members, because, of course, if there are very high costs to it, some of that will be passed on to the patients, which would be unfair to them.

So, if we can create a really good, safe, competent system that can provide this and really work with this, we would be leaving something very positive for the people of Manitoba, but it's not easy.

Mr. Kelvin Goertzen (Steinbach): Yes, thank you, Dr. Pope, for coming out this evening and making a presentation. Certain I'll pass along the concerns about implementation to our Health critic. I'm sure she'll be following up with you just as the bill goes along to ensure that after it becomes law, that it's implemented in a way that makes sense for the college. But thank you, again.

Hon. Theresa Oswald (Minister of Health): Thank you, Dr. Pope, for being here tonight to express further some concerns that the college has about the bill, and I think you've quite rightly articulated that. I think we share the goal of ensuring that our implementation of this process is as smooth and as thoughtful as possible. In a perfect world, of course, there would be no need for such legislation and everybody would do exactly what they were supposed to do with their patients' records when they're supposed to do it. We have had a situation, as you're well aware, in Manitoba, that has prompted this part of the legislation to come forward. There have already been a number of learnings from this situation, and I know how seriously you, as registrar, take the prime function of the College of Physicians and Surgeons, indeed, all medical colleges, and that is having as its No. 1 goal, the protection of the public. I know that this is something you care deeply about and we know that with the college's guidance and expertise that that's exactly what will be achieved by moving forward with this process. Again, we're absolutely committed to work with you in ensuring that there is support for this process and

we really do appreciate and value your input as we go forward.

Mr. Chairperson: Dr. Pope, any comments on that?

Mr. Pope: No, I don't. No, thank you, Mr. Chair.

Mr. Gerrard: One more question for you: This legislation, I believe, would apply to all registered health professions and would, I expect, present some fairly stiffer challenges to some of the other professions as well.

Mr. Pope: That's correct. Many of the other professions don't have the kind of numbers that we have, and the importance of the patient records, and especially older patient records, is not perhaps as strong with some of the other professions. I believe that the soon-to-be college of dentists has a similar concern, which I'm sure—I believe they've already expressed to the department, and I suspect that their registrar will be asking to work with us as we develop the plans, because they're the other health-care profession that—where this does occur, not frequently, but not infrequently.

Mr. Chairperson: Seeing no further questions, thank you very much for your time with us this evening.

That concludes the presentations that we have lined up for Bill 30.

Bill 36—The Human Rights Code Amendment Act

Mr. Chairperson: Now moving on to Bill 36, The Human Rights Code Amendment Act, and I'll ask Honourable Minister Swan to join me here at the front table.

And our first presenter is Ken Mandzuik from the Manitoba Bar Association.

Good evening, sir. Do you have printed copies of your presentation?

Ken Mandzuik (Manitoba Bar Association): No, I don't.

Mr. Chairperson: That's fine. Please proceed.

Ken Mandzuik: I'm Ken Mandzuik, the past president of the Manitoba Bar Association, a branch of the Canadian Bar Association, and I'm also a former co-chair of Manitoba's Sexual Orientation and Gender Identity Conference.

Several years ago, the MBA approached one of Minister Swan's predecessors and asked about the possibility of including gender identity as a

prohibited ground of discrimination in the Human Rights Code. In August of 2010, the CBA nationally passed a resolution calling on governments to review legislation and make any changes in order to protect the rights of the transgendered. Rod Snow, the current CBA past president, and I wrote to Minister Swan asking him to do just that. My appearance here today is simply to show the MBA's appreciation and thanks for Bill 36, including gender identity as a prohibited ground of discrimination. With its passage, Manitoba will become only the second jurisdiction in the country to provide that kind of protection, although there is a bill working its way through Ontario's legislature now with support of three parties.

* (18:20)

We are happy that Manitoba, again, is set to be on the right side of history.

These changes are not being made because of a Supreme Court ruling or because of popularity, but because it's the right thing to do.

Transgender Canadians are a minority who suffer discrimination such as job losses, alienation from their communities, ridicule, harassment, inadequate health care, and also disproportionately fall victim to hate crimes, including homicide. Legislative changes like Bill 36 will help to protect the transgendered community.

I celebrated Pride yesterday with thousands of other Manitobans. And we also celebrated the 25th anniversary of the Human Rights Code and the inclusion of sexual orientation as a prohibited ground of discrimination. I know that we will look forward at future Prides to celebrating the inclusion of gender identity as a prohibited ground of discrimination. And we're hopeful and confident that Bill 36 will pass with the support of all parties.

Mr. Chairperson: Thank you, very much. Any questions from committee members?

Mr. Goertzen: Yes. Thank you, Ken, for coming out tonight, your presentation, and past presentation you've made to me on behalf of the Bar Association.

Did you have any opportunity to review the other parts of the legislation related to changes to the Human Rights Code and any comments on the other provisions within the bill?

Ken Mandzuik: No.

Mr. Swan: Really just a comment to Mr. Mandzuik. Thank you very much for your advocacy and your leadership on this issue. And I, too, look forward to this bill passing.

Mr. Chairperson: Seeing no further questions, thank you very much.

Ken Mandzuik: Thank you.

Mr. Chairperson: Next speaker is Albert McLeod, co-director with the Two-Spirited People of Manitoba Inc. And do you have extra copies of your presentation?

Thank you very much. You can hand them to the page and they'll distribute it to committee members but you can begin your presentation any time.

Albert McLeod (Two-Spirited People of Manitoba Inc.): So, good evening.

The presence of indigenous gay, lesbian, bisexual and transgender people predates Manitoba and Canada's civil society and justice systems.

In the post-contact period with European settlers, there are many documented accounts of indigenous transgender people, most notably the person known as We'wha, a Zuni man-woman.

We'wha was a Zuni Native American from New Mexico. She was the most famous lhamana, a traditional Zuni gender role, now described as mixed gender or two-spirit. Lhamana were men who lived in part as women, wearing a mixture of men's-women's and men's clothing and doing a great deal of women's work, as well as serving as mediators.

We'wha is the subject of the book *The Zuni Man-Woman* by Will Roscoe. The anthropologist Matilda Coxe Stevenson also wrote a great deal about We'wha and even hosted her on her visit to Washington, DC, in 1886. During that visit, she met President Grover Cleveland and was generally mistaken for a cisgender woman.

One of the anthropologists close to her described her as the strongest character and the most intelligent of the Zuni tribe. She was a cultural ambassador for her people and performed the role of Kolhamana, the lhamana kachina of the Zuni. She died in 1896.

The introduction of Christian belief systems and Indian residential schools was devastating to traditional Aboriginal views of gender variance and sexual orientation. The imposition of, and conversion to, foreign belief systems and values which were inherently homophobic and transphobic, drove

Aboriginal gay, lesbian, bisexual and transgender people underground, thus weakening the social fabric of the family and community.

Page 2: two visual charts. Chart 1.a is a pre-contact indigenous view. This chart is the visual depiction of how many indigenous societies view the diversity of sex and gender identities and roles within their ecologies. There's an understanding of the male and female biological realities as it pertains to the creation of humans, plants and animals. This knowledge and world view is transferred to the next generation by ceremonial, spiritual and cultural practices that describe the relationship between the earth—the female—and the sky world—the male.

Many Aboriginal ceremonies practised today tell us about this key relationship and the sacredness of all life. The presence of transgender males and females, as well as gender-neutral people is seen as beneficial and signifies fertility.

Chart 1.b is a post-contact view. This chart portrays the impact of colonization on indigenous views of sex and gender. We are just now beginning to shine light on what has been devalued and suppressed. The imposition of binary gender identities and roles in secular, religious and political arenas continues to deny transgendered people their rights.

Section B is a contemporary indigenous GLBT liberation movement. The two-spirit community development movement began in Manitoba in 1986, and we established a non-profit organization in 2006.

Currently, we provide education about two-spirit people to organizations throughout Manitoba, and we organized two-spirit community events. We hosted the Annual International Two-Spirit Gathering in 1990, 1998 and 2010, respectively. The 24th annual gathering will be held near Helena, Montana, this year.

The two-spirit people of Manitoba has also been involved in the Aboriginal Two-Spirit and LGBTQ Migration, Mobility and Health Research Project, and the Red River College welcoming ceremony for two-spirit people, Gakina Awiiyaa, which means we are all related, which was held on the International Day Against Homophobia, which is May 17th.

Self-naming and renaming: Aboriginal people in Canada are engaged in a process of decolonization and social, cultural and economic liberation. Self-naming and renaming is an important aspect of this movement. For example, the Nisichawayshik Cree

was formally known as Nelson House. Aboriginal gay, lesbian, bisexual, transgendered people also see self-naming as an important component to our liberation. In 1990, the term two-spirit was introduced and embraced by many Aboriginal GLBT people at a gathering in southern Manitoba.

The term two-spirit can be interpreted to mean a term used to describe Aboriginal people who assume cross- or multiple-gender roles, attributes, dress and attitudes for personal, spiritual, cultural, ceremonial or social reasons. These roles are defined by each cultural group and can be fluid over a person's lifetime. Modern terms like gay, lesbian, bisexual, transgender, transsexual, intersexed, in combination with or exclusive to two-spirit, may be adopted by some Aboriginal people to define who they are.

Roger Roulette, an Ojibwa language specialist tells us that in traditional Aboriginal communities, regarding gay people, and in this case as well, transgendered people, the whole notion was to value the person. In their philosophy, everybody's got a purpose, everybody's got a destiny and everybody's got a role in this world.

Aboriginal people who express a fluid gender identity can experience racism, discrimination, intimidation, shunning and violence. On behalf of the many who have suffered poverty and violence, such as Rose Osborne, Divas Boulanger, Dione Sunshine, June Thunderchild, Renee Bloomfield, Norah Bruyere, Kelly Vincent Hall, Charlene Two Heart and Stacy Bluebird, we support the inclusion of gender identity as a characteristic that is protected from discrimination by the Manitoba human rights act.

Our position is consistent with the Assembly of First Nations. In 2001, in an attempt to address widespread homophobia and transphobia associated with HIV risk, the AFN made the following recommendation in order to mediate the historic harms perpetrated against two-spirit people and the resulting intergenerational effects: First Nations must recognize the role of two-spirit First Nations' peoples. The solution to discrimination is to educate people on their traditionally respected role that two-spirit First Nations' peoples played in most communities and to thus remove the stigma that has been associated with this group. Thank you.

Mr. Chairperson: Thank you very much.

Any questions?

Mr. Goertzen: Just again, thank you for coming out and for the material that you provided. Thank you.

Mr. Swan: Yes, Albert, thank you for your advice and on behalf of two-spirited people, and when I was making some calls around and consulting, it seemed all roads led to you. So thank you.

* (18:30)

Mr. Chairperson: Thank you very much for your time with us.

Next name on the list is Ro Mills, private citizen.

You may begin anytime you're ready.

Ro Mills (Private Citizen): My name is Ro Walker Mills. I'm 22 years old. I just graduated from the University of Winnipeg, and for the past year I was their LGBT director for their students' association, so I'll be speaking on behalf of them, as well.

I identify as transgender. I was born biologically female, and for the last 10 months, I've been taking testosterone to align my body with my gender identity as male.

I've had the privilege of doing a lot of different press and things like that for the work I did in the last year at the University of Winnipeg to attain gender-neutral washrooms on our campus. That got a lot of buzz, and I got to talk to a lot of people about why that was important. We now have eight gender-neutral washrooms—one on every building on campus, and that's only phase one. It was an easy thing to point out as a need, because I was going through my transition. For the first few months of hormones, I couldn't pass to, you know, a regular stranger as male. But that's how I felt and that's how I wanted to be respected, so navigating things like washrooms is really difficult, because if I go into the women's washroom, it makes me feel poorly, and if I go into the men's, I may not come out safely. So it was a definite need to have these gender-neutral washrooms.

And I think that the passing of this bill could provide support for other public institutions to have things like accessible washrooms, which would not only be used by transgender folks, but also to single parent families, aid workers with people with disabilities—things like that. They have multi uses.

This past week during Pride, I was asked to come in and give a youth's perspective on Pride and what Pride means to our community, and the question I kept getting asked was: How do you feel

about Chris Vogel and Richard North's trailblazing to—for gay marriage? And I have nothing but good things to say about them.

And their next question was, you know, do the youth care and what is left to be done? Don't you—you have every right you need, and my answer is the same: Absolutely, no. We still have progress to be made and transgender folks are—definitely their needs are not quite being met yet, and there's trailblazing left to be done, and that's why I'm here talking to you today.

Like I said, the early stages of a transition are very difficult, and children luckily—the youth are being able to navigate their gender identities younger and younger. I work at a youth LGBT camp, and I've seen folks 15, 16 really figuring out their gender identities early, which is very fortunate for them. So things like their preferred name, which may not be legal yet, or their preferred pronoun—male or female or gender neutral—should be respected in high schools and universities.

At my university, we currently still—you are called by your birth name even if that's not the name you go by, which, you can imagine, can be quite embarrassing if you're doing roll call at the beginning of class, and I'm asked to raise my hand to my birth name, which I do not associate with at all. So, this type of legislature would make room for these type of institutions to implement things like preferred names.

Also, with health care: if I'm waiting at a hospital for a pap test, and my birth name's being called, and I have to walk up there, it's quite embarrassing. So these are just things that we can do to make my life and my community's life a lot easier and to feel respected within our province.

I think it's just time that we stopped enforcing a binary and just started to recognize the shades of grey that exist within Manitoba, and I would like to think that language is the first step. The decisions for my way of life are made by people like you who, while I have your ears, you will never quite understand my struggle. And empathy, like attitude, is something that you can't teach someone explicitly. So I think that this policy would be the first step in making acceptance for trans people, and the first step to making it a lived practice within Manitoba. Thank you.

Mr. Chairperson: Thank you very much. Any questions from committee members.

Mr. Swan: Well, thank you for a very, very well thought out and strong presentation.

Now, you say you work at a camp; I presume that's Camp Aurora. Can you share with the committee some of the issues that the young people that you are now working with face being transgendered?

Ro Mills: The young folks—there's lots of issues with changing rooms and finding neutral space for them to change. A lot of the young folks, I'm finding, are even going stealth in high schools, meaning that maybe their peers, and their teachers even, do not know that they're transgender. They're just living their gender identity, and which they have every right to do, but that can make things even more difficult because you can have teachers and peers calling you out for using, or not using, certain spaces. You could have teachers slipping up, or flat out refusing, to use their preferred pronoun on a day-to-day basis. Or, you know, calling out, like I said, their legal or birth name, which most people do not respond or associate with.

So just—these are little things. And this language would set the precedent that, you know, it's not, oh, you're a really great progressive teacher, thank you for that. It's just an expectation. We're setting a bar now, and I think that that would be a good first step.

Mr. Goertzen: Thank you for coming out and for sharing your experience and your story. We appreciate it.

Mr. Chairperson: Seeing no further questions. Thank you very much.

The next presenter is Kim Hunter with the Institute for Women's and Gender Studies at the University of Winnipeg.

Do you have any extra copies of your presentation?

Kim Hunter (Institute for Women's and Gender Studies at the University of Winnipeg): No.

Mr. Chairperson: Okay. Just go right ahead whenever you're ready.

Kim Hunter: Hi. So my name is Kim Hunter and I'm here today as a representative of the Institute for Women's and Gender Studies at the University of Winnipeg.

One of IWGS's central organizational values is to work towards the elimination of social injustice on the basis of gender, race, sexual orientation and

identity, class, age, ability and religion. And we do this by practising and fostering participation in collaborative feminist work, research and activism, between–within the university and wider communities.

This activism has included being part of the organizing committee for the annual Transgender Day of Remembrance activities for the last several years, honouring those we have lost to gender-based violence.

Through this, and many other projects, we hope to raise awareness about the ways in which gender identity plays a central role in the discrimination that transgendered, two-spirited, and other non-normatively gendered people, face every day in our communities. Through working on these projects, we have been deeply saddened by the many personal stories we've heard about the discrimination, hatred and violence that people are dealing with every day.

I'm here today because, we at IWGS believe that the Province has the ability to make a bold and important step by passing Bill 36 and amending the Manitoba Human Rights Code to include language that will prevent all persons from being discriminated against based on their gender identity.

It is also our hope that this legislation will continue to bring attention to the ways in which trans, two-spirited and other alternatively gendered people face discrimination, violence and abuse, based solely on their gender identity.

IWGS, like Amnesty International, believes that all people, regardless of their sexual orientation or gender identity, should be able to enjoy the full range of human rights without exception.

We are in full agreement with Jerry Woods, Chair of the Manitoba Human Rights Board of Commissioners, who has stated publicly that the proposed bill takes a very progressive approach, because the Human Rights Code recognizes the individual worth and dignity of every member of the human family. Transgendered folks are members of that family and need to be protected under the Manitoba Human Rights Code.

We support this bill, again, as Mr. Woods points out, because it adds new grounds that will help the commission address prejudice against some of the most vulnerable individuals and groups in this province.

IWGS, co-director, Dr. Fiona Green of the University of Winnipeg, has written in her academic research about the ways in which families raising gender-fluid children face discrimination and alienation due to other people's prejudice and hatred.

This people–this bill is important in supporting Manitoba's families to raise their children in an environment that is free of these prejudices. We strongly believe that the likelihood of ignorance and abuse of rights of all peoples, regardless of how they present their gendered selves, will not be appropriately addressed until the Manitoba Human Rights Code has been amended in this way. Thank you.

Mr. Chairperson: Thank you very much. Comments or questions from committee members?

Mr. Swan: Yes, well, Kim, again, thank you for your advice when we had a nice, lovely chat on the phone, and you helped me become educated on this issue and I do appreciate that.

Hon. Jennifer Howard (Minister responsible for the Status of Women): I just also wanted to thank you for your work in supporting and organizing the trans days of remembrance.

I got to come to at least one of those where I was asked to read some of the names of transgendered people around the world who had been killed, or hurt, for no other reason than because they didn't look the way somebody expected them to look.

And I knew that, intellectually, that transpeople were more subject to violence and harassment and abuse, but having the experience of actually having to read name after name of people who had been killed because they were transgendered was just a very powerful experience for me.

So I want to thank you for doing that work.

* (18:40)

Floor Comment: And I just wanted to acknowledge also the work of Albert McLeod, as well as the Rainbow Resource Centre, in taking the lead on Transgender Day of Remembrance, so.

Mr. Chairperson: Thank you very much, once again.

Our next presenter, Dayne Moyer, from the UWSA. I was informed Dayne Moyer might not be here from the University of Winnipeg Students' Association.

Okay, seeing no one come up, Dayne Moyer's dropped to the bottom of our list.

Now, committee members, you'll notice we have something a tad out of the ordinary, but I'll ask your permission. Our next two presenters have actually asked to do a co-presentation, Roewan Crowe and Jarvis Brownlie. I recognize this is not how committees ordinarily operate, but with the committee's leave, we could certainly accommodate this request if the committee is all right with that.

Mr. Goertzen: Yes, we're prepared to grant leave.

Mr. Chairperson: Very good. Okay by the committee? Excellent. Thank you, everyone.

Now calling Roewan Crowe and Jarvis Brownlie. And do you have multiple copies of your presentation? Oh, excellent. Thank you. And please begin whenever you like.

Roewan Crowe and Jarvis Brownlie (Private Citizens): Thank you for granting our request to make a joint presentation. We wanted to present as a family.

Well, my name is Jarvis Brownlie. I'm here mainly to thank and commend the NDP government for putting forward Bill 36. These new explicit protections for transgender and transsexual people and the socially disadvantaged are important and much needed.

I did a little Internet research today and found that the Human Rights Commission has already been attempting to predict-protect transgender people from discrimination by arguing that gender identity falls under their protected characteristic of sex under the Human Rights Code. A government that was less committed to human rights might conclude that no action was necessary since the commission had found a workaround. But such measures are less secure than clear legislation, especially if we find ourselves in future, living under a less progressive administration. I'm pleased and proud to see my government demonstrating such a strong commitment to meaningful equality for all Manitobans.

I've identified as transgender for about 13 years. Within the transgender community I'm relatively privileged in the degree of protection I enjoy from discrimination. I'm a university professor and live largely in a world that embraces me and makes space for me to express my identity in whatever ways I choose.

I'm especially lucky in my colleagues in the history department at the University of Manitoba who are tremendously supportive of me and my 17-year relationship with Roewan and extraordinarily open to gender identity issues.

But, even with my class and race privilege as a white university professor, I can't entirely escape the threats, fears and difficulties that come with being a transgender person. And here we go with washrooms again. It's a constant. Every time I go to a public washroom, I'm reminded that I don't fit the gender binary, that neither washroom actually seems right for me and that I'm apprehensive about being questioned or challenged whichever washroom I enter.

I usually go to the women's washroom and dart into a stall as quickly as possible to avoid any confrontation. When I leave the washroom I often encounter women entering the door who stop in their tracks and check the door sign, a vivid reminder that my gender expression sets me apart.

In public spaces, I'm watchful for individuals who may be trying to determine my gender and especially for potentially aggressive strangers who think I'm illegitimately claiming male authority and privilege or challenging theirs.

Manitobans, as a group, are generally polite and non-interventionist. So I typically feel safer here than in some other places, and this is a genuine plus of living in Winnipeg. But whether I'm travelling abroad or moving around in Manitoba, I'm always mindful of safety issues and careful to avoid situations that seem risky.

While no action of government can control violent or offensive behaviour, governments can certainly send a strong message about what is acceptable. In including gender identity explicitly in the Human Rights Code, Manitoba is signalling to everyone that my community is welcomed, embraced and entitled to all the protections everyone else enjoys. This is a significant moment for transgender and transsexual people, and I'm very pleased to witness it and be part of it.

My name is Roewan Crowe. As a queer femme artist and teacher, one of the things I know about living with a transpartner is that there is much labour involved every day to maintain that feeling of safety for both of us. Safety is something many take for granted but is not the experience of those who do not fit sanctioned gender norms. Subways, buses, the

street, bathrooms, the workplace, families, these spaces are not always safe places, especially if you're perceived as not normal or vulnerable.

The work of creating safety for all should be shared in our communities. A sense of safety for well-being—and well-being is each person's right. Rudeness, insensitivity, ridicule and mean-spiritedness build over time eroding one's feeling of safety and well-being.

For example, my partner and I enjoy going out for good food and eating out at restaurants. One of the things I find difficult is that almost every time we go in public someone has to play guess the gender game. I understand curiosity in others, but over time it is difficult to tolerate people who whisper, point, snicker and stare at others. At times our personal safety has also been threatened.

The Manitoba government contributes to the labour of creating safety for all, for passing this legislation, amending The Human Rights Code to prohibit discrimination based on gender identity and social status. It sends out a crucial message. We will not exclude those who identify as transgender, transsexual, two-spirited, I might add, or those who are socially disadvantaged. Dignity and support is each person's right. I believe that without this legislation there is a perceived open season on those who do not fit gender prescriptions and those who are socially disadvantaged. Thank you for taking a stand and sending a clear message to the public.

One last story. I'm a professor and artist at the University of Winnipeg. Several years ago, as co-director of the Institute for Women's and Gender Studies, I organized and co-taught a summer institute on feminist activism. We were honoured to have Leslie Feinberg, transgender activist, historian and writer, come to work with us. I was privileged to talk with Leslie Feinberg about the struggles I was facing in my work as an organizer, particularly in relation to the divisions that exist among people.

These divisions created for me what seemed to be insurmountable challenges. I asked Leslie: Why is it so hard to make change? Leslie Feinberg in her wisdom and generosity replied that it was so hard because what we were dealing with was the historical and ongoing effects of colonization. Through colonization around the world, and throughout history, prescriptions—strict prescriptions and judgments effectively regulated the way people could express themselves and how they could build

their communities, excluding and marginalizing some people and not others.

Jarvis and I both believe that each time we work together to create inclusive communities we are working to heal the damage done by colonization. To create inclusive communities for all is an act of decolonization. We thank the government of Manitoba for recognizing our struggle and for being part of the societal healing.

Mr. Chairperson: Thank you very much to you both.

Mr. Swan: Thank you to both of you for coming and sharing your story and your experience, and for you and everyone else coming here tonight. Of course, everything you're saying is being dutifully recorded, and it will be part of the permanent legislative history of Manitoba. And I hope that we'll look back on this night in a few years and be able to look at what each of you were saying and see just how much progress we're continuing to make. So thank you.

Mr. Goertzen: Yes, I also want to thank you both for coming out tonight on this evening to present to committee. Thank you.

Mr. Chairperson: Thanks very much to you both.

Next presenter, James Harper, private citizen. Calling James Harper, the second time, private citizen. Seeing no one come forward, James Harper's dropped to the bottom of our list.

Up next, Jodie Layne from Hollaback! Winnipeg. That I believe is an organization rather than a neighbourhood.

Jodie Layne (Hollaback! Winnipeg): That is what?

Mr. Chairperson: It's an organization, rather than a neighbourhood.

Jodie Layne: Yes.

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

Jodie Layne: I have no presentation.

Mr. Chairperson: You go right ahead whenever you're ready.

* (18:50)

Jodie Layne: All right. I'll keep this short and relatively sweet, but I would just like to thank the committee for the opportunity to speak. And I'd also

like to thank the NDP party for bringing forth this amendment to the bill.

Hollaback! is an organization that works to end street harassment or harassment in public places against women and LGBTQ individuals. And through my work I hear and see a lot of things that are difficult to deal with, and I wish that I didn't have to.

And one of those things that is—was hard, and is hard for me still, and doesn't just make me feel compassion and doesn't just make me sad or upset but makes me furious is the stories that I hear from young people when I go to do workshops at community groups. And we go around the room and I have to listen to the experiences that these youth, as young as 12 up to about 17 to 19, that each one of them has something to share. That's really troubling to me and, especially with my last presentation at Rainbow Resource Centre, the thing that was hardest for me was seeing a lot of individuals who are gender queer, gender fluid or transgender and how that affects their day-to-day life, affects the safety that they feel in their community is, and it affects the way that they live their lives. Whether it's gendered spaces like washrooms or change rooms at school, whether it's just walking down the street, it affects them.

One of the hardest things is hearing them say that they walk down the street and, at a street corner, people will yell out their car, are you a boy or a girl—what are you? That they have to justify not only to their parents and their family and friends is hard enough, but being accountable to complete strangers for a decision that they haven't—that they've made to live boldly with their own gender expression is difficult.

We believe that making this amendment to the bill would help to make those youth feel included, to help—make them feel that what they are doing is okay. I am really fortunate to have been born with the gender that I identify with as female. But it wasn't—I haven't always been accepted for who I was. Growing up in a small community in northern Manitoba, I know what's it's like to hear that who you are is not okay, which is one of the reasons why I believe that this work is so important to be done. And I do—I am able to sympathize, to a certain extent, with these youth. And what you're doing is so important. I look forward to this bill passing.

There's a statistic that really bothers me and is one of those things that makes me really upset. And

that goes beyond feeling compassion or sadness and goes into genuine rage that 44 per cent of all crimes committed against LGBTQ individuals, 40 per cent of murder—44 per cent of murder victims are transwomen, although they make up only 8 per cent of the LGBTQ population, which shows that there is unique hatred that exists towards these individuals. So this bill would go a long way in to showing society that it's not okay and to making a bold stand for the rights of those individuals who are gender nonconforming.

Mr. Chairperson: Thank you very much. Comments or questions from committee members?

Mr. Swan: Thank you for certainly continuing to enlighten all of us. And, of course, we're—we think we're doing our part by this legislation, but we know that it's people like you out in the community doing your part.

So any time you think that a bit of education is necessary for us, I'd encourage you to give us a call and make sure that we're continuing to move in the right direction. Thank you.

Floor Comment: I'll hold you to that.

Mr. Swan: It's a deal.

Mr. Goertzen: Yes, thank you all. It's a very passionate presentation. We appreciate hearing it. Thank you.

Mr. Chairperson: Seeing no further questions, thank you very much once again.

I'll now read out the names of people that we've called once already and who were dropped to the bottom of our list. So first among those is Dayne Moyer. Dayne Moyer, listed with the University of Winnipeg Students' Association. Seeing no one here, their name is now dropped from the list.

And up next, James Harper. Once again, James Harper, private citizen. Seeing no one, their name is dropped from list.

This now concludes the list of presenters that the committee had before we started. Is there anyone else in the audience tonight, though, that wishes to make a presentation to this committee on any of the bills that I listed at the outset—who hasn't already spoken?

Seeing no further presenters, we thank everyone in attendance tonight. You're certainly welcome to stay here for the clause-by-clause consideration, should you wish to. But the public presentations are

concluded now, and we will move to that section of the committee's work this evening.

Now is there any particular order in which the committee wants to proceed with considering the bills before us tonight?

Mr. Swan: Yes. Given that we have so many presenters here, although some of them seem to be walking out, I would like to proceed with Bill 36 first, and then after that I suppose we could simply proceed numerically.

Mr. Chairperson: It's been proposed we begin with Bill 36. Is that amenable to the committee? *[Agreed]*

Very quickly, so that all committee members and all the people watching from home, I'll read out a few comments on how we do clause-by-clause consideration in committee. During the consideration of a bill, the table of contents, the preamble, the enacting clause and the title are postponed until all of the other clauses have been considered in their proper order. Also, if there is agreement from the committee, the chair will call clauses in blocks that conform to pages with the understanding that we'll stop at any particular clause or clauses where members may have comments, questions or amendments to propose, and once again, that's limited to members of the committee sitting around this table here.

Is that agreeable to members of the committee?
[Agreed]

We'll now proceed with clause-by-clause consideration of the bills.

If we can have Bill 36. Does the minister responsible for Bill 36 have an opening statement?

Mr. Swan: As everyone knows, the Human Rights Code amendments have a few different purposes. There are some technical amendments that I think are not controversial to allow the commission to do its work even more efficiently and better. Tonight we've heard from a number of very powerful witnesses about the inclusion of gender identity. I can't possibly articulate any better than they have the importance of this change to Manitoba's Human Rights Code to keep Manitoba at the forefront of human rights.

There are also provisions to add social disadvantage as a protected ground, and I know that the member for Steinbach (Mr. Goertzen) had put some questions on the record the other day at second reading, and I do want to, before we begin, put some

comments on the record that, hopefully, will clarify some of the concerns that he'd raised. As well, there was a point that the member for River Heights (Mr. Gerrard) raised, and I'll clear that up as well.

The question that was posed by the member for Steinbach in his speech on second reading was how and whether adding social disadvantage to the code would affect a landlord's ability to assess potential renters' ability to pay rent, for example, by assessing cash flow, other assets, or credit history. The Human Rights Code at present allows landlords and rental agents to make an individual assessment of an applicant's ability and likelihood to pay rent based on objective information. I can put on the record that this won't change with this legislation. Landlords will still be able to require tenants to provide information about their income, other factors relevant to the adequacy and stability of income and past rental history.

The Manitoba Human Rights Commission's guidelines for landlords and renters sets out that landlords can protect their rental property by selecting suitable tenants and refusing undesirable tenants based on non-discriminatory criteria. Landlords and rental agents may screen applicants on the basis of relevant qualifications through the use of application forms, interviews, and reference checks. Landlords and rental agents can obtain all the information about an applicant that is relevant to his or her qualifications as a tenant as long as the information is not used for discriminatory purposes. And the question's been asked and the commission has responded that they don't see these amendments changing the rules in that regard as all—in this regard at all.

The other question the member for Steinbach asked was whether landlords and business owners would be more likely to be tied up in lengthy complaint processes, and what I can say is that the way these sections are drafted, for any complaint on the basis of social disadvantage, the amendments contain the added safeguard of requiring any complainant to show that the discrimination is based on a negative bias or stereotype related to that social disadvantage. That should prevent filing complaints based on social disadvantage unless it is clear—rather, if it is clear that there was no negative bias or stereotype about social disadvantage involved.

In addition, if a complaint is made but there's no evidence to support a critical component of the complainant's case, the commission can be expected

to process and dismiss the complaint on a preliminary basis as it does for all complaints regardless of the ground.

Protecting against discrimination relating to levels of income or education, it is acknowledged, creates a unique challenge. There's many ways in which our level of income or education affects our ability to access services, employments, or benefits, most of which do not raise the type of human rights concerns the code is intended to address. The provision in the code makes it clear that negative bias and stereotypes are the central concern when it comes to discrimination based on social disadvantage, as is the case for other grounds.

* (19:00)

And the question posed by the member for River Heights (Mr. Gerrard) was whether section 9(3) of the code should be amended to refer to interrelated policies and procedures of the person or an organization to make it clear that this applies to organizations, whether commercial, non-commercial, or government. The Human Rights Code is binding on the government of Manitoba. That will continue; that will not change. And I can put on the record that the code already defines "person" to include corporations, associations, and all other organizations, so they will be covered by the new section as written in the same way they're covered by the existing provisions of the code.

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

Does the official opposition critic have an opening statement?

Mr. Goertzen: Simply to thank the minister for getting some answers to the questions that were posed at second reading. He might have a couple follow-up questions during the clause-by-clause consideration, but I appreciate him getting back on those issues.

Mr. Chairperson: We thank the member.

Now, moving to consideration of the clause by clauses.

Clauses 1 and 2—pass; clauses 3 through 5—pass; clauses 6 through 8—pass; clauses 9 through 12—pass; clause 13—pass; clauses 14 through 17—pass; clauses 18 through 20—pass; clauses 21 and 22—pass; clauses 23 and 24—pass; clauses 25 through 29—pass.

Shall clause 30 pass?

Mr. Goertzen: Just a question for the minister, and I don't know if there was a better place to ask this question, but in terms of the number of complaints—I know this comes out in an annual report—that are coming before the Human Rights Commission these days. Is there any indication of how many are dismissed on a preliminary basis and how many move on to a more substantive decision-making process?

Mr. Swan: I can advise the member I don't have that information handy right now, but I can do my best to provide that as quickly as possible. I know we do have some individuals from the commission here tonight.

Mr. Chairperson: Any further questions?

I'll read the question out again for this clause, then.

Clause 30—pass; enacting clause—pass; title—pass. Bill be reported.

Now proceeding in numerical order—oh, honourable Government House Leader.

Ms. Howard: It might be agreeable to the committee if we proceed by department instead of strictly by—I don't know if that's what you already agreed to, instead of by numerical order, so we don't have a round-merry-go-round of officials moving chairs every—it would be good for their physical health, I'm sure, but it would be better for the efficient running of the committee if we group it by department.

Mr. Chairperson: Mr. Goertzen, did I see your hand up on this point?

Mr. Goertzen: Very logical recommendation. The House usually comes up with logical recommendations, and this follows the pattern.

Mr. Chairperson: So what I think I need is for a committee member to propose, just for the record, which bills we are going to deal with and in what order.

Mr. Goertzen: So I think we'd want to then deal with 4, 11, 14, 15, and 19 and 22, and that would only leave remaining 30.

An Honourable Member: And 9.

Mr. Goertzen: Oh, and 9. So 30 and 9.

An Honourable Member: Not 14.

Mr. Goertzen: So let me try that again.

Mr. Chairperson: Take two.

Mr. Goertzen: Take two: 4, 11, 15, 19, and 22, and then we could move to 14 and 30, which would then leave us with Bill 9.

Mr. Swan: Given that possession is nine-tenths of the law, given that I'm in this chair, I heartily endorse the suggestion.

Mr. Chairperson: I'll just read this back, because I'm the Chair and that's apparently what we have to do.

We are going to consider the bills, clause by clause, in the following order. Please correct me if I'm wrong. I got it as Bill 4, then 11, then 15, then 19, then 22, then 14, then 30 and concluding with 9. Is that agreeable to the committee? *[Agreed]*

Excellent. Thank you everyone.

Bill 4—The Missing Persons Act

Mr. Chairperson: We will now consider clause by clause for Bill 4, which is The Missing Persons Act.

Does the minister responsible have an opening statement?

Mr. Swan: Thank you. Very briefly, Mr. Chairperson. This bill would give police more powers, more abilities to try and recover people who were reported as missing. The police report some frustration that when a missing person's report comes in, unless there is—unless there are grounds to believe that a crime has been committed, it really doesn't give them much ability to be able to take active steps to find the person.

Alberta has passed similar legislation, although I believe it has not yet been proclaimed into force. We'd be the second province to move ahead. We think that doing everything we can to help the police find and recover missing persons is very important.

Mr. Chairperson: We thank the minister for the opening comments. Any opening comments from members of the opposition?

Mr. Goertzen: The Progressive Conservative Party supports the legislation and its intent, and certainly hope that it benefits our police in finding those who are missing for their benefit and the benefit of their loved ones.

Mr. Chairperson: We thank the honourable member for his opening comment as well.

We'll now proceed with clause by clause consideration for Bill 4.

Clause 1—pass; clauses 2 through 4—pass; clause 5—pass; clause 6—pass; clauses 7 and 8—pass; clause 9—pass; clauses 10 through 14—pass; clauses 15 and 16—pass.

Shall clauses 17 and 18 pass?

Mr. Goertzen: Mr. Chairperson, to the minister, just on the coming into force date, noted that it's fixed by proclamation. He indicated that Alberta's legislation had not yet been proclaimed. Does he have any instructions for the committee in terms of how long it might take for this bill to come into force?

Mr. Swan: No, I can't speak to that. There will be regulations to be made. The fact that Alberta is now working through this process can hopefully move us along, because I think everybody would like this bill to be enforced as early as is reasonably possible.

Mr. Chairperson: Seeing no further questions, I will read that one out again.

Clauses 17 and 18—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 11—The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments)

Mr. Chairperson: Now moving to Bill 11, The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments).

Does the minister have an opening statement?

Mr. Swan: Yes, thank you. Civil property legislation, of course, is a developing ground as we try to find more tools to take on organized crime, to take on gangs, and this amendment is intended to further move us along that road. This bill would create the administrative forfeiture process for specified cases, which we think would allow for speedy and better ways to try to obtain property under a certain threshold. This bill would also create a process to manage and sell property forfeited to the government under the Criminal Code. The bill is also going to enhance the protection of victims and the ability to distribute money to the Victims Assistance Fund under the Victims' Bill of Rights.

Again, the development of civil forfeiture legislation has proceeded across the country and someplace—Manitoba has been the first to move in a certain direction. In this case we're not. British Columbia was the first on the administer-forfeiture side to make some movement. I understand some

other provinces are moving along those lines, and I don't expect any difficulty between the government and the official opposition on moving ahead with this bill tonight.

Mr. Chairperson: We thank the honourable minister.

* (19:10)

Mr. Goertzen: The minister's prediction was correct. I commend the minister for the bringing forward the administrative forfeiture portion of this act that was well thought out, and we appreciate him lifting that idea from previous Progressive Conservative private members' bill and nobody has a copyright on a good idea and we're glad that he decided to copy this one.

Mrs. Taillieu: I just wanted to also put on the record that it was the member for Steinbach who did bring this as a private members' bill last session, and certainly we know where the idea came from and gladly it was supported by the government, and so we're glad to support something that we initiated in the first place.

Mr. Chairperson: Seeing no further comments, we will proceed with clauses.

Clauses 1 through 3—pass; clause 4—pass; clauses 5 through 8—pass; clause 9—pass; clauses 10 through 14—pass; clauses 15 through 17—pass; clauses 18 through 20—pass; clauses 21 through 24—pass; clause 25—pass; clauses 26 through 29—pass; clauses 30 through 35—pass; clauses 36 and 37—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 15—The Fortified Buildings Amendment Act

Mr. Chairperson: Now moving to consideration clause by clause Bill 15, The Fortified Buildings Amendment Act.

Does the honourable minister have a statement?

Mr. Swan: Very quickly, this bill is intended to protect our police, our firefighters, our paramedics and the general public who sometimes when they attend at a property run into a trap that has been set by individuals conducting unlawful activities. The risk of injury or even death are unacceptable frankly and we want to do whatever we can within our legislative control as a province to create new provisions to prevent this from taking place.

I know that in his comments the member for River Heights (Mr. Gerrard) wanted to know more about the types of hazards that were being

discovered by first responders and I can just say a couple of things. There was actually a federal study that was reported not that long ago where they spoke to police officers and paramedics talking about some of the traps they actually face when coming in where there's a fire or there's a warrant or something else to deal with a grow op or drug labs, and it was clear from the individuals they interviewed that those first responders first of all want as much training as they can get on the hazards, but also made it very clear that those hazards pose a danger to them.

Unfortunately, there are examples across Canada where police have encountered some very serious and some very dangerous threats. There was a grow op that was taken down in British Columbia, the RCMP officers encountered very serious traps. In fact, these traps were designed to spray bear spray on anybody who'd be entering the property. The police in Nova Scotia encountered a grow op that was booby trapped using sharp spikes mounted on wooden platforms and, in fact, in that case the RCMP in Shelburne actually made a public appeal to make sure that the public was cautious. In New Brunswick, just a couple of years ago conservation officers stumbled across a marijuana grow operation and they found that there were traps, like rusty steel traps some the size of dinner plates, and what the officer on the marijuana enforcement team in New Brunswick said showing those I guess, to the media, these were seized last year in New Brunswick these ones were buried right in the soil so if you stick your hand in and take out the plant you'll get more than you were expecting. So that's just one—just a couple of examples. There was also a case in Ontario, from just a couple of years ago that, indeed, those who don't have respect for laws, also do not have respect for our first responders or the public in general, and I think this is a very strong message to send by this Legislature, that we support our police, our firefighters and our paramedics.

Mr. Chairperson: We thank the honourable minister.

Mr. Goertzen: Certainly, we think that this additional tool on The Fortified Buildings Act, is a good one. To the extent it protects even one police officer or paramedic, it will be well served.

The minister went through a list of the things that those who are intent on breaking the law are willing to do to shield and protect their activities even at the great risk of those who are here protecting us, the law-abiding citizens of our

province and of Canada. So we certainly support the legislation. When good ideas aren't coming from the opposition, we know they're coming from the staff at the Department of Justice, and I want to commend the staff for bringing forward this legislation and ensuring that it's there to protect the fine folks who are out there protecting us and our community.

Mr. Chairperson: We thank the member for his opening comments.

Now moving to clause-by-clause consideration: clause 1 through 3—pass; clause 4—pass; clauses 5 and 6—pass; clauses 7 and 8—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 19—The Use of Animals to Shield Unlawful Activities Act

Mr. Chairperson: Moving next to Bill 19, The Use of Animals to Shield Unlawful Activities Act.

Does the honourable minister have an opening statement?

Mr. Swan: Similar to what Bill 15, this legislation is intended to protect our first responders and also the general public by making it an offence to have the use of animals to shield unlawful activities being carried on at a property. And, again, there were a few questions that were put on the record, both by the member for Steinbach and the member for River Heights (Mr. Gerrard), in second reading debate, and I can just speak to that for a moment.

I believe the member for Steinbach (Mr. Goertzen) asked whether this was a problem or the problem the bill's intending to address could be addressed under existing Criminal Code provisions or provincial legislation. And what I can tell the members that there's—there is no existing offence under the Criminal Code or under any provincial legislation that addresses the issue of using animals to shield unlawful activity. There is a Criminal Code offence of obstructing or failing to assist a peace officer or public officer. I'm told it'd be very difficult to prove this offence unless the—there was an accused who wilfully resisted or struck—obstructed police, for example, by commanding the animal to attack or failing to control the animal after being asked to do so by police.

It also would not apply in situations where there's unannounced search, perhaps with a search warrant in hand in the absence of the accused. So it does seem to fill a gap within the provincial ability to

legislate on property and civil rights and public safety.

A question I believe was asked by the member for River Heights: to what extent is using animals to shield unlawful activity a problem for first responders? And it's very difficult to obtain specific numbers, but anecdotally, the police will tell us that it's extremely common, very common for drug dealers, for example, to have vicious dogs in their care. These animals aren't pets; rather they're used to shield the drug dealers in their unlawful activity. As well, operations like chop shops, where vehicles may be taken and cut apart and used by organized crime, again, it would not be unusual for those kinds of operations to have large and dangerous dogs.

Another question that was asked was whether there should be any requirement to indicate the animal really poses a danger. And I believe the member for River Heights got on to tigers. We don't know of any case where tigers have been used to protect illegal or unlawful activities. The legislation doesn't apply to any specific animals. The section, though, does require proof that they're a threat to a person, and the interpretation clause contained in subsection 2(2) of Bill 19 makes it clear that an animal falls within the scope of the legislation only if it poses a threat to a person who enters the property having regard to the criteria listed in that subsection, including the size and temperament of the animal.

We expect, in the majority of cases, it will be dogs. The RCMP in British Columbia actually came across a grow op that was protected by bears, if you can believe it. We haven't seen that in Manitoba, which I think we can all be grateful for. We expect it's mainly going to be dogs, but it is not limited if the animal is a sufficient threat to first responders or the general public.

*(19:20)

Mr. Chairperson: We thank the minister.

Mr. Goertzen: I also want to thank the staff for providing some of those answers through the minister. It's a useful process when we can answer—or ask questions in our second reading comments, and then get the answers during committee, as opposed to sort of raising them here and then maybe getting the answers during third reading. That's instructional for the future debates that we might have.

It is interesting and a learning process to hear the different things that criminals will do to shield their

unlawful activities. I'm an owner of a miniature dachshund, so there's not much obstruction going in my home with that seven-pound beast in the house. But, obviously, you know, we're learning that in the example from British Columbia's—the extreme example, I know—but any animals that are trained to be vicious and violent can be a danger to those who are trying to enter the premises for lawful purposes.

And I appreciate the minister making the distinction on obstruction of a police officer, which is the portion of the Criminal Code that I was wondering if it would be applicable or not, and I think that that was a good answer. And to the extent that this either fills a gap or makes a provision stronger to protect our police and others, I think that it's important that this pass and be put into effect as soon as it passes, which I believe the bill calls for.

Mr. Chairperson: We thank the honourable member for his comments.

Moving to clause consideration for Bill 19: clauses 1 and 2—pass; clauses 3 through 5—pass.

Just double-checking something. Thank you, there.

Shall clauses 4 through 8 pass?

An Honourable Member: Pass.

Mr. Chairperson: Clauses 4 through 8 are accordingly passed.

Shall—whoops. It's the power of a typo. All right, so—[interjection] Yes, we'll redo the very complicated part here.

Clauses 3 through 5—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 22—The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program)

Mr. Chairperson: Moving on to Bill 22, The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program).

Does the honourable minister have an opening statement?

Mr. Swan: Yes, let me say, I wish we didn't have to be passing legislation of this type, but, unfortunately, the fight against impaired driving, that I think every member of this House is pledged to keep fighting, makes this necessary.

This bill would expand the use of ignition-interlocks. At present, The Highway Traffic Act

restricts drivers convicted of certain alcohol-related offences to driving motor vehicles equipped with ignition-interlock devices following a driving suspension for the conviction. This bill would expand the mandatory ignition-interlock program to all first-time convicted impaired drivers, and that means convicted under the Criminal Code standard which is .08.

It would also provide the drivers who choose to drive during this period without obtaining a restricted licence, without using an ignition-interlock, will face more serious sanctions under The Highway Traffic Act.

There were, again, some questions put on the record in second reading, I believe, all three of them by the member for River Heights (Mr. Gerrard). So I'll put a short answer on the record.

The question was: What sort of evidence is there that the extension of this program would reduce drinking and driving? I take that back. It was the member for Steinbach (Mr. Goertzen) who put that on the record. Of course, the primary purpose of the ignition-interlock device is the public safety measure to prevent drivers from starting or from operating a motor vehicle after drinking. Extending the program to all first impaired driving offenders is an additional safeguard to protect Manitobans, when those offenders seek to be allowed to legally drive after their driver's licence suspension is over.

MADD Canada has been a very strong voice pushing for further amendments of this type. MADD Canada tells me that their recent research indicates mandatory ignition-interlock requirements are effective in reducing reoffending by impaired drivers. MADD Canada takes the position that, effectively, what it does is that it separates drinking and driving, and by doing so, it provides further reasons why individuals will not combine the two, so many times with tragic effects.

I was also pointed to a March 2012 report by the US Insurance Institute for Highway Safety. They did a study in the state of Washington and found that after that state expanded its ignition interlock requirements to all convicted impaired driving offenders, their recidivism rate decreased by about 12 per cent. We'd like that to be higher, but that seems to be a good start.

A question I think was put by the member for River Heights was whether someone who has a second impaired driving conviction would have to

use an ignition interlock device for the rest of their life. I can advise that under the proposed legislation, all first-time impaired driving offenders would have to use an ignition interlock device at the end of their licence suspension period, just like first offenders convicted of impaired driving causing bodily harm or death or of impaired driving with a child passenger. Those convicted of impaired driving causing bodily harm or death or of impaired driving with a child passenger could receive longer ignition interlock requirements. Only those convicted for a fourth or subsequent conviction within 10 years would receive a lifetime ignition interlock requirement.

The question was then put on the record: Was there a mechanism to review lifetime ignition interlock requirements? The Highway Traffic Act Statutes does not provide a mechanism to review the lifetime ignition interlock requirements. But a driver subject to those requirements, serious offenders who record four or more convictions within 10 years, of course, would be subject to a lifetime driver's licence suspension. And the interlock requirements would only apply if the licence suspension appeal board saw fit to rescind the lifetime suspension and allow for an interlock.

So I hope that will provide clarity to the member for River Heights (Mr. Gerrard) who posed those second two—or the last two questions.

Mr. Chairperson: We thank the honourable minister. Any opening remarks?

Mr. Goertzen: Just to thank the minister for the report on the Washington—State of Washington report. Perhaps rather than me trying to use my googling skills, perhaps here his staff could pass along either the link or the actual report for me, because I'd like to take a look at that. Thank you.

Mr. Chairperson: We thank the honourable member for his comments. Now proceeding to clause-by-clause consideration for Bill 22.

Clauses 1 through 3—pass; clauses 4 and 5—pass; enacting clause—pass; title—pass. Bill be reported.

Ms. Oswald: Yes. Thank you, Mr. Chair. I know that we agreed on an order earlier. But in the name of letting the staff from Education go as they only have one bill, I'm quite prepared to allow them to go ahead of the bills on Health, if the committee is fine with that.

Mr. Chairperson: I believe what's being proposed is amendment to our order, such that Bill 9 would be

considered now. Then we go to 14 and then 30. Is that agreeable to the committee? *[Agreed]*

Bill 9—The Public Schools Amendment Act (Community Use of Schools)

Mr. Chairperson: So we will now consider Bill 9, The Public Schools Amendment Act (Community Use of Schools). I will ask the honourable Education minister to join me at the front table here.

Does the honourable minister have an opening statement?

Hon. Nancy Allan (Minister of Education): Yes, thank you very much.

I'm thrilled to be in committee tonight with Bill 9, the community use of schools. This will make school facilities more accessible to community groups and organizations. School facilities are paid for with taxpayers' money. And we believe that it's in the best interests of young people and students and community organizations to be able to use those facilities for recreation opportunities, social and cultural and educational opportunities.

The proposed legislation is—will outline a community use policy. It will set out the terms and conditions that apply when members of the community use the school facilities.

* (19:30)

The community use policies will include a transparent process of determining who has priority to use those school facilities and how to apply for their use. Each school division must maintain a copy of its policy and application form, the name and contact information of its community use co-ordinator on a website that is open to the public. The proposed amendments limit the fees charged, obviously, for the use of the school because this is not a money-making venture. It's just an opportunity to recover costs that are incurred, and in the case of joint use agreements between schools and municipalities, the sharing of facilities and equipment will further reduce user fees while optimizing facility use. Thank you very much, Mr. Chair.

Mr. Chairperson: We thank the honourable minister for those opening remarks.

Mr. Cameron Friesen (Morden-Winkler): We also support the full use of our school resources, and I had the opportunity to put a number of points on the record during second reading, and I would just

mention the fact that it's just a little disappointing to think that such legislation is needed and that school divisions couldn't work within frameworks that were provided to be able to reach an agreement with community groups whereby we would have full use of our facilities without needing to go here. In any case, we, of course, support full use of schools and community resources. I have a number of points of clarification I'm looking for, but I will just do that during the clause by clause.

Mr. Chairperson: We thank the honourable member for his opening remarks. Now proceeding to clause-by-clause consideration for Bill 9.

Shall clauses 1 and 2 pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Mr. Chairperson: Shall—oh, sorry, Mr. Friesen, back on clauses 1 and 2.

Mr. Friesen: One and two.

Mr. Chairperson: Yes, okay, so those have not passed then. Recognizing, Mr. Friesen.

Mr. Friesen: Just looking for a clarification with respect to 47.4(1). Will school divisions reserve the right to restrict access for the purpose of conducting ongoing maintenance? That isn't spelled out here where it indicates that only when the facilities are not being used by pupils.

Ms. Allan: Well, ongoing maintenance is something that school divisions—they every year they look at their priorities in regards to ongoing maintenance and they apply to the PSFB in regards to the bigger maintenance issues that they have to deal with in regards to boilers and roofs and those kinds of things. We believe the—that this legislation is—it doesn't include those kinds of things. It simply just means that what we want them to do is have policies around community use that—and we don't believe that big maintenance issues will be part on parcel of this legislation.

Mr. Friesen: Just further down the list, then, in 47.4(2)(iv), the legislation indicates how a priority will be determined when two or more potential users apply to use the same facilities at one time.

I'm wondering whether precedence will be considered for current usage agreements for groups or individuals who have existing usage agreements at this time and who are in good standing. Will they be given priority?

Ms. Allan: Well, a lot of these community use agreements are in place in some school divisions and they are very well thought out. We believe that if there is a situation where there is someone that is already been using the facility and there has been a practice, where there is already a partnership, we believe that that would be 'priorized' ahead of another group coming in.

Mr. Friesen: Still under the same section, 47.4(2)(vii) indicates the process to be followed in resolving disputes related to the public's use of the facilities. What would happen in the event that there would be a failure to resolve a dispute? What would be the next thing if there was an impasse?

Ms. Allan: If there was a dispute that could not be resolved, that dispute would be referred to the board of trustees and the board of trustees would be the mechanism for resolving it.

Mr. Chairperson: So seeing no further questions, we will revert back to consideration of clauses 1 and 2.

Clauses 1 and 2—pass.

Shall clauses 3 and 4 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Mr. Chairperson: No, not yet?

Mr. Friesen: Just a quick clarification with respect to 47.3–4(3), where it says: The fee charged in respect of the public's for use of the school must not exceed the amount necessary for the school division or district to recover the costs. I'm just referring to the letter that was supplied this evening by AMM president, Doug Dobrowolski, and looking in the fourth paragraph there, I'm wondering if the minister would just comment where Mr. Dobrowolski indicates: and give school divisions the potential to collect additional revenue. I believe the minister answered already in her preliminary remarks, but am I to understand, then, that there won't be any opportunity for school divisions to collect additional revenues, only revenues that are necessary to cover their internal costs?

Mr. Chairperson: Just before recognizing the minister, I believe the honourable member is asking a question that relates to clause 2, on 47.4(3). We can ask for the committee's leave to revert back, if you'd like to ask that.

An Honourable Member: Can he just ask the question?

Mr. Chairperson: We kind of have to—we have to sort of—if we've already passed it, we have to officially reopen it.

Mr. Goertzen: Can I just get agreement from the committee that he's allowed to ask the question and the minister can respond?

Mr. Chairperson: Is the committee willing to revert back to consideration of clauses 1 and 2? *[Agreed]*

Thank you for—to committee members. The question is now in order. Recognize the honourable minister.

Ms. Allan: As I said earlier, it's very clear in this legislation that this is not a mechanism for charging fees to create profit. It's just to cover the costs when the facilities are in use. It could be janitorial services, those kinds of things. So it just is involving costs.

Mr. Chairperson: Again, seeing no questions, we'll ask for consideration here.

Clauses 1 and 2—pass.

Shall clauses 3 and 4 pass?

Mr. Friesen: Looking for a clarification just with respect to clause 4. This act comes into force on January the 1st, 2013. What would happen if school divisions did not have in place by January the 1st, 2013, a policy with respect to the shared use?

Ms. Allan: Well, this is—the intent of this legislation has been around for quite some time. This came out of the Healthy Kids Task Force. There's also been a handbook that's been developed around this legislation. Obviously, we would prefer all school divisions to be in compliance with the legislation when it's passed. And, if they aren't, we'll have a gentle conversation with them.

Mr. Friesen: Just a more global question, and that is: Could the minister provide us any sense of—without betraying confidences or betraying anyone's privacy, can she indicate how many instances actually came to her attention whereby she actually observed school divisions and communities not being able to work in agreement to reach a satisfactory agreement around use of facilities? Is there any kind of quantifying she can give to where this bill came from?

Ms. Allan: We felt it was important, once again, because schools are built with taxpayers' money, and

we know what a benefit it is to have schools open in the evenings, providing recreation opportunities for young people, providing recreation opportunities for community organizations. We believe that it's keeping young people busy in schools, keeps them off the streets and makes them healthier citizens. We know that some school divisions in the province of Manitoba are doing this very, very well, and other school divisions, some of them not so well. So what we wanted to do is have this legislation in place to level the playing field so that all school divisions had their schools open in the evening for community use.

Mr. Friesen: My question to the minister would be: Is there any intention on the part of this government to establish or to enact reciprocal legislation to require municipalities to perhaps put in place policies governing the use of their resources and their facilities?

Ms. Allan: No.

Mr. Chairperson: Seeing no further questions, I'll ask about our next clauses.

Clauses 3 and 4—pass; enacting clause—pass; title—pass. Bill be reported.

* (19:40)

Bill 14—The Protection for Persons in Care Amendment Act

Mr. Chairperson: Now moving to Bill 14, I'll ask the honourable Health Minister to join me here. Bill 14, The Protection for Persons in Care Amendment Act.

Does the minister have an opening statement?

Ms. Oswald: Last year we passed The Adult Abuse Registry Act to establish a new adult abuse registry, as well as tough new offences and penalties to better protect adults with intellectual disabilities in our province.

The adult abuse registry, once launched, will be first of its kind in Canada. This bill will expand the adult abuse registry to cover hospitals, personal care homes—and personal care homes, ensuring that future potential employers in those facilities will have an additional tool that they can use to check the background of prospective employees or volunteers, giving them more information to better protect patients and residents.

Mr. Chairperson: We thank the honourable minister for those opening remarks.

Mr. Goertzen: The honourable member for Charleswood (Mrs. Driedger), the Health critic for our party, put words on the record at second reading, and I think we're prepared to see this bill move forward.

Mr. Chairperson: We thank the honourable member for those opening remarks.

Now moving to consideration of clause by clause for Bill 14.

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 and 6—pass; clauses 7 through 9—pass; clauses 10 through 12—pass; clause 13—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 30—The Regulated Health Professions
Amendment and Personal Health Information
Amendment Act
(Continued)**

Mr. Chairperson: Moving to Bill 30, The Regulated Health Professions Amendment and Personal Health Information Amendment Act.

Ms. Oswald: This bill will amend The Regulated Health Professions Act and The Personal Health Information Act.

These changes will improve protection of patient's health-care records by requiring health professionals and their regulatory bodies to ensure that patient health records and lab specimens are not abandoned or at risk of being abandoned, if a health professional ceases to practise in Manitoba.

In addition, it allows for the expansion of the physician profiles required in previous legislation to now include information concerning convictions in a foreign country.

Mr. Chairperson: We thank the honourable minister for those opening remarks.

Mr. Goertzen: I understand the member for Charleswood (Mrs. Driedger) also made comment at second reading. She may also have comment at third reading. There was comments made by Dr. Pope earlier on regarding this particular bill.

The minister indicated that she would be listening to the concerns as the bill is implemented, presuming it passes the Legislature this session, and we certainly will watch for her and have our own discussions with the college to ensure that, in fact, those discussions are taking place in a way that meets the concerns of the college as well.

Mr. Chairperson: We thank the honourable member for those opening remarks.

Now proceeding for clause by clause on Bill 30.

Clauses 1 through 3—pass; clauses 4 and 5—pass; clauses 6 and 7—pass; clause 8—pass; clause 9—pass; enacting clause—pass; title—pass. Bill be reported.

Well, that's all the work I have in front of me.

The hour being 7:45 p.m. what's the will of the committee?

An Honourable Member: Sit longer.

Mr. Chairperson: How about committee rise?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 7:45 p.m.

WRITTEN SUBMISSIONS

Re: Bill 9

On behalf of the Association of Manitoba Municipalities (AMM), I would like to express our support for Bill 9: The Public Schools Amendment Act (Community Use of Schools). We believe increasing the potential for community use of school facilities will provide more recreational opportunities in communities across Manitoba.

The AMM was involved with the Advisory Committee on Joint Use of School and Community Facilities, which recommended a number of measures to facilitate joint use of school facilities and community facilities. A need was identified for consistent policies around facility use and the implementation of formal facility use agreements.

Municipalities were particularly concerned with the issue of usage fees and costs. However, facility use policies must also provide clear procedures regarding prioritization of users, booking procedures, supervisory requirements, liability and insurance, as well as usage fees. Both schools and municipalities also needed the flexibility to reflect the needs of the schools and communities they represent.

This legislation requires school boards to establish community use policies setting out terms and conditions for the use of school facilities when the facilities are not in use by students. As a result, the AMM feels the door is opened for various

community groups who may not have many options for facility use. It will also help schools to maximize the use of their facilities, and give them the potential to collect additional revenue. As well, every school will have their terms and of conditions of use publicly available online, which will simplify the process of applying to use school facilities.

Nevertheless, while the AMM supports Bill 9, municipalities should not be required to develop facility use policies unless they choose to. We believe existing supports for municipalities are sufficient to assist and encourage the development of joint-use agreements for community facilities.

For this reason, the AMM was pleased when the Province developed a 'Facility-Use Handbook' for community use of schools and school use of community facilities to guide both schools and communities in developing facility use policies. This handbook will provide the necessary support to schools to develop their own facility use policies.

In closing, the AMM would like to reiterate our support for the government's goal of maximizing the use of school and community facilities.

Sincerely,
Doug Dobrowolski
President

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