

Third Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

*Published under the
authority of
The Honourable Myrna Driedger
Speaker*

Vol. LXXI No. 57A - 10 a.m., Thursday, May 31, 2018

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

Member	Constituency	Political Affiliation
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Ind.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	PC
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
SCHULER, Ron, Hon.	St. Paul	PC
SMITH, Andrew	Southdale	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian, Hon.	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 31, 2018

The House met at 10 a.m.

Madam Speaker: O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Please be seated. Good morning, everybody.

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

Ms. Nahanni Fontaine (Official Opposition House Leader): I ask for leave to debate Bill 225 this morning.

Madam Speaker: Is there leave to proceed with Bill 225 this morning? [*Agreed*]

SECOND READINGS—PUBLIC BILLS

Bill 225—The Human Rights Code Amendment Act (Genetic Characteristics)

Madam Speaker: We will move, then, to second reading of Bill 225, The Human Rights Code Amendment Act (Genetic Characteristics).

Mr. Andrew Swan (Minto): I move, seconded by the member for Fort Rouge (Mr. Kinew), that Bill 225, The Human Rights Code Amendment Act (Genetic Characteristics); Loi modifiant le Code des droits de la personne (caractéristiques génétiques), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Swan: I am proud today to speak to Bill 225 which would amend Manitoba's Human Rights Code to prevent genetic discrimination. I want to explain the reasons for this legislation in the hope we can move it on to committee hearings and, hopefully, have it passed into law in the fall.

By its very nature, our genetic information is deeply personal. Genes are the basic building blocks

of heredity in all living organisms. They're made up of DNA, and DNA contains the instructions for building proteins that control the structure and function of all the cells that make up our bodies. Like a fingerprint, every person has a unique DNA structure, although our DNA can tell us much more about the genetic hand each of us have been dealt.

Privacy protection is an essential element to maintaining public trust in the value of the rapidly expanding field of genetic testing and treatment. Each year, thousands more genetic tests are available and these tests are becoming more and more accurate. Like many other significant innovations, the information made available through genetic testing offers both tremendous benefits and potential risk.

On the one hand, genetic information can be used to diagnose genetic conditions and identify predispositions to genetic disease. This helps people seek treatment early and adopt lifestyle habits to minimize the possible harm of a genetic condition. It also helps health-care professionals tailor therapies, including medication, to a patient's specific genetic profile.

On the other hand, without appropriate legal restraint, genetic information can be misused to subject Canadians to discrimination based on the traits revealed by genetic testing. For example, if an insurance company learns that an applicant may be at a slightly higher risk for a certain disease, this may affect the cost of the policy it's going to offer that person, if it is offered at all. If an employer knows that an applicant is at higher risk of developing a genetic condition or illness, the employer may be unwilling to hire or promote that person, or even continue to employ him or her.

Last year, the Parliament of Canada passed legislation to specifically protect Canadians' genetic privacy in the federal human rights legislation. It was recognized that existing Canadian privacy and human rights legislation were inadequate to address genetic discrimination because it failed to address cases of future disability, perceived disability or imputed disability, and that failed to proactively prevent discrimination. And it would seem, Madam Speaker, that Canada was out of step with other developed countries and major counterparts.

The bill actually originated in the Senate, but it passed through the House of Commons with the support of the Liberal backbench, all of the Conservative members in Ottawa and all of the New Democrats in Ottawa. Only the Liberal Cabinet ministers, interestingly enough, voted against the bill.

It's now law in Canada, although the government of Quebec has challenged the law. The challenge is not on the merits of the bill, but on the grounds that it may infringe upon provincial jurisdiction. Provinces, of course, have rights to make laws dealing with property and civil rights.

Generally, that includes employment and contracts of insurance, which is one of the reasons a similar law has been introduced in Ontario, where it died on the Order Paper due to the election, and now here in Manitoba.

Legislation of this kind has been promoted by, among others, the Centre for Israel and Jewish Affairs. I am advised that members of some communities such as Ashkenazi Jewish persons, who are a big part of our cultural fabric here in Manitoba, may have people who have more genetic markers that could give rise to discrimination.

I'm also advised, Madam Speaker, that people in the Mennonite community, also so vital to our Manitoba mosaic, also carry many genetic markers and could be particularly subject to discrimination.

Let me provide a real example of discrimination that would be prohibited by this bill. Ovarian cancer, as I'm sure you're aware, Madam Speaker, is the most fatal women's cancer. In Canada every year it claims approximately 1,800 lives. Nearly 2,800 Canadian women will be newly diagnosed with the disease every year. Because it's often caught in its late stages, 55 per cent of women diagnosed with ovarian cancer will die within five years.

Although existing research has confirmed a strong link between genetics and ovarian cancer, women may fear testing and some do not get testing because their genetic privacy is unprotected.

According to Elisabeth Baugh, the CEO of Ovarian Cancer Canada, and I quote, while all women are at risk for ovarian cancer, women with specific gene mutations are at greater risk than others. Knowing about your genetic makeup enables informed decisions about preventive action. To support this we need assurance that genetic

information won't be misused by employers or insurers.

This view has been echoed by Ovarian Cancer Canada's partners and the Canadian Coalition for Genetic Fairness, an alliance of organizations dedicated to establishing protections against genetic discrimination for all Canadians. These include the ALS Society, Alzheimer Society, Canadian Breast Cancer Foundation, Canadian Congenital Heart Alliance, Cystic Fibrosis Canada, Canadian Organization for Rare Disorders, Huntington Society of Canada, the Kidney Foundation of Canada, Multiple Sclerosis Society of Canada, Muscular Dystrophy Canada, and many others. These groups advocate on behalf of the families directly affected by genetic conditions and illnesses, people who are witnessing the disturbing prevalence of genetic discrimination first hand.

According to the coalition, and again I quote: Cases of genetic discrimination have been documented in Canada and are continuing to grow as more genetic information becomes available. To assume that someone's DNA will result in a disease or disorder is faulty, misleading, speculative and dangerous. Every person has dozens of genetic mutations that could increase or decrease his or her chance of getting a disease such as diabetes, heart disease, cancer, Parkinsons or Alzheimer disease. End of quote.

I've been pointed to a groundbreaking study from the University of British Columbia which documents precisely how widespread this discrimination has become. UBC researchers surveyed 233 Canadians with a family history of Huntington, but who showed no symptoms of the disease, and they found that nearly 30 per cent of those people had experienced unfair treatment at the hands of insurance companies.

By prohibiting genetic discrimination, Manitobans would be empowered to make more informed choices about their own health without having to fear negative repercussions. And our NDP team believes that no Manitoban should ever have to forgo or even consider forgoing critical testing for themselves or their families because they lack protection from discrimination.

*(10:10)

There are Manitobans who have family members with genetic diseases who fear the consequences of testing not just for what the test may reveal, but

whether—what other impact it will have for themselves and their families. There are Manitobans with genetic diseases who want their families to pursue testing without risking their employment or even their insurability. And there are Manitobans, including those in the medical profession, who want as many people as possible to be tested for the purposes of research, which we all hope will result in advances and even cures.

I expect, Madam Speaker, there will be many Manitobans prepared to come forward at committee to tell their own stories or the stories of those for whom they advocate. We may also hear from those with a different view, although aside from insurance companies, I'm not sure who those would be.

So, colleagues, the path of defending and upholding human rights is rarely easy and it's rarely convenient, but as legislators in this building, we do from time to time have the chance to move the goal posts and make a real difference. This is a real issue for Manitobans who may have a family history of a genetic disorder. This is a real issue about their future, about their employment, about their insurability, and even about their children and grandchildren.

So I ask all colleagues in this House for their help to make a very real difference in a rapidly changing world.

Thank you, Madam Speaker.

Questions

Madam Speaker: A question period of up to 10 minutes will be held. Questions may be addressed to the sponsoring member by any member in the following sequence: first question to be asked by a member from another party; this is to be followed by a rotation between the parties; each independent member may ask one question; and no question or answer shall exceed 45 seconds.

Mr. Len Isleifson (Brandon East): Just a simple question for the member. If he could provide the House with the list of those that he consulted with while reviewing and putting this legislation forward, it would be appreciated.

Mr. Andrew Swan (Minto): Well, I believe I put on the record that we were approached by the council for Israel and Jewish affairs, but I can tell the member that I had a great discussion with the CEO of the Canadian Coalition for Genetic Fairness, who also serves as CEO of the Huntington Society and

she is able to speak for that coalition on behalf of, among others, the ALS Society, Alzheimer Society, Canadian Breast Cancer Foundation, Canadian Congenital Heart Alliance, Cystic Fibrosis Canada, Canadian Organization for Rare Disorders, Huntington Society of Canada, the Kidney Foundation of Canada, Multiple Sclerosis Society of Manitoba, Muscular Dystrophy Canada.

I've also spoken with folks involved with Ovarian Cancer Canada, as well as other folks—

Madam Speaker: The member's time has expired.

Mr. Wab Kinew (Leader of the Official Opposition): First off, I want to thank my colleague from Minto for all the extensive consultation work and, I guess, work to bring the bill forward to this stage. I think it's a very important issue.

He did also do a very great job of outlining the background to this bill in his speech, but I'm wondering if he can explain a bit more with the federal dimension. There is a federal bill in place on this front. Can he explain why it's important, also, to have this provincial legislation to complement that federal piece?

Mr. Swan: Well, I thank the member for Fort Rouge (Mr. Kinew), and although I don't intend to have an entire constitutional discussion in 40 seconds, let me just say that the federal law can only affect things in federal legislation, federal employees and federally regulated industry.

Only the provinces, Manitoba has the right to make laws for property and civil rights under section 92 of the constitution, which includes areas like the employment of most people who aren't federal employees or in a federally regulated industry, landlord and tenant issues, insurance contracts and other contracts that Manitobans enter into each and every day.

Hon. Jon Gerrard (River Heights): Yes, two questions. When we're talking genetics, there is the normal realm of DNA sequencing, but there's a whole other area of epigenetics and I'm wondering how much is covered.

The second would be this: that is this really going to be protective? We have age under the Human Rights Code, but the insurance companies routinely, when they are providing travel insurance, discriminate against those who are older who have higher risk of being ill when they travel. Airline companies in—would perhaps be considered

discriminating against women when they say that women after certain time in their pregnancy can no longer fly on airplanes—

Madam Speaker: The member's time has expired.

Mr. Swan: Those are good questions and a lot for 40 seconds. The intention is to cover all forms of genetic discrimination based on somebody's characteristics, their genetics, their DNA.

In terms of the ability of the Human Rights Commission, of course, they have a tremendous education component and they're able to advise employers and others of their obligations. If somebody—if this law passes—was to say that they were being discriminated against, it would be up to the commission to investigate and potentially make a determination, and ultimately an adjudicator who applies the Human Rights Code would decide whether an employer or a company has violated the code.

Ms. Janice Morley-Lecomte (Seine River): I'm just curious if the member from Minto consulted with the Manitoba Human Rights Commission.

Mr. Swan: No. What I did, however, is to use my experience, having worked—or having the Human Rights Commission work for me, I suppose, for five years as Attorney General, but also reviewing very carefully the legislation the Human Rights Commission now works under.

And under section 9(2) I—there's protection for mental—physical and mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair or any other remedial appliance or device, which is quite different from protecting against genetic characteristics where somebody hasn't yet shown any symptoms of having a disease; it's simply their DNA which suggests they may have an elevated risk for doing so.

Madam Speaker: The honourable member—the honourable Leader of the Official Opposition.

Mr. Kinew: You know, just to follow up on the previous question that I'd asked about the federal jurisdiction and the provincial jurisdiction, we also know that there's the potential for life-saving interventions in terms of health care, if people are able to access genetic testing. And I'm just wondering if the member can explain a bit more about how genetic testing can be used effectively in our health-care system to meet patients potentially, you know, predispositions, potential complications

later on in life, and why it's important—if you could just explain the logic again why it's important to put a protection in place here which would free up people to have confidence that the genetic testing they participate—

Madam Speaker: The member's time has expired.

Mr. Swan: Yes, well, it's a very, very important question which, of course, is raised by medical personnel as well as individuals who may have a family with a history of a genetic disorder.

If testing shows that somebody has an enhanced risk for developing a disease because of the genetics they've been handed, that may in many cases mean that the—their medical team will then make sure there's more frequent or more regular testing, some tests that would not be done for the general population. The hope is that if it's a type of cancer, if, indeed, there becomes actual signs in someone's body that there is cancer and that it may be spreading, it'll be possible to get to that much easier and, indeed, save lives.

Mrs. Sarah Guillemard (Fort Richmond): My question actually pertains to the Manitoba Human Rights Commission as well. I'm just wondering if the member has the number of cases that have been highlighted in this legislation here in Manitoba, if he knows how many have come forward about concerns with the genetic testing and discrimination.

Mr. Swan: Well, I don't know of any specific case that has been ruled on by the Human Rights Commission, because at this time there is no protection for genetic discrimination in the Manitoba Human Rights Code. That was one of the reasons why Parliament moved ahead just over a year ago to ensure that this bill passed, again, with wide support from all three major parties in the House of Commons. Canada was actually the only G7 country and, indeed, it was the only one of 26 modern, Western countries that did not have some form of protection in its legislation.

Of course, because of Canada's particular constitutional makeup, it is necessary, in my view, for provinces to have laws which will parallel what the federal government has done.

Mr. Kinew: Again, you know, I think it's very important work that the member from Minto is doing to try and expand the human rights protection here in the province to prevent genetic discrimination, if only because nobody should be blocked from getting a job or getting insurance coverage just because of

the way that they were born, just because of the way that the Creator made them.

* (10:20)

So I know that the member introduced this bill at first reading a little while ago. I'm wondering if he can share a bit about some of the feedback, public comments or otherwise, that he's heard in response to the introduction at first reading of this bill.

Mr. Swan: Yes, well, I thank the member for that question, and since there was a little bit of interest, both in the print media and electronic media, I have heard from a number of people very interested because their own families might have the good chance of carrying some of these genetic markers.

I've also heard from some people who work negotiating pension and disability and life insurance on behalf of members who tell me that, yes, indeed, this is a real problem that insurance companies are, as far as they think they are able, they are trying to either obtain information about tests that people have undertaken or even trying to encourage people to go and get those tests done. That would stop this from happening.

Mr. Andrew Micklefield (Rossmere): I want to thank the member for this bill which is—I find sincerely interesting and very important to talk about.

I do want to ask if he could offer some more comments about what other provinces have either done or are in the process of considering. What's happening around the country on this issue? Are there other comments being made, both for and against?

I think it's a legitimate discussion we do need to have. It's certainly one that's not going to go away.

Mr. Swan: I thank the member for Rossmere for the very good question. It is important to see what's happening elsewhere.

In Ontario, there wasn't just one, there was two bills which were introduced in the Ontario Legislature. I presume one by the government and I expect, probably, one by a private member in a process something similar to that. I understood there was actually a lot of support in Ontario. That bill died when the election was called just a month ago.

I know that, again, that Quebec is opposing the federal law, but not on the merits of the law. Quebec is saying, no, no, we are the ones who have the right

to make laws in this area. I would expect that Quebec, second most populous province after Ontario, will also be coming forward with legislation.

No province, as far as I know, has passed this provision yet. This would make us the leader.

Madam Speaker: The time for questions has expired.

Debate

Madam Speaker: Debate is open.

Mr. Len Isleifson (Brandon East): As always, I want to start by saying it is truly a pleasure to stand in the House and put a few comments on the record in regards to any bill or resolution that comes forward for debate. Debating items of importance is the purpose of democracy. I always consider it not only a pleasure, but truly a privilege and an honour to stand before my colleagues to put some comments on the record.

With only a couple days left before the House rises, today's debate itself provides me with the—possibly the last opportunity to stand here and ensure a few words are put on the record in regards to this private member's bill that has been brought forward by the member from Minto.

On the surface, the message in—contained in Bill 225 itself in regards to the Human Rights Code Amendment Act and specific genetic characteristics and discrimination that could come from testing of individuals, I believe, is something that we should all be concerned with.

Madam Speaker, our government is opposed to discrimination in any and all forms. We know that human rights are important for all legislative members from all parties to uphold, and we also know that we have a duty to protect Manitobans.

Madam Speaker, I want to commend the member from Minto for bringing this bill forward. I know, according to even his own words, that the bill itself amends the Human Rights Code to prohibit discrimination on the grounds of genetic characteristics. I also understand that he includes the circumstances where a person may be discriminated against for 'recusing'—pardon me, for requesting—refusing a request to undergo a genetic test or to disclose or authorize a disclosure of results from a genetic test.

I think that we can all agree that these are complex issues and we need to understand not only what is going on in our own province, but also what is going on across our great country of Canada. I know that there are some complex issues, Madam Speaker, and I understand from the member what his intentions are and it is one that I am sure we can all agree with.

However, Madam Speaker, similar federal legislation is currently going through a constitutional review process which all provinces are closely monitoring. I believe the intent of protecting Manitobans from discrimination and unreasonable invasion of privacy is important, but we do want to ensure that we are consistent to what is happening in other jurisdictions across Canada.

I certainly understand that genetic testing and screening is a great tool that can certainly assist families and their doctors in prescreening during pregnancies, the ability to screen newborns, for example, may also discover if they are developing certain genetic conditions that may be passed on through someone's genes. Madam Speaker, the same may be said by someone simply reviewing their own family history when it comes to different genetic conditions that you already know about. We also know that this is usually done when a family has a history of major health problems or that there is a possibility that it may be passed on to a newborn.

Genetic characteristics are something that you definitely want to keep in the forefront. So, again, while I understand that this is going on, we also know that genetic testing is not available for every single condition. Can you pick and choose what testing is done for what conditions? It certainly is a tricky process, but, again, I agree it could be one that could be very valuable on one hand, while on the other it is also not usually possible to detect all different types of genetic conditions.

It may also be possible, unless the gene changes are already known to the family, and then, of course, it is also a challenge—ensure understanding of the test results. So they will definitely need to be made clear, understandable and acceptable. It's difficult to understand what a normal result would be, and even when you get those results, there is certainly no guarantee that in the case of a newborn or even during pregnancy, a guarantee that the child will be healthy even if the test comes back with normal negative results.

Madam Speaker, when we look at genetic testing or genetic tests looking for genetic characteristics, again, we do look at strictly prenatal screening that's done before the baby is born. I'm not sure. I recently read that while some pregnancies can detect—be detected with a higher chance of being affected with a chromosome condition like Down syndrome or a birth defect like spina bifida. With this said, however, we have to keep in mind that the screening tests can only estimate risk. It certainly cannot be the end-all be-all to decide if any unborn child is in the development process even has one of these conditions.

The test results are definitely not always positive. They're not always conclusive, but they certainly may always be valuable. I think it is something that we need to keep in mind when we have discussions about bills like this because they are very important.

Again, when we look at Bill 225, it certainly makes us come to a realization that we must address any discrimination one could face regarding their DNA in any genetic disposition. We are aware that the Manitoba Human Rights Commission has reviewed and assessed this issue, and it has determined that there is sufficient authority currently within the Human Rights Code to address this manner of discrimination when and if it is required.

Madam Speaker, there may be a fairness issue at stake regarding risk and appropriate disclosure that needs to consider what a reasonable expectation of consumer privacy is or, more so, what is not. By working collaboratively with our stakeholders, we can find real solutions that will lead to positive lasting results for all Manitobans.

Again, I can certainly support the content of this bill, but personally feel that further consultations need to occur to ensure that the legislation does not overshadow other pieces of the Human Rights Code in our province.

One concern that comes to mind, Madam Speaker, is the potential of a genetic testing that prescribes a pre-existing condition as compared to results that something may be evident, but, again, is only a possibility. Again, this is a good example of insurance agents requiring additional information on interpreting test results and drawing comparisons to possible identification of conditions as it relates to those that are positively identified.

The other challenge in—of the bill is the need to always be looking for available information that will come forward in years to come due to increase in technology. These advancements in science and health creates more opportunity to protect the health outcome of an unborn child, a newborn child or even someone who is an adult that has yet to develop anything that may become evident later on.

* (10:30)

In regards to federal legislation, I do understand that the Genetic Non-Discrimination Act received royal assent in May 2017. Unfortunately, the Quebec government, as we've already heard, has their view that this act is unconstitutional and, therefore, they have an initiated a reference at the court—Quebec Court of Appeal. If the Quebec reference is not successful, Quebec will most likely appeal to the Supreme Court of Canada, and, in the meantime, the legislation is not and will not be enforced.

So I say to the member from Minto, again, the bill he is presenting today, while on the surface looks like something that you can be—can be very useful in the province of Manitoba, I see it as an opportunity to not rush into it and to wait to see what happens in Quebec. Let's ensure that we find ourselves in—not find ourselves in the same position after passing a bill to only have it held up in the courts. Madam Speaker, we need to ensure as legislators that bills and legislation that pass meets not only the scrutiny of ourselves, but also the scrutiny of all Manitobans.

As I stated earlier, our government is opposed to discrimination in any form. With this type of legislation, the Manitoba Human Rights Commission certainly understands that discrimination may exist to certain groups of persons who discrimination is prohibited. This is because they maintain a list that captures groups of people who have been 'horsed'—historically, pardon me, disadvantaged in the workplace, in assessing housing or in services that are made available to the public.

Further, Madam Speaker, they assess whether or not a person with genetic characteristics may continue a discreet and identifiable group worthy of protection under the code based on the application of law applying a specific section of the charter. Again, the Manitoba Human Rights Commission has supported the bill to amend the Canadian Human Rights Act to add genetic discrimination, but I also notice that these changes were part of a comprehensive set of amendments to the Canadian

Labour Code, the Canadian Human Rights Act and the new Genetic Non-Discrimination Act.

Madam Speaker, I know my time is running short, and I haven't even talked about the insurance industry and how they were caught off guard with the federal act when it was implemented by the federal party in 2017.

I know I've said it twice and I'll say it again: I don't believe anybody in this House is in favour of discrimination of any form in regards to the outcomes of testing, and we all have the right and ability to address any matter of discrimination and we should.

So with that, Madam Speaker, I will conclude my remarks and, again, thank you for the opportunity to speak to this bill this morning.

Mr. Wab Kinew (Leader of the Official Opposition): Want to begin by saying happy Pride. It is Pride week here in Manitoba. I kicked my Pride week off last weekend by joining members of the Jewish community and the LBTTQ* community, who held an event last Friday called Pride Shabbat. So this was the traditional, you know, meal that practitioners and—of the Jewish faith and members of the Jewish community hold, but it was held specifically in honour of Pride week and it was the first of its kind here in Winnipeg. And so it was a very cool experience for me, you know, to come in, you know, somebody who is an outsider but trying to be an ally to both communities, and to participate in their cultural religious tradition that is now taking on this new dimension of honouring those who, in my community, may have identified as two spirit. So that was a really nice dinner and it was good to break bread with all the people in the room there.

While I was at the dinner table, I participated in a very interesting conversation where a young man shared that he had just gotten the 23andMe genetic testing done. And I was sitting with a few other people around the table, including a physician, a medical doctor who I know socially as well. And, you know, this physician just about jumped across the table at this young man when he heard about the genetic testing. He was so fascinated, and, like, you know we were trying to steer the conversation onto other things, you know, stuff in the news, this and that, and, you know, the physician kept driving back.

So what did you do and how long did it take and what did they provide you with? And the young man who had undergone the genetic testing, he outlined,

well, you know, you just provide a little saliva sample. You mail it away and then you get back this result that, you know, in his case, you know, it talked about where his ancestors came from two branches of, you know, I guess, the Jewish community, one Ashkenazi Jews and the others, I believe it was Lebanon, if I'm not mistaken. And they traced back with a, you know, a certain confidence interval assigned as to where his ancestors had come from going back thousands of years.

And then he said, there are certain parts of the test we can click through, and if you agree, if you give consent to learn about what your genetic markers might mean in terms of health, then all of a sudden the test results indicate your predisposition, your likelihood, of developing certain diseases, certain other forms of health conditions later on in life.

And again, the physician that was sitting with us, so fascinated, kept asking, well, what about this condition and this and this and this? And what about these genetic markers? What level of detail does it get down to? And he was just completely rapt. And, you know, I was joking, I said, well, I know what you're doing tonight as soon as you get out of here. You're going to run home and do the 23andMe testing, right? So we had a good laugh about it, and it was a pretty interesting conversation.

But there was a serious element behind all this. You know, once the—I guess, the more, you know, curiosity satisfying part of that conversation settled down, the young man went on to explain that, you know, as a member of the Jewish community, and his partner also being a member of the Jewish community, they had both decided to do genetic testing to get an idea, if they do decide to have children in the future—them both, you know, being pretty young at this point, but maybe in the future they're going to have kids. So he and his partner wanted to know that if they decide to have children, what chance were—will there be that they may have a child with a certain predisposition for various genetic conditions?

And that really struck home with me because, as I've shared previously in the House, I'm a father again, and I have a little baby at home. And the little baby that we have, before he was born, you know, there was genetic testing done. And, you know, we're very happy, very blessed, that everything was good news in terms of the genetic testing. You know, we found that the baby was, you know, very likely to be

born healthy, and we were very happy once the—that actually came to pass. And the baby was born in a good condition and, you know, is also very chill, I might add. He's kind of good-natured, notwithstanding maybe some of the heat that he didn't like in the past few days.

But, as a parent and thinking about that young man at the table, that potential, you know, future parent, I thought about, well, what if this sort of protection, this human rights protection, is not in place? What might parents think? What decisions may parents go through in this brave new world that we're entering where genetic information is so much more out there and the intellectual property discussions include people's genes, includes people's very DNA?

And it got me to thinking that this is the essence of human rights protections. You know, in other times, when we hear where people may have made decisions not to have children because of certain conditions or, you know, potentially even, you know, discriminating against babies because of the gender of the baby, we view that as unconscionable. We say that that's not right. And yet, if genetic testing is allowed to be used to discriminate against people when they're older in life, after they're born, then we can envision a scenario where parents may make decisions about having children or not. They may make decisions about how they're going to raise children, about where they are going to raise children.

And it seems to me that if we have a desire for Manitoba to be a true, strong, free province where we attract many people from around the world to put down roots here, to raise families, to join our economy, to grow the economy, then we would want a protection like this in place because we would want young families to be able to put down roots knowing full well that their children are going to grow up free and able to enjoy every opportunity, including the opportunity to work a meaningful job that provides both a good living but also the structure and the discipline and pride that comes along with hard work, and also to be able to access the same health coverage as anyone else.

And so, to me, that is really the heart of the matter here. I think we accept that, you know, there is this constitutional review happening, but the constitutional review, the challenge to the federal bill, the reason it's being challenged is because Quebec is arguing that the federal bill is encroaching

on their jurisdiction as a province. So it's actually an argument in favour of passing this bill. This constitutional challenge is an argument in favour of passing this bill at the provincial level because if that federal bill is struck down and this bill passes, then there will be a provincial piece of legislation which would cover provincial jurisdiction, which is the basis of that constitutional challenge. So that's actually an argument in favour of passing this bill.

* (10:40)

I know, briefly, that all the federal Conservative MPs voted in favour of this piece of legislation, and so we know that ideologically this is something that extends across party lines. This is something that those on the progressive left as well as those Conservatives can agree on because, again, this is about human rights protection. This is about standing up for freedom for people.

And we have already spoken to many organizations. Extensive consultations have been had. I would invite the government to carry out those same conversations. Again, they are free to reach out to CIJA, to the representatives of, you know, the—all the various health conditions, organizations representing those with health conditions that my colleague from Minto outlined, and I believe that they will find the same widespread support for this piece of legislation as well.

You know, one of the things that we have to do, it's our sacred responsibility in this Chamber, I would argue, is to legislate for today and also to legislate for tomorrow. And whereas, you know, when this building was constructed, the idea of genetic testing may have been a far-off idea, today it's real. Today, somebody like that young man I was having dinner with last weekend can, you know, from their mobile phone, order a genetic test that is going to provide thousands of years of family history, but also detailed medical information that is going to apply for generations going forward in their family as well.

And so we have a responsibility to meet that new frontier with the proper protections that are going to ensure that Manitobans can enjoy the freedoms that we have had in this province in the past and that we do continue to enjoy in this country right at this moment. And when we think about human rights protections, when they've been brought in to guard against racial discrimination or discrimination on the basis of gender or discrimination on the basis of sexual orientation, at the heart of all those discussions, at the end of the day the reason why

those protections won widespread support is because the argument was made and won that nobody should be discriminated against for who they are. No one should be discriminated against on the basis of the way that they were born, and there are very few things that determine the way that we are born more than our genetic makeup, more than the code that tells our physical being how we are to be born.

And so, on that basis, I would encourage all members of this House to pass this bill and to ensure that nobody in this province will be discriminated against simply for who they are.

Ms. Janice Morley-Lecomte (Seine River): I welcome the opportunity to put a few words on record with regards to Bill 225, The Human Rights Code Amendment Act (Genetic Characteristics).

I want to start by describing a scenario, Madam Speaker, which can occur in most homes on any given evening. A person is watching their favourite show on TV and a commercial appears and catches your attention. The commercial is one of many ways people all around the world are connecting with their past. The commercial proceeds to show family members filling in forms and sending the information off to be analyzed.

The person is curious. The individual decides to further explore having a genetic test done or purchase the package advertised in the commercial, and fills out the required boxes and submits that necessary samples to be analyzed. Information is returned and families learn about their ancestry, who they are related to, and their family medical and genetic makeup. Every one of these family members is delighted, to say the least. Now they know where Aunt Edna inherited the gene for her curly hair. Then a sentence or two stands out as they are reading. Family member X had a heart problem and it appears that it may have been passed down from generation to generation.

Madam Speaker, this profile begins to identify other family health and family traits the person never knew. Questions and concerns quickly arise in the individual's mind. Does the insight into your past outweigh learning about traits and genetic predispositions you wish you never knew about, and what do you do with all this newfound information?

Citizens have the right to privacy and most value the right to keep their health issues very private. The transferring of medical information from one person

to another is not permitted and kept closely guarded in their health file.

So what does a person do with this information when they are informed of their medical history and the possibility that they may be likely to develop an illness related to their genetic history? How does this impact any of their work, insurance or business transactions that may have requested the individual identify any health concerns? How do we protect individuals from being discriminated against?

What is the individual's right to not disclose when the information is based on a third-party report, and the individual has already complied with all of the tests required to get insurance and employment?

These questions are ones which are serious in nature and need to be closely considered. Individuals have the right to decline some tests which are not needed to obtain employing–employment or insurance, and can answer the questions based on their current knowledge of their health.

There may be a fairness issue at stake regarding risk and appropriate disclosure that needs to consider what a reasonable expectation of consumer privacy is, and what is not. This is complicated by the fact that the affordability of a genetic test makes it accessible and appealing for most people.

Madam Speaker, our government is opposed to discrimination in any form. Human rights are important for all legislator–legislatures to uphold, and we have a duty to protect all Manitobans. Bill 225 aims to address any discrimination one could face regarding their DNA and any genetic dispositions.

The human–the Manitoba Human Rights Commission has reviewed and assessed this issue, and it was determined that there is sufficient authority within the Human Rights Code to address this manner of discrimination if required.

However, further consultation is needed. We need to ensure that this legislation does not overshadow any other areas within the Human Rights Code in Manitoba. Balance is key to ensuring that the rights of all citizens are being considered.

The easy access to DNA testing should not become part of an industry which will exploit individuals and their information. In other words, no one person or industry should gain from this information.

By working collaboratively with all our stakeholders, we can find real solutions that will lead to positive, lasting results for all Manitobans.

Madam Speaker, this issue was also raised at the federal level. In May 2017, to further address any possible discrimination, the federal Genetic Non-Discrimination Act received royal assent.

Madam Speaker, this act prohibits any person from requiring another person to undergo genetic testing or disclose results of genetics tests for the purposes of providing goods, services, entering a contract or agreement, or continuing the terms of a contract or agreement with that person.

This offers protection to the individual, as non-compliance with this prohibition is a serious offence which—with fines up to \$1 million and five years in prison.

However, the act is being challenged, Madam Speaker. The Quebec government views the act as non-constitutional and initiated a reference at the Quebec Court of Appeal in June of 2017. Quebec is not alone in their reference.

BC, the Canadian Life and Health Insurance Association, the federal government, the Canadian Coalition for Genetic Fairness, and the Canadian Human Rights Commission all joined the ongoing litigation as interveners.

Our government will continue to monitor the federal situation, and we are very interested to hear what the courts will have to say on this very important matter. While Quebec's reference is in court, the health insurance association is consulting and preparing a code of acceptable business practices related to genetics.

The draft code includes: capping life insurance policies at \$1 million; changing and capping critical illness, long-term care and disability insurance policies; and allowing—or, sorry, insurers will not be able to ask for or use results of any predictive genetic test that an individual has taken for underwriting.

Madam Speaker, balance is key. It is important to find a balance with what constitutes reasonableness and what constitutes fairness when entering a contract with respect to privacy. The nature of insurance is to protect against risk, but if one party has an advantage in the contract, there ought to be full disclosure.

The balance of fairness and good faith is important. There is much work that needs to be done

with regards to the implementation of Bill 225. First and foremost, consultation with the many stakeholders needs to continue, so everyone involved can have a fair say.

* (10:50)

Our government is reviewing the actions of other jurisdictions in Canada on this matter so Manitoba is consistent with what is happening in other parts of Canada. The Manitoba Human Rights Commission will review amendments to the Manitoba Human Rights Code to ensure that no discrimination exists.

We are also very closely monitoring the federal situation to see what the courts say.

These are complex issues and given that a constitutional review is currently under way, we will respect that process and look forward to the outcome. The outcome will provide Manitoba with a better sense of how to move forward on legislating this matter in a manner that will lead to positive results for all Manitobans.

Thank you, Madam Speaker.

Hon. Jon Gerrard (River Heights): Madam Speaker, I rise to talk to this bill which proposes to amend the Human Rights Code to put genetic characteristics among those which are protected in the Human Rights Code from discrimination.

First, I want to be very clear, I support the protection from discrimination for those with genetic conditions. I support this bill, but one of the reasons that I support it is that I think it is absolutely essential that we have a full discussion at committee stage, that we hear from many individuals from diverse backgrounds. I believe that there are other aspects of what this bill is trying to achieve that may require some additional thought and some additional changes in legislation, whether this bill or another.

This measure is very important for the protection of those with genetic conditions from discrimination is very important and is really needed so that those with genetic conditions can be sure that if they get a genetic test that the information obtained won't be used to discrimination against them. With the advances which are occurring rapidly and have occurred already in DNA sequencing and analysis and understanding epigenetics and other aspects, there is a potential for great benefits from these results.

But there is also the potential, which we are focussing on today, for harm, and it is important that

we address this potential for harm in order that we are able to benefit from the benefits of the genetic testing.

First of all, I think it's very important to say that our Canadian medicare system, as it is been put together, is a tremendously important and robust guarantee for discrimination in most areas of health care. That some are private and may not be covered, but, clearly, the goal of the Canadian medicare system is to have equal and excellent health care provided for all. And the very goals themselves and the way that we operate, quite frankly, is to make sure that people are treated equally irrespective of the condition, whether it is genetic condition or otherwise, that they are given the best help that we possibly can, whether it is in prevention or active treatment, or in follow-up.

So I think that's one of the things that—strengths that we have in Canada in terms of protecting people from differential health care in a sense that is not as good for those with certain genetic conditions. In fact, we would strive with those with genetic conditions to give the very best that we possibly can. And in fact knowing that the genetic condition is there may enable us to give even better health care to those individuals because we will know aspects, for instance, of why somebody, a woman, for example, has breast cancer. And in understanding why that has come about we may be able to direct the therapy very specifically. And so there are tremendous benefits in this respect.

Second, I think that when one looks at the Human Rights Code, I don't believe for a minute that this will be adequately protective of discrimination by, for example, insurance companies. I think it's very clear that we have age under this Human Rights Code, but every day, if you want to travel, for example, and get health coverage when you're travelling, that health premium is likely to be based in part on your age, and those who are older will have to pay higher premiums because they are, generally speaking, at greater risk.

And why does this happen? It probably happens in part because under the existing Human Rights Code discrimination means differential treatment of an individual on the basis of the individual factual or presumed membership in or association with some class or group of persons rather than the—on the basis of personal merit.

So I suggest that this, on the basis of personal merit, which is an exclusion, could actually be

applied to the—your genetic makeup is part of your personal merit. And we will have to be very careful in looking at this if we want to be effective to understand how genetic conditions will be considered separate from personal merit so that the discrimination is, in fact, prevented.

The other aspect of this, which I'll come to in a moment when I talk about privacy, is that discrimination means failure to make reasonable accommodation for the special needs of an individual or group. And, interestingly enough, this means that you actually have to know what the genetic condition is if you're going to provide accommodation. And so you have, when we come to privacy issues, which I will talk about in a moment, an issue of where you need to make available information and where you don't.

The—there are several other concerns that I want to address. One is the breadth of coverage. The MLA for Minto says it will include epigenetics, and I take him at his word, but it may not actually be very simple to define, you know, all genetic conditions and exactly what that means. And I think that will have to be clarified.

The privacy issues—I suspect we will need to have, whether it is rules, regulations or legislation which takes what we have currently under the health privacy legislation and has a very careful look at this issue of genetics and genetic testing and genetic discrimination, and also about how records are kept private.

I know there's a lot of effort, often on an individual basis by physicians, by institutions, to make, you know, sure information is kept private, but when we go into this area, I think there is a new and more complex dimension in terms of how and where things are kept private that we actually need to look at carefully and will need to have some expert analysis on.

The other area, which I have already alluded to but I want to talk about a little bit more, and that is one of the major concerns here is discrimination by the insurance industry. And, of course, the insurance industry will handle actuarial data. That data currently can be based on many of the characteristics which are protected: age, gender, ethnic background and so on and so forth. And I think we are going to have to work carefully with the insurance industry when we get into genetic conditions to look at how we can develop code—ethical codes, as it were, so

that we don't have the discrimination that we're trying to prevent.

I think this is not going to be very simple. In fact, I think it's going to be very complex, and I believe it will take a lot of work, but it is important work and it's work that needs to be done as part of the effort to make sure that individuals with genetic conditions are protected from discrimination.

And we have also already heard about the situation of people who are family members of those with Huntington's disease—

* (11:00)

Madam Speaker: Order, please. When this matter's again before the House, the honourable member will have one minute remaining.

RESOLUTIONS

Res. 19—Celebrating Pride in Manitoba

Madam Speaker: The hour is now 11 a.m., and time for private member's resolution.

The resolution before us this morning is the resolution on Celebrating Pride in Manitoba, brought forward by the honourable member for Point Douglas.

Mrs. Bernadette Smith (Point Douglas): I move, seconded by the member from St. Johns,

WHEREAS Sunday May 25 marks the beginning of the 31st Pride Winnipeg Festival, a celebration of the LGBTTQ community and its success at overcoming discrimination; and*

WHEREAS the growing number of Pride Festivals across Manitoba such as in Flin Flon and Steinbach are a testament to the growing desire to continue to celebrate LGBTTQ peoples; and*

WHEREAS the theme of this year's Pride Festival is My First Pride, which focuses on bridging the gap between New Priders and the community that actively takes part in Pride; and

WHEREAS the Provincial Government can help to bridge this gap by passing legislation that works to eliminate discrimination against the LGBTTQ community, such as The Vital Statistics Amendment Act; and*

WHEREAS a former NDP Provincial Government passed the Human Rights Code in 1987, prohibiting discrimination based on sexual orientation; and

WHEREAS the previous NDP Provincial Government extended adoption rights to same-sex couples in 2002, enabling same-sex couples to share in the rights and responsibilities of parenthood; and

WHEREAS the previous NDP Provincial Government legally recognized same-sex marriage in 2004, nearly a full year before the Federal Government; and

WHEREAS the previous NDP Provincial Government prohibited discrimination based on gender identity in 2012; and

WHEREAS the previous NDP Provincial Government passed legislation in 2013 that protected the rights of all Manitoba students to organize gay-straight alliances and anti-bullying clubs in their schools; and

WHEREAS the previous NDP Provincial Government banned LGBTTQ conversion therapy in the public health system in 2014; and*

WHEREAS members of the LGBTTQ community, including the rights of trans and non-binary peoples, still face systemic barriers and pervasive discrimination; and*

WHEREAS Manitoba is a diverse and inclusive province which should recognize, affirm and celebrate all members of society.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call upon the provincial government to celebrate the advances made by the LGBTTQ* and community and work with the LGBTTQ* communities to combat and eliminate discrimination against LGBTTQ* people in society and urge it to support legislation such as The Vital Statistics Amendment Act, which helps make Manitoba a more inclusive society.

Motion presented.

Mrs. Smith: I think everyone in this House would agree that we all wish for our children to grow up in a society where we all have freedoms to pursue our dreams and be whoever we wish to be.

As an educator that worked in a school system that saw the change in 2012 happen in our school division where legislation was passed in this very House that allowed school divisions to set up gay-straight alliance clubs within the school, that really shifted people's view not only in our school division, but also in our community. We were probably one of the first school divisions to build

gender-inclusive washrooms in our school. Parents were coming in that, you know, had children who were identifying as 'non-binary,' were asking for this because their children were afraid to go into these bathrooms. And, when this change was made, there was a big celebration at A.E. Wright School because families were happy about this, the community was happy about this and children were happy about this.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

So I think, you know, we see 31 years of Pride being celebrated here in Manitoba. We see people celebrating in different communities across the province now, which is something we probably wouldn't've seen, you know, 10 years ago in other communities. Here in Manitoba we're fortunate that we have thousands and thousands of people that march, and I know I've seen many of my colleagues here last year. I wasn't elected yet, but I had the privilege of walking in the Pride parade with our NDP government, but I also saw many of my colleagues from the current government walking as well in support of.

And, you know, the many events that I've attended, including the Pride flag raising and two-spirited flag raising at the University of Winnipeg as well as the Lesbian Lube Wrestling event that the member from St. Johns and I were in attendance in—a couple days ago, people were coming up to us and saying just how happy they were that we were there, that we were celebrating with them, that we were accepting, that they felt that they would like to see more of our government accepting.

So this bill would do that very thing. It would—or this resolution. This resolution would send a message to our LGBTTQ* community that this is something we accept, that we celebrate, that we embrace and that we stand with them so that when we're walking in that parade with them that we are truly walking the walk and saying that we accept all people regardless of who they are and what gender they choose to be.

So, you know, 31 years Pride has been, you know, on the front lines, and I'm sure, you know, 31 years ago, I would've been 14. I wasn't in the first Pride, but I imagine there wasn't thousands of people marching in that parade, and I imagine that a lot of people were still discriminated against and were afraid to, you know, identify as being gay, lesbian, trans or non-binary.

We see lots of pronouns, lots of kids, and their parents are accepting of who they choose to be, and many adults—I've talked to tons of seniors that were afraid to come out as being gay or lesbian, but now in their 70s or 80s they're now coming out. They feel safe. There's been some, you know, provisions put in place through legislation and this House that has recognized their rights. But I think we still have some work to do in that area because there still are people that are being discriminated against and there are still people that feel that it's not safe to come out.

We see epidemics of suicide in communities because of who they choose to be and this resolution would basically say that we are standing with them, that there are other choices and that there are people that support them, and that we will be there for them.

So, you know, I urge my government on the other side to support this resolution and to help celebrate and recognize and uplift all of the work that our LGBTTTQ* community have done and, you know, to walk proud in that parade on Saturday or on Sunday.

And I also urge the members to come out to the two-spirited powwow on Saturday that's going to be held at The Forks. This is only the second Pride, or two-spirited powwow that's been held, so—in our community—and I've spoke about this in the House before. Two-spirited people are revered in our community. They are something—it's something that's celebrated. They are looked at as a gift, as a blessing and, you know, it's something to see a trans person dancing in whatever regalia they choose to dance in, you know, and not being put in a box to say, like, you're male so you have to be either a grass dancer or men's traditional, but that they can put on a jingle dress and they can dance that woman's healing dance, and we're going to see some of our two-spirited also dancing in the Pride parade.

So I invite the members opposite to come to the two-spirited powwow on Saturday and experience it. Last year, it was quite—I remember feeling very emotional because it was, like, this is the first time that this has ever happened, and seeing every ethnicity there, and people from different genders and non-conforming genders there, all celebrating and uplifting one another.

And this is what it's about. It's about inclusion. It's about supporting. It's about value and it's about uplifting and saying to our LGBTTTQ community—and asterisk—that we support them; we stand with them and we'll be marching with them Sunday, and

we want to celebrate with them. This essentially says that.

You know, I've gone to Rainbow Resource Centre and I've walked in many parades and everywhere I go people come up to me and—because they know I'm the LGBTTTQ spokesperson, they're always talking to me about, you know, what more we should be doing and acknowledging, you now, Pride and going further and making sure that they have a choice, a choice in The Vital Statistics Act, and being able to tick off a box that's non-conforming for them, that doesn't have to say that they're male or female, that they're non-binary or that they're trans, and that they have an extra choice to tick off that X box.

And that's just the little thing that we can do here in this province. The federal government's already doing it with the passport system. You know, it's one way we can support them.

We urge, you know, members opposite, to support that. We've brought that forward already, and we'll continue to bring it forward because this is what Manitobans are asking for. They're asking for the extra support; they're asking for us, as legislators, to pass that, but they're also asking for us as legislators to be out there supporting them, to be out there celebrating with them, to be out there acknowledging the work that they've done, and this is just one small way that we can do it.

* (11:10)

And, you know, I think of my niece, and I've talked about her before. She's 24. You know, her mom was murdered when she was 18 months old, so she didn't grow up with a mom. She was raised by my mom and my sister, and she's lesbian, but she's never felt—she does, I guess, in the last, maybe, four years—but she's never felt that she's been fully supported by society.

And this is one way we can send that message out, not just to my niece but to the thousands of Manitobans that walk, that are allies, that are LGBTTTQ*, that we as a government support them, that we want to celebrate with them, and that we want to honour them and we want to give them choice.

So, you know, I urge our government to give that choice to our LGBTTT community, to our children, so that they have a choice when they're older, and that they're not feeling that they're not supported, especially by our government, and that

they have a choice in, you know, having their dream fulfilled, whether that's checking off that X box, walking in that parade or going into a gender-inclusive bathroom.

Mr. Deputy Speaker: The honourable member's time is up.

Questions

Mr. Deputy Speaker: A question period up to 10 minutes will be held, and then questions may be addressed in the following sequence: The first question may be asked by a member from another party; any subsequent questions must follow a rotation between parties; each independent member may ask one question; and no questions or answers shall exceed 45 seconds.

Mr. Reg Helwer (Brandon West): Can the member share with the House what Pride week in Manitoba means to her?

Mrs. Bernadette Smith (Point Douglas): Well, Pride is a two-week celebration here in Manitoba, and as a educator that supports, you know, whatever choice people want to make, it's very close to me—especially with having a niece who is lesbian—that had many children in my classroom that didn't feel like they fit who they were, many who quit high school because of not feeling accepted.

So it's very close to my heart. It's something that I fully support and have always supported. I spoke about growing up as a tomboy, and you know, I knew, I always knew I was a girl, but you know, I—to me it didn't really matter, I was a boy or a girl—

Mr. Deputy Speaker: The honourable member's time is up.

Ms. Nahanni Fontaine (St. Johns): I just want to say miigwech to my sister-colleague from Saint—or Point Douglas for bringing this resolution forward, and obviously the support and commitment that she has shown for many years in respect of our LGBTTTQ relatives, but certainly also in her role as critic.

So I would ask her: Why should Pride events across Manitoba be more supported by provincial and municipal governments?

Mrs. Smith: Well, community looks to us as legislators. They look to us as a government and they certainly look to us as leaders in this province.

And we can certainly show our leadership in terms of being out there and actively participating, helping to create legislation that's going to create

change, that's going to impact the LGBTTTQ* community in a positive way and really walking the talk and being out there.

And I know several of the members opposite were there last year and it's a great event to be at and just to really uplift and show the community that we support them wholeheartedly.

Hon. Jon Gerrard (River Heights): Yes. Mr. Speaker, I thank the member for Point Douglas for bringing this forward. It's one that Liberals fully support.

As the member knows, one of the seminal events in the history of Manitoba was the marriage in 1974 of Rich North and Chris Vogel. Their marriage certificate is actually in the Canadian museum of human rights.

And yet, the governments of the Conservative and NDP, over a number of years, still haven't recognized that legally. I wonder if the member would comment.

Mrs. Smith: You know, same-sex marriage was legally recognized here in 2004. If that's still happening, I think that that's a change that definitely needs to happen. You know, we need to accept if people want to marry that are same sex, absolutely.

Mr. Nic Curry (Kildonan): I thank my colleague for—apropos for this week, of course, celebrating Pride in our communities.

There are many, many organizations that are part of the umbrella of Pride. I'd like to know, maybe, just if the member could mention a few of the organizations I'm sure she spoke with on behalf of this resolution and helping craft it, as I know we all get help when we craft our resolutions. Thank you.

Mrs. Smith: So I was at Rainbow Resource Centre. I was at many different Pride events. Like I said earlier, everywhere I go, people are coming up to me asking for this to be recognized. Nine Circles is another community that I go and visit often. And certainly, our two-spirited community are asking for this. So I ask for, you know, support from the other side that we uplift and support and, you know, really walk the talk in terms of supporting our community.

Ms. Fontaine: Again, would the member for Point Douglas share with the House why it is important for people to have government documentation that reflects how they choose to

identify themselves and why it's important for us as legislators to take this matter very seriously?

Mrs. Smith: I thank my sister for that question.

Well, we brought that—or that bill forward a couple of weeks ago because the community were asking for this to happen. If someone that is identified as a female tries to go use their ID and they're trans, they're not accepted. That ID is not accepted. They're not recognized on there. Many of our families aren't able to, you know, change their ID if they're transitioning from a female to a male. They don't get that right to put that X on that Vital Statistics birth certificate and, you know, it's super important to the community.

Mr. Shannon Martin (Morris): I congratulate my colleague for bringing forward this resolution that we can all, obviously, share our views and our celebration of Pride. I mean, Pride week consists of a number of events. If the member can share some of those events so that all Manitobans can have an opportunity to identify opportunities for themselves to take part and participate and celebrate Pride.

I know she's mentioned the Lesbian Lube Wrestling, and I know she's mentioned, obviously, the Pride march and the run, but any other events that Manitobans can also join and participate and share in the Pride week.

Mrs. Smith: Absolutely. There is My First Pride book that is out that is also online that people can go to, and every day from March—or May 21st to June 3rd there are events happening every day. There's multiple events every day. The member from St. Johns and I are going to an event on Friday. We're also going to—or Saturday—which is at the—at Forth. It's in support of Pride.

There's also another event happening at The Pyramid on Saturday night which all proceeds are going to Nine Circles. It's the Pride band that's playing there.

And there's events happening every night at Club 200. There's—Windsor Park United Church is having a Sunday Pride service on Sunday, June 3rd—

Mr. Deputy Speaker: The honourable member's time is up.

Ms. Fontaine: So, again, I want to kind of go back to why it's so important, you know, to ensure that here in—as legislatures—that we're protecting and lifting up non-binary and the gender diverse community.

So can the member explain how The Vital Statistics Amendment Act would have been a really important step in ensuring inclusivity?

* (11:20)

Mrs. Smith: We know that there are people out there that are non-conforming that have to tick off that box that's male or female. They don't fit either of those descriptions. They need to have that choice to tick off that X box.

I talked about suicide earlier and, you know, people not feeling like they're supported and that they don't fit into those two. So, you know, many are choosing to end their lives, unfortunately. Many develop mental health issues due to not being accepted and having choices. So this legislation would really be a game changer here in Manitoba and really would send a message of support to those who wish.

Mr. Deputy Speaker: Any—the honourable member for Brandon West (Mr. Helwer).

Mr. Helwer: So the member's talked a little bit about some of the things that are going on, but can you tell me a little bit more about the 30th anniversary theme, resurgent and taking back space? What the intent is behind the theme?

Mrs. Smith: Well, like I referenced earlier, 31 years ago, we didn't have Pride parade. Thirty-one years ago—150 years ago, indigenous people weren't recognized in this country as human beings. We were children of the state. We were, you know, non-humans. So this is about really recognizing, uplifting, supporting and taking back, really, what people view as the box that people should be put in. You know, if they—they're not feeling like they're female and they're conforming and, you know, they need to have that choice. So resurgence is about, you know, taking back, reclaiming, uplifting and really being who they are.

Mr. Deputy Speaker: The honourable member's time is up.

Mr. Curry: I think something we're touching on is how governments can assist in marginalized communities, and certainly there's some things brought up in the resolution that I thank the member for bringing up.

Like to ask the member, certainly Pride Run is some—I'm happy to go to because it helps with refugee settlement organizations specifically for LGBTTQ' groups. Can the member talk about a bit

what the federal government did, especially under Stephen Harper, to enhance that program to assist LGBT refugees coming to Canada?

Mrs. Smith: Well, I think the—you know, it looked at diversity inclusion, it opened up the values that were important to all Manitobans.

And, really, you know, Manitobans here in Manitoba expect the laws to reflect who they are, and right now the laws aren't reflecting who they are. They either have to be male or they have to be female, and, you know, that's just not fair here in Manitoba. So that needs to change, and, you know, I hope the members opposite will support that.

Mr. Deputy Speaker: Time for question period has expired.

Debate

Mr. Deputy Speaker: The debate is open.

Any speakers?

Mr. Reg Helwer (Brandon West): Pleased to rise to speak to this resolution, and we, you know, parts it of—of it we've already had discussions on in the Legislature here in the House, of changes to Vital Statistics is something that the Minister of Justice (Mrs. Stefanson) has openly stated that she and is—her department is part of a national working group that is looking at how this can be worked on and put into place across Canada so there is no discrimination across the provinces so that it is equal and the opportunity is there for all Canadians, and so that we've—we just asked them for patience and suggested that it is a non-political, non-partisan type of thing that anyone at any time could've gone and asked the minister at what stage this was at and she would've filled them in that the group has been working on this for several months and they expect to have some resolutions in the not-too-distant future.

You know, they—Pride week is an interesting week, Mr. Deputy Speaker. I've been fortunate that I've been able to attend every Pride march in Brandon, have not been able to attend all the events because sometimes we're here in the Legislature when the flag raising takes place or other things of that nature. And it's always been a very interesting time, inclusive and accommodating.

There—of course, the first time there was the Pride march in 2015 there was a lot of trepidation in Brandon about what this would mean. I have walked—you know, the chief of police walked

alongside with me at that time, Mr. Ian—Chief Ian Grant, and as we swung out from city hall onto Victoria Avenue, we were confined to one lane on Victoria Avenue, and there's two lanes there, and some of the trucks or other vehicles came a little close to some of those that—of us that were walking, intentionally so, to intimidate.

And, if we call it heckling in here, Mr. Deputy Speaker, it's far beyond that, what we heard from the sidewalks, which is unfortunate. I know it happens not just there. And the chief often commented as we were walking along that, you know, the people that oppose this type of thing see strength in their groups, and they tend to attack people when they're in large groups. And it's unfortunate that we do see that still in Canada.

But, nonetheless, each time that something of this happens, each time there's a Pride march and a Pride week, we do see that society moves a little farther along the road to acceptance and really understanding, because it is mostly, I think, fear in people's minds of something they don't understand. That might be some of the restrictions.

I know that this year we—in Brandon, the Pride march is happening on June 16th, and Pride week starts, I think, June 7th, actually. There's lots of events that'll be happening there. And we'll—I'll certainly be there this year as well, flag raising. I think I'll be able to actually make this time on June 11th unless we're called away to something else. We never know. We don't belong to ourselves in our schedules.

But the Pride March itself, they tend to assemble—we tend to assemble around City Hall around 11 o'clock and start about 11:30 and walk around to Stanley Park where more events happen with the Pride Festival. And as I said, it tends to be very inclusive, Mr. Deputy Speaker, and just gets better and bigger each and every year.

Mr. Dennis Smook, Acting Speaker, in the Chair

In fact, last year, when the march came along from City Hall up to Victoria Avenue, instead of staying into one lane, the march encompassed both lanes of Victoria moving towards the west, and we held up some traffic, and we had the police there and that type of thing. And I said to one of the organizers, that was a great solution; that was the best thing that I've ever seen because now people are safe. You've got both lanes. Your traffic isn't impeding you. And he looked at me with a little bit

of trepidation in his eyes because he says, we didn't have a permit for that; we only had a permit for one lane. So he wasn't sure if he was going to be in trouble with the police, but actually it worked out very well, I think, for everybody. Everybody was safer; people were accommodating and understanding.

And indeed, at that time, we had two marshals of the Pride parade last year who, as they said in their opening remarks, weren't brave enough to march in the first Pride parade. And these are long-time residents of Brandon. They are two women that attend St. Matthew's Cathedral, where our family always attends, and we've known them for a number of years. And Amelia Reid and Margaret Yorke decided, after all their lives that they'd lived together, that now was the time that, while everybody knew who they were, that they were willing to march as the marshals of the parade and led the parade.

And something you should know about these two women, Mr. Acting Deputy Speaker, is that they walk everywhere. I think they turned 79 last year, so they'll be turning 80 this year. And it was a fast pride parade. They walk fast. So we had to keep up with them, and that was quite something, that they set the pace.

So—but it is—you know, there is still unfortunate—we do see shaming in this. I know we have seen in the media other groups or parties that have tried to shame members of the Legislature if they're not able to attend, as recently I saw just the newest leader of the Liberal Party trying to shame members of the Legislative Assembly if they weren't showing up to the Pride Parade in Winnipeg. Please. This is not an inclusive approach to things. People have lots of different calls on their time. We have lots events—different events to go to. We spread our time out as best we can. I can't attend the Pride Parade in Winnipeg; others can. I can attend the one in Brandon, and I'm sure others can't.

And I've also attended the Pride parade in Portage last year with the Minister of Education. And that was an interesting parade, Mr. Acting Deputy Speaker. Some of the more evangelical groups were holding signs and such on the particular corners as we walked by them, a little intimidating to many people, but I think it went off fairly well.

* (11:30)

So, you know, it is something that I think as we see move more and more into acceptance around the

world, in Canada certainly, some areas that we see that there are still restrictions.

You know, not that long ago I was in Seattle. We were visiting our son that lives there, and we ran into the Pride parade in Seattle. Now, that was quite something. We think we see big parades here, but it was a very unique experience, Mr. Acting Deputy Speaker, something I'll long remember, and Seattle, of course, is a world-class city, and not that Winnipeg is not, but it's a little bigger on the scale there with the tech community as well, and very accepting of the community, obviously, so it was a very unique experience there. I don't know that we're going to bring all of the floats and bands and that type of thing to celebrations here, but it's certainly interesting how those types of events take on, really, a life of their own.

So I highly encourage everybody to attend whatever they can and encourage members not to shame other members that may or may not be able to attend. This is something that we want to see as an inclusive experience, and if you're able to attend Pride events or Pride week or marches, if you're comfortable doing that, please do so. But to try to shame someone into doing so, well, that just doesn't reflect well on the intent of Pride, as I understand it.

You know, we want to see people learn more about it. Certainly, some of you are of my age or older and you know that when we were growing up in rural communities or in smaller communities these are things we really didn't know about. Many of my friends turned out to be gay, but no big deal; they're still my friends and they were then; they continue to be so now. We're not judgmental in that regard.

Some people are; I do admit that, Mr. Acting Deputy Speaker, but, you know, people are people, and as we had, you know, four children, you're not sure what the interests of your children will know growing up. So, you know, you have to be open to all these types of things and their friends and try to accommodate people as best you can.

It's been, I have to say as an MLA, a tremendous learning experience, that I've learned much more about Pride that I ever knew, and has been a very rewarding experience to get to know a number of people that I would not have had contact with prior to being an MLA because we are invited to many of these events.

And I do encourage all members, if they're comfortable, to get out and march in whatever Pride

parade may be in your area or go to others. It's something that we see as a very good experience.

Thank you, Mr. Acting Deputy Speaker.

Ms. Nahanni Fontaine (St. Johns): Mr. Deputy Speaker—I don't know why I'm having a hard time with that. I apologize.

So I'm going to keep my comments very short, but I do, as I indicated earlier, I just want to say miigwech to the member for Point Douglas (Mrs. Smith) for bringing forward this resolution. It is an important resolution and, certainly, I actually think that Pride week is like one of the best weeks in Manitoba. Certainly, as we get ready to leave the House, I think it's always a really good opportunity to kind of decompress and spend time celebrating some pretty phenomenal and courageous Manitobans.

It is—I particularly love the Pride parade, which I'm sure I'll—we'll see many members of the House on Sunday. I'm debating, Deputy Chairperson, if I should bring my Chilly Dog. I have an outfit for him. It includes a tutu. He's not very impressed with it, so we'll see, but I love that people bring their dogs, as well, to celebrate and everybody comes together just to lift up and stand in solidarity with the LGBTTQ community in Manitoba.

I just want to outline again, as the member for Point Douglas did, just a couple of things that are going on that I know would mean so much to folks to come out if they are able, like the member for Brandon West (Mr. Helwer) indicated that, you know, if people are able to come out.

I know that folks in the community really do support it, so I do want to just kind of reiterate the two-spirit people of Manitoba and friends invite everyone to the second annual Two Spirit Pow Wow. That's at The Forks from 1:30 to 8 p.m. It is a free event.

And I know that folks in the community do sincerely appreciate the support that's shown our two-spirited relatives here in Manitoba, so I encourage people to come out.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

And I know that the member for Point Douglas also mentioned again—and I'll invite my sister colleagues, if they're interested—on Saturday, it's a ladies night, all ladies night, at Forth, and again, that's in celebration of Pride as well. So, there's a whole bunch of us women going, and if anybody's

interested from our sister colleagues to let us know. We're actually purchasing tickets before then. If you want to come and hang out, come and let us know.

And, again, I just want to kind of reiterate how important it is for us as legislators to support the community, particularly communities that are marginalized and struggle with a myriad of different issues that many of us will simply not be able to comprehend because we don't live—or have that lived experience. And I'm really proud that members of our caucus are able to participate in several different events, and, again, recognizing that actually many of the events are fundraisers for different community organizations here in Manitoba.

So, with that, I look forward to hopefully very soon closing off the debate and having this resolution pass. I think it's a great resolution, and I think it's something that we can all be proud of today as we are quickly approaching the end of our sitting and as we are in the midst of Pride week.

Miigwech.

Mr. Nic Curry (Kildonan): I'm honoured to stand here today representing the good people of Kildonan, including the many LGBTTQ' people who live and work in our wonderful North End community. Winnipeg and Manitoba are diverse communities rich in culture from across the world, and especially also, though, including our indigenous and Metis people who have been here for thousands of years.

But more importantly than that diversity of heritage, the diversity of how we look on the outside, is how the diversity of our ideas and how we feel on the inside is expressed in so many events such as Pride parade and Pride week. And the member—I thank the member for Point Douglas talking about how she wasn't particularly able, maybe, to get to the first Pride. Myself, I wouldn't have been walking yet, sadly, and—but it is something where I certainly was not as aware of it when I was a bit younger, certainly. My life before politics being the military, I was barely in the city for summertime. I'd often be far away. And I couldn't have been more happy when getting involved in politics that I get to go to more events. I was so excited.

One of the first events I got to go to as a newly elected MLA was a Pride run. And the Winnipeg Pride run is a newer part of our Pride week celebration. It's been going on for not 31 years, but many years now. And so, I went there, and there was trepidation of both being a new member of the

Legislative Assembly, but also not knowing people. And that, for me, isn't about the group that I was going to; it's about many organizations that we go to. The first time you go there, whether it be, say, a cultural one like—even myself, having Polish descent, first time I went to a Polish event, I didn't know a lot of people there. You just—you don't know, perhaps, who you're going to meet. And maybe you're going to be in the corner; it's going to be, you know, like we're younger, and you're kind of at the edge of the gym during a sock hop, and you don't know who you're going to talk to.

And, lo and behold, I get to the Winnipeg Pride run, and a friend of mine I knew from the military, well, he was one of the organizers. So I chatted with him. He's an avid runner, part of the Pride run club that they have in Point Douglas, in my member-colleague's own riding. And so we chatted for a long time, enjoyed the run. There's lots of—we went past the Fort Gibraltar where I was married. And it was fun event.

I'm so happy this year I'll be there Saturday morning. I won't be able to make the event later at Saturday. I'm sure members opposite and all members in this House—our time is precious, especially weekends. As June happens, there are so many wonderful events we'd like to go to. So I will ask leave. I may not be able to attend the two-spirit events. I'll be looking at flowers in West Kildonan, and it'll be lots of fun. So, we have wonderful—their gardens are blooming, and so I have to add some colour to my backyard where we have, unfortunately, more dandelions than flowers. I'm looking forward to that.

I'm very happy my wife and daughter will be joining us at Pride run. My daughter is now getting old enough. She's able to, you know, recognize people. And her favourite game is to wave at everyone she sees when she's at the grocery store, when she's at, you know, the few parades we've taken her to. And I know that at the Pride run, she's going to be waving at everyone as they run past as the start line. Very excited for that.

* (11:40)

I'm very also—furthermore, I'm very excited to be at this upcoming 31st Pride parade and march here at the Legislative Building. Speaking of the bloom flowers that we have across our wonderful city and province, it will be a bloom of colour and music and sounds here at the Legislative Building, be wonderful. And like many events, as I mentioned

before, we attended two years ago, again, newly elected government, many people—some of the first times we've been to such a big crowd, and I was amazed at how many people showed up in front of the Legislative Building, this new place I had the privilege and honour to work at on behalf of the good people of Kildonan. And, again, lo and behold, I got to see friends I knew from high school waving from the crowd and we've been able to reconnect through that. So people I hadn't seen in over 10 years, I got to see at that Pride two years ago.

And, you know, sadly, part of the reason we don't see each other is one of them lives in Brandon, the other is across the city. But we're able to communicate via text and in that way, and so it's the fun connections we get. And that's, I think, the most important thing about what Pride means to a lot of people.

And what Pride means to me is that despite the differences that exist, and there will always be differences and I think that's an important distinction. We need to really be—to put time to is that our differences are very good. To have those differences, to have disagreement is good. To have fair and free discussion of disagreement is what is the sign of a free society, society where you can have people where, sadly, as my colleague from Brandon West mentioned, there is still much hate in people's hearts and we cannot legislate away hate. We cannot.

But I think of the many people in our Pride community who have been turned away from workplaces, have been turned away from friends and communities, been turned away by their own family and, I think, I do not look to the hatred that they've experienced. I don't look to the frustrations that people who choose not to or decide not to understand or care for the people of the LGBTQ' community. Instead, I think it is a greater duty for us who would prefer love over hate to provide more acceptance to those people who do not count on the acceptance that maybe many of us take for granted.

Now, certainly, none of us are free of people not liking us. I have the unique privilege and honour to serve as a Conservative politician in Winnipeg's North End, traditionally not necessarily the hotbed of Conservative support in the province of Manitoba. In fact, the area I represent, for most of the history of the NDP, that party's always represented where I am now. And that means there are many people, when I see them at the door, I know that they don't like me for my ideas or maybe even the panache I wear on

my wonderful blue shirts, which, as I have been told by many members opposite, is more of a style thing.

So certainly, if there—if orange comes into style, we'll see, but I'd be happy to follow any trends, as someone who's not a trendsetter. But I know people will not like me because of, say, my ideas, which I find frustrating, because I would rather prefer that we can always have those conversations but the thousands of people we represent, it is difficult to get to everyone.

The thing I'm so proud about, when I know that people don't like me for my ideas, they don't like me for maybe who I am and my politics, I thank them though. I thank them because I know that we are a better society to have those disagreements. We're a better society to be open and say, no, thank you. I don't want this pamphlet you're handing out. No, thank you, I'll never vote for you. No, thank you, I don't want you at my door. Get out of here, Nic, get out of here.

Well that's okay, because I know they are still respectful. They are kind, and we live in a wonderful community, and I hope to extend that golden rule to each and every one of them. I am proud to represent those—not just those who agree with me, not just those who voted for me, but all people in our area. And that includes, of course, many LGBTTQ' people who live in our area.

I'm so proud that when this came up, I immediately, and not without, perhaps, some trepidation, I asked some of my friends who I knew are in that community who sometimes we don't like to necessarily talk about politics, and I was amazed. They were so engaged to discuss this topic. They agreed that there is more work that needs to be done on many issues of discrimination, many issues of harassment, many issues that frustrate people in the LGBTTQ' community.

And one thing, and I don't want to get in trouble too much from the Pride people, but, certainly, the inclusion of police officers is something that has frustrated some parts of Pride. And certainly, one of my friends, he's told of someone in his family who was a gay police officer in the 1980s, a very difficult time to be gay and open in public at all, let alone to try to go into communities, provide safety and security for people, especially those who are marginalized, and to be openly gay in a police force.

Well, we hope that we can keep those people in our hearts. To me, that person who was an openly

gay police officer in the 1980s is a hero. They are someone who should be extolled for their virtues and their peace of mind that they could be themselves in their own skin, in their own clothes, in their own uniform, in our own communities.

And this is something where I think that work will always be ongoing, and I know that in the Pride community, the conversations will always be there that we can celebrate our differences; we can celebrate our disagreements and have those disagreements. We can say that we can work better because, at the end of the day, to say that it's good now, it's the best time it's ever been, we have the most of anything we've ever wanted, okay. Well, we have wonderful advantages in our society. But we know that there are people—and I alluded to in my questions that there are many people who flee countries because it is a capital crime to be an openly gay person, that it is punishable by death in some places.

The previous Harper government provided extra resources to settle these LGBTTQ' people and provide those supports and conduits that are so needed by people who this is life or death.

Now, certainly, suicide rates in the LGBTTQ' community are troubling in some respects. But at the end of the day, it is not a capital crime to be gay in Canada. It is in other countries. And I will always be happy to welcome those people to Canada, and Manitoba is a welcoming country. We're the home of hope for so many people.

I'm so happy I'll be celebrating Pride and see the wonderful smiles and wonderful colours and the music and get some exercise on a Saturday with the run, and it's going to be wonderful. I hope all of my colleagues are able to share in some of these events. Of course, it is summertime, and too often, we don't get to see as much of our family, and that's why I'm going to be bringing my family out to this event, and I'm so happy—at least the run—unfortunately, our paths are going to diverge later. But, no, we're so excited that that is what's upon us.

I look forward to seeing my friends and to all the Legislature, happy Pride.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise today to support the resolution from the MLA for Point Douglas on Celebrating Pride in Manitoba this week.

We in the Manitoba Liberal Party agree and support the fact that Manitoba is a diverse and

inclusive province which should recognize, affirm and celebrate joyfully all members of our society.

There are several points that I want to make about the past and current state of affairs for people who are now referred to as the gender, sexual and relationship diverse or GSRD community here in Manitoba. Many people both in and outside of the GSRD community view Pride as a big party, a big celebration of the community and their many hard-fought achievements over the past decades, and it is a celebration, and we should celebrate joyfully. But there remain challenges ahead which we need to look out for and to work towards addressing.

Included among the many achievements are various protections under the Human Rights Code: the right to marry, the right to be parents and obtain spousal benefits. All of these came with much struggle and debate, and, as I've said, even though these are wonderful achievements, there still is work to do.

I note that the NDP didn't recognize same-sex marriage in 2004 until they were ordered to do so by a judge, and that order came about due to the efforts of Richard North and Chris Vogel, who were the first same-sex couple to challenge Canada's marriage laws. Ontario and British Columbia had already legalized same-sex marriage two years earlier under provincial Liberal governments.

The changes in 2004 were won by Rich North and Chris Vogel, who in 1974 became one of the first couples in Canada to be married in the First Unitarian Universalist Church of Winnipeg. But the government of Manitoba refused to recognize and register this marriage. The two advocates have now been together for 44 years, longer than many marriages of any gender. Instead of receiving the simple recognition that any other non-gay couple would receive, instead of simply acknowledging and respecting these two human beings, both previous governments have hidden behind red tape and outdated laws to deny them the dignity that they have earned.

*(11:50)

The dignity could have been bestowed in 2004 with the simple stroke of a pen like Ontario did. But even today Richard and Chris still fight for this right. While ironically the marriage certificate issued to them by the Unitarian church in 1974 is displayed at the Canadian Museum for Human Rights.

British Columbia was the first province in Canada to open the door to same sex adoption in 1996, even before they were legally allowed to marry. But the NDP in May of 2001 introduced an 'omnibus' bill to address some of the rights won by same sex couples. It completely omitted same sex adoption. It was only after days of protesting that they agreed to study the issue and then finally allowed adoption rights to same sex couples in 2002.

The NDP also didn't update The Marriage Act until 2008, when in the statutes correction and minor amendments act an 'omnibus' bill, they replaced the words husband and wife with spouses, with little fanfare or attention to this changes, an important but significant change.

Even though the NDP passed legislation in 2013 that protected the rights of all Manitoba students to organize gay-straight alliances and antibullying clubs in their schools, the current government has allowed the Hanover School Division to keep its policy that prevents teachers from talking about sexual orientation in the classroom and they did not expand the Roots of Empathy program to all schools in Manitoba, despite it's proven record to reduce bullying and improve prosocial behaviour.

The provincial ban on conversion therapy didn't happen until the NDP's last year of government in 2016. And it happened only after a Liberal government in Ontario had banned it, and the NDP did so only after they were pressured by our own Liberal caucus.

Even today, despite so much hard fought progress, many lesbian, gay, bisexual, transgender and other sexually diverse people of all ages and skin colours are subjected to hate motivated physical violence.

They are still too often discriminated against in the labour market, in schools, in hospitals, often due to ignorance. And they are often still today even mistreated and disowned by their own families. Two-spirited people have been only slowly gaining recognition in their own culture after the effects of hundreds of years of colonization spent trying to erase them.

Organizations like Pride Winnipeg, the Rainbow Resource Centre and community individuals who advocate and educate for change and improvement have increased their effort to assist the less visible members of their community. But their goals for education and inclusivity are all too often thwarted

by outdated legislation and outdated attitudes. It's time to change the attitudes and to take action to assist their efforts. I'm pleased that there is some continuing progress.

Transgender and non-binary people are among the many people who face struggles. Recent attempts to be more inclusive toward them in this House have failed under the guise of getting it right, when getting it right means simply acknowledging their existence with changes to identification and government forms.

These changes would help them when accessing government services, dealing with persons of authority and accessing health care in a hospital without invasive, embarrassing and insulting questions or comments. As members of this community age, they fear going into nursing homes where they may be forced back into the closet because of ignorance and discrimination.

All of these issues are part of the services and protections that we in this House need to support and protect for all of our constituents.

Understanding and education is what is needed. Acceptance instead of rejection on technicalities and politicking is needed. But instead, cutbacks rule the day. When important programs like PRISM from the Big Brothers and Big Sisters which serves youth who are non-binary, trans, two-spirited and gender creative, have their funding reduced.

So, despite some forced success and luck with Manitobans, basic human rights and the resultant policy and legislation for our gender and sexually diverse communities, this progress has come, but we still have challenges ahead. I'm pleased that the NDP in opposition has brought forward this resolution and is taking this area very seriously.

The Legislative Assembly of Manitoba should be called upon to celebrate the advances made by the GSRD community and work with the GSRD community to combat and eliminate discrimination against GSRD people in society.

We in the Manitoba Liberal Party urge the Assembly to support this resolution, to demonstrate our commitment to make Manitoba a more inclusive society which is welcoming and accepting of all.

Thank you. Merci. Miigwech.

Mr. Shannon Martin (Morris): It's my pleasure to rise and make a few brief comments on the member for Point Douglas's (Mrs. Smith) resolution this morning on Celebrating Pride in Manitoba.

It's unfortunate, though, that I have to follow the member for River Heights (Mr. Gerrard), who took what I thought—and I listened carefully to the member for Point Douglas and her comments, and her comments were really about Pride, about the inclusiveness of Pride, about the struggle and, more important, about the goals and about our common desire to see, to build upon those improvements. But the member for River Heights, for whatever reason, decided to highly politicize what I thought was an outstanding speech by the member for Point Douglas, using phrases such as forced success, which, again, I think degenerates what the member for Point Douglas was trying to do in her resolution, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, the issue of Pride is one that can be, for many individuals, and it is, for many individuals, a very personal event, and I think that's encompassed by the theme of this year's Pride week, in that being, you know, my first Pride.

I've done—as a father and a LGBTTTQ* ally, I have done my best to try to include my three children in Pride events, including we've actually participated as a family in all the Pride Runs, including the one coming up on this Saturday.

As well, my children have come with me to march in the Pride march here in the city of Winnipeg. And I was actually honoured, one year the member for Portage la Prairie (Mr. Wishart), due to other circumstances, wasn't able to attend the inaugural Pride march in Portage la Prairie, but he invited myself and a couple of my colleagues to take his place.

And I know, Mr. Deputy Speaker, the member for St. Johns (Ms. Fontaine) and the member for Fort Garry-Riverview (Mr. Allum) also joined us that day to, again, celebrate Pride in the community and in the city of Portage la Prairie, as we see more and more communities across the province of Manitoba recognize and embrace the LGTTQ* community.

And we need to realize, Mr. Deputy Speaker, that our focus should be widened when we talk about the community, as opposed to, you know, the narrow focus on a few particular events.

Myself and the member for Fort Richmond (Mrs. Guillemard), actually, just last night, we attended the Manitoba LGBTTTQ* chamber of commerce reception at the Little Brown Jug on William. It was a great opportunity to attend, to interact with both members and allies of the

community and to discuss with them some of their ventures. The Royal Bank was there, as they have actually done a phenomenal job in terms of working with the community and working financially with the community to help lift up and assist entrepreneurs within the LBTTQ* community that may, even today, face barriers that other entrepreneurs may not face.

And I know, and we're not allowed to have props, Deputy Speaker, so I won't show—

Mr. Deputy Speaker: Order. When this matter is before the House, the honourable member for Morris (Mr. Martin) will have six minutes remaining.

The hour being 12 p.m., this House is recessed and stands recessed until 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 31, 2018

CONTENTS

ORDERS OF THE DAY		Resolutions	
PRIVATE MEMBERS' BUSINESS		Res. 19–Celebrating Pride in Manitoba	
Second Readings–Public Bills		B. Smith	2728
Bill 225–The Human Rights Code Amendment Act (Genetic Characteristics)		Questions	
Swan	2717	Helwer	2731
Questions		B. Smith	2731
Isleifson	2719	Fontaine	2731
Swan	2719	Gerrard	2731
Kinew	2719	Curry	2731
Gerrard	2719	Martin	2732
Morley-Lecomte	2720	Debate	
Guillemard	2720	Helwer	2733
Micklefield	2721	Fontaine	2735
Debate		Curry	2735
Isleifson	2721	Gerrard	2737
Kinew	2723	Martin	2739
Morley-Lecomte	2725		
Gerrard	2727		

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/hansard.html>