

**First Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Social and Economic Development**

*Chairperson*  
*Mr. Doug Martindale*  
*Constituency of Burrows*

**Vol. LIX No. 1 – 6 p.m., Wednesday, October 17, 2007**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT**  
**Wednesday, October 17, 2007**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Doug Martindale (Burrows)**

**VICE-CHAIRPERSON – Ms. Erna Braun (Rossmere)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

Hon. Mses. Allan, Irvin-Ross, Hon. Mr. Struthers

Ms. Braun, Messrs. Dewar, Eichler, Faurchou, Goertzen, Martindale, Swan, Mrs. Taillieu

**APPEARING:**

Hon. Jon Gerrard, MLA for River Heights

Mr. Kevin Lamoureux, MLA for Inkster

Mr. Leonard Derkach, MLA for Russell

**WITNESSES:**

Bill 3–The Healthy Child Manitoba Act

Mr. J. Fraser Mustard, Founders Network

Ms. Doraine Wachniak, Private Citizen

Ms. Trish Ward, Parent-Child Coalitions

Mr. Strini Reddy, Early Childhood Development Advisory Committee

Mr. Mark Gray, Manitoba Institute of Child Health

Bill 13–The Organic Agricultural Products Act

Mr. Mel Groening, Private Citizen

Bill 16–The Statutory Holidays Act (Various Acts Amended)

Mr. Shannon Martin, Canadian Federation of Independent Business

**WRITTEN SUBMISSIONS:**

Bill 3–The Healthy Child Manitoba Act

J. Fraser Mustard, Founders Network

**MATTERS UNDER CONSIDERATION:**

Bill 3–The Healthy Child Manitoba Act

Bill 13–The Organic Agricultural Products Act

Bill 16–The Statutory Holidays Act (Various Acts Amended)

Bill 18–The Forest Health Protection Act

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**Clerk Assistant (Ms. Tamara Pomanski):** Good evening. Will the Standing Committee on Social and Economic Development please come to order.

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

**Mr. Gregory Dewar (Selkirk):** I nominate Mr. Martindale.

**Clerk Assistant:** Are there any further nominations?

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

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

**Mr. Dewar:** I nominate Ms. Braun.

**Mr. Chairperson:** Ms. Braun has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Braun is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 3, The Healthy Child Manitoba Act; Bill 13, The Organic Agricultural Products Act; Bill 16, The Statutory Holidays Act (Various Acts Amended); and Bill 18, The Forest Health Protection Act.

We have a number of presenters registered to speak this evening as follows: Bill 3, Diane Duma, Gladys Hayward Williams, Trish Ward, Strini Reddy, Dr. Fraser Mustard, Doraine Wachniak and Mark Gray; Bill 13, Mel Groening; and Bill 16, Shannon Martin.

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

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

As well, I would like to inform presenters that, in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another 5 minutes allowed for questions from committee members.

Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters list.

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

**Mr. Ralph Eichler (Lakeside):** As in past practice, we usually allow the out-of-town presenters to go first. I would recommend that we do that.

**Mr. Chairperson:** Is it agreed that we allow out-of-town presenters to proceed first? *[Agreed]*

Not only do we have out-of-town presenters, we have an out-of-province presenter. With the permission of the committee, I'd like to ask if Dr. Fraser Mustard could be the first presenter. Is that agreed? *[Agreed]*

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. Except by unanimous consent, a standing committee meeting to consider a bill in the evening must not sit past midnight to hear presentations unless fewer than 20 presenters are registered to speak to all bills being considered when the committee meets at 6 p.m. As of six this evening, there were nine persons registered to speak to these bills. Therefore, according to our rules, this

committee may sit past midnight to hear presentations.

How late does the committee wish to sit?

**An Honourable Member:** As needed.

**Mr. Chairperson:** "As needed" sounds a little vague.

**Mr. David Faurschou (Portage la Prairie):** I believe it would be prudent for the committee to sit until all business before it this evening is concluded.

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

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

### **Bill 3—The Healthy Child Manitoba Act**

**Mr. Chairperson:** We will now proceed with public presentations.

I'll now call on Dr. Fraser Mustard. Do you have written copies for distribution to the committee? Yes? It's been distributed? Please proceed with your presentation.

**Mr. J. Fraser Mustard (Founders' Network):** Well, thank you, Mr. Chairman. It's a pleasure to be back here in this government building, because I've been in and out of it for more than 15 years. I'm here today because of the Mount Carmel Clinic and the Canadian Club, so they said you're going to come here and speak to you people about your Bill 3, Healthy Child Manitoba, which I think is an important step forward in the capability of your government to build a more integrated structure for early child development, which I would think in terms of English-speaking cultures in Canada, you're leading at the moment. That's to your credit. You're only English-speaking competitor is South Australia, and you should know that the Premier of South Australia is holding a meeting next February and this subject may be on the agenda so it would be rather nice that you pass this legislation because they, too, face the challenge of how do you take this chaotic area of early child development and create whole-of-government approach. That's a phrase that the South

Australians use. So I welcome this chance to endorse what you're doing and its importance.

Just let me say the written text contains certain things about my history here working with you people. The important challenge is, and it's not in the written text, it will take 20 to 25 years for our societies to put in high-quality, integrated early child development programs. By your passing legislation, you had the chance of keeping it sustained during that period of development because, as you know, governing political parties can change. Each has different ideologies and systems, so putting legislation forward to me seems enormous good sense because that's a chance that you have to sustain this development, because this is basically an apolitical question. If you wish to enhance the quality of your next generation which is important for your economic argument, then you have to start increasing your investment in early child development.

Let me give you one simple economic story. The cost to Canada in crime and violence in terms of individuals and society is over \$100 billion a year, and you can scale that down for the population of your province. The cost to society and individuals in terms of mental health problems and behaviour is also for Canada over \$100 billion a year. Controlling that can only be really done through effective early child development programs. We know that now from all the evidence, which is in this book which I will leave with you.

Can I finish this off just to tell you the secret to this? The trick here is that it would cost this country, if it were prepared to put in place high quality early child development programs beginning when the child is born, it would cost our society \$18 billion a year. That seems like a large sum of money, but if you look at the annual costs in crime and violence to society and individuals and the mental health problems with things like addiction, it's cheap. And so the question is you've taken a step forward to give your government the chance to do this which I fully support what you're doing and the story of my working with you, which I've learned a lot working with people here, I think this is probably an historic moment for the provinces in Canada, at least English-speaking provinces, that you're taking this step to do that, so I fully support what you're doing. I've not gone through your legislation, but I know the intent of it, what you expect from it, and I know what I would expect and what they should do.

So, with that, I will stop and take any questions anybody has.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions?

\* (18:10)

**Hon. Jon Gerrard (River Heights):** Thank you, Dr. Mustard. I certainly enjoyed your talk earlier today at the Fort Gary Hotel. In that talk, one of things that you mentioned was the importance of measuring outcomes and making sure that things stayed on track. I raised the issue, for example, of the need of measuring outcomes in relationship to fetal alcohol spectrum disorders and the incidence, but I would just like you to comment, particularly, with respect to the importance of having a way of measuring outcomes. You may want to talk about the EDI and making sure that the initiative keeps on track.

**Mr. Mustard:** Mr. Gerrard, your question is pretty fundamental.

If you have a good outcome measure, which you people have been applying, as I understand it in this province, it can tell you at the time children enter the school system what their development has been like.

The assessment tool is basically a measure of how your brain functions. In case you don't know this, how your brain develops when you're very young affects your health—physical, mental—for life, your behavioural problems for life, and your capacity to learn.

This technique has now been applied in various parts of the world and we can say pretty categorically, that this assessment tool, done at the time children enter the school system, will pretty well predict how they will progress through the school system. The hard message here is once you get that information, you must do something with those districts to enhance the child development because the school system cannot correct the problems that you get when you come into the school system with this kind of development.

We know now, from some work that's been done in Western Australia, that if you spot districts with poor development with this measure and you put in place a program that will catch the two-year-olds and pick them up three years later when they enter the school system, you can drop the vulnerable figure for children at the time of school entry from these two districts, from over 40 percent to 10 percent. That's dramatic. As a politician, you could market that

because we know that you're changing trajectories for later in life which will affect drug addiction, will affect antisocial behaviour, et cetera.

So Jon is right. The application of this outcome measure is crucial for your government and crucial for your communities; and how you work with them—you take the steps that are necessary to improve the outcomes for all children—is crucially important. Remember, children do not choose their parents. There is, in the idea of the village—it takes a village to raise a child—that is true. Communities have to be involved with this whole process with the parents. That may not seem like an easy thing, Jon, but you know what I mean when I get at that. He and I used to work together on platelets and that's why I know him.

**Mr. David Faurschou (Portage la Prairie):** Dr. Mustard, I want to thank you, very much, for taking time to be with us here this evening. Your reputation, and in recognition of that with the Order of Canada, most certainly, for your overall commitment in the field of early childhood development.

I want to also recognize that you made mention of your 80th birthday in your presentation here. Although you did not mention it at the podium, I congratulate you on that milestone.

In recognition of the progress made here in Manitoba though, you obviously have the awareness internationally of other jurisdictions that are making steps in the directions which you feel will be fruitful. Could you possibly indicate countries or jurisdictions, within various countries, that we could actually look to for further guidance in this regard?

Thank you.

**Mr. Mustard:** That's a good question.

I don't know the Scandinavian countries that well, but if you look at the adult literacy function of Sweden and Finland, their performance is higher than Canada, and when you plot the literacy competence of adult populations, you always see OECD that does this work, has a mean value for developed countries, which Canada is part of. None of the Finns or Swedes drop below the mean value; 30 percent of Canadians are below the mean value. So that says we have a way to go, and people will say that Scandinavia is homogeneous, but there is a flaw in that argument because UNESCO did a study; it's not quite the same pattern unless they looked at literacy and mathematical skills in Latin American countries.

The one country that stands out as being fantastically different than the others is Cuba; and this is objective data, it's done through UNESCO, and one of our people worked on it. The mean value is in mathematics and language. In the Latin American school systems for the Cubans, the mean values are two standard deviations better than every other Latin American country, and Cuba is the second-poorest Latin American country. Now, that may simply say if you've got a dictator who's benign and wants to do this, you get away with it, and if you have to be elected every four or five years, you can't do it. That may be one of your interpretations.

But the key point is that that population was Spanish, African and Aboriginal. There's a very important message there which we know the Mexicans are now pushing that in Monterrey. We have some reason to believe that their adoption of the Cuban program in what they call CENDI is actually changing outcomes dramatically in the population of Monterrey that they are working with.

So that there are some practical things about those countries. You may want to go to Cuba, you may want to go to Monterrey to study what they are doing and how they are doing it because their programs are pretty classy, pretty high quality and high performance.

The other jurisdiction you want to pay attention to is South Australia which I spent a chunk of my time last fall and last winter there. They have committed to putting early child development parenting centres as part of their primary schools. They now have a target of 24 this year to put in place. The Premier of South Australia is having a meeting of the provincial premiers from Canada and from the states of Australia some time in 2008. I would hope that you go down there prepared to meet with them and learn what they are doing because they had the same issue that you have: How do you integrate the functions of government to actually give a coherent package for child development rather than the fragmentation that occurs?

The South Australians I met with in all their districts, they said, please tell the government of South Australia that we want a whole of government approach. I think you're farther down the road to doing that with this legislation than they are.

**Mr. Chairperson:** Time has expired. Thank you very much, Dr. Mustard.

The next presenter is Diane Duma, private citizen. Her name will go to the bottom of the list.

Next, I'll call Gladys Hayward Williams, private citizen.

Next, I'll call Doraine Wachniak, private citizen. Welcome back. Please proceed.

**Ms. Doraine Wachniak (Private Citizen):** Mr. Chairperson, thank you very much. I'm going to, maybe not excuse myself, but tell you that I'm very ill prepared. I actually registered in, I think, February for this committee and then you went to an election. I got my call last week and I only found out today that it was actually happening today. My apologies for not having something prepared in writing.

I guess—private citizen—I don't have any book to give you that I've written with all due respect to Mr. Mustard. I guess I have a little bit of a different take on things. I guess one of the questions I had to the committee is I find the bill exclusionary because somehow I, personally, have a perspective that it is, if you're in line with the ideology, philosophy and values of the government, you shall be listened to. Can you tell me where an average citizen would have an effect on Healthy Child Act? That's one of the questions I have.

I have a little bit of a different take on the village from my perspective. I'm sure that there may be others out there that share my perspective. I think it's healthy families that build strong villages as opposed to villages which build strong families.

So there is my perspective on it, and so, as a citizen, I really have a hard time looking at this. I can go back to minutes 15 years ago at our junior high, telling the principal that we should get rid of the pop machines, that they were not healthy for our kids as the parent council. Now, we have a bill and we have an enforcement and that's what had to happen? I mean we were talking about it 15 years ago. So I guess my opinion is that as an average citizen, that lives locally and affects our local businesses and attends our local schools, how am I going to affect legislation which I think is fairly encompassing? That's my question to the committee.

\*(18:20)

**Mr. Chairperson:** Thank you for your presentation. Are there any questions of the presenter? Hearing none, we'll proceed to the next person.

Trish Ward, Parent-Child Coalitions. Please proceed.

**Ms. Trish Ward (Parent-Child Coalitions):** Good evening, honourable members and MLAs. I'm pleased to be here and to have this opportunity to speak to the merits of the proposed Healthy Child Manitoba Act and, in particular, the merits of the community-based structures of Parent-Child Coalitions.

I'd like to begin with a direct quote from a parent in our community of River East Transcona: This program saved my life. These very heartfelt words were spoken last May by a young immigrant mother. She was referring to one of the free weekly programs that our coalition offers to parents of young children in the River East Transcona community. We asked her to explain what she meant, and she said, the program saved her life.

She went on to tell us how lonely and isolated she had felt upon her arrival in Canada, how fearful she had been about venturing out with her baby and toddler into the frigid cold of the Manitoba winter, how her difficulty with the English language made even the basics of finding and buying groceries a highly stressful challenge. She had found herself feeling increasingly hopeless and trapped. Her feelings changed, however, when she was visited by one of our community connectors. Community connectors are staff that are supported by our coalition, are based out of local schools, and are dedicated to providing opportunities for parents to become engaged in positive and healthy ways with other parents, with their neighbourhood schools, and with service providers and agencies.

This particular connector had established a trusting relationship with the mum and had been able to gently encourage her to take herself and her children to the program being offered at the local school. Once there, the mum found herself in a friendly, non-threatening environment where she was made welcome by other parents of young children, some of them her neighbours. She was able to watch her younger children explore and play in a safe environment. She was able to feel more comfortable about the well-being of her oldest child who was already a student at the school. She was able to acquire both language and culture as she and her children participated in the rhyme time, craft and snack activities. She was able to get specific information on dealing with toddler tantrums from the public health nurse who had been a guest speaker at one of the sessions. As her anxiety decreased, her comfort level increased. She started to feel that she

belonged. She started to feel more confident and competent as a parent.

It's not just new Canadians, however, who are benefiting from the work of our coalition activities. Last year our Early Learning programs, such as 1, 2, Buckle My Shoe; Baby Bumblebees; Jack Be Nimble; Alphabet Soup; the Literacy Links summer home-visiting program; and our drop-in Stay & Play programs allowed us to connect directly with over 1,000 pre-school children and their families. Participation was not just limited to mums and children either. We have increasing numbers of dads joining our programs, particularly when we offer them in the evenings or on Saturdays, and growing numbers of grandparents who are caregivers for their grandchildren.

I'd like to read now a letter that was sent on to me just a few weeks ago in early September, and the person wrote: The Early Learning programs have been such a blessing to our family. I first enrolled when my first-born was three months old. Hesitant at first, I quickly realized what fun I was having connecting with my daughter, other parents and the community. I really enjoyed the cheerfulness at the programs, the way that everyone is included and the people that I have met along the way, not to mention the fun games and the cache of songs and ditties I learned that help out in the countless lineups in grocery stores and doctors' offices. The anticipation in our area for the new 2007 fall Kinder Links newsletter was comical. Us mummies, all good friends now, thanks to the Early Learning programs, were busily checking the RETSD Web site for daily updates. It's part of our phone conversations, e-mails, and co-ordination of fall schedules. Our kids are eager to return to school to see their friends. That, in itself, speaks volumes about the programs.

This testimonial is not an exception, rather it's the norm. We request feedback from every participating parent in every program we offer as part of our ongoing assessment and evaluation process, and the comments are consistently and overwhelmingly positive. The only negative we hear is, why can't there be more? When we began our most recent registration for our fall programs, on September 24, the majority of the 21 early learning programs were filled within the first hour. One particularly popular program, our In-Motion Jack Be Nimble, immediately generated a waiting list of 24 families. The need is there and we're obviously meeting the need.

I've referred to the benefits of our parent-child coalition activities as described by the parents themselves. You also have a copy of our latest *Kinder Links* to give you greater detail, but I'd like now to give you a sense as to how our whole community is benefiting from our coalition and what potential exists throughout the province as a result of the existence of the other 25 coalitions.

In River East Transcona we described the mission of our coalition which we called Early Childhood Matters in this way. Early Childhood Matters brings together people who work with, play with, live with, care for and care about young children. This coalition of early childhood champions exists to find ways of connecting and collaborating to build strong, healthy and nurturing communities around families with young children. By building upon and within the systems and structures already existing in our community, we have been able to fill the gaps related to supports and services for families with young children without duplicating or reinventing wheels.

At the management level our coalition involves the local school division, the local health authority and the child care office. Supporting that, however, are seniors organizations, service clubs, Manitoba Housing, parents, police service and local churches. We've been able to stretch minimal financial resources to the max by operating within an infrastructure such as the school division, taking advantage of the in-kind contributions and professional support it provides. We've been able to establish numerous mini-coalitions or action teams, where school administrators, health authority personnel, parents and other representatives from community agencies and service providers meet on a regular basis to share information and implement initiatives unique to their particular neighbourhood areas.

We've established working relationships among the direct service and front-line staff in all of our major systems. For example, WRHA Families First home visitors and school-based community connectors are working collaboratively to support young parents, each role bringing its own contribution without overlapping the other.

We've established a number of advisory groups to ensure that we are listening to and responding to all our stakeholders. We have a preschool parent advisory group that includes seniors, a professional advisory group, a school administrator advisory

group, a management group and an immigrant advisory group. By demonstrating our collective commitment we've been able, as a coalition, to establish partnerships with the Kiwanis, the Rotary, Starbucks, Manitoba Labour and Immigration and the Winnipeg Foundation. These partnerships have provided both financial and human resources enabling us to enhance our programming.

Through the vehicle of the council of coalitions, we are able to liaise with both the Healthy Child office as well as the other community coalitions, thus promoting professional learning, collaboration and networking. By having the established and obviously working structure of our early childhood coalition, we've been able to build upon that to expand our program offerings to youth and parents of youth through our Healthy Schools initiatives.

Our excellent working relationships across the systems have allowed us to explore and act upon the concept of space sharing. We now have some coalition programs being offered out of the licensed child care and nursery facilities during their off-peak times.

By offering free, accessible, universal programs that are based upon validated and best practice and are of consistently high quality, we have raised the awareness throughout our community of the importance of the first few years of life. I believe that we've reached the tipping point in our community in that parents are now seeing participation in these programs as something they do as a matter of course.

Having a parent-child coalition in our community area has resulted in a significant shift, probably a paradigm shift, in the way that we have all come to view early childhood and the vital importance of the parent-child connection.

On behalf of the parent-child coalitions already in existence throughout Manitoba, I would like to express our appreciation for the opportunities already afforded and our hope that these opportunities will continue. Thank you.

**Mr. Chairperson:** Thank you for your presentation. Are there questions? Mr. Gerrard.

**Mr. Gerrard:** Thank you for your excellent presentation and your experience with the program.

Maybe you can just give us an idea of what proportion of the children in the preschool years in the area that you cover are now becoming involved in the program.

\* (18:30)

**Ms. Ward:** We estimate, and we're doing this by cohorts, there are between 5,000 and 6,000 preschool children in the area that's the northeast quadrant of the city. So, when I say 1,000, and we're quite accurate about our numbers there, that would mean that we're reaching, in a given year, about 20 percent of our population at this point.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Seeing no further questions, we'll go to the next presenter.

Mr. Strini Reddy, Early Childhood Development Advisory Committee. Do you have copies for us?

**Mr. Strini Reddy (Early Childhood Development Advisory Committee):** No.

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

**Mr. Reddy:** Good evening, Mr. Chair, members of the committee, other MLAs that have taken the time to be here tonight.

I just want to recognize the support of our Province over the past dozen or so years very specifically for an initiative related to the well-being of children and families in Manitoba. As a parent, a grandparent, soon to be a great-grandparent, I am very, very grateful for the work that's being done on behalf of the children of this province. The establishment of the Children and Youth Secretariat in 1994 has been steadily built upon to the point where we now have an expanded structure and programs that we as Manitobans can really be proud of.

We were honoured to have this evening Dr. Fraser Mustard speaking to you here, and I'm very delighted that he came to speak to you tonight, because he was one of the first people we brought in in the mid-1990s to come and get this argument off the ground in terms of the importance of children and families. He really helped us open the argument and bring it to public attention. I'm the first one to admit that we still have a lot of work to do, but I will also say that I must commend our Province on the progress that has been made to date.

I want to say, in particular, that the creation of the Healthy Child Committee of Cabinet needs to be acknowledged because it makes a very important statement. The statement it makes is that we acknowledge, in this province, that the well-being of children and families in Manitoba is not the

responsibility of any one department of government. That is a very significant recognition that has been made nowhere else.

There have been other provinces that I've been keeping very close on in the past 20 years who have appointed ministers of child development and such, and I have very quickly wanted to talk to those people to find out just how efficiently this works. Well, the mistake they made was that they gave it to one department and said to the people, you are responsible for children. Thankfully, we haven't made that mistake here.

I say this because when I travel, and I have the opportunity, as a volunteer, to travel to different conferences across the country which speak about early childhood issues because that's a passion of mine. We're always touted as the envy of other provinces in this country because of the fact that we do have such a thing as the Healthy Child Committee of Cabinet.

As chair of the Early Childhood Development Advisory Committee, which is a widely representative group, I have the opportunity and the honour to meet with the Healthy Child Committee of Cabinet from time to time, and, more specifically, with the chair of that Healthy Child Committee of Cabinet when the need arises. They're always very gracious in allowing me the opportunity to speak with them. I'm always impressed by their commitment. They listen very carefully to the recommendations we make from the Early Childhood Development Advisory Committee. They do take into consideration the recommendations that we bring forward.

The deputy ministers' committee seems to be no less committed to this whole notion, and I am encouraged now by listening to the Healthy Child Committee of Cabinet talk about the fact that we need to go beyond the zero-to-six years and start talking about children in the middle years. I think that's a very important recognition because, yes, we can get our children off to a good start, but if you look at all the complaints we have about youth, et cetera, in our community today, I think we should be able to take more preventive action than complaining about what they do afterwards.

The great benefit to seeing this structure continue will be noticed in the years to come. The establishment of what Trish Ward so eloquently spoke about this evening as the parent-child coalitions to me is one of the most significant

developments we've had in our province. The reason I say that is I'm a believer in engaging communities in determining their own destinies.

I believe that these parent-child coalitions that have been set up across this province are building the kind of capacity that we've not seen before in terms of how communities come together with limited resources and some support from government to take care of their own, take care of children, take care of families within those communities.

You heard two speakers this evening, including Dr. Mustard, talk about the fact that it takes a village to raise a child. Well, my take on that is yes it takes a village to raise a child. It's our responsibility as citizens and as a government and as communities to actually create the kinds of villages that are capable of raising their children. It's easy to say, it takes a village. We need to create those villages, and I believe that that is what we're starting to do in Manitoba.

We do have the possibility here in this province of increasing dialogue. When the coalitions were started several years ago, we started to have—and I say we. The Healthy Child Manitoba office has been tremendous in their response to what the communities have been asking for. It's my great pleasure and privilege to work with them on a very close basis. They do respond, indeed, to the recognition of needs in the community.

The annual forum that's being held now, this will be the sixth year, I believe, that we're holding this annual forum. It started out with about 250 people the first year. It's now going to have close to 700 people next month, and I have been very grateful for the participation of members of Cabinet and other MLAs from the different parties who have showed up at these conferences each year, and who have made their presence felt and have encouraged people from the communities simply by their presence as well as by their dialogue with people on a daily basis, showing them that you are serious about the notion of taking care of our kids.

I don't want to speak to you tonight about research because I think Dr. Mustard has done that amply, very, very well. But I do recommend to you the *Early Years Study 2*. You remember that he and Margaret McCain released the first report about five years ago, I believe—four years ago, maybe—and now released the Council for Early Child Development. I see the Chairman has got a copy in his hands of that report, and you all have them. I recommend it very,

very highly. When it was released, there was great discussion in Toronto with people from across the country speaking about the contents of that report.

The proud thing for me is that we are making progress toward, we're not there yet, but we are making progress toward heading in the direction that the report is suggesting. For example, we are now starting to look at engaging other sectors beyond those people working in Early Childhood communities in looking after the well-being of children. It's important for us to recognize that the renowned economists around the world are now pointing out to us, like the Nobel Laureate James Heckman, telling us that investment up front in the earliest years are the ones that bring our society the greatest returns. If you want to save societies, if you want productive societies and productive citizens, it's important for us to invest in the earliest years.

So these are not just coming from early childhood advocates; it's coming from people who know what they're talking about in terms of economics and other things in the development of the world. Today Dr. Mustard made that argument very eloquently to members of the Canadian Club. I mention that particular meeting today because this is the kind of thing we're trying to do now, is to engage more than the usual sectors in these arguments, and to bring people into the recognition that it is the responsibility of all sectors of society to take care of our children and our young people.

We also have heard from people from the business and public communities recently that they would rather, knowing about the research that's now present and the fact that early childhood development is the time for prime brain development, that they would rather see us adopt a prepare rather than a repair philosophy. I'm a very strong advocate of that philosophy. Let's prepare rather than repair.

The structure that we have now makes it possible for us to continue to expand the network and to bring all these people into direction. So, once again, I commend all of you for your leadership, for the work that you do for us and with us. We will continue to support your efforts, and I hope that this Province can in a few years very proudly stand up and say, we'll not drop the ball when it comes to our kids and families.

Thank you very much.

**Mr. Chairperson:** Thank you for your presentation.

**Mr. Faurschou:** I want to welcome you here this evening, Dr. Reddy. It is a true pleasure to hear from you in this regard, and I take this opportunity to congratulate you on your continuing involvement after retirement from the superintendent responsibilities that you had earlier.

This particular legislation, do you see that it goes far enough? Are there gaps that are still here that need to be filled, in your observation?

\*(18:40)

**Mr. Reddy:** I must say, I'm no expert on legislation, but what I've read from a layman's perspective gives me encouragement. I'm sure if I looked at it with a fine-toothed comb, I'd probably be able to say this, that or the other might be added. But what I want to say about the legislation is simply this: I have been superbly impressed by the non-partisan approach and nature of how we've approached the issue of children and families in our province. This legislation says to me—it gives me confidence and comfort in saying that it doesn't matter who's around and who's in charge. The fact remains that this particular structure we're talking about is something that will go on forever. That is what I take my comfort from. So, whether there are gaps in it or whatever, I'm not exactly sure, but I really think that it is a very, very important step that we're taking.

**Mr. Gerrard:** Thank you for your comments and sharing your experience. One of the areas of this bill where I have some concerns is the requirement for a report which might come as infrequently as every five years. It seems to me that this is a very important area. I mean, when we're dealing with something like Manitoba Hydro, we would never accept a report other than once a year, and it seems to me that this is so important that we should not accept a report any less frequently than once a year here as well.

**Mr. Reddy:** I would agree that we need to report as frequently as we possibly can, given that we report when we have complete information and the ability to bring forward arguments to people that are necessary. But I think that with regard to reporting, for example, my belief is that with a lot of discussion with various school divisions across the province we've come to the situation in this province now, which I'm very pleased about, where we can actually say that we have data on children beginning school, for example, in every single division in the province. I think that if we give that a fair chance and collect that data properly, we will be able to get closer to

what you're suggesting, that is, report on this data more frequently.

For me, the reporting of the data would be more along the line of saying provide this to the community so that they can then pull this data together and utilize it to move this agenda forward, rather than simply saying, you know, you're keeping track, keeping an eye on us. I would say, provide them with the information on a frequent basis so that they can take it and utilize it at the local level.

**Mr. Chairperson:** Thank you.

**Mr. Reddy:** Thank you very much.

**Mr. Chairperson:** Oh, I'm sorry, Madam Minister.

**Hon. Kerri Irvin-Ross (Minister responsible for Healthy Child Manitoba):** That's okay. I just wanted to thank you very much for your presenting and all of the presenters that were before you. Thank you very much.

**Mr. Chairperson:** Next we'll call Mr. Mark Gray, Manitoba Institute of Child Health.

**Mr. Mark Gray (Manitoba Institute of Child Health):** Good evening, Mr. Chairman, Madam Vice-Chair, committee members. My name is Mark Gray. I am the chairman of the board of the Manitoba Institute of Child Health, which is a sister institute to the Children's Hospital Foundation of Manitoba. I am here on behalf of the Institute to request that, pursuant to section 21 of the act, a nominee of the Manitoba Institute of Child Health be appointed to the Provincial Healthy Child Advisory Committee. Such a representative would be a person referred to in section 21(4)(c) as a person having recognized experience in child research.

The Manitoba Institute of Child Health, as I said, is an organization established by the Children's Hospital Foundation of Manitoba, which I'm sure you're all familiar with, which started in 1971 and has been raising funds on behalf of the Children's Hospital and on behalf of research for—whatever that is—36 or 37 years.

The Children's Hospital Foundation and the institute have 60,000 square feet of research space on two floors in the John Buhler Research Centre on the Bannatyne campus. The fifth floor is basically full; the sixth floor we are in the process of constructing in order that we can add in more researchers and bring more people to the table to deal with pediatric research. There are over 100 members who are doing pediatric research, plus their staff on the fifth floor,

and we would expect that number to expand significantly once we are able to open up the sixth floor, which, as I say, will happen in the next, give or take, two years. We have begun a fundraising campaign. We have a portion of the funds in place, and we will be proceeding with that project.

The Manitoba Institute of Child Health is significantly funded by the Children's Hospital Foundation. Currently, the amount that is given to the institute is \$3 million, give or take a year. That's provided by way of operating grants, scholarships, fellowships and providing the space in which these people work and the equipment which they need to do that. That \$3 million, which has worked its way up from a far less significant amount over the years, has been levered many times. We probably have, and I don't remember the—because I didn't have time to do this, this afternoon—was, we're probably bringing in over \$10 million into the research and it is all spent on child health research in that floor. We have many world-renowned researchers, many links with other places all across Canada and around the world, and are a recognized leader in those things.

I recognize that the name, Manitoba Institute of Child Health, may not be right on the tip of your tongue. I'm sure it isn't, as a matter of fact, given the research that we've done into that. However, the Children's Hospital Foundation will be known to all of you. So we are now proceeding through with the funding that we've done in the Children's Hospital Foundation and having the Manitoba Institute of Child Health continue to grow and the Children's Hospital Foundation continuing to provide additional funds, and us leveraging those funds in to do child health research in the province of Manitoba for the benefit of children all over the world.

I would, again, repeat the request that I made, that a nominee of the Manitoba Institute of Child Health be appointed to the provincial Healthy Child Committee.

Thank you.

**Mr. Chairperson:** Thank you. Questions?

**Mr. Gerrard:** Thank you, very much, for your presentation and let me first compliment the Manitoba Institute of Child Health, you and the board, and the other members there for the fine work that you've done in contributing to the health of children.

I would certainly agree with you that the Manitoba Institute of Child Health should be

represented on this board. This is the goal of this initiative and it would bring together the expertise at the Children's Hospital and the Manitoba Institute of Child Health with the grass-roots expertise of parents and children and people in the communities. I think that could be very valuable, so I hope that others will support that concept.

**Ms. Irvin-Ross:** Thank you very much for the presentation, Mark. We'll certainly take that under consideration as we look at reappointments for the board.

**Hon. Nancy Allan (Minister of Labour and Immigration):** I'm just curious in regard to the work that you've done at the Manitoba Institute of Child Health and, particularly, your interest in the whole Healthy Child Initiative.

Have you ever had or requested a meeting with the Minister responsible for Healthy Child in the last seven years or so that this initiative has been up and running in Manitoba?

**Mr. Gray:** I'm not a hundred percent sure of that because I am the volunteer chair of the board, and the person that would have requested that—and I believe we have had conversations with respect to Healthy Child, the Healthy Child Initiative—and so I would expect that we have requested and have received some discussions in that regard.

We have learned about the Healthy Child Initiative and one of the things that does stick in my mind is that something like 4 percent of all research dollars are spent on children, whereas that leaves 96 percent for non-children, which means when we look at a healthy child initiative it's very clear that establishing a healthy child leads to a healthier adult. Therefore, that I remember those things and whether we've had that discussion or not, I'm not a hundred percent sure.

**Mr. Gerrard:** I just, because I happen to be involved with the healthy children task force, and at the time of the task force, the then minister for healthy children, which was Theresa Oswald, arranged an in-depth discussion and meeting with the representatives from the Manitoba Institute of Child Health. I believe it was Dr. Malcolm Ogborn, it may have been others, but, certainly, at that time, and I would have presumed that there's probably been, before and after, some meetings.

\* (18:50)

**Mr. Chairperson:** Well, that was not a question, but it was a helpful point.

Any further questions? If not, thank you to the presenter.

Next, we'll call Diane Duma for a second and last time. Diane Duma.

Next, Gladys Hayward Williams. Gladys Hayward Williams.

That finishes the list for Bill 3.

### **Bill 13—The Organic Agricultural Products Act**

**Mr. Chairperson:** We'll go on now to presenters on Bill 13, The Organic Agricultural Products Act.

Mr. Mel Groening, private citizen.

I apologize to this presenter, because I forgot that normally we hear all out-of-town presenters first, and I didn't follow our own rules. So, my apologies, but please proceed.

**Mr. Mel Groening (Private Citizen):** Honourable members of the Legislature, I'm glad for this opportunity to share tonight. I'd prepared this back in the spring when Bill 18 was tabled, and then it died on the table before the provincial spring election. I found out at about 3 this afternoon that this was being discussed tonight, so I just dusted off what I'd prepared at that time and would like to share that with you now.

Groening Organics is a small family farm located about 25 kilometres west of Morris. We've been farming organically since 1993 and produce beef, pork, chicken, as well as field crops such as flax. We're absolutely committed to sustainable agriculture and depend on local markets for our livelihood.

Our farm applied for and received OPAM organic certification in 1999, but we chose not to renew our certification the following year for several reasons. We were very disappointed in what we considered a lax inspection process and the lack of consistent application of required standards such as the use of organic seeds. The cost of certification was also an issue and, in itself, added to the selling prices of our products.

Instead of remaining certified, we embarked on the building of relationships with customers who shared our convictions. We invite them to visit our farm at any time, bring their children, and see our animals. We show them what we feed our livestock

and how humane care is given to all animals. Many questions are always asked by our visitors and we are happy to share our philosophies about organic farming that we passionately believe in.

Rather than an annual inspection of our farm by a certified inspector, we chose to have our farm continually inspected and enjoyed by those who purchase our products. Relationships such as these are not only sustainable in themselves, but they have multiplied many times over by our only form of promotion being word-of-mouth advertising by satisfied customers.

By having the opportunity to raise our own livestock from birth to market, we do our best to ensure that they are well fed, have access to shelter in winter and are allowed the freedom to enjoy the outside world.

We are currently supplying meat products to approximately 75 families on a regular basis, all of whom live in Winnipeg and the surrounding area. As we are able, we are increasing the number of animals we raise to try to keep up with the requests from our growing customer base.

We were shocked and dismayed to hear that the provincial NDP government has introduced Bill 18, now Bill 13, The Organic Agricultural Products Act, which they intend to be enacted into law. At the heart of the bill is this statement: "No person shall market or label an agricultural product using the term 'organic' . . . or any other prescribed term unless the product has been certified as organic in accordance with this Act."

The bill goes on to describe penalties of up to \$20,000 or imprisonment for up to six months, or both, for failure to adhere to this proposed law. Besides this, the government intends to ensure compliance by giving itself power to carry out random inspections of suspected violators and authority to seize, move or destroy agricultural products which they suspect may be intended for sale as uncertified organic products.

Section 10(4) reads: "An inspector may exercise any of the powers referred to in subsections (1) and (3) without a warrant if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be practical to obtain a warrant."

They then declare that they are able to charge all costs incurred by them in this process to the party from which these goods were seized.

Even the simple possession of an organically grown product in a quantity considered to be greater than is ordinarily necessary for a person's own consumption shall be deemed, in the absence of evidence to the contrary, to have been in possession of the product for the purpose of marketing it. Guilty until proven innocent. Why not rather focus on those who are in possession of crystal meth for the purpose of marketing it rather than criminalizing someone who has organically grown a patch of carrots?

There's much more, but this is enough. We could hardly believe our own eyes reading this legislation. Today, we're operating a farm based on what we consider to be an ideal organic system based on a personal relationship with our customers. You could purchase some ground beef, steaks, chicken, or farmer sausage from us and enjoy the satisfaction of knowing you have a safe and wholesome product to share with your family.

If this legislation passes in its present form, I would be liable to be fined or imprisoned for selling what we do and calling it organic. Don't we have enough crime in our area already without trying to make criminals out of organic farmers? Why not rather devote our resources to reducing crime, which all agree is endangering the quality of our lives?

Webster's dictionary defines organic as using or growing with fertilizers consisting only of animal or plant matter with no use of synthetic chemicals or pesticides, free from chemical additives, simple, basic, and in harmony with nature.

Generations that lived long before our time have farmed organically before any certification boards came into existence. We find it unthinkable that any government should pass a law that forbids someone to produce an organic product and to call it organic unless it is certified by a certain organization.

All this is being promoted under the guise of providing safe food for consumers. Nonsense. It is nothing less than attempt by a certain group of people to patent the term "organic," forbidding anyone who does not subscribe and pay certification fees to their organization to call their product organic.

We have no problem with growers and producers belonging to organic certification organizations and marketing their products under a specific label or banner. Presently, a product may be marketed as certified organic when it has met certain

criteria of a certifying body. If it has not, it may only be called organic or organically grown.

The argument put forward by proponents of the new legislation is that anyone can promote their product as organic whether it is really organic or not. This is true, but it is an insult to the intelligence of consumers to think that they would be gullible enough to believe whatever they are told without verifying anything for themselves. Obviously, they would not choose to purchase an uncertified organic product unless they were confident that they were satisfied that it had been raised or grown according to certain standards. If they are not satisfied that non-certified products may not really be organic as claimed, they can choose to purchase only certified organic products.

Instead of attempting to introduce a new, oppressive bureaucracy to enforce iron-fisted brutality on farmers only trying to earn a sustainable living from their farms, the government should simply focus on the simple task of educating consumers about the present system, which is easy to understand.

I've been asked, why not just let the law pass and call your products natural or something similar. I take exception to this because our products are as genuinely organic, if not more so, than certified organic ones, and we take great pleasure in being true organic farmers. Even our farm name, Groening Organics, is one we are humbly proud of.

Besides, the pending legislation states that the term "organic," or any other prescribed term, could be restricted to be used by only certified growers. If they wished, as time went on, other terms could also join the taboo list of forbidden words, and we would be left with precious little to describe and market our product. Do we not still live in a country where we can practise free speech on a daily basis? Organic is not a brand name but rather a method of production.

Confusion abounds in the present certified organic regulations. For example, the standards require that planted seeds must be organic unless they're too expensive or if they're not locally available or if the grower can't find any organic seed. One certified grower has told me he applies for an exemption every year and receives it because of the high cost of organic seed. What a farce. As long as the farmer being certified pays the cost of certification, deals are quietly being made behind the scenes.

\* (19:00)

Consider this, a certified grower may produce a crop from non-organic seeds and market his product as certified organic. I, an uncertified farmer, can plant the same crop using organic seed I've produced myself and would be considered a criminal if I applied to market my crop as organic. What insanity.

When a local farmer in our area heard about this bill, he told me, what's this? You're farming the way you should be and have an ideal system in place and have to battle for survival against this legislation. I can cover my land with all kinds of toxic stuff and nobody bothers me. Sad, but true.

Our province is full of fine people who have had enough of things and are making a change to sustainable farming, or the consumption of organically grown food. The last thing we need is to have the government, or any certifying body, to place burdensome or legalistic regulations in place that attempt to restrict the organic marketplace to an exclusive world in which they can impose their own views on others in a dictatorship-like approach. I shudder to think about how much would be lost, by consumers and producers alike, if Bill 18, now 13, ever became law.

An elderly organic farmer recently told me that he has abandoned his organic certification simply because the rising cost of certification fees was making his crops too expensive to produce. Customers were telling him that they would love to buy what he was selling, if they could only afford it. By requiring all organic food to be certified organic, it would raise the final prices of all organic food, putting the cost out of reach of many lower-income consumers who can't afford to buy it for their families.

With the recent surge in popularity of health-conscious consumers making a commitment to purchase their food to that which is grown within a 100-mile radius of their homes, there is no time like the present for farmers and consumers to form partnerships and growing relationships to support each other. When done properly, each becomes dependent on the other for survival. Mutual convictions bind them to each other in true community in the ultimate sustainment of life, provided by the food produced and consumed each day.

I would just like to add that often governments are accused of not bringing about real change. I must

say that this bill, if it came into law, would result in real change.

I've spoken against the bill. The one thing I do support about it is that it's concise and clear, but the problem I have is that tomorrow, when I do our delivery of organic products, I can be respected and appreciated. If the bill should become law, two weeks from now, I would be considered a criminal, according to the act.

**Mr. Chairperson:** Excuse me. I'm going to cut you off. I let you go a little bit overtime. So thank you for your presentation.

Before I recognize Mr. Eichler, I'd like to point out for the information of the public that Minister Struthers, who is sitting beside me here, is substituting tonight for the Minister of Agriculture, Minister Wowchuk, who is unable to be here.

**Mr. Ralph Eichler (Lakeside):** Thank you for your presentation, Mr. Groening.

I do have a question in regard to the federal regulations that came down before the Province of Manitoba decided to get involved with their regulations. Did you have a look at those regulations, and what kind of an impact do you see that having on you, as a producer, without marrying the two together with the Province and the federal regulations, as an organic grower? Would one not overlap the other?

**Mr. Groening:** They could. I haven't read the federal regulations because, when I prepared this, all I was told is that these presently will mirror the federal standards, and in spring when I contacted COG, Canadian Organic Growers, they said that the regulations were still being put together. So it's hard for me to comment on whether these exactly mirror the federal standards. I can see that it would be a good thing, but, as I understand it, Québec presently has their own system and so does British Columbia. So there will still always be differences in the legislation as far as I can see it.

**Hon. Stan Struthers (Minister of Conservation):** Thanks, Mr. Groening, for your presentation here tonight. I enjoyed listening to the views that you've expressed. The first thing I want to do is express my relief that you corrected it from Bill 18 to Bill 13 because Bill 18 is actually my bill coming up later tonight, and that's about mountain forest pine beetles, and if you think you got problems now, wait till those things hit your fields. We don't want those two to cross-pollinate. So we're dealing with this bill.

A couple of things in your presentation that I think are very astute: First of all, you mention a 100-mile radius. Even from the perspective of the environment minister, which is what I am, that makes a lot of sense. Organic isn't going to take over the whole industry, but there's a niche out there. Moving farmers toward more sustainable farming practices, I think everybody around the table understands, is a good move. So I commend you for that.

I want to make clear that the federal regulations that have been mentioned here by my colleague from Lakeside, these are intended to dovetail with those. It's not adding more bureaucracy. It's not all of that; it's about those working together.

I have a question, though. It seems to me that if we're going to have an organic industry in Manitoba, there needs to be some credibility that is attached to a label. We need to be able to—and I understand your farm site. I understand how you do business. But don't you think this will help in terms of adding credibility to the labels that consumers need and depend on to be able to make decisions when they are in the grocery store looking at purchasing? Don't you think they need to have some credibility so that they know what it is that they're buying?

**Mr. Groening:** Yes, I do. There are two ways of accomplishing that. One is by legislation such as is proposed. But I think there's been very little done to educate consumers presently about the present system because we now have transitional organic and we have certified organic, we have organically grown, and customers are confused about what these really mean.

I think that, instead of legislating, we should focus on educating. If customers and consumers really knew the difference between certified organic or organically grown, I think that they could read the labels and make good choices just by understanding the present system.

**Mr. Struthers:** Just quickly, I think that you brought the old teacher in me out. How am I going to talk against education? I foresee that in tandem with the legislation. I think that is the approach that the government will take. So I think that's a good point that you bring forward.

**Mrs. Mavis Taillieu (Morris):** Mr. Groening, Mel, I'd like to thank you for coming to present to the committee tonight because I know you did drive in all the way from Lowe Farm at very short notice for

this specifically tonight. We have spoken about this in the past and I certainly want to say to you that we certainly appreciate the fact that farmers do feed cities. We respect the farming practices that you do and the education that you do with your customers and the good relationships that you have with them.

When I listen to your presentation, I don't like the implications of farmers being criminals, certainly, and I want to ask you how this legislation's going to affect your business. Will it put you out of business? Will you continue to do business? How much more will it cost you to carry on the practices that you already have established on your farm?

**Mr. Chairperson:** Before I recognize Mr. Groening, our time has almost expired. I have two more people on the speakers' list. What is the will of the committee?

**Mr. David Faurshou (Portage la Prairie):** I would like to ask leave of the committee for a few extra minutes to accommodate everyone's questions.

**Mr. Chairperson:** Okay, so there's leave for two more questions? *[Agreed]*

**Mr. Groening:** Good question. We've really thought about that, and I actually lost some sleep over what we would do if this came into law. We've asked our customers what they think we should do, and they said if this came into law the way it is, that they would still continue to purchase our products because they've been to our farm and they know what we produce.

So I would have to very carefully and just instantly tell them that what used to be an organic product now can't be called that anymore but it's still what it was before. I realize I'm treading on pretty thin ice there because what bothers me not is that our customers would not continue to buy from us or that we might be put out of business, but what bothers me is the section in the act that talks about seizure, about suspected organic products, because even if I just tell our customers what's happened and what is happening and the legislation that's come through, I still would be subject to being searched without a warrant, having our product seized.

If anyone suspected that I was stockpiling any product for sale and they suspected that I might be trying to sell it organically, I could still have my product seized and be charged for the whole cost of that kind of thing. I would be doing nothing different than I am right now. That's the thing that bothers me,

but, otherwise, we would just call our product ex-organic, probably.

\* (19:10)

**Mr. Kevin Lamoureux (Inkster):** Thank you for the presentation. I don't know what Ottawa—whether it's legislation, regulation—is thinking about in terms of bringing forward and the impact that that's going to have on you. I have a bit of an understanding in terms of what this bill will have, the impact it will have on you.

The question I have is this: Is there any other provincial jurisdiction, and I suspect that you're aware of at least some, where similar legislation, provincially, has prevented a farmer from being able to say what you want to be able to say?

**Mr. Groening:** That would be in other provinces? All I know of is that in Québec, they brought forward legislation just regarding maple syrup, and it applied to maple syrup producers. Producers were no longer able to call their organic maple syrup organic unless they passed certain standards that were passed by the government. What happened is that the maple syrup industry was decimated. The production fell to about half. Many people just are afraid of legislation. They don't have time for the paperwork and they don't want the fees and they just simply drop out of the production.

I know this bill talks about the benefits. When I read about it in the paper, they talk about the benefits and how it will be a boost to agriculture, but I find that people don't wake up organic producers one morning; they slowly merge into it and they become confident with what they're doing before they really become full-fledged producers.

So I think that this act would scare people out of becoming organic because they can't become partly organic or even join the system without being subject to all those threats of seizure. They either have to be one way or the other. So it will take out the middle-ground people and, I think, just cut the whole organic production instead of boosting it.

**Mr. Faurshou:** Mr. Groening, I do appreciate your presentation here this evening. If I can encapsulate then in your presentation, you are looking for an exemption to the legislation for individuals such as yourself that deal direct with customers.

I hope you can appreciate that when there is a third-party involvement, wholesalers and retailers of products, one has to have a labelling system that will

provide the assurances of quality production and methodology production. So then, if you will respond as to my question about producer-direct exemption.

**Mr. Groening:** As far as that goes, I actually saw on television a while ago that 80 percent of the organic food currently sold in Manitoba is imported. So that really raised my eyebrows, because I thought: Why are we going to all the trouble of dealing with this when 80 percent of our food comes from sources that we really don't know the origin of the food; it's just called organic.

An exemption of this kind would be a great help to me. I realize that people that are shopping in big stores where they can't do anything but read the label and see the word organic, there's no way they can verify that anything is organic. It might come from Mexico or another country.

If I were able to have an exemption to this and customers are able to verify for themselves—they visited our farm, they see what we feed things, and they themselves are satisfied that the product is organic and that they know what they're buying—it would be a great relief to have an exemption like that.

**Mr. Chairperson:** Thank you.

### **Bill 16—The Statutory Holidays Act (Various Acts Amended)**

**Mr. Chairperson:** We'll proceed to Bill 16, The Statutory Holidays Act.

The first presenter is Mr. Shannon Martin from the Canadian Federation of Independent Business.

Mr. Martin, please proceed when you're ready.

**Mr. Shannon Martin (Canadian Federation of Independent Business):** Good evening, and thank you very much. On behalf of the Canadian Federation of Independent Business, I appreciate the opportunity to be here this evening and speak on Bill 16, the Statutory Holidays amendment act.

The process, or the lack thereof, is without a doubt businesses' single biggest criticism of the proposed new holiday. It is important to note that less than one week prior to Thursday, February 8, when the Minister of Labour (Ms. Allan) advised, and I quote: This is no longer a question about if we're going to have a holiday in February; we're having one; we're doing it. The minister publicly

stated that it was not even on the government's agenda.

The minister's flip-flopping on this matter was reinforced by the Premier (Mr. Doer) of our province who, less than 24 hours after promising to consult with the business community on the idea of a stat holiday, jumped on the bandwagon and at the same time back-door his own process.

The government and opposition parties' political opportunism on this file, while no doubt publicly popular, only reinforces the business community's concerns about what is driving the agenda of our province. We don't want to be behind Saskatchewan is the government's rallying cry and justification for the new holiday. With our neighbours in Saskatchewan enjoying their first February statutory holiday, and Manitoba's in the midst of an Arctic cold front, the public and opposition parties, largely obsessed with a me-first attitude, drove this agenda. However, before we go forward, it's important to review the facts.

Yes, Saskatchewan did indeed bring forward a new statutory holiday in the month of February, but just prior to that announcement it also delivered a significant two-point cut to its provincial sales tax, as well as other cuts to small-business taxation. In other words, the government of Saskatchewan recognized that there would be a financial impact on the business community and took steps to mitigate that impact.

Here in Manitoba the government recently completed, and I quote, the most comprehensive review to the Employment Standards Code in 30 years. The consensus report between labour and management looked at the issue of increasing the number of statutory holidays but rejected it. Instead, every employee is now eligible for three unpaid days for family responsibility. While unions were pushing for more statutory holidays, it was negotiated away for other trade-offs, including new family responsibility days and an end to any consequence for workers who quit without giving notice. It is important to note also that every employee in the province of Manitoba is guaranteed a minimum of two weeks' annual vacation, and no legal impediment prevents anyone from using one of his or her holidays or vacation days during the month of February.

Plugging a long statutory holiday gap between January and April seems, on the surface, a big political winner. Unfortunately, there are economic

consequences to this course of action. When you consider taking every worker out of production for just one day, the cost of a new statutory holiday to the provincial economy is approximately \$157 million in lost productivity. As a result of the ongoing shortage of labour, businesses in Manitoba are already struggling to maintain their productivity. Many businesses have advised that the shortage of labour has resulted in them forgoing new opportunities simply because they are barely managing their current obligations. Taking another day out of production would certainly not improve the situation.

But people would be out spending their money during their day off, some argue. True, but are they spending more money, or simply spreading the same amount of money around? Government and labour have stated that introducing a new statutory holiday in February will simply put us on par with Alberta and Saskatchewan, and that we need to be competitive on this front. This rationale only works if you also agree that we need to be competitive on all fronts. Where does this put Manitoba's 7 percent PST versus Saskatchewan's 5 percent PST or no PST in Alberta? How about Manitoba's payroll tax, a tax that does not exist anywhere else in western Canada?

Competitiveness is a two-way street and, as with many government decisions, there are often consequences. Before the government of Manitoba and opposition members decide to ride the populist wave, let's make sure that no one is left holding the bag.

Finally, I would like to share some survey data CFIB collected from its members earlier this year concerning the subject of a new statutory holiday. Sixty-four percent of our members do not support the planned introduction of a new statutory holiday. In terms of impact on businesses, the most cited impacts are lost sales, revenue, and production; higher wage costs to stay open; and the owner being forced to work longer hours. Eighty percent of our members believe the government must insure the full cost of the statutory holiday to businesses, or offset through lower taxes. Finally, the top three taxes to reduce to offset the cost of businesses include the small business tax rate, the payroll tax, and the general corporate income tax.

I've also included for members of the committee details of our survey as well as almost 17 pages of comments from Manitoba's small and medium-sized businesses that articulate their passion on the issue.

Comments range from, the public was told there would be consultation period and that has not happened, to it costs a lot to pay 75 people to stay home for the day, to this is ridiculous.

I would encourage each member to read these comments from business owners who, and I quote from the recent budget speech, "the backbone of Manitoba's economy," people throughout Manitoba, including constituencies you represent, so you can fully appreciate your decision today. Thank you.

**Mr. Chairperson:** Thank you. Questions?

\* (19:20)

**Mr. Kevin Lamoureux (Inkster):** It is interesting in watching the minister respond, when you had indicated that the labour-management committee had unanimous support that there wouldn't be any new additional stat holidays. Can you just give clarification on that?

**Mr. Martin:** The issue of statutory holidays was an issue being supported by the Manitoba Federation of Labour. They were supporting, actually, increasing the number of statutory holidays by four. What I was referencing is that, at the end of the day, LMRC, the Labour Management Review Committee, did put forward a consensus report, and in that consensus report statutory holidays were not included as changes to the Employment Standards Code that the government brought in.

**Mr. Lamoureux:** Since that committee had made that report, did it meet to discuss this particular proposal, this new stat holiday?

**Mr. Martin:** Well, the minister would probably be in a far better position, so she's more than welcome to correct me, but my understanding of the situation is that, subsequent to the government announcing that there would be a statutory holiday, they did subsequently bring together LMRC to discuss various details of the holiday as to exactly what day that it would fall, what the rules would be applying to that day, but the issue as to whether there should or should not be a holiday was already decided.

**Mr. Lamoureux:** Finally, so then it wasn't a consensus coming out of that particular meeting that the day should go ahead because it was already decided. So there was no consensus on it from that committee?

**Mr. Martin:** Well, again, from my understanding, there would be no need of a consensus because it was a fait accompli going in. Again, the discussion

wasn't on the issue of whether to have the day; the discussion was on the details of the day. But, again, the minister is more than welcome to correct me.

**Mr. Kelvin Goertzen (Steinbach):** I would like to thank, on behalf of all the members on our side of the House, Mr. Martin, for you coming in. More of a comment than a question, we appreciate the work that you're doing on behalf of the Canadian Federation of Independent Business. I know you're no stranger to the building. I mean, you've spent some time here in the past in different lifetimes, but we do appreciate the work you're doing on behalf of all businesses. We might not be in complete accord on this particular issue, but I know you have a young family as well. While you may not have looked for this holiday, I hope that you'll spend some time with your family when it does arise in February.

**Mrs. Mavis Taillieu (Morris):** Mr. Chair, I also want to thank Mr. Martin for his presentation tonight, and also say that I think that the idea of a stat holiday would have been a lot easier to manage by the business community had it been with provisions for some meaningful tax relief for businesses whether that would have been a reduction in the payroll tax or through a PST reduction. I do want to, for the record, say that this was put forward by our Leader of the Opposition; although he did support the stat holiday in February, he felt that it should be accompanied by meaningful tax relief for businesses to mitigate and offset some of the costs and other things that would be brought to bear on small business.

**Mr. Martin:** I appreciate those comments, but I think, for the record, it's important to note that your leader did actually endorse a holiday far in advance than the minister herself did.

**Hon. Nancy Allan (Minister of Labour and Immigration):** Thank you, Shannon. I always look forward to your presentations in committee. I know that you take the work that you do for the Canadian Federation of Independent Business very, very seriously, and I always enjoy our meetings in my office when we have an opportunity to dialogue about what your members are thinking because your members are very, very important constituents here in Manitoba.

I think it's really important that we clarify that the Labour Management Review Committee did not discuss stat holidays as part of the package that was brought to me, the consensus recommendations. What we did was, because The Employment

Standards Code had not been reviewed for over 30 years, we put together a discussion document, and the stat holidays were not part of that document.

You are absolutely correct. The Manitoba Federation of Labour did recommend four new holidays, but they made those recommendations, Shannon, at the public meetings, and lots of individuals, I can't recall how many presentations we had through public meetings and e-mail; I believe, something close to 180. There were other recommendations that were made to us, but the recommendations from that public discussion that went back to LMRC only dealt with the original framework. So I just wanted to be very, very clear with you that the stat holidays were not part of that discussion, the dialogue, the trade-off and the unanimous recommendations that came to me were in the legislation.

I did want to talk about the \$157 million as a cost of the holiday—[interjection]—briefly, I'm being told.

We did an analysis with Wilf Falk, who is in our Bureau of Statistics, and he seemed to think that the exact cost of the holiday would be closer to about \$50 million, and, depending on whether or not there was shopping on that day, the effect on retail, recreation and entertainment sectors, that there would be increased productivity as well from shopping and from work-life balance. But I do agree with you. It is very, very difficult to actually nail that number down exactly, but we didn't think that it was as close to \$157 million.

I just want to remind you, briefly, that in our budget that we brought in, after we said we were going to do the holiday, we brought the payroll tax threshold down. We added an additional 200 employers exempt from the tax, and 600 employers will pay less tax because of that.

We also made a commitment to reduce the small business tax. We will have the lowest small business tax in Canada, so we'll be doing lots of work on that file.

**Mr. Chairperson:** We're out of time.

Thank you for your presentation.

That concludes the list of presenters that I have before me.

Are there any other persons in attendance who wish to make a presentation? Seeing none, that concludes public presentations.

What order does the committee wish to proceed with clause-by-clause?

**Point of Order**

**Mr. David Faurischou (Portage la Prairie):** Point of order, Mr. Chairperson.

I would like to ask leave of the committee.

**Mr. Chairperson:** Order. Mr. Faurischou has the floor. Mr. Faurischou.

**Mr. Faurischou:** I would like to, if you would, ask leave of the committee to incorporate the written submission of Dr. Fraser this evening, Dr. Fraser Mustard, and ask so that it may be printed as presented to committee in written form. I know that he did make verbal presentation, but it was significantly different from his written presentation. I believe that there is important information in his written presentation that should be included in the official record.

**Mr. Chairperson:** Is there leave of the committee to include the written presentation that was circulated by Dr. Fraser Mustard? The short one, not the book. *[Agreed]*

\* \* \*

**Mr. Chairperson:** During the consideration of a bill, the table of contents—oh, in what order does the committee wish to proceed with clause-by-clause consideration of the bills, numerical?

**Mr. Faurischou:** Numerical order, please.

**Point of Order**

**An Honourable Member:** Point of order, Mr. Chair.

**Mr. Chairperson:** Point of order, Mr. Derkach.

**Mr. Leonard Derkach (Russell):** Can I just for clarification? Does that mean that Dr. Mustard's oral presentation will be recorded in *Hansard* as well as the written one, which are two separate presentations?

**Mr. Chairperson:** That would be my understanding.

I think we've done that before.

Well, the committee agreed to it, so we're doing it.

**An Honourable Member:** It was just a question.

**Mr. Chairperson:** Okay.

\* \* \*

**Mr. Chairperson:** Numerical order, Bill 3, The Healthy Child Manitoba Act.

**Bill 3—The Healthy Child Manitoba Act**

**Mr. Chairperson:** During the consideration of the bill, the table of contents, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there's agreement from the committee, for the longer bills, I will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

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

Does the minister responsible for Bill 3 have an opening statement?

**Hon. Kerri Irvin-Ross (Minister responsible for Healthy Child Manitoba):** No, that's fine. Let's go to clause by clause.

**Mr. Chairperson:** We thank the minister.

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

**Mr. Kelvin Goertzen (Steinbach):** I do. I won't defer to brevity, again, on this particular issue.

I certainly appreciated hearing from the presenters who came forward to make comment on this bill.

\* (19:30)

It was interesting, in listening to the presenters, there were some varying opinions on it. We had the member from the public who expressed a concern in terms of how they, particularly, are concerned with access of this particular legislation.

We appreciated the comments from Mr. Mustard. I know he indicated that he hadn't had time to actually read the bill. That is certainly understandable, given the fact that he made time to come in from out of province as part of another engagement. His support was there essentially, I think, that in theory, it was, and his words were that it was a good intention of the bill.

We had those who are actually in the field providing these sorts of services who didn't actually reference this particular bill but just sort of indicated what they were doing currently, what they were

doing already, and the good work that they were doing. I think everybody would acknowledge that what they are doing is good work, but they didn't really say how this bill would improve the work they were doing or that it would protect the work they were doing.

I think that's really the crux of some of the questions that have arisen. I don't believe that in Manitoba anybody is not supportive of the work of the agencies that are going on and some of the programs that ensure that children that are born in our province or come to our province get the support that we all wish they would have. The legislation sets up a broader framework in terms of committees and government appointees, but there is very little in the act that indicates how things will necessarily improve.

The minister had concerns perhaps that the members of her government or others aren't supportive of this particular kind of initiative, and she wanted to entrench it and to ensure it from the threat of removal from her own members or from others she may have been hearing about. That certainly hasn't come to anybody else's attention.

Dr. Gerrard alluded to it. I know he's alluded to it before. We've put comments on the record about the need to have results when it comes to the programs that we have dealing with early childhood. Unfortunately, in Manitoba, we've seen over the last little while, whether it's studies that were released recently on poverty for children, whether it's concerns about maternal care which predates some of the programs or pediatric care, a lack of dental services for children. Today, we heard about crime statistics and the high crime statistics among teenagers here in Winnipeg.

We're not seeing the results of many of the previous announcements. We all know that there have been task forces and committees. This current Committee of Cabinet has been formed. There have been reports. There have been studies. Yet we don't see the end result. I think the fear that I have and that others have expressed is that this will simply be another platitude that's put forward but there won't be clear results from it.

Probably the most stark and revealing point toward that is section 15(1), which has been alluded to here and in the Legislature, about the fact that the Healthy Child Manitoba office need only provide a report once every five years. I know that it says at

least once every five years, but the history of committees, the history of mankind probably suggests that there wouldn't be more than one report every five years, that it is, in fact, the path of least resistance.

We know, constitutionally, governments can go for five years. The practice is that they would normally go for four years. So you can conceive the likelihood of a situation where a government could be in for an entire mandate without ever having a report come forward. On the one hand, the minister and others have talked about how important these programs are and how important this act is, and, yet, on the other hand, they don't even want to have a report come forward during a term of office. So there's a disconnect and there's a conflict between what's being said and what those outcomes really might be.

It draws back to the concern that over the last number of years there have been many committees, reports, reviews done, and yet we see in poverty rates among our children that living in poverty continues to be the highest in Canada. We continue to see problems with pediatric care. We continue to see problems with some of the maternal care. We don't see the outcomes. Having a report that comes back not even in a government's mandate just doesn't seem to speak to the priority that the government says that this act is supposed to place on it.

Those are certainly some of the concerns. My hope would be that this isn't simply posturing and platitudes, that there's going to be substance behind it. I would hope that the minister would consider, and I heard some of the presenters who are in favour of the act, saying, as well, that the report should come more than once every five years, or a suggestion that it should come annually, similar to a Hydro report. I might not be quite as stringent on that. I certainly wouldn't want to have the people who are doing this kind of work constantly being involved in producing reports all of the time, but I think five years is simply too long. It's just not enough accountability there.

But I recognize that Manitoba Hydro, of course, is different. They were doing financial reports. They have a lot more staff and accessibility, but to leave it to once every five years, as opposed to a different term of perhaps two or three years, just doesn't seem to be adequate. It doesn't seem to be what the intention, doesn't even seem to reflect the spirit of what, I understand, this legislation is supposed to be.

So, with those comments, Mr. Chairperson, I look forward to clause-by-clause discussion.

**Mr. Chairperson:** Thank you.

Clause 1—pass; clauses 2 and 3—pass; clauses 4 and 5—pass; clauses 6 through 9—pass, clauses 10 through 13—pass.

Shall clause 14 and 15 pass?

**Mr. Goertzen:** No. Mr. Chairperson, I have an amendment to be considered by the committee.

**Mr. Chairperson:** I'm advised that the amendment is in order. It has been moved by Mr. Goertzen

*THAT Clause 15(1) of the Bill be amended by striking out "five" and substituting "two".*

The floor is open for questions.

**Mr. Goertzen:** Well, I would like to say that this is a friendly amendment. I'm not sure that the minister will necessarily agree. I did allude to the rationale, Mr. Chairperson, during my comments, that while it's not my intention to have those who'd be working in this particular field be constantly producing reports, I do think that a government should not be able to go its entire mandate without providing any report and the success that it's having with ensuring that children are getting the right and the start in life that we all believe that they should have. It seems to be counter-intuitive to the intention of the bill.

Perhaps the minister has a different time frame other than two years, but I simply think five is unacceptable. I think she's doing a disservice to her own legislation by not ensuring that there would at least be provision for one report per mandate. I think that two is an acceptable time, strikes the proper balance. I like to think that sometimes I'm all about balance, the balance between ensuring that staff aren't needlessly overburdened with producing reports, but also ensuring that there's accountability on the legislation.

**Ms. Irvin-Ross:** I think there seems to be some confusion around this particular clause, that there would only be the one five-year report. Constantly, with Healthy Child Manitoba, there are annual reports that are being released. One of them, the early development instrument is released, as well, as there are yearly evaluations on specific programs: Healthy Baby, Families First and Stop FASD, as well as the annual report that comes out. We're not saying that there won't be any annual reports. Those

will continue to be evaluated. Those reports will continue to be submitted to the Legislature.

The purpose of the five-year report is to look at following the cohort of children, following them and checking to see the progress that we've made and making an evaluation through that. So that's the purpose of it.

**Mr. Goertzen:** I'm not sure there actually is confusion. I mean, the section specifically talks about a report that provides the outcomes of the Healthy Child Manitoba strategy. I understand that there are other reports that are brought forward to the Legislature, whether it's from the Child's Advocate or other.

Very clearly, the minister is setting up another bureaucratic level here by having a committee. There needs to be accountability within that committee, not only to ensure that their work is proceeding the way we all would hope it would, but that there are outcomes, measurable outcomes that are happening from this strategy. So I don't believe that there is confusion. I believe that the amendment is a good one. I think, actually, it would be an amendment that's, again, in the spirit of the legislation, the one that the minister would wholeheartedly embrace.

\* (19:40)

**Ms. Irvin-Ross:** I'd just like to refer the honourable member to sections 16 and 17 that specifically outline that there will be annual reports that will be distributed, as well as other reports. So there is accountability, and that accountability happens through a number of venues, through program evaluations, as well as annual reports.

**Mr. Kevin Lamoureux (Inkster):** I recognize that the government is wanting to give the impression to the public that it's a high priority, and that's why we're making this Cabinet committee. It's going to be this Cabinet committee that has the strategy.

Ultimately, if you want the glory for the establishment of the Cabinet committee, why not allow for that Cabinet committee to be held more accountable by mandating it to provide those semi-annual reports? I don't understand why you wouldn't want to support more accountability at that level because you obviously recognized the value of saying you want this Cabinet committee.

**Ms. Irvin-Ross:** Yes, we do value children in our province and we are accountable. That is proven with the reports that we do, as well as the programming

and the policy that we've developed throughout our mandate since 1999. We're always sharing information through the EDI, through different venues. Yes, through the reporting as well as through program evaluation, but there're ongoing consultations with community members and presentation of that information. I think what's really important that happens is a knowledge transfer, the ability to explain to a community this is what the facts are and this is the steps that we can help support you in dealing with those issues, if there are issues, and celebrating the successes with the community.

**Mr. Lamoureux:** I would think that you would recognize that there is a chance that your Cabinet might not even be in existence five years from now. That's when it would ultimately be mandated to report by or provide some sort of an annual report. I would have thought that the public would be entitled to see what's up with the Cabinet committee.

**Ms. Irvin-Ross:** There is accountability, as I've said on the record, I think, three times, and for the fourth time through the annual report, through program evaluations that happen on an annual basis. I think the important part about the five-year report is that it's a statistical analysis, it's looking at all of Manitoba children from zero to six, what the impact has been on the programming and evaluation on the long-term.

**Mr. Goertzen:** The minister references section 16 in response both to my question and my learned friend from Inkster. Mr. Chairperson, I refer the minister to her own legislation. It indicates that the office will prepare an annual report on the activities of the Healthy Child Manitoba Office, as opposed to section 15 which talks about the report on the outcome.

Now, I think I'm safe in saying one would go and talk to 10 Manitobans as a bit of a straw poll, and say, would you rather know what the office is doing or would you rather know what the office is achieving when it comes to children? I would say that the vast majority of Manitobans would say we should be finding out what the outcomes are. What's really happening? That's really what this is about, is not finding out what the outcomes of the activities are.

I think we'll have a fairly good idea of what the activities are of the office through processes like Estimates where questions can be asked or by the mandate of the establishment itself, but beyond activities I think what Manitobans really are asking

for from us as legislators is outcomes, and those outcomes won't be known to Manitobans within the context of a mandate of a government. I think that that's unfortunate. I think it weakens the minister's bill, and I think it weakens her argument.

So, on those points, I don't want to belabour it, I think we are going to agree to disagree on this. The minister chooses not to have, I think, a reasonable reporting of outcomes on behalf of children. She's not only doing those children a disservice, I think she's doing her own legislation a disservice.

**Ms. Irvin-Ross:** I'm going to try and get the last word in, if Mr. Goertzen allows it.

As I've stated before, we are accountable to all Manitobans through various reports, as well as community consultations working with all of our partners throughout the province of Manitoba. I think, statistically, when you're measuring outcomes, you need the five years to make sure that we can accurately measure them, but we cannot deny that there are also outcomes that are represented in the annual reports, as well as in the program evaluations.

**An Honourable Member:** Question.

**Mr. Chairperson:** Before we call for the question, we're going to go backwards. We're going to ask: Shall clause 14 pass?

**An Honourable Member:** Pass.

**Mr. Chairperson:** Clause 14 is accordingly passed.

Is the committee ready for the question?

**An Honourable Member:** Question.

**Mr. Chairperson:** The question before the committee is as follows: It is moved by Mr. Goertzen

*THAT Clause—*

**An Honourable Member:** Dispense.

**Mr. Chairperson:** Dispense.

*THAT Clause 15(1) of the Bill be amended by striking out "five" and substituting "two".*

Shall the amendment pass?

**An Honourable Member:** Pass.

**An Honourable Member:** No.

**Mr. Chairperson:** The amendment is defeated.

#### Formal Vote

**Mr. Goertzen:** A recorded vote, Mr. Chairperson.

**Mr. Chairperson:** A recorded vote has been requested.

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

**Mr. Chairperson:** The amendment is accordingly defeated.

\* \* \*

**Mr. Chairperson:** Clause 15—pass; clauses 16 to 20—pass; clause 21—pass; clause 22—pass; clauses 23 and 24—pass; clauses 25 to 30—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

### **Bill 13—The Organic Agricultural Products Act**

**Mr. Chairperson:** Next is Bill 13. Will the minister come to the table, please.

Mr. Struthers, do you have an opening statement, in place of Ms. Wowchuk?

**Hon. Stan Struthers (Minister of Conservation):** I'm very pleased that we have a chance this evening to talk about something as important as the organic industry in Manitoba and the ways that we can support that industry. The only point that I'm going to make in the opening comments is that this does follow the lead of the national approach and it does dovetail with what the national framework sets out. So, with those very few comments, I look forward to the passage of this bill.

**Mr. Chairperson:** Thank you.

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

**Mr. Ralph Eichler (Lakeside):** I do, Mr. Chair. I do appreciate the presentation that was made tonight from Mr. Groening. It brought some interesting light on some of the issues that haven't been brought forward in the past, the debate that has been in the House. I certainly think that it's an opportunity for us to talk about some of that in third and final reading and, perhaps, some of those issues might be resolved through the study of the federal regulations. Hopefully, we can accomplish some of that through that discussion.

**Mr. Chairperson:** Shall clause 1 pass?

**Mr. Kevin Lamoureux (Inkster):** Mr. Chairperson, I ask the minister: The national framework that he makes reference to, does it include the banning of the use of the word "organic" unless it's certified through regulation?

\* (19:50)

**Mr. Struthers:** Mr. Chairperson, to use the label that's provided through the federal framework, they need to be listed as Canada Organic. It has to have at least 95 percent organic products within that product.

**Mr. Lamoureux:** I'm not too sure, Mr. Chairperson, if that answers the question. If we didn't pass this legislation and we just lived within the framework of the national regulation, would the presenter still pose the same problem that he has today?

**Mr. Struthers:** Yes. If we don't have this in place, then what this does is it impacts the intra-provincial commerce. It doesn't have an impact on the national or international, which is what the Canadian framework deals with.

**Mr. Lamoureux:** I'll try it in a different way. If, by passing this legislation and assuming that that national framework is, like, around the corner, it's going to be put into place sometime within the next few months, is a farmer in Saskatchewan going to be able to say that they are an organic farmer because they don't have legislation like Manitoba has?

**Mr. Struthers:** In Saskatchewan, the producer could sell within the province of Saskatchewan, but not sell outside of the province of Saskatchewan unless certified under the Canadian framework.

**Mr. Lamoureux:** So, then, why wouldn't we allow that same opportunity for our organic farmers here?

**Mr. Struthers:** It's all about the use of the label, the certified organic label and, I suppose, the credibility of that label. My understanding is that, in the presentation that we heard earlier, the ability of Mr. Groening and people that would be in that position wouldn't be impacted. If they wanted to continue to sell, they wouldn't be selling with the certified organic label on it and any of the benefits that that brings, but what we'd end up with is more of a level playing field. We would end up with our legislation governing here in Manitoba intra-provincially in terms of the sales of organic product, but we would be dovetailed, we'd be in sync with the Canadian approach, which deals with intra-provincial sales and international sales.

**Mr. Chairperson:** Shall clause 1 pass?

**Mr. Eichler:** Yes, before we move on, Mr. Chairperson, I just have a question in regard to agriculture product, and that has to do with an animal, a plant or animal-plant product. We, on this side of the House, have been calling for intra-

provincial trade for some time. Would this allow an all-natural product, organic product, organic-grown animal be allowed to be sold from one province to the other if it meets CFIA standards through the process?

**Mr. Struthers:** We have to be careful with the kind of interplay between the terms "natural product" and "organic product." This legislation tries to get at the certifying organic products and tries to understand the impact that this legislation would have on those who buy and sell organic products. So it's hard sometimes to separate out the natural and the organic and make sure that we're very much dealing with the organic side of this. If it's, say, a meat product coming from a federally inspected facility, then that kind of trade can continue. That can cross jurisdictions. There are different rules, though, if you're dealing with a provincially inspected facility. In those cases then, that would be a limitation, but that would be CFIA who would be dealing with that.

**Mr. Eichler:** That's basically the same regulations the way they are now. You can ship anywhere in Canada with federally inspected meat products, but we are talking about organic products, or natural products. I would think that, this being a federal regulation, a mirror of that should be allowed to go from one province to the other, in my understanding of the way the definitions are, and that's the crux of the whole bill, to mirror that within the provinces to province, within the country of Canada.

**Mr. Struthers:** The federal bill and the provincial bill that we're speaking of here this evening use the same definition. What we're dealing with is intra-provincial commerce. What the federal bill deals with is inter-provincial, one province to the next, one country to the next. They deal with any kind of decisions that we make between us and, say, trying to get into an organic market in Europe. That's not what our bill deals with. Our bill deals within the bounds of the jurisdiction of the province of Manitoba. But what we're doing is, for the sake of clarity between ours and the federal framework, we're using the same definitions. We're trying as much as we can to mirror what the federal framework has already set up.

**Mr. Chairperson:** We'll try again: Clause 1—pass.

Shall clause—

**Mr. David Faurchou (Portage la Prairie):** Mr. Chairperson, I listened very intently to the presentation from Mr. Groening here this evening

and couldn't help but reflect upon my own employees and pride as a pedigreed seed grower to which certification is paramount in our methodology of production. I am very, very strong on making it known that it is produced in a certain fashion, whether it be the organic nature as we're discussing tonight or in my business as pedigreed seed production. We cannot misrepresent the products to which we are marketing, but I will say that, in the federal legislation as it pertains to the certification, registration of pedigreed seed, although it is recognized, and we are a federally inspected plant and can effectively ship throughout Canada and internationally with the recognized, certified pedigreed seed tag on our product.

\*(20:00)

We do, also, recognize, though, that the Canada Seeds Act was modified to incorporate farmer-to-farmer sales of a local nature. It was designated as common production to which individuals were very heavily fined if they referred to a pedigreed name in their production of their product. It could only go as common seed and, therefore, without a name because the certification process of production was not followed. However, there is understanding, though, that from producer-to-consumer direct sales that we don't necessarily need all of the certification and the regulations to which that brings because it, basically, is a known product to the consumer, because the consumer has made the effort to search out the producer and has satisfied him or herself in that the methodology of production is one area they can acknowledge and purchase that product as a quality to their satisfaction. I know that's fairly wordy because I'm trying to make absolutely certain that we cover off what we're looking at in addressing Mr. Groening's concerns here this evening.

So the federal government did acknowledge a common seed and made modification to the Canada Seeds Act to incorporate the common trade. I think that in this case, the example given by Mr. Groening here this evening, there is need for an exemption to incorporate a direct producer-to-consumer sale to which the consumer has done the due diligence that the production that they are purchasing is, in fact, in keeping with their own satisfaction.

So I will propose this evening that the minister regard the presentation of Mr. Groening as one that has merit and consider an exemption along the lines of the Canada Seeds Act as common production.

Now, Mr. Groening also wants to, though, sell his product as deemed organic. Well, that's the same as being certified, and it would have to be of a disclaimer upon advertising that the production was done in keeping with accepted organic practices. He could not sell it as organic, but the production would be produced incorporating normally accepted organic practices. We cannot over-regulate an infant industry such as the organic industry is in our province. We have to get more consumers understanding and accepting organic production. That is why we still have to have a producer-to-consumer direct channel that does not bear the heavy burden of the regulation, and, ultimately, the expense of such regulation.

So I ask very strongly for the minister's consideration of the information provided by Mr. Groening here this evening and my request of consideration for exemption to farmer-to-consumer sales.

**Mr. Struthers:** My impression after hearing the presentation that Mr. Groening brought to us was that there were some things in there that we could work with. It comes down to the definitions of certified organic, the difference between that and just organic. I know there's a process you go through to become certified. I don't know. Once Mr. Groening's operation moved from being certified, I'm not exactly sure what would have to be done and how long it would take to recertify it, if he chose to do that. Then we already had a bit of a discussion about the difference between certified organic and natural.

What is absolutely paramount, if we're going to grow the organic industry, is the consumer confidence in the product that they're buying, whether that be a consumer that's inspected, himself, the farm site that they're purchasing their product from, or whether that be having confidence in a label that they read as they walk through the local Co-op store in beautiful downtown Dauphin, Manitoba. I've always got to put a plug in for the local folks.

**An Honourable Member:** Portage la Prairie.

**Mr. Struthers:** Or Portage la Prairie, sure.

I do want to key in just quickly on what the Member for Portage la Prairie (Mr. Faurschou) has said about over-regulating an infant industry like this. First of all, it's infant in one term, in one way of thinking, but, you know, there were organic farmers here generations ago, right across this province. A lot of knowledge has been gathered in terms of growing

organic produce, whatever, and from before white folks came over to this continent from other countries.

There is a case to be made for, while not over-regulating, providing enough regulation to help that industry get started. If we can't guarantee, through the regulations that we put forward, that there's a credibility associated to the tag or the label that's on a product, then we're not going to grow that industry at all. We would do a disservice to the organic industry. We need to be able to do a balance of regulation that is necessary to help this industry grow, because I think this is a market out there for farmers. I think there are consumers that will pay good hard-earned cash to the farm community for organically grown certified organic produce in our province. So I think we do need to strike the balance in terms of the right type of regulation that is designed to help the industry grow.

**Mr. Chairperson:** Clauses 2 and 3—pass.

Shall clauses 4 through 6 pass?

**An Honourable Member:** No.

**Some Honourable Members:** Pass.

**Mr. Kelvin Goertzen (Steinbach):** I have a question to the acting minister regarding section 6. It follows into section 7, but perhaps I can leave those until we review those.

The appointment of inspectors. Does the minister have any sense of the number of inspectors that they might be looking at to enforce these regulations?

I have nightmares of sort of produce police going around the province trying to determine if this yam is organic and this yam isn't. When you look at the powers that are invested in these inspectors, it does seem to be akin to peace officers in terms of their ability to pull over vehicles and to search, while on reasonable grounds, but to do an immediate search. It seems pretty broad sweeping powers of an inspector.

So if the minister could indicate if they have any indication of how many inspectors they'd be looking at, and whether or not they'd be appointing people, perhaps, who are already doing similar types of work, as opposed to brand new inspectors.

\* (20:10)

**Mr. Struthers:** If it comes to deciding what yam is organic and what yam isn't, those sorts of questions,

that quite properly is part of the whole process of becoming certified. If a producer becomes certified through something like OPAM, Organic Producers Association of Manitoba, we don't want to be substituting ourselves as a provincial government into doing OPAM's certification job. They're good at that. They've got that expertise, and they've been certifying organic farmers for quite some time.

Our role would be on the inspection side. Our approach would be not to hide beside every tree and behind every rock and jump out in an effort just to get every farmer we can. Our role would be to work with farmers to make sure that everybody understands that there is some clarity in terms of the rules.

I go back to Mr. Groening's point about education in the farm community, the rest of us in the province, consumers, and also, I think, inspectors, who I've seen learn a lot from farmers in terms of the best approach in getting compliance to whatever the rules are that we have in place. You wouldn't see a huge hiring process to put tons of inspectors in place all over the province. There would be the CFIA, Canadian Food Inspection Agency, who we would co-operate with to do that kind of work. You would see within the department a cross-appointment. We have that ability to cross-appoint people who are already in the field, who are already out there working with farmers, being able to do the inspections as they work with farmers already, positions such as animal protection officers who are already out there working with farmers, who could also help inspect with this framework that we're talking about.

**Mr. Goertzen:** I appreciate when the minister says, you know, that it's not the government's intention to do certain things. I think we all know that a lot of bad legislation has been passed with good intentions at times. I want the minister to, sort of, be more clear in terms of what his expectation, or his government's expectation is in terms of the hiring of inspectors. I understand it can be dovetailed with other inspectors.

So is he indicating that there won't be any sort of new man- or woman-hours hired with inspectors and that they will just be adjunct to those who are already in the field doing other things and their powers will be extended?

**Mr. Struthers:** The outlook of the department is that we would not go out and hire a bunch of new staff to do these inspections. It's the thinking of the department that between what's already available

through CFIA and what's already available with those positions within the department that are already there doing inspections, that that can be handled through existing numbers that are there. People like the food safety inspectors that we have already can be cross-appointed to do this work.

**Mr. Goertzen:** Are any of the powers then that are prescribed in this act to these inspectors—I understand the authority will be put on to existing inspectors doing other work already, but the power to stop a vehicle, the power to ask and to look into containers based on reasonable grounds, are any of those new powers that don't already fall to the existing people who you ask or that you want to have these powers assigned to?

**Mr. Struthers:** No. What you see in front of you in this act is standard. You see them in the milk act; you see them in other acts that are within the Department of Agriculture. I might say you see many of these in other departments, those kinds of authorities, to stop vehicles, to do those sorts of things that you need to do to do your job, but these are pretty standard throughout the department and, I would suggest, in other departments as well.

**Mr. Goertzen:** So, then, just for clarity, and, finally, I'll turn over to my colleague from Portage la Prairie. These inspectors would have some sort of identifiers on their vehicles or some sort of emergency lights that would indicate when they are trying to pull somebody over, that they are doing so with some sort of authority other than waving the act and saying, you know, pull over.

**Mr. Struthers:** There will be identification for these inspectors. They won't necessarily have red lights flashing and sirens blazing if they are going to pull somebody over. There are other ways that inspectors have developed to do that and to contact farmers who they need to, but there's a certificate under 6(3), a certificate that an inspector must carry that gives the confidence to the farmer that he or she is being approached by somebody who is authorized to do the inspection.

If there's a need in a more dramatic way to flag down a farmer, then there are other options that inspectors can employ. For example, we could be teamed up with another agency that could help us if there was such an extreme case of having to stop a vehicle for whatever reason. We could use weigh stations along roads if we wanted to. We could work with the Department of Transportation, if there was that kind of a need, but, really, when you think about

it, it's a little different than the RCMP pulling somebody over, or one of my Conservation officers doing the same sort of thing. These actions would not be in that sort of a category, but there would be a need for these inspectors to produce some kind of authority, some kind of a certificate to make sure that they could show that they have the authority to do what they need to do.

**Mr. Goertzen:** You know, the minister almost had me until the end there and, you know, I would disagree with the minister. When you look at the act and it says that an inspector is allowed to pull a vehicle over and then the individual must not proceed until he's permitted to do so by the inspector, I would say that that's a de facto detention and that that really is the authority of a police officer. The authority can be granted, obviously, to these inspectors, but the ability to pull somebody over and to hold them there in a detainment situation is really what peace officers are allowed to do. It's really the same role that they are allowed to do, and they do so with all the other sort of markings that police have. There's sort of an understanding and a security that they are doing that as part of their act.

\* (20:20)

I understand that we're friendly folks in rural Manitoba, but I'd be concerned, just because somebody waves to me and says, pull over—not that I'd be the one they'd be looking for for organic produce—but I would say that I would not be relying—and I just say this as a caution and the minister can pass it on to the Minister of Agriculture (Ms. Wowchuk). I would say that, as a caution, I would not rely, necessarily, on an unidentified vehicle, hoping that somebody pulls over and then exercising the right of a de facto detainment. I raise that as a caution because I believe that, actually, it's been this minister, in the Legislature in a different context, say that we are not a police state in Manitoba. But I can tell you that some of the powers that you're ascribing to these inspectors very much is moving in that sort of direction without that sort of marking. So I leave that as a caution that the minister can pass along to the lead minister on this file.

**Mr. Faurchou:** On the topic of inspection, whether the person may come from the Department of Agriculture, or whether the person may be someone from another branch of the provincial government or Crown corporation, as seed growers we see individuals that come from crop insurance; we see people that come from the Department of

Agriculture. We see others come from varied other related agencies, but what they all have in common, though, is that they are employed at the time of inspection by CFIA, and CFIA becomes the billing agent to which that, then, is transferred through the certifying organization. So there's a commonality that we know that, regardless of where the inspector's primary position is every day, we have the confidence knowing that they've been trained and that they are representing CFIA when they enter our properties.

**Mr. Struthers:** Yes. As I said, the ability for us to work with CFIA on this is key to us moving forward in a logical way with our inspections. CFIA is the competent authority in this. That's who we work with. What we need to, I think, also understand is that the whole enforcement inspection part about this starts very early on. If we go back to the points that were made about education; we go back to the organizations that certify. I think we have to be able to get across that we do a good job on that, and that the better we do there the less time we have to spend on the enforcement side of it. Understanding that there probably will be times when we have to enforce and inspect and all that, we do that, as the Member for Portage la Prairie (Mr. Faurchou) has pointed out, along with CFIA.

The one thing I want to be clear on is that for years these kinds of inspections have been taking place within the Department of Agriculture, and for years it has been a successful undertaking. It's for the most part served us well, and it's my belief that the demonstration of how well that has gone for decades bodes us well in the future.

**Mr. Faurchou:** I know we must move on in this regard, but there are a lot of questions that have been asked tonight about actual implementation, where the rubber hits the road, and I think that the minister tonight, I hope, will convey back to his Cabinet colleague that, before proclamation, we'd have an opportunity for stakeholders to digest, understand, and also offer up helpful feedback as to the implementation of this legislation.

So I leave it at that this evening, and I hope that the minister, on the record, will acknowledge that he will speak with his Cabinet colleague on the go-forward process.

**Mr. Struthers:** I can make that undertaking that I will speak with the Manitoba Agriculture, Food and Rural Initiatives Minister on this, but I can also

assure the Member for Portage la Prairie that my colleague will be very keen to read the transcripts that are here. She's a very good minister who takes this seriously and will consider the advice that we got tonight.

**Mrs. Mavis Taillieu (Morris):** Mr. Chair, I just want to add a little to what the Member for Steinbach (Mr. Goertzen) was saying in regard to the ability for someone to pull over a person for inspection and detainment. I think that Mr. Groening said that one of his fears was that people could actually come onto his property and confiscate his product, which, again, if someone can come onto your property or into your premises, you know, I guess it causes some concern how these people are identified and the fact that identification can be forged or whatever. So you're forced to allow someone onto your premises or into your home or into your buildings. I can foresee that people may not want to grant access to someone they don't know who's at their door. So there are, certainly, some concerns in regard to this that, I think, Mr. Groening has brought up. I, certainly, think that we need to look at those and recommend that the minister would do that.

**Mr. Struthers:** Yes. I mean, whenever you talk about inspections, whenever you talk about enforcement, it is always that balance between the public good on one side, which is what the law represents, and the individual right on the other. What we have learned over the years, not just with this area, but with The Animal Care Act, the farm products act, The Dairy Act, The Livestock Diversification Act is that we can achieve that balance. We can put in place a framework whereby we, as a provincial government responsible for the public good, can effectively enforce a framework that allows the industry to grow, but that doesn't trample the rights of individuals. So that is always the goal. That's always what we strive for, and I'm confident that these sections of this act which are standard in other acts will allow us to strike that balance.

**Mr. Chairperson:** Clauses 4 through 6—pass; clause 7—pass; clauses 8 and 9—pass; clauses 10 and 11—pass; clause 12—pass; clause 13—pass; clauses 14 through 16—pass; clauses 17 through 19—pass; clauses 20 and 21—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

*Ms. Erna Braun, Madam Vice-Chairperson, in the Chair*

### **Bill 16—The Statutory Holidays Act (Various Acts Amended)**

**Madam Vice-Chairperson:** Does the minister responsible for Bill 16 have an opening statement?

\* (20:30)

**Hon. Nancy Allan (Minister of Labour and Immigration):** Yes, I'd just like to say that I look forward to this piece of legislation announcing Manitoba's new stat holiday for Manitobans, which is well deserved, passing unanimously in the Legislature. I would like the committee to know that I have three amendments to the bill. They're pretty simple amendments. It's just so that we can put in the name of the holiday into the legislation.

**Madam Vice-Chairperson:** We thank the minister.

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

**Mrs. Mavis Taillieu (Morris):** Thank you, Madam Vice-Chair. I was quite surprised not to see hundreds of people lining up to speak in favour of this bill. In fact, only one person against the bill, but certainly had some valid points to make, I think, in terms of the cost of this bill to the economy. Certainly, there may be some differences of opinion, I guess, as to what it does cost, but it certainly is recognized that it is a cost to the economy and to small business.

I think that most Manitobans are going to enjoy this holiday very much, but there still will be people that work on the holiday because people that have their holiday will want to have some services provided to them on their day off. Certainly, the idea of the holiday is one that I think will be widely received, but I think that perhaps there should have been some meaningful tax relief introduced with this legislation similar to Saskatchewan with a 2 percent reduction in the PST. We know that Alberta has no PST, and we also know that we are the only province still with the payroll tax. So perhaps those would have been—if they had been included in the bill, it may have softened the impact on the business community.

**Madam Vice-Chairperson:** We thank the member.

Going to the clauses: Shall clauses 1 and 2?

**An Honourable Member:** Pass.

**Ms. Allan:** Nice try. I have an amendment to clause 1.

I move,

*THAT Clause 1 of the Bill be amended by replacing the proposed clause (a.1) with the following:*

(a.1) Louis Riel Day (the third Monday in February);

**Madam Vice-Chairperson:** It has been moved by Minister Allan,

*THAT—*

**An Honourable Member:** Dispense.

**Madam Vice-Chairperson:** Dispense. The motion is in order. The floor is open for questions.

**Mr. Kevin Lamoureux (Inkster):** Madam Vice-Chairperson, I'm just wondering if the minister could provide for committee members—in coming up with the name, I understand that there was a school contest. Can she provide for committee the schools that would have participated in this process?

**Ms. Allan:** Yes, they're on our Web site, and that information was attached to the press release the day that we announced the legislation.

**Mr. David Faurchou (Portage la Prairie):** Madam Vice-Chairperson, I will express at this juncture and time my extreme dismay at the name chosen for the family day holiday. I will say that for years now I have been a very strong proponent of a day in February reflective of the experience of our two neighbouring provinces to the west. Since February of 2000, Alberta has had this day for family activity in place and recognizes the statutory holiday. I have been able to participate in family outings in Alberta because a good portion of our family has moved to Alberta over the years. I thought it had been a very, very good idea to promote the family unit, and to recognize it as a family day was so in keeping with the need and recognized reason for having such a day. It was self-explanatory. It was widely accepted; there was no misunderstanding as to why it was created. It was one that the government of Saskatchewan, in its parliamentary legislative debate, recognized as well.

But here in Manitoba, I believe, upon the introduction of this bill, it was very much the mood amongst Manitobans that, although there was a very strong undercurrent of support for creating this day, there was a complacency around the province that because of the expectation that this, indeed, would be recognized as Manitoban's family day, as it was in Saskatchewan and in Alberta, as it was going to be

exactly on the same day as that celebrated in Saskatchewan and Alberta.

So this is the reason for this. So, in any event, I think that this is something that is very, very important to Manitobans. I know there's a lot of distraction around the table right now because if the vote was to be held at this exact moment this motion would be lost—

**An Honourable Member:** No. Call for a vote then.

**Mr. Faurchou:** —because sitting at the table the government side of the House has less members than the opposition.

*Mr. Chairperson in the Chair*

But what is of concern to myself and virtually everyone, virtually everyone that I have spoken with is this, once again, loses the spirit of the reason to which we had the day discussed in the Legislature at the outset, also, too, the media relations that went on surrounding this particular act.

Again, we all run the risk of being politically incorrect, but I don't believe that by being generic and recognizing the family unit as a vitally important entity that we should recognize, support and encourage through a family day. To bring forward one sector of our society and to recognize that with this particular amendment is extraordinarily disheartening to myself. I think the folly of this particular amendment will come to the forefront.

We're not away ourselves from trying to be overly politically correct. I think back to the Christmas tree that was in the rotunda of the Manitoba Legislative Assembly. In an effort to be all-encompassing we renamed it the multicultural tree. Let's name it for what it is. It was a Christmas tree. The First Minister, Premier Doer, brought back the name Christmas tree.

This, indeed, is a family day, so why not call it as it is? End of discussion.

**Ms. Allan:** Well, this is the second time I've listened to the MLA for Portage la Prairie on this particular rant. Quite obviously, I'm quite sure that anybody in this province who wants to celebrate it as a family will celebrate it as a family, regardless of whether they're a mom and a dad celebrating it with their children, if they're celebrating it with their mom, and a mom celebrating it with her children. I just want to remind the member that we decided to do something very unique in this province.

\* (20:40)

We think it has got huge, huge, huge significance because we involved young people in naming the holiday. We had 120 schools across this province participate in naming the holiday. We had our MB4Youth committee involved in naming the holiday and choosing the name of the holiday. We believe that that's significantly very important because so many of the teachers and so many of the students that I have spoken with are excited about it because they participated. They felt like they were part of naming Manitoba's new holiday.

Also, I want to remind the member opposite that 11 libraries in schools in this province received a thousand dollar grant so that they can enhance their libraries in the school. So I'm sorry the member doesn't like it. I'm sorry we didn't name it what he wanted to name it, but we're pretty happy with the name, and so are most of the people who I've spoken to and who have written in to my office.

**Mr. Chairperson:** Mr. Lamoureux.

**Some Honourable Members:** Oh, oh.

**Mr. Chairperson:** Order, please. Mr. Lamoureux has the floor.

**Mr. Lamoureux:** Yes, thank you, Mr. Chairperson.

Whether I agree or disagree with the Member for Portage la Prairie's (Mr. Faurschou) comments is secondary. One of the important issues, because there was a great deal of feedback that was provided once the minister did make the announcement, was to ensure that, indeed, there was due process in terms of coming up with the name. The government wanted to have Manitobans involved.

I did have a number of people who did approach me and ask me, how did they come up with the name? All I could tell them was that it was done through the school system. I didn't know the details at the time. That's why I had asked the question in the manner in which I did. I appreciate the minister, in response to the Member for Portage la Prairie, said that there were 120 schools that participated.

Because there are some people who, for whatever reasons, do have some concerns, any information that would assist us in being able to disseminate out to our constituents in support of Louis Riel Day would be greatly appreciated.

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

**Some Honourable Members:** Question.

**Mr. Chairperson:** The question before the committee is as follows:

Moved by the Honourable Ms. Allan,

*THAT Clause 1 of the Bill be amended by replacing the proposed clause (a.1)–*

**Some Honourable Members:** Dispense.

**Mr. Chairperson:** Dispense.

*THAT Clause 1 of the Bill be amended by replacing the proposed clause (a.1) with the following:*

*(a.1) Louis Riel Day (the third Monday in February);*

Amendment–pass; clause 1 as amended–pass.

Shall clause 2 pass?

**Ms. Allan:** I have an amendment to clause 2.

I move,

*THAT the proposed item 2.1, as set out in Clause 2 of the Bill, be amended by striking out everything after "February," and substituting "to be known as "Louis Riel Day"."*

**Motion presented.**

**Mr. Chairperson:** The motion is in order. The floor is open for questions.

Is the committee ready for the question?

**Some Honourable Members:** Question.

**Mr. Chairperson:** The question before the committee is as follows:

Moved by the Honourable Ms. Allan,

*THAT the proposed item 2.1, as set out in Clause 2 of the Bill, be amended by striking out everything after "February," and substituting "to be known as "Louis Riel Day"."*

Amendment–pass; clause 2 as amended–pass.

Shall clauses 3–

**Ms. Allan:** I have an amendment for clause 3.

I move,

*THAT Clause 3 of the Bill be amended by striking out "the third Monday in February," and substituting "Louis Riel Day (the third Monday in February)."*

**Mr. Chairperson:** It has been moved by Minister Allan,

*THAT—*

**An Honourable Member:** Dispense.

**Mr. Chairperson:** Dispense.

The motion is in order. The floor is open for questions.

Is the committee ready for the question?

**Some Honourable Members:** Question.

**Mr. Chairperson:** The question before the committee is as follows:

Moved by the Honourable Ms. Allan,

*THAT Clause 3 of the Bill—*

**Some Honourable Members:** Dispense.

**Mr. Chairperson:** Dispense.

Amendment—pass; clause 3 as amended—pass; clause 4—pass; enacting clause—pass.

Shall the title pass?

**Mr. Faurchou:** The bill is about to be passed through committee at this point in time, but I want to put on the record that I take great exception to the minister's remark, and she has done it on many occasions, that she, when entering into debate, her verbiage is just that: debate, but when anyone else that comes contrary to her way of thinking, the verbiage that the individual is, in fact, recognized as a rant. She constantly says that and I take great exception to her referral to that other person's opinion is anything other than a rant. It is quite the contrary.

We are elected parliamentarians and have the ability and the right to participate in debate without the commentary to the effect that the minister has stated on the record this evening.

**Mr. Chairperson:** Shall the title pass?

**Mr. Lamoureux:** I do have one question for the minister.

You know, for quite a while, I've seen the minister talk about the importance of her Labour Management Review Committee and how she virtually follows exactly what it is that that committee deals with. I'm wondering why it is that she feels that that committee, that she has the endorsement of that committee, when, in fact, from what I can tell, even with her answers, the issue never did go before the committee until after the government had decided. Once the government had

proclaimed it, then they didn't even discuss whether or not to have it or not. You know, it just seems to be a bit of a contradiction, because for years I've seen the minister stand on a soap box, glowing about how wonderful this committee is and how she only acts when she is being asked to act by this committee. If she sees any contradiction?

**Ms. Allan:** I have been very complimentary in regard to the labour legislation that has been passed and the work that has been done with the Labour Management Review Committee. I think it is an excellent model for every other jurisdiction in Canada.

I have also said that this is a piece of legislation that was not made; it was not made the way I would prefer it to have been made. I have been very, very public about that and everybody in this room knows exactly how this occurred. It is not the way I prefer to make public policy. I have often said, publicly, that as a politician you don't always get to deal with the pieces of public policy that you want to deal with, sometimes they just roll in the door. This one just rolled in the door with a head of steam.

I did consult with the Labour Management Review Committee, and I would be more than happy to share that information with the member at any time that he would like to drop by my office and pick up a copy of that letter. I asked them exactly what they thought the holiday should look like in regard to the hours because there is shopping on that day from noon to 6 p.m., and it was one of the things that I consulted with the Labour Management Review Committee about.

You know, this has been a very unique situation here in Manitoba in regard to this holiday, but, when you have two opposition leaders who support the legislation, you have overwhelming public support and you have 92 Citi FM with a petition with thousands and thousands and thousands and thousands of signatures and T-shirts. Okay, at some point you know, you just go, well you know what, maybe this is something that Manitobans want.

**Mr. Lamoureux:** Mr. Chair, I just raised it because for so long I've seen the minister talk on about that particular committee. By the passage of legislation, which everyone is in agreement on, as she points out, it's passing with unanimous support of the Chamber.

But you, Madam Minister, were ultimately responsible for the process.

**An Honourable Member:** No.

**Mr. Lamoureux:** It is just an interesting thing. Yes, you are. Anyway, I'll leave it at that, thank you.

**Mr. Kelvin Goertzen (Steinbach):** Well, something the minister has said just sparked me, and she indicated that there were T-shirts and thousands of signatures and the two opposition leaders had got her to change her mind.

\* (20:50)

I wonder, if we were able to get T-shirts, thousands of signatures and the two opposition leaders agreeing on the east-side, west-side line, whether the government would change her mind there too.

**Ms. Allan:** Good luck with that.

**Mr. Chairperson:** Title-pass. Bill as amended be reported.

#### **Bill 18—The Forest Health Protection Act**

**Mr. Chairperson:** We are calling the next bill. Bill 18, clause by clause.

Will the minister come to the table. Does the minister responsible for Bill 18 have an opening statement?

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

**Mr. Chairperson:** We thank the minister.

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

**Mr. David Faurchou (Portage la Prairie):** No.

**Mr. Chairperson:** We thank the member.

Clause 1-pass; clauses 2 and 3-pass; clauses 4 through 7-pass; clauses 8 through 11-pass; clause 12-pass; clauses 13 and 14-pass; clause 15-pass; clause 16-pass; clauses 17 and 18-pass; clause 19-pass; clauses 20 and 21-pass; clauses 22 and 23-pass; clauses 24 and 25-pass; clause 26-pass; clauses 27 through 30-pass; clauses 31 through 33-pass; clauses 34 through 37-pass.

**Mr. Faurchou:** I would just like to ask the minister, while I support the bill, and without question it is incumbent upon all of us to preserve and protect our natural resources in the province, but I want to ask the minister as to the progress of the invasive species to which the act refers.

How close to Manitoba is it, and do we look to seeing the impending threat in the near future?

**Mr. Struthers:** Well, it's not that we're talking about it; it's that we're talking about them because there's more than one. At one of the very first ministers' meetings that I went to, we had presentations from officials from British Columbia who spoke about the mountain pine beetle. It's munching its way from the west to the east. We had officials from Ontario talk about the emerald ash borer, which was munching its way from the east to the west. It was a little bit like watching one of those old movies from the 1950s, with Godzilla and some other monster chewing on New York from each side, and there we are in the middle. There we are in the middle with our forests, beautiful forests that have huge economic potential, a huge number of jobs connected to them, and we need to be in position to try to prevent the spread of whatever the pest may be.

At the last ministers' meeting here, which we hosted in September, the Alberta minister was very concerned because the pine beetle from the west to the east had crossed the Rocky Mountains and was munching its way through western Alberta. Officials in Saskatchewan are really worried about this. We're very worried about this, and we need to take some preventative action, which is what this bill allows for us to do.

**Mr. Kelvin Goertzen (Steinbach):** I just have a question for the minister. I noticed that, under the penalties provision of section 25(1), the penalty is a summary conviction of \$25,000 for the first offence, but no provision for jail. In the previous bill that we debated on farmers and produce, there was provision of up to six months in jail on the first offence.

Can the minister indicate, does he think that farmers producing uncertified yams is more threatening than our forester?

**Mr. Struthers:** No. What we've done is we've selected in this bill an approach which we think will be effective, and a penalty which we think is appropriate.

**Mr. Chairperson:** Clauses 34 to 37-pass; table of contents-pass; enacting clause-pass; title-pass. Bill be reported.

The time being 8:55, what is the will of the committee?

**Some Honourable Members:** Committee rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 8:56 p.m.

**WRITTEN SUBMISSIONS PRESENTED  
BUT NOT READ**

Re: Bill 3, The Healthy Child Manitoba Act

First, let me thank the Standing Committee on Social and Economic Development for providing this opportunity to someone who is not from Manitoba but who cares very deeply about what happens in Manitoba for children. This opportunity was a coincidence, as I was previously invited to Manitoba today by both the Mount Carmel Clinic to deliver the keynote at their annual meeting as well as by the Business Council of Manitoba to address the Canadian Club over a lovely lunch at the Fort Garry Hotel. I also think it's also interesting that your committee's mandate is both social development and economic development which, for the most part, are my two hosts' respective interests, and that the most important investment a society can make in its social and economic development is an investment in its youngest children.

As most of you know, I have been working for a long time at helping different jurisdictions improve their investments in children. But you may not know that the first time I spoke publicly on this topic was right here in Winnipeg back in 1993 at the University of Manitoba. I turned 80 yesterday, and in all that time I can tell you that Manitoba is still the only jurisdiction in Canada that has come close to getting it right for children. I've been able to work with your government since 1994 to get it right. So it is fitting to be in Winnipeg again to speak with you this evening.

The most important thing about this legislation is

that it exists. The biggest challenge facing the children's agenda is a lack of sustainability. Champions are important, but they eventually retire. This legislation assembles all of the essential features of how a government should organize itself and operate, and how it should engage with the community to get things right for kids, and makes it the law of the land.

Ministries, from their Ministers and Deputies, to all their staff, have to work together, if we are to get it right for children, especially the most vulnerable. Government needs a central place to bring the agenda together and move it forward. Communities also need to work together across sectors and need good information on how children are doing. Committing to reporting regularly to Manitobans about their children's development and being able to monitor cross-sectorally whether programs for children are in fact working is crucial.

All of this is hugely important for both children in Manitoba and those living in other jurisdictions. This legislation is the first of its kind and it's about time. In recent years, as I've worked with other countries, like Australia, that are beginning to get it and are putting things into place very quickly to get it right for children, I sometimes wonder whether I should even return to my home country. But Manitoba reminds me that there is still hope for this country. This legislation will be a legacy for children today and in generations to come.

J. Fraser Mustard, MD, PhD, CC

Founders' Network

Founding Chair, Council for Early Child Development

Founding President, Canadian Institute for Advanced Research

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/index.html>**