

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

Chairperson
Mr. Andrew Micklefield
Constituency of Rossmere

Vol. LXXV No. 1 - 5:30 p.m., Monday, November 23, 2020

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake-Gimli	PC
JOHNSTON, Scott	Assiniboia	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron, Hon.	Springfield-Ritchot	PC
SMITH, Andrew	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC

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

Monday, November 23, 2020

TIME – 5:30 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Andrew Micklefield (Rossmere)

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

ATTENDANCE – 6 QUORUM – 4

Members of the Committee present:

Hon. Mr. Cullen

Ms. Fontaine, Messrs. Micklefield, Nesbitt, Reyes, Wiebe

Substitutions:

Mr. Lindsey for Ms. Fontaine at 5:41 p.m.

APPEARING:

Mr. Glenn Joynt, Legislative Counsel

MATTERS UNDER CONSIDERATION:

Bill 42 – The Remote Witnessing and Commissioning Act (Various Acts Amended)

Bill 211 – The Employment Standards Code Amendment Act (Unpaid Leave for Reservists)

Bill 300 – The United Church of Canada Amendment Act

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Clerk Assistant (Ms. Katerina Tefft): Good afternoon. Will the Standing Committee on Social and Economic Development please come to order.

Before the committee can proceed with the business before it, it must elect a new Chairperson.

Are there any nominations for this position?

Mr. Jon Reyes (Waverley): Yes, I nominate MLA Micklefield.

Clerk Assistant: Mr. Micklefield has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Micklefield, 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. Reyes: Yes, I nominate MLA Nesbitt.

Mr. Chairperson: MLA Nesbitt has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Nesbitt is elected Vice-Chairperson.

The meeting has been called to consider—this meeting has been called to consider Bill 42, The Remote Witnessing and Commissioning Act (Various Acts Amended); Bill 211, The Employment Standards Code Amendment Act (Unpaid Leave for Reservists); Bill 300, The United Church of Canada Amendment Act.

We have no registered presenters today.

**Bill 42—The Remote Witnessing
and Commissioning Act
(Various Acts Amended)**

Mr. Chairperson: We will now proceed with clause-by-clause of Bill 42.

Does the minister responsible for Bill 42 have an opening statement?

Hon. Cliff Cullen (Minister of Justice and Attorney General): Yes, Mr. Chair.

Mr. Chairperson: The honourable minister.

Mr. Cullen: I'm pleased to have introduced this legislation, which aims to enable Manitobans to have certain legal documents, such as wills, powers of attorney, health-care directives and transfers of land, witnessed or commissioned through the use of video-conferencing or other technology.

As these measures are already temporarily in place through public health orders, we have seen that they have helped to ensure safe physical distancing practices in a pandemic situation. We also know that it has improved timely access to justice for individuals

in rural and remote areas where in-person service may not be readily available.

While these measures are currently in effect, Manitoba Justice is looking forward to the day when we no longer need the state of emergency for this pandemic. We know that this change, however, is a positive one and we want to ensure that it remains in place when the emergency status is rescinded.

On that note, I look forward to the support of the committee and the House in getting this bill passed.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the minister.

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

Ms. Nahanni Fontaine (St. Johns): COVID-19 has created the need for us to restructure our livelihoods to a model that operates remotely but that keeps us connected. Now more than ever—from our workplaces using Zoom for remote meetings, schools and universities teaching online, to organizations holding fundraisers and concerts and us personally using tools to connect us with friends and family—the need for technological infrastructure is greater than ever.

But the longer the pandemic goes on, the longer we continue to evolve to stay connected and functioning as a society during these unprecedented times. Bill 42 respects the importance of—to continue to have access to remote witnessing and commissioning capacities, and it limits the need for individuals to travel to a lawyer and sometimes outside their committees—communities.

But it also highlights the need for such technological infrastructure advances throughout Manitoba, including into our correctional facilities. COVID-19 has highlighted the inequities in our province to be able to access these types of remote services, from simple FaceTime to legal documents that protect our affairs.

Failure to adequately connect our rural and northern communities to Internet services disservices all of us as Manitobans. For years, simple tasks that we take for granted in urban settings—to do remotely—such as bank or email, have been inaccessible for many Manitobans.

And so, while we are in support of Bill 42, it's important the government parallels the benefits of this bill, some Manitobans—for all Manitobans with actions to enhance connectivity for all of us.

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Mr. Chairperson: We thank the member.

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

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

I now invite all virtually—virtual committee members to unmute themselves so that their responses to the question can be heard. As a reminder to all, the members of this committee are myself, Honourable Mr. Cullen, Ms. Fontaine, Mr. Nesbitt, Mr. Reyes and Mr. Wiebe.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; clauses 7 through 9—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 211—The Employment Standards Code
Amendment Act
(Unpaid Leave for Reservists)**

Mr. Chairperson: We will now proceed with clause-by-clause of bill—we shall—we will now proceed with clause-by-clause of Bill 211.

Does the bill sponsor, the honourable member for Waverley, have an opening statement?

Mr. Jon Reyes (Waverley): This bill will amend the current Manitoba legislation order to align with the federal law and create clear leave rules for reservists taking part in military training.

Some reservists may volunteer to be deployed—operations if there are positions available, and that's where Bill 211 comes into play here, Mr. Chair. As part-time Canadian Armed Forces members, there may be opportunities for reservists to be deployed on active duty or to participate and upgrade the soldier, sailor or airmen or airwoman skills and qualifications and military training to achieve and eventually earn a higher rank or promotion.

However, in the case of Bill 211, for those that have a civilian employer, this bill would reduce the time that employee has to be employed at their job and therefore make it easier for reservists to participate in military training. The bill would reduce the time that employee has to be employed at their job from seven

months to three months and therefore make it easier for a reservist to participate in military training.

So, with respect to Bill 211, reservists would certainly appreciate that our province would be at the forefront by aligning our legislation with the federal legislation, amending the provincial Employment Standards Code by reducing the length a reservist must have been employed from the current seven months to three months.

* (17:40)

Our caucus wants to support reservists and their employers in order to make taking leave from their full-time jobs—or part-time—less difficult.

When we had explained to both the Canadian Forces Liaison Council and the labour resource management committee that Bill 211 would allow reservists to take leave from their current employment for military training without the fear of losing their jobs and that an employer must grant leave for a reservist to take leave for military training after they have reached the minimum length of employment, and then—and under Bill 211, that the employer would not be required to pay the reservist's wage while they are on leave, although they may—some contracts and collective agreements may speak to this situation, we had no objections from both sets of stakeholder groups, Mr. Chair.

So, Bill 211 will also include an important addition with the passing of this bill. For reservists, it'll be a—for them—able for them to take leave from their full-time employment—or part-time—in order to access treatment for their mental health and any other physical health problem that they may suffer as a result of the service.

We know there are risks and consequences when you sign a contract for Queen and country, as I once did, Mr. Chair, and here in Manitoba we want to ensure this addition is also included so reservists who are valuable assets for our Canadian Armed Forces are taken care of should they require time off for these services.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the member.

Committee Substitution

Mr. Chairperson: Order please. I would like to inform the committee that under rule 85(2), the following membership substitution has been made for this committee, effective immediately: Mr. Lindsey for Ms. Fontaine.

Thank you.

Mr. Chairperson: Does any other committee member wish to make an opening statement on Bill 211?

Mr. Tom Lindsey (Flin Flon): Yes, I do.

Mr. Chairperson: The—Mr. Lindsey.

Mr. Lindsey: We want to ensure that those people who are choosing to give back to our country through the role of reservist can still find value in a job that they are interested in seeking outside of their military work. That is why we support this bill.

But something this bill overlooks is the young people of Manitoba. Many young people, as we know—and not only in today's economy with COVID-19, but also before this—many young people are working gig work, shift work, part-time work, and, unfortunately, this bill does not benefit those people.

There should be some accommodation in this bill for folks who are young and want to build up their skills through the military reserves to get another experience at the same time. I also want to point out that many young people who are reservists are also in school. And so another thought that the member from Waverley to—should consider is an educational leave for young reservists who are also looking to finish or pursue further education.

With that said, we respect the desire to align our laws with the federal practices and will support this bill.

Thank you.

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

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

I now invite all virtual committee members to unmute themselves so that the responses to the question can be heard.

Clauses 1 and 2—pass; clauses 3 and 4—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 300—The United Church of Canada
Amendment Act**

Mr. Chairperson: We will now proceed with clause-by-clause of Bill 300.

On Bill 300, we will first hear a report on the bill from Glenn Joynt, law officer, in accordance with rule 154(1).

Mr. Glenn Joynt (Legislative Counsel): As required by subrule 154(1) of the rules of the House, I now report that I have examined Bill 300, The United Church of Canada Amendment Act, and have not noted any exceptional powers sought or any other provision of the bill requiring special attention—I'm sorry, special consideration.

Thank you.

Mr. Chairperson: We thank Legislative Counsel for that report.

Does the bill sponsor, the honourable member for Riding Mountain, have an opening statement?

Mr. Greg Nesbitt (Riding Mountain): Yes, I do.

Bill 300 will amend The United Church of Canada Act to reflect changes to the church's governance structure.

The United Church is the largest Protestant denomination in Canada, with approximately 2 million adherents. The Church has been a leading voice for social justice in Canada for almost 100 years.

The United Church of Canada was incorporated in 1924 by an act of Parliament. That same year, the Manitoba act was passed in this Legislature, dealing with property rights and powers of the United Church in Manitoba. This means that any significant structural or administrative changes made federally must also be ratified through provincial legislation.

After nearly three years of discussion and debate at the congregational and presbytery levels, significant changes to the church structure were confirmed by the United Church's 43rd General Council in July 2018.

One important change involves the United Church of Canada moving from four courts, as they are called—pastoral charge, presbytery, conference and general council—to three councils: a local community of faith, or the congregation; a regional council; and a national General Council.

The church has undergone a very democratic process to restructure its governance to allow the church to meet the realities of today's society. The new structure will allow the church to focus more of its precious resources on its global and community work and in promoting its faith.

The federal version of this bill was passed by Parliament in September 2019 and the Ontario Legislative Assembly passed a provincial version in April 2019.

I look forward to this bill receiving the support of the committee this evening.

Mr. Chairperson: We thank the member.

Does any other committee member wish to make an opening statement on Bill 300.

An Honourable Member: I do.

Mr. Chairperson: Mr. Wiebe.

Mr. Matt Wiebe (Concordia): It's my pleasure to put a few words on the record with regards to Bill 300 this evening.

As I said in my remarks earlier on this bill in the Legislature, we know that, in general, we can look to our faith communities and thank them for stepping up and serving their communities and doing an absolutely admirable job at doing that throughout this pandemic.

I mentioned many in my own community and other faith communities that I know of that have stepped up, and I wanted to just make sure that I put that on the record here as well this evening.

But in particular, I wanted to mention the United Church, who has done a phenomenal job again in my community and throughout the city and the province to step up. Even though our in-person services have been put on hold, we know that they are still present in the community and they continue to do the work that they need to do either online or in other ways.

We also know though, Mr. Chair, that Sunday morning attendance has declined, and that this is a reality that many churches across the Western world are dealing with, and the United Church is no different.

The UCC is seeking to make some changes here, which I think will help them. And we know that these challenges that they've faced in term of the structure have only been exasperated by COVID-19, so we're proud to be able to help them here.

We know that reorganizing governance to make better use of their buildings, community of faith—communities of faith are becoming more creative in how they will engage the broader community moving forward. Some communities of faith are beginning to explore social enterprise as a new way of living out their faith in practice.

And this bill reflects recent changes in the governance structure for the United Church of Canada—a challenging decision, we know, but—one that will lead to the elimination of many jobs across the national church, but we know that they are certainly getting their house in order.

The Manitoba NDP, of course, is proud to have a long history of connections with and contributions from the United Church of Canada in their members who have participated and served for the party. And many of our past and current members in the Chamber were or have been associated with the church.

* (17:50)

So it's a proud history, and we're proud to help support the United Church of Canada in return by supporting this bill and hope that this will mark the final step of implementing these changes in their governance structure and we wish them all the best as they move forward.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the member.

Does any other committee member wish to make an opening statement on Bill 300?

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

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

I now invite all virtual committee members to unmute themselves so that their responses to the question can be heard.

Clauses 1 and 2—pass; clause 3—pass; clause 4—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

I understand there is a motion for the refund of fees with regards to this bill.

Mr. Nesbitt: I move that this committee recommends that the fees paid with respect to Bill 300, The United Church of Canada Amendment Act, be refunded, less the cost of printing.

Motion presented.

Mr. Chairperson: The motion is in order.

The floor is open for questions.

Mr. Wiebe: I'd just like to ask the member maybe to explain the motion that he's brought forward on the floor please.

Mr. Nesbitt: Mr. Chair, my understanding is that this is a normal practice on private bills, which Bill 300 is a private bill.

Mr. Wiebe: Well, maybe not so much a question, but a quick comment, and—just to say that I don't think this is part of every public bill and certainly maybe part of this one. We certainly don't plan to stand in the way of that.

But if I can just quickly editorialize to say that, you know, we bring forward these bills, certainly the public bills that are brought forward in the Legislature are—oftentimes, you know, we, as MLAs, are certainly just shepherding them through the process and always good to let other committee members know all the steps to ensure that it does get swift passage.

And if I could add one more thing, Mr. Chair, and that is, is that I know there is another public bill before the Legislature, so I do hope that the level of co-operation we're seeing here tonight continues on with the bill regarding the Winnipeg Humane Society, which is waiting to get to this stage in the process, and we hope that that happens as quickly as possible.

Thank you.

Mr. Nesbitt: Yes, I—for the committee here, I just want to clarify, the United Church of Canada had an advertising cost. They had to advertise this bill before it could come before us. This will refund the advertising costs that they paid.

Mr. Chairperson: Seeing no further questions, is the committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: The question before the committee is as follows: that this committee recommends that the fees paid with respect to Bill 300, The United Church

of Canada Amendment Act, be refunded, less the cost of printing.

Shall the motion pass?

Some Honourable Members: Pass.

Mr. Chairperson: The motion is accordingly passed.

The hour being 5:55, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 5:55 p.m.

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<http://www.manitoba.ca/legislature/hansard/hansard.html>