



Second Session – Forty-Third Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Justice

Chairperson
Shannon Corbett
Constituency of Transcona



Vol. LXXIX No. 4 - 6 p.m., Wednesday, October 8, 2025

MANITOBA LEGISLATIVE ASSEMBLY
Forty-Third Legislature

Member	Constituency	Political Affiliation
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COMPTON, Carla	Tuxedo	NDP
COOK, Kathleen	Roblin	PC
CORBETT, Shannon	Transcona	NDP
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie, Hon.	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike, Hon.	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike, Hon.	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
ROBBINS, Colleen	Spruce Woods	PC
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu, Hon.	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	Ind.
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON JUSTICE**

Wednesday, October 8, 2025

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – MLA Shannon Corbett (Transcona)

**VICE-CHAIRPERSON – Mr. Logan Oxenham
(Kirkfield Park)**

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Min. Cable, Hon. Min. Smith

*Mr. Balcaen, MLA Corbett, Messrs. Ewasko,
Oxenham*

Substitutions:

Hon. Min. Schmidt for Hon. Min. Cable at 9:05 p.m.

Hon. Min. Wiebe for Hon. Min. Schmidt at 10:08 p.m.

MLA Bereza for Mr. Ewasko at 10:08 p.m.

APPEARING:

Hon. Tracy Schmidt, MLA for Rossmere at 6:06 p.m.

Hon. Matt Wiebe, MLA for Concordia at 6:21 p.m.

Colleen Robbins, MLA for Spruce Woods at 6:23 p.m.

Jeff Bereza, MLA for Portage la Prairie at 7:13 p.m.

Hon. Renée Cable, MLA for Southdale at 9:28 p.m.

PUBLIC PRESENTERS:

*Bill 40—An Act respecting "O Canada" and Other
Observances and Land and Treaty Acknowledgements
in Schools (Education Administration Act and
Public Schools Act Amended)*

David Grant, private citizen

*Bill 8—The Liquor, Gaming and Cannabis Control
Amendment Act*

David Grant, private citizen

*Sara MacIntyre, Convenience Industry Council of
Canada*

Bill 23—The Public Interest Expression Defence Act

Shannon Hancock, private citizen

M.J. McCarron, Camp Morningstar

Tangi Bell, Our Line in the Sand Manitoba

David Grant, private citizen

Heather Fast, Manitoba Eco-Network

James Beddome, private citizen

Louise May, private citizen

Diane Bousquet, private citizen

Eric Reder, Wilderness Committee

*Bill 12—The Housing and Renewal Corporation
Amendment Act*

Fernanda Vallejo, Latinas Manitoba

Erika Wiebe, private citizen

Lynne Fernandez, private citizen

Tom Simms, private citizen

*Bill 30—The Election Financing Amendment and
Elections Amendment Act*

David Grant, private citizen

WRITTEN SUBMISSIONS:

*Bill 8—The Liquor, Gaming and Cannabis Control
Amendment Act*

Kevin Rebeck, Manitoba Federation of Labour

*Bill 12—The Housing and Renewal Corporation
Amendment Act*

Kirsten Bernas, Right to Housing Coalition

Bill 23—The Public Interest Expression Defence Act

Erna Buffie, private citizen

Brent Bjorklund, private citizen

Cat M. Gauthier, private citizen

James Wilt, private citizen

*Bill 40—An Act respecting "O Canada" and Other
Observances and Land and Treaty Acknowledgements
in Schools (Education Administration Act and
Public Schools Act Amended)*

Ben McGillivray, private citizen

MATTERS UNDER CONSIDERATION:

*Bill 8—The Liquor, Gaming and Cannabis Control
Amendment Act*

*Bill 12—The Housing and Renewal Corporation
Amendment Act*

Bill 23—The Public Interest Expression Defence Act

*Bill 30—The Election Financing Amendment Act
and Elections Amendment Act*

*Bill 40—An Act respecting "O Canada" and Other
Observances and Land and Treaty Acknowledgements
in Schools (Education Administration Act and
Public Schools Act Amended)*

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Clerk Assistant (Ms. Melanie Ching): Good evening. Will the Standing Committee on Justice please come to order.

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

Are there any nominations?

Hon. Tracy Schmidt (Minister of Education and Early Childhood Learning): I nominate MLA Oxenham.

Clerk Assistant: MLA Oxenham has been nominated.

Are there any other nominations? *[interjection]*

Oh, sorry—Minister Cable.

Hon. Renée Cable (Minister of Advanced Education and Training): I'll nominate MLA Corbett.

Clerk Assistant: MLA Corbett has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Corbett, will you please take the Chair. *[interjection]*

Oh, my apologies. That's right, sorry—Minister Schmidt.

MLA Schmidt: I withdraw my nomination.

Clerk Assistant: Minister—Mr. Oxenham has been—name has withdrawn as a nomination for Chair.

MLA Corbett, will you please take the Chair.

The Chairperson: Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

MLA Cable: I'll nominate MLA Oxenham.

The Chairperson: Hearing no other nominations—oh. Mr. Oxenham has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Oxenham is elected to Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 8, The Liquor, Gaming and Cannabis Control Amendment Act; Bill 12, The Housing and Renewal Corporation Amendment Act; Bill 23, The Public Interest Expression Defence Act; Bill 30, The Election Financing Amendment and Elections Amendment Act; Bill 40, An Act respecting "O Canada" and Other Observances and Land and Treaty Acknowledgements in Schools (Education Administration Act and Public Schools Act Amended).

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

Written submissions from the following persons have been received and distributed to community—to committee members: Erna Buffie, private citizen, on Bill 23; Brent Bjorklund, Manitoba Green Party, on Bill 23; Cat M. Gauthier, private citizen, on Bill 23; James Wilt, private citizen, on Bill 23; Ben McGillivray, private citizen, on Bill 40.

Does the committee agree to have these documents 'inpear'—appear in the Hansard transcript of this meeting? Agreed? *[Agreed]*

Public presentation guidelines: prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee.

In accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allotted for questions from committee members.

Questions shall not exceed 45 seconds in length, with no time limit for answers. Questions may be addressed to presenters in the following rotation: first, the minister sponsoring the bill or another member of their caucus; second, a member of the official opposition; and third, an independent member.

* (18:10)

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

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Order of presentations: on the topic of determining the order of public presentations, I will also note that have-in-person, out-of-town presenters registered, marked with an 'asterik,' on the list.

With these considerations in mind then, in what order does the committee wish to hear the presentations?

Mr. Logan Oxenham (Kirkfield Park): I suggest that we begin with Bill 40 and have out-of-town presenters go afterwards.

The Chairperson: Thank you. We will now proceed—*[interjection]*

Out of town; or in person, out of town?

An Honourable Member: Out of town.

The Chairperson: Okay. Thank you for your patience. We will now proceed with the public presentations.

**Bill 40—An Act respecting "O Canada"
and Other Observances and Land
and Treaty Acknowledgements in Schools
(Education Administration Act and
Public Schools Act Amended)**

The Chairperson: I will now call on David Grant.

David Grant, please proceed with your presentation.

David Grant (Private Citizen): I'll be brief.

It is good to begin each day with inspiring words, whether it's at school or at work. If those words teach us our shared history, that's even better.

So this bill will ask school divisions to create policies. And if the policy goes beyond what we hear at City Hall, that would be even better.

I believe these words should go beyond: this used to be somebody else's land. They should explain the purpose and effect of our treaties. The schools have an opportunity to do that.

As well as the usual acknowledgement, there could be 20 words explaining some aspect of treaties that could be of use. Because if you see a thousand starts to a school day and all they say is Cree, Anishinaabe, et cetera, it becomes somewhat meaningless, and the whole purpose is to teach why we have treaties, what the treaties were intended for then and what they're useful for.

So just to—it's—the bill is going that way, and maybe school divisions will add words of clarity and words of education to that function.

And then the other part: Remembrance Day. I'm old and I remember when Remembrance Day was celebrated in school; at 11 o'clock, we went to the gym for an assembly. Now, that it's a stat holiday, I think kids are losing a lot of the gravity of the day and the time.

We can't make it not a stat holiday, so this bill goes through and says, there shall be something

between the 4th and the 10th—which is a start—but it sure would be better if we were back and had some other stat holiday added and had the 11th as a sombre day for students to appreciate.

And in the old days, every kid got to hear the remembrance; they got to hear a speech, sometimes from Ottawa—whatever. And now, I doubt that 5 per cent of them actually take part in the sombre day. So that's just whining from an old man, but that's how I looked at it.

And one of the other ironic ones: my wife is Ojibwe, and quite often, city hall either ignores the word entirely or bungles it with some other word. And that's the sort of thing where if the board is going to have a written policy and a written statement, we can agree on what the words used are so they don't leave out an important group. There are more Cree here than Ojibwe, but that's beside the point.

Anyway, I thank you very much for the opportunity. And let you—if you have any questions, I'm willing to take them.

Thanks.

The Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Tracy Schmidt (Minister of Education and Early Childhood Learning): Thank you, Mr. Grant, very much for your presentation here tonight and for your comments and for taking time out of your schedule to come down and participate in the democratic process. I appreciate it very, very much.

I appreciated your expressions of support for Bill 40. I agree—when we were talking about—you mentioned Remembrance Day and the need to make sure that it's observed more meaningfully, and so I think that the amendments in this bill do exactly that. They allow for more flexibility to allow for greater participation, more meaningful participation in Remembrance Day services, and I agree with you that perhaps now more than ever it's a very important time to take that time in the school day, in the school year, to help kids reflect on those lessons and on that history and to respect and honour our veterans.

So thank you very much for that, and I also wanted to make a comment—am I running out of time? The—you spoke about the need for—are we out of time?

Thank you. I apologize for running out of time.

The Chairperson: Mr. Grant, would you like to respond?

D. Grant: The—with this thing being formalized, hopefully on the 8th or 9th or so of November, what happens is something akin to what happened decades ago where they—there's a gathering of students and they're led by someone telling some good stories. So we can hope for that, and, again, thank you for the bill.

Mr. Wayne Ewasko (Lac du Bonnet): Thanks, Mr. Grant, for coming and presenting, giving us your two cents on how everything sort of rolls and how it once rolled as well.

So, yes, I more than agree with you to make sure that the days of remembrance are put in there, and as the minister stated, she's put in there where there is a time of remembrance to basically give thanks to those that have gone before us and continue to fight for our freedoms.

Just so you're aware, maybe, you know, because I know that you're speaking at other committees as well, or other bill presentations, we are going to be bringing forward a couple amendments today in regards to the royal anthem and also—

The Chairperson: Thank you for your time, Mr. Ewasko.

Mr. Grant, would you like to respond?

D. Grant: No. Thank you very much, Mr. Ewasko.

The Chairperson: Are there any other questions?

I thank you for your presentation.

We will now move on to the next bill.

Bill 8—The Liquor, Gaming and Cannabis Control Amendment Act

The Chairperson: Now we're moving on to Bill 8.

I would like to call on Kevin Rebeck from the Manitoba Federation of Labour. Mr. Rebeck will be dropped to the bottom of the list.

I would like to now call upon Mr. Victor Vrsnik. Mr. Vrsnik will now be dropped to the bottom of the list.

Mr. Grant, David Grant, would you like to comment?

Please proceed with your presentation.

David Grant (Private Citizen): Only a few words. I note that it's really good that your bill summary at the bottom on the website describes the important changes so you don't have to read everything and compare it to the old version. So that part's good.

It is missing the why. So we go to Bill 8 and it says we'll do these things; it doesn't say what the motivation was. Is it because too many bars in a row is bad or because a very successful place might have some parasitic place pop up right next to it, offering similar services?

So—but otherwise, it seems like a good idea to have limitations on the concentration of bars or licensed restaurants. On the other hand, there are no criteria listed so this in general, in law, and in regulation of businesses leaving too much to arbitrary opinion of a minister or the civil servant is—always a bit, I don't know, questionable. You know, people will raise questions as to, I've applied for a licence and you didn't give it to me because of the result of the day. So that's the only downside I can see is that somebody might consider it—the denial of the thing—arbitrary. I don't drink, but I still support Bill 8.

* (18:20)

And I drive for Red Nose every year, and we, you know, like to get people home. And we've noticed that actually the bar and licensed restaurant business seems to be diminishing, that a lot of the places that we used to pick up people all evening long are closed at suppertime. So I'm not sure that this—the need for this may have been greater a few years ago, but—as far as the concentration of licensed places.

But, anyway, that was all, and thank you, and, again, thanks for—looks like a good bill.

Okay. Any other comments?

The Chairperson: Thank you for your presentation.

Do members of committee have questions for the presenter?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Thank you, Mr. Grant, once again, for your thoughtful presentation and your participation here in the democratic process.

I think you're right that, you know, it's important for us to be clear about what legislation is about and maybe not as clear in the explanatory note or in some of the details of the bill. We do have an opportunity at second reading, and we had some chance in the House to share some of that. It's really about keeping kids safe, making sure that they're not getting—they're not around those who are getting served at a convenience store rather than what would obviously be a restaurant or another licensed establishment.

I also think that, you know, you—I think you made clear that it's important to have that clear direction and make sure that everybody gets an even playing field, a level playing field. And that's really what this bill is about.

Before I get cut off, thanks for your work with Operation Red Nose. You've mentioned that before. You're—

The Chairperson: Thank you, Minister. Thank you, Mr. Wiebe.

D. Grant: Okay, well, thanks again.

The Chairperson: Any questions from the opposition?

Mrs. Colleen Robbins (Spruce Woods): I'd like to thank you, Mr. Grant, for speaking on this bill today.

As MLA Matt Wiebe—he did mention that it's to bring safety for the children. But we have them in rural Manitoba. So this is only—this rule is only set for urban areas.

And I feel—I am against this bill because if you're saying that it's dangerous for the youth and the children in urban areas, it's got to be the same in rural areas. We can't split this. And it's happening in rural areas. We have them in hardware stores, convenience—

The Chairperson: Thank you, Ms. Robbins. Your time is up.

D. Grant: Thank you for pointing that out, and that is one of the problems with a province that is largely—geographically, largely rural. And a lot of the problems are shared, and the solutions aren't obvious where it's a very small agglomeration of buildings, and not a city. But this is a start, and I share your concerns.

Thank you.

The Chairperson: Thank you, Mr. Grant.

Are there any further questions?

No? Seeing none, we will move on. Thank you.

Ms. Sara MacIntyre?

Ms. MacIntyre, can you please turn on your microphone and camera? Thank you.

Sara MacIntyre (Convenience Industry Council of Canada): Hi.

The Chairperson: Hi.

S. MacIntyre: Thank you for having me. Thank you, Chairperson—

The Chairperson: Thank you. Just one moment, please.

So we'll now call on you, and Ms. MacIntyre, can you please proceed with your presentation.

S. MacIntyre: Okay. Thank you. I'll be brief. I didn't realize I was presenting on this topic until a couple hours ago.

My name is Sara MacIntyre. I'm the vice-president for western Canada for the Convenience Industry Council of Canada, which is a mouthful, but basically, it's the convenience store industry association. We have 21,000 stores across the country. Our industry employs close to 188,000 people in the country, and annually, it's a \$53-billion-a-year-in-sales industry. So even though we're little, we're pretty mighty. And I'll focus maybe more on Manitoba and where we are at as an industry in Manitoba.

In 2020, we had 947 stores in Manitoba, and in three years 100 stores have closed their doors permanently. So there has been a 100-store, or nearly 10 per cent reduction in the number of convenience stores in Manitoba, which is shocking; as we know, the Slurpee capital is Winnipeg.

And we're an industry unlike many others that present before committee. We probably have a member in each and every one of your ridings. These are community members, they're store operators, they're store owners, they're store managers, and they have a vested interest in the community doing well and handling many restricted products.

You know, at convenience stores we have gas, we have age-restricted products like cigarettes, and as an industry have always taken that responsibility very, very seriously for—you know, even with respect to tobacco sales, I don't think that any one of our members has ever actually been fined for selling under age.

Our membership profile, just to give you a bit more understanding of our members at the association, we have retailers, like 7-Eleven, Couche-Tard. We also have vendor partners, those are who sell in our store. They have products, you know, the Coca-Colas, the Hersheys, the chips, as well as we have distributors, and those are our partners that distribute our products across all of our channels.

So that just gives you a little idea of, like, who our industry is and what we're like in Manitoba. We have been facing a number of downward pressures as an association. Since the pandemic, like everybody else, we really haven't seen foot traffic come back. Lots of people are ordering online, and with everything online

these days they're driving less because they're not having to be at the office for work.

Contraband tobacco is a huge, huge issue for our industry. We've done some reports with Ernst & Young looking at the size of that market, and it's close to 50 per cent of the market in Canada is actually illegal tobacco. So again, that doesn't bring people into the store, so that doesn't bring foot traffic in and it doesn't bring sales.

So there's lots of downward pressures on our industry, as you can imagine, and many of our members are looking, trying to survive, trying not to be that 101 store that closes in Manitoba. And so we've seen some innovation in the product offering in different provinces; for example, in Ontario, we have beverage alcohol sales, so—you were wondering when I was going to get back to the theme and the topic of the bill, here we are.

Beverage alcohol sales in Ontario, we've got beer and wine sales, have been in Quebec, and beer in Newfoundland. We've got pilot projects in Alberta, and, you know, ensuring our products are handled safely and in accordance with laws is very important. We have a program that we've developed as an industry association called ID Please which we offer for free to all members, and it's to help to ensure that everyone is complying with age restrictions and age-restricted products.

And, in fact, even in Ontario, where we had beverage alcohol sales now in the province for just over a year, we actually have our own beverage alcohol training program that was certified by the AGCO for training for the handling of sales of beverage alcohol.

So this is not something new to our industry or members or operators. They know that they—we are trusted, we're in the—in your corner, usually, your corner store, and handling these products, is important to do that safely and to ensure members of all public are safe while we're—while coming into a corner store.

Also note, you know, I think what we really need to do is to look at maybe some data and see, you know, are individuals actually getting age-restricted products unlawfully at convenience stores? Our record for compliance is generally much, much higher than government-operated stores, so I'd like to see if there's some data in Manitoba that actually suggests that convenience store operators, who are voters and small-business owners in your communities, are selling these

products to underage individuals, which I would suggest that they're not.

* (18:30)

Most often, especially with other products that are age-restricted, kids are getting things online. That's where they get everything. And, you know, in Canada, unfortunately, there's something like 238 sites where you can get cigarettes and a whole bunch—a host of other age-restricted products delivered to your house, usually by Canada Post, when they're not striking.

So, I think, you know, from our perspective as an industry, we want to ensure sustainability for our stores; we don't want to see more stores closing. Like I have always said, convenience stores are kind of the canary in a coal mine, if you will. If you see a corner store closing, you're probably not going to go into that neighbourhood at night.

So we're here, we're partners, we're big tax collectors for government; we're here to try and find solutions that work for everybody and, you know, I think having this conversation about beverage alcohol sales at convenience stores is an important one, but I also think it's important to look at data and facts, and to ensure that we're starting from a place where we can say, yes, kids actually get beers from convenience stores—which is not the case; it's not been the case in any of our jurisdictions. And it's not in our interest to do that, it really is not; we want to be community partners and ensuring that we're compliant. It's for everybody's—in everybody's best interest to do so.

So I'll just keep my comments to that, and just say thank you for the time to hear our concerns; and I can take any questions.

The Chairperson: Thank you.

Minister Wiebe?

Mr. Wiebe: Yes, thank you, Chair, and thank you, Ms. MacIntyre, for participating in the committee here tonight. We had an opportunity to meet with some of your members over the last little while and hear from them specifically about, you know, the health of the industry, plans that they have to—for expansion; and so we're excited to work with them to make sure that we support the convenience store industry. I think that's an important part of the economic success that we're looking to build in the province.

And just to be clear, what we're talking about here is not beverage alcohol sales, as you characterized them; this is about service in a convenience store setting—so

service in a restaurant configuration within an otherwise convenience store setting. So I think there is a distinction and something unique that's—

The Chairperson: Thank you, Minister Wiebe.

Anyone from the opposition? *[interjection]*

Sorry. Ms. MacIntyre, do you have a response?

S. MacIntyre: Yes, I get the distinction the minister's making and I appreciate that; and it's one that we agree—have in pilot projects in a number of other jurisdictions across the country. So we'd be eager to talk a little bit more detail about that.

The Chairperson: Thank you.

Ms. Robbins?

Mrs. Robbins: Thank you, Ms. MacIntyre, for your interest in this bill, and I have a question for convenience stores. Can you describe the kind of businesses that are currently licensed in Manitoba to sell alcohol with meals?

S. MacIntyre: To sell alcohol with meals? Like restaurants and sit-down locations? I'm not sure I understand the question—and maybe it's better to the minister.

Mrs. Robbins: The question is for convenience stores: can you describe the kind of businesses that are currently in Manitoba, serving alcohol—licensed to serve alcohol with meals in the convenience store?

S. MacIntyre: Sorry, thanks, Chair. Thank you, Chairperson.

Yes, I think you're referring to—there's a few pilots—projects that a couple of our members are running with licences; that you could have beverage alcohol served to by the convenience store employee if you're sitting down and having food with that purchase.

The Chairperson: Thank you, Ms. MacIntyre.

Are there any further questions?

Seeing none, we will carry on and we—*[interjection]*

We have had another written submission from Chrystia *[phonetic]* Bernas.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting?

Floor Comment: For which bill?

The Chairperson: For Bill 12, sorry. My apologies.

Agreed? *[Agreed]*

Sorry, Ms. MacIntyre. Thank you for your time, and enjoy the rest of your evening.

Bill 23—The Public Interest Expression Defence Act

The Chairperson: We will now move on to Bill 23.

We have some out-of-town speakers, so we will call on them first.

So, Shannon Hancock.

Shannon, can you please turn on your camera and microphone? Shannon, can you please turn on your camera and microphone? Shannon, we can't see your video. Can you please turn on your camera? There we go.

Can you please—Shannon, can you please proceed with your presentation.

Shannon Hancock (Private Citizen): I will, and thank you very much, and thank you for considering this very important bill about public interest expression.

I've lived—I have lived experience as an individual who practised for decades as a regulated health professional in Winnipeg. My voice was silenced following protected disclosures under The Workplace Safety and Health Act and The Public Interest Disclosure Act beginning in 2013. I was assured that I was protected against reprisal. I was not.

As a regulated health professional being unable to report health and safety issues that in my case were later validated by the government of Manitoba Labour Board in 2018 and by Workplace Safety and Health in 2019, but required to continue practising while effectively gagged under a non-disclosure agreement and settlement agreement between the Manitoba Nurses Union and the Winnipeg Regional Health Authority. It created a great deal of moral distress, conflicted directly with my professional and ethical obligations as a registered nurse and it is a fact that public sector health-care employers and bargaining agents for regulated nursing professionals are settling grievances by way of agreements that include oppressive non-disclosure agreements, one-sided releases, favouring employees that make union members vulnerable to reprisal.

Regulated health professionals cannot practise while gagged, and it is—to reinforce how that's happening, there are provisions in collective agreements between public sector health-care employers, Winnipeg Regional Health Authority, Shared Health, Prairie Mountain Health, all the RHAs and the Manitoba

Nurses Union, this is the article that allows this to happen: Manitoba Nurses Union, article 1311: Nothing in this collective agreement shall preclude a nurse or—not and—the union committee and the employer for mutually agreeing to settle a dispute by means other than those described in the grievance and arbitration procedures or to extend any of the stipulated time limits.

* (18:40)

CUPE's agreement is even worse. CUPE Local 2348—those are the social services sectors, so the most vulnerable sectors—and the health-care sectors, CUPE Local 500 Riverview. In their collective agreement, 1108, it says: Nothing in this agreement shall preclude settlement of a grievance by mutual agreement in any manner whatsoever.

That contract's out of the contract. Those provisions are unconstitutional; they're—and they're resulting in settlement agreements between public sector health-care and social services employers and bargaining agents who just don't have equivalent bargaining power.

Union—the overwhelming majority of nurses—in my case, it was nurses—are women, female, members of marginalized groups. More than 90 per cent, according to credible public sources, including the Canadian Institute of Health Information and World Health Organization, to name just a few.

Regulated nurses, to this day—I know because I've been defending litigation because of a non-disclosure agreement between the WRHA and the Manitoba Nurses Union since 2014 and we're now—finally have sought leave to appeal to the Supreme Court of Canada.

This is a pressing issue in Manitoba. There's no place—zero place—for non-disclosure agreements between the Winnipeg Regional Health Authority, the Manitoba Nurses Union. Nurses cannot be intimidated, threatened, gagged and forced to practise that way, because that's a threat to public health and safety. If they can't report, patient safety suffers.

So by having—had this sort of legislation existed, and it should exist—I spoke a couple of years ago, actually, and I was assured parliamentary protection and there were reprisals after.

But I spoke to the issue of non-disclosure agreements between government reporting entities like the Winnipeg Regional Health Authority, Shared Health. And I'm not the only nurse who—there—another nurse was sued, actually, for a breach of an NDA right before

I was. And I'm still in court defending it all these years later.

The Manitoba Nurses Union was never served notice; they're a party to the agreement, so I guess what that means is the Manitoba Nurses Union is also gagged by the Winnipeg Regional Health Authority. And that is—that situation is intolerable, can't stand.

So any legislation that preserves the voice of somebody like me, like the nurse that you might see today if you or your loved one goes to the emergency room, they can't be under a gag order, and those gag orders can't be enforceable.

In addition to violating provincial health and safety legislation and professional and ethical code of conducts, it's actually a violation of the Criminal Code of Canada. You can't intimidate, threaten or interfere with a regulated professional or health-care worker in the course of their duties.

So please pass this bill or something like this bill to protect future generations. We have a critical shortage of nurses, and there's no way of knowing how many of them are practising today under a gag order.

Thank you for your time.

The Chairperson: Thank you, Ms. Hancock.

Are there any questions?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, thank you, Ms. Hancock, for your presentation and thank you for your work as a nurse. Obviously, we appreciate our health-care workers so much, especially these days. So thank you so much for your work.

I appreciate that you've had a chance to look at the bill. I do hope that the legislation that we're passing assists you, without knowing some of the details about your case, but I do hope that it assists you in, you know, making sure that you're—you feel protected. It's really about protecting the vulnerable.

So thank you again for laying out some of the—your concerns and some of your support.

The Chairperson: Ms. Hancock, do you have a response?

S. Hancock: Yes, and thank you very much. I appreciate that. It's—every little bit helps. And there's been a culture of—I mean, there's a lot—there's like, parallel universes. There is the talk about transparency and accountability and safety and freedom and health professionals can speak and—oh. Sorry.

Then there's the reality of nurses who are practising today under gag orders. And so I've been defending myself for all these years and—just because nobody wanted to challenge the practice of gag orders

So I got as far as the Court of Appeal, got obstructed there, so I'm now seeking leave to appeal to the Supreme Court of Canada and have actually served a copy of the notice on the Attorney General for Manitoba (Mr. Wiebe) by way of deputy minister, Deputy Attorney General Jeremy Akerstream.

It's such an important issue and every nurse in this—Manitoba Nurses Union is not the voice for all nurses. It's the only voice you hear, but they are not the voice for all nurses, and their collective agreement is very different from the collective agreement for registered nurses on faculty at the University of Manitoba.

They'll never be in this position because of the difference in their collective agreements and their collective bargaining power.

MNU needs to revisit their collective agreements because a change to that provision would change the entire situation. You can't contract out of contract.

Again, thank you very much for your time. I don't want to belabour the issue or beat a dead horse, but I do appreciate your time.

The Chairperson: Thank you.

Any questions?

Mr. Wayne Balcaen (Brandon West): Well, thank you, honourable Chair. It's—as you're—and thank you, Ms. Hancock, for your presentation. It's a very important process that we follow here to make sure that we get public engagement and I appreciate everything that you've brought forward.

Having a wife that was a nurse, my mother-in-law's a nurse and my daughter is now practising as a nurse, I appreciate your candour and bringing this forward.

Thank you.

The Chairperson: Thank you.

Any response?

S. Hancock: Yes, thank you very much, and thank you to all of the nurses in your family and to anybody who loves a nurse or needs a nurse. You don't ever want the nurse that answers your call bell at 2 in the morning to be under a gag order and sued and threatened by employers that are funded by government, which has been my experience for the last 10 years.

So I'm here to change that and that's the goal. Thank you again, and I hope you all have a good evening.

Thank you.

The Chairperson: Thank you.

Are there any other questions? Seeing none, we will move on.

Thank you, Ms. Hancock.

We will now call on M.J. McCarron.

M.J., could you please turn on your camera and microphone. M.J., we're just passing out your papers. I would like to call upon M.J. McCarron to start their presentation.

M.J. McCarron (Camp Morningstar): Hi, my name is M.J. McCarron. I've been with Camp Morningstar for six years since its inception. I'm the only non-Aboriginal person or non-Indigenous person that is on the sort of the main committee and boards and I do a lot of advocacy work on their behalf.

I'm here today to ask you to protect, again, some of your most vulnerable citizens who are not always under the same protocols and sort of safety nets for speaking out provincially. And I want to back that up with some of the examples that we experience in Camp Morningstar that you may not be aware of.

* (18:50)

First of all, I want to be very, very clear that I am not blaming any individuals or criticizing any individuals. What I see is deficiencies of the various acts, one being the Indian Act, another one being the mining act, that set up adversarial relationships within the system, often memorandums and other agreements signed before the community is told because, under the Indian Act, there is no requirement to consult with the members of the band before signing such agreements.

So what happens is that, you know, for us, we were not aware of the agreements until machinery started to move onto sacred territory. Immediately, you are criminalized. The RCMP set up an agency known as a Division Liaison Team and they send RCMP out to babysit you for however long they feel they need to be there to keep the peace. I have to say we had a very good relationship with the RCMP. We asked them to participate in ceremony. We conversed with them to keep, you know, the people there safe. We were not interested in being violent. We were a peaceful, sacred ceremony that—whose main purpose was to be able to

provide the information to the population that we felt was not being distributed.

So let's get to some of the ways that people are kept quiet. First of all, again, you have the criminalization. The information is going one way; there's no two ways about it that the RCMP's job is to assess the situation and to collect intelligence. I don't have a problem with that because we weren't doing anything, and if you read the reports—if you get the reports under freedom of information act, you can see that we were peaceful and they withdrew relatively quickly.

However, within that document that I did give, there was mention of a possible BCR. So that's one instrument that, you know, can be used to prevent—in that case, it was to prevent environmentalists from coming onto reserve land in an effort to make sure that people were not getting the information they needed to make a meaningful decision.

I also gave you another piece from the Yellowhead Institute, and on there is, again, going back to the—you know, the way things are done and the way business is conducted. When benefit agreements are signed, we highly suspect that chiefs and councils are being instructed to keep things secret until there is announcement. I've seen three or four agreements that have proceeded in that way and caught the population by surprise. But they also, I think, probably provide directives to keep the band members in line, so to speak, if I can say that. Again, that's just an opinion; that's not necessarily a fact. But I found that the Yellowhead Institute article was quite good.

When we started in 2019, freedom of expression was not a right on reserves. I was gobsmacked when I found that out because they weren't sure—there were not enough freedom of speech cases and there was not enough case law to determine whether that that was effective and applied to band councils and to band council governments.

And so, yes, under, you know, provincial, and yes, under federal, you were guaranteed freedom of speech, but you weren't at that time. There's since been some cases, and so I would say that that would, you know, proceed in a way that would be fair but it's the whole point that you are—have to get involved in law in order to—or into the legal argument in order to be able to speak out.

Because of the involvement of the RCMP with us, you know, there's consequences for the general public in speaking up. I would, under our current political situation, I wouldn't dare cross the border. And even

if we didn't have the current political situation, I would be afraid of what those consequences might be regardless of what my rights are as a citizen.

We know that social media policies are being used to quiet people, especially on reserves. We know that—here's the one that—we live in rural areas, we live in isolated areas, we live in remote areas. We had two citizens of the—of Hollow Water First Nation band. One was an environmental scientist. The other one was an engineer who could read through the documents because they are very technically dense. I can read some of it but I can't interpret most of it to see how it's going to apply to, say, traditional ecological knowledge. They could but because they worked for the government, they could not speak up or they felt it was not safe to speak up.

So, again, this SLAPP policy is really, really important because they were not be—able to stand at the public meetings in front of their community and feel the freedom to speak. I think that that is wrong. We don't have, you know, a lot of citizens with that kind of educational background that can filter through things and know the land. And so for that reason, I wanted to make that point.

The other point, again there's systemic issues; only the company speaks in consultation, so it's absolutely vital that we have citizens speak up and share their expertise and be able to tell us what they think of a company's plans. We did not come under any injunctions, because the sacred fire was started before the company had a licence and then when they came back a second time they no longer needed the land that we were on. So it, you know, it worked out that way. We didn't have to experience that particular fight.

But you can see that there's a, you know, quite a few—one of our members was fired. We did take that—we did pursue that legally. We lost. We didn't have lawyer; we couldn't afford one, and they won.

But it set a tone, it certainly set a tone and—between the social policy—there was an educator whose job was threatened. They thought that, you know, she shouldn't be participating in the sacred fire. They made calls to her principal. Luckily, the principal just said she's enjoying her constitutional rights; we're not going to take discipline.

But they did kind of have a lockdown on social media and you weren't allowed to research or mention the topic in the school until a 10-year-old trapper that—whose trapline was affected—she was 10-years-old,

marched into the vice-principal's office and said: This is our land; why can't we talk about it?

And that's the thing is that, you know, there—we weren't violent. We weren't—yes, you know, we were just citizens. We were standing up for what we believed in. Instead of being adversarial, why can we not sit and have conversations and open up communications?

So I'm asking you, I'm begging you to consider this particular bill to allow—because sometimes, you know, when all is said and done, the only way to get word out was either through the media or through organizations that represent our issues. And if they are slapped with nuisance lawsuits, that's our last road to justice, discussion, meaningful conversations and everything else.

So I'm going to stop there. I think I've covered everything I wanted to say. But, again, I'm leaving you with the idea that this has come about because, you know, our legislation is not favourable to public input to begin with.

The Chairperson: Thank you, M.J.

Do members of the committee have questions for the presenter?

Mr. Wiebe: Thank you very much, M.J. McCarron. This is really, really appreciated that you're participating in the democratic process here, lending your voice in support of this piece of legislation.

I think you, you know—without knowing again all the details of the case, what I will say is that what you're talking about here is ultimately protection for the little guy, so to speak. And that's really what the bill's all about.

So I really appreciate your participation here and giving us some perspective.

The Chairperson: Thank you.

Do you have a response, M.J.?

M.J. McCarron: No, I just—as I say, I think there are a lot of things that sort of go on that don't come to the attention of the public. So I appreciate this opportunity to share our, kind of, background and our experiences first hand.

The Chairperson: Thank you.

Mr. Balcaen: Well, thank you, M.J., for that information and for providing that to us.

And, I think it's very important, I've said to many presenters at committee, that we hear from people of Manitoba, people who have varying views and want to share that with the public.

* (19:00)

This is a very important avenue to do that, so I thank you for bringing this forward.

The Chairperson: Thank you.

Any response, M.J.?

M.J. McCarron: No.

The Chairperson: Any further questions?

Thank you for your time, M.J.

We will move on. The next presenter is—and I apologize if I say your name wrong—Tangi Bell.

Okay. Please proceed. Tangi, please proceed with your presentation.

Tangi Bell (Our Line in the Sand Manitoba): My name is Tangi Bell, and I am chair of Our Line in the Sand Manitoba.

Thank you for this opportunity to speak on Bill 23, the much-needed public interest expression defence act.

Our Line in the Sand formed when a junior mining outfit proposed to mine directly in and operate over our pristine drinking water supply. Needless to say, if anti-SLAPP legislation was around at that time, it would have prevented threats and intimidation that have caused residents extreme duress and fear.

For example, a concerned citizen posted pictures refuting company statements and received a cease and desist letter. An honest mistake of posting a draft ad for a public meeting prior to removing a logo resulted in the company writing letters, including one to the environment approvals branch who posted it to the public registry. Our response letter explaining our position and questions was not posted.

Some residents who were members of Our Line in the Sand were further silenced when Sio, then HD Minerals and CanWhite, had them sign NDA agreements. Two municipal counsellors who voted against the RM and Sio Silica development agreement were also threatened with legal action by the company if they did not reverse their vote. Of course, such actions have a chilling effect on public participation, democracy and cause much fear and anger.

We were thoroughly disappointed when anti-SLAPP legislation, bill 236, the public protection act, introduced

in 2023, was voted down by the previous government. So thank you for bringing this forward.

We are in support of Bill 23; however, we do not support the addition of section 4(2) of the bill as we feel it does not provide the required protections for public participation. There should be an opportunity for all proceedings to be paused, even when injunctions are involved.

In our opinion, this is an obvious and terrible loophole in the bill. A judge could dismiss the originating action or application, but motions for injunction release would still be allowed to proceed. Keeping it in destroys the integrity of anti-SLAPP legislation, which is to protect discussion and open debate on matters of public interest, including holding our political representatives to account. As an example, our phone calls, letters, petitions regarding exposure to silica sand particulates from uncovered stockpiles were not acted on by our regulator.

We had to block a road to have our concerns addressed. Our one—our former, I should say—our former municipal council made no real effort to help voice or act on our concerns.

The November 16, 2021, Carillon article, quote: former CanWhite employee alleges well contamination, lacks site safety, unquote, stated the former mayor, quote: wanted CanWhite to succeed. And CanWhite, as you know, is also known as HD Minerals and Sio Silica.

The Ethics Commissioner report clearly shows the lengths the former government went to have the project succeed. We were left with no other recourse than to set up a blockade. So this so-called public disorder to have our property rights, our livelihood and health protected was necessary.

This protest also showed us to have—also allowed us to have the greater community aware of what was happening to us, and show that more than a few people were being negatively impacted.

Capture of our government by industry development forces people to take action to protect themselves. Our antiquated environment and mineral legislation magnifies this need to take action. The system makes public disorder a necessary and, in our experience, a legitimate form of public participation.

We had also contemplated another blockade when our water quality complaint with the water branch was dismissed as correspondence. Under Manitoba regulations, the branch is mandated to investigate complaints.

Because of the threatening environment at that time and the lack of protections for citizen action, we did not proceed with the blockade.

In our opinion, keeping section 4(2) that establishes an exception for injunction proceedings destroys the integrity of this anti-SLAPP legislation and thus does not protect the public voice and does not protect the public from negative mental, emotional, spiritual and financial duress and the demands of a legal battle.

Passage of this bill as it stands will mean that the next time we need to hold a public protest, whether that be a blockade, to hold our government and/or industry to account for hazardous materials or operations or bad water or on the steps of the hospital, we will continue to do so under threat of legal action.

Our planet's climate is dangerously changing, and biodiversity is in crisis—our social and economic health too. We all have a role to play in safeguarding our public interest and the environment for future generations. The law should help us do this, not hinder us.

Please, please remove section 4(2) from Bill 23 and close this legal loophole that leaves Manitobans vulnerable to SLAPP suits from the wealthy and powerful through the use of injunctions.

So thank you for this opportunity to share our concerns on Bill 23.

The Chairperson: Thank you, Tangi.

Mister—Minister Wiebe with questions.

Mr. Wiebe: Thank you, Tangi, for your public advocacy and for presenting here tonight. Thanks for sharing some of the details of the ordeal. I think it helps us better understand the actual impact that it has on individuals and community, and I really take that to heart, so thank you for bringing that forward.

Your comments on section on 4(2) are noted, they're appreciated and we look forward to working with you in the future.

The Chairperson: Do you have a response, Tangi?

T. Bell: Cool.

The Chairperson: Thank you.

Questions from the opposition?

Mr. Balcaen: Well, thank you, Ms. Bell, for your presentation. Again, it's very important to hear many perspectives from Manitobans on these bills, and I appreciate what you brought forward. Gives us plenty to think about. Thank you.

Floor Comment: Thank you.

The Chairperson: Tangi.

T. Bell: Thank you.

The Chairperson: Any other—any further questions?

Hon. Renée Cable (Minister of Advanced Education and Training): Hi. I just wanted to thank you for your bravery during this ordeal. I know that it couldn't have been easy, and—with all of the political pressures you were facing, everything that was going on. So thank you for your steadfastness and for standing up for what's right.

Floor Comment: It's democracy.

The Chairperson: Tangi.

T. Bell: Whoops, sorry.

The Chairperson: No, it's all good.

T. Bell: Thank you very much. It was not easy. That's why this bill is so necessary and a real bill. Take that section 4(2) out, please.

Thank you.

The Chairperson: Thank you very much.

Bill 12—The Housing and Renewal Corporation Amendment Act

The Chairperson: Now we'll move back to Bill 12 as that concludes our out-of-town—out-of-province, out-of-town guests.

And the first person on the list is Fernanda Vallejo.

Did I—again, I hope I said your name correctly.

Fernanda Vallejo (Latinas Manitoba): Okay, so my name is Fernanda Vallejo from Latinas Manitoba, a non-profit organization that helps immigrant women and families build new lives here in Manitoba.

Housing is one of the biggest challenges we see every day. Many newcomers and single mothers face long waiting lists or poor housing conditions. Some are afraid to speak up because they don't understand the system or they are worried about their immigration status.

* (19:10)

I know this bill focuses on improving the governance of Manitoba Housing, and I truly hope it will also improve access, maintenance and communication with tenants, landlords as well.

Okay. So community organizations like ours can play an important role—supporting, providing guidance to the community, to immigrants—but I hope this bill can be approved for all the situations, especially for the women that are facing domestic violence and they are in this waiting list.

Thank you.

The Chairperson: Thank you, Fernanda.

Questions?

Hon. Bernadette Smith (Minister of Housing, Addictions and Homelessness): Thank you, Fernanda, for your presentation. And certainly this bill is meant to protect housing and keep housing within the portfolio of, you know, government. Any funding 15 per cent or over is protected under this bill.

We saw housing under Lions Place be sold out, which made seniors vulnerable and rents go up, seniors with fixed incomes. And we know that women that are fleeing domestic violence such as you outlined are also, you know, facing financial hardship too, often with children, with families. They need, that kind of—

The Chairperson: Thank you, Minister Smith.

Fernanda, do you have a response?

F. Vallejo: No, thank you.

The Chairperson: Okay.

Any questions from the opposition? Any questions?

MLA Jeff Bereza (Portage la Prairie): Thank you, Fernanda, for the presentation that you've done tonight, and we look forward to moving on with this bill.

The Chairperson: Fernanda?

F. Vallejo: Sounds great. Thank you.

The Chairperson: Thank you.

Any further questions?

Thank you.

Floor Comment: No? But lastly, I just want to mention—

The Chairperson: Sorry.

Can we ask—I ask for leave for the committee for Fernanda to continue. *[Agreed]*

F. Vallejo: It's just a little invitation. So the Latin American community, we are celebrating our heritage this month, and this October 15, we have a ceremony

here at 5 p.m. I just would like to invite you, all of you. Okay? Thank you.

The Chairperson: Nice. Wonderful. Thank you.

I will now call Erika Wiebe. Erika, please proceed with your presentation.

Erika Wiebe (Private Citizen): Hello. My name is Erika Wiebe. I'm here representing the Right to Housing Coalition, and I'm co-chair of a subgroup within the Right to Housing Coalition called the seniors working group.

So in January 2023, as already has been mentioned, Lions Place, the largest non-profit residence in Manitoba for seniors with low incomes, was sold to a private company based in Calgary whose stated goal is to maximize profit. And in effect, this meant the loss of 287 units of seniors—units for seniors with low incomes. And in 2018, 185 Smith St., which housed over 300 social housing units, was sold to a private company, and there's now a high-end condominium building on that site. So together, the loss of these two buildings represents 600 less housing units for people with low incomes.

At the same time, homelessness, something that we're all concerned about, it is at completely unacceptable levels in our province, and many more people than that also live in unsafe, precarious housing with no options to move because they can't afford to.

So most Manitobans would agree that an important solution to this problem is much, much more supply of housing that's purposely built for people with low incomes. The Right to Housing Coalition estimates that 10,000 new units are needed.

So in this context, it makes no sense that we should be okay with losing housing stock that's already—that already exists. So it's for that reason that the Right to Housing Coalition strongly supports legislation which puts limits on the sale, demolition or change in use of non-market, social and affordable housing. In fact, the Right to Housing Coalition advocated for this after the sale of Lions Place.

While Bill 12 is a positive step, we do have some recommendations that would strengthen the bill. We believe that now is the time to ensure that this legislation is as comprehensive and robust as is needed to achieve the goal of protecting existing and future non-market social and affordable housing.

So first recommendation: in Bill 12, consent for the sale, demolition or change of use of a funded building resides with Manitoba Housing and Renewal

Corporation instead of, more appropriately, with the Minister of Housing, Addictions and Homelessness (Ms. Smith), the latter who bears the responsibility and is accountable for the oversight of social and affordable housing in Manitoba.

So we just think that the loss of any publicly funded housing is a serious matter with serious implications for the public, and therefore that decision should rest with the minister.

Second: no building should be sold, demolished or have a change in use unless there is a plan in place to replace the social and affordable housing units that are lost.

So sometimes some housing complexes are no longer viable. There may be no choice but to demolish or sell. And in all instances where it is deemed necessary to sell, demolish or change the use of a building, there should be an automatic concurrent development of a plan for how those lost units will be replaced.

Third: buildings that receive operating agreement funding for services and/or rent supplements should be included in the legislation, as well as buildings whose funding agreements have expired. Government-owned housing should also be covered in the legislation.

Again, the objective is to preserve and protect buildings that are a public asset where public funds have been invested. So we believe that the types of housing that are covered in the legislation should be broadened.

And with regard to government-owned housing, so many people—as in the case of 185 Smith St., so many people with low incomes rely on this resource for decent housing, and many, many more are on waiting lists to get into it. It should undergo the same scrutiny as other publicly funded housing. This is not about which party's more likely to preserve public housing when in power; it's about long-term practices, no matter who's in power.

Number four: if there's a sale of government-owned housing, all the proceeds of the sale should be reinvested back into the government-owned RGI, rent geared to income, housing envelope. It should not be reinvested into debt repayment or other areas of government.

Five: Bill 12 should include protection for tenants in the case of a sale.

So tenants must be fully informed and alternative, comparable housing, if possible at the same rent, must be secured for tenants in the case of a sale.

So the seniors working group that's part of Right to Housing includes people who lived at Lions Place. So we had a first-hand look at the stress—the high levels of stress that were caused by housing uncertainty that this vulnerable population endured. So the government needs to ensure that tenants are taken care of in these situations. And that's it.

Thank you very much.

The Chairperson: Thank you, Erika.

Questions?

Ms. Smith: Thank you so much for that, Erika, and for all of the work that Right to Housing Coalition does. Certainly, we've worked on this legislation with your coalition, and, you know, the Lions Place was certainly what brought this legislation forward.

We want to ensure that we're protecting, preserving the housing stock that we have and ensuring that we keep safe and affordable housing affordable and that we're protecting taxpayers' money and that we don't have another Lions Place occur under—you know, in the future, and that this legislation protects it for future invest—future governments to come.

E. Wiebe: Yes. Totally agree that we need it to be really strong and robust so that it can be long-lasting legislation that really benefits low-income people, low-income residents.

* (19:20)

MLA Berez: Ms. Wiebe, thank you so much for your presentation and for your recommendations.

E. Wiebe: Thank you.

The Chairperson: Any further questions?

Seeing none, we thank you for your time.

And I will now call Ms. Lynne Fernandez. Ms. Fernandez, please proceed with your presentation.

Lynne Fernandez (Private Citizen): Good evening, everybody. Thank you for the opportunity to present on Bill 12.

As a senior who volunteers with low-income seniors living in social housing, I'm in favour of Bill 12, The Housing and Renewal Corporation Amendment Act.

There are, however, ways the legislation can be strengthened to protect tenants, ensure no further loss

of social and affordable housing and increase government accountability.

The bill now excludes building buildings whose funding agreements have expired. Given that the goal is to protect low-income renters from losing their housing, these buildings should be covered by the legislation.

First and foremost, social housing, whether it be in the non-profit or public sector, is designed to meet the needs of low-income, vulnerable communities. Indeed this is a clearly stated mandate of the Manitoba Housing and Renewal Corporation, which works closely with the non-profit housing sector. Taxpayers contribute revenue to maintain different types of funding for social housing, so protection of any of these investments should not be excluded.

Accordingly, buildings that receive operating agreement funding for service and/or rent supplements, and buildings whose funding agreements have expired should be included in the legislation. Government-owned buildings should also be included.

Given the extreme shortage of social housing in Manitoba, ensuring no loss of units should be top of mind. The sale of 185 Smith and Lions Place removed over 600 units of social housing from the housing stock. I spoke with an individual who had to leave his home at 185 Smith; he moved to Lions Place believing he had a secure place to live, only to find out that it too had been sold.

The Province then had to provide rent supplements to tenants who were facing the higher rents charged by the private corporation. When the two-year supplements were coming to an end, tenants were scared and anxious that they would not be renewed, and that they would be faced with trying to find suitable accommodation that they could afford.

Now, those supplements did come through as we know, but the anxiety that the tenants faced before they came through was palpable, and this is something that Erika managed as well. We should not be forcing vulnerable seniors, many without family support, to deal with such a stressful situation. To this end, the legislation should stipulate that there be no net loss of social and affordable housing should a building be sold or demolished.

Government-owned assets should be covered by this legislation, but in the event a publicly owned building has to be sold, the proceeds of the sale need to be directed to the social or—and affordable housing

revenue stream. Sale proceeds should not be used for other government expenditures.

Loss of social or affordable housing units has serious consequences on people's lives. The government of the day needs to be publicly accountable when a building is sold or demolished, so responsibility for a sale needs to rest clearly with the Minister of Housing so the public is aware of what's going on.

And in the event a property has to be sold or demolished, tenants must be provided with suitable living accommodation for the same amount of rent, and a viable plan needs to be in place before approval and sale of—if the sale is granted by the minister.

That's it. Thank you.

The Chairperson: Thank you for your presentation.

Any questions?

Ms. Smith: Thank you, Lynne, for your presentation, and certainly this bill is meant to protect and keep affordable housing affordable, and to ensure that Lions Place, something like that, doesn't happen again.

We feel that this strikes the right balance in ensuring that, you know, there's more people developing affordable housing. We know that people that are developing affordable housing aren't in it to make money; certainly they're in it to provide affordable housing. We see a lot of mixed-market housing going up, because we know that they also have to maintain the housing that they're building. So we love seeing those kind of models. We hear a lot of good feedback from folks, that there's some mentorship happening in those models as well.

So your recommendations are duly noted, and I want to thank you for the advocacy that you're doing.

Thank you so much.

L. Fernandez: Yes, thank you, and I do believe you're right when you say that people provide—who provide non-profit housing are not in it to make money.

But when they're not adequately supported—I mean, this is a bit—going on a bit of a tangent, but when they're not adequately supported by government so that they can maintain the units and the rent supplements, then there are for-profit organizations that are waiting in the wings to swoop down when these properties become available, and that's one of the things that we're concerned about and that we hope that this bill will protect.

The Chairperson: Thank you, Ms. Fernandez.

MLA Bereza: Thank you, Ms. Fernandez, for your presentation and thank you for your recommendations.

L. Fernandez: Thank you.

The Chairperson: Any further questions?

Hon. Renée Cable (Minister of Advanced Education and Training): Thank you for your presentation today and for the work that you've done for years and years and years to take care of our relatives.

And thank you for coming with a presentation to remind all of us of the humanity in one another and our obligation to take care of our neighbours who maybe aren't the same or don't come from the same family circumstances, that there really is an obligation for us to consider the most vulnerable in society and to make sure that we keep them top of mind.

And I can assure you that this government is doing that.

The Chairperson: Thank you, Minister Cable. Thank you—Ms. Fernandez?

L. Fernandez: That's fine. I hope that that's going to be the case. We sincerely hope that this legislation will pass with these amendments and so that it really is of strong protection for vulnerable people.

Thank you.

The Chairperson: Thank you, Ms. Fernandez.

I would now like to call Gerald R. Brown. Gerald Brown?

Mr. Brown will be dropped to the bottom of the list.

I will now call Tom Simms.

Tom, please proceed with your presentation.

Tom Simms (Private Citizen): Yes, thanks for the opportunity. It's great to be able to speak. My MLA is here today, the Minister of Housing, Minister Smith. Appreciate all the work you do for us in Point Douglas.

I wanted to speak about things from more a personal context here. We're here with, you know, political dynamics and there's community dynamics and there's a lot of stuff going on, right? But I really wanted to talk about it from a personal point of view because I think, in our community, our society, we all care about our elderly people. We care about our grandparents, our grandmothers. We care about older uncles and aunties and stuff like that. And so I think that transcends partisan lines. We care about that, right, but it's how we go about supporting that, I think, is an important thing.

And I got to say, back in July of 2022, sitting at my place, minding my own business, and I get a call from my mother who lives at Lions Place and she's lived there 25 years, right? And she's—she turned 96 in June—you know, that's a pretty good age, right? And she said, you know, Tom, I got this note slipped under my door that they're going to sell the building. Middle of the night, a note comes under the door that you're—that they're going to sell a building that was home to many elderly people who are on more low and fixed incomes.

And I got to say, that was a real feeling of powerlessness. Like, people's worlds were just shook. No notice. Nothing, right? And, like I say, there's a whole bunch of political dimensions, and definitely, I'm not above that, but I want to just, like—trying to get this at a personal level.

I think as a society, as a province, we care about older people. We have cultures and First Nations, Indigenous cultures—important kind of acknowledgement of the role of elders in our community. And I want to keep it at that level for a bit.

* (19:30)

And so that was really a tough feeling, to feel so powerless that this was going to happen. And I guess the other thing for me was that, you know, as we started to learn about things—like I said, I'm sitting there at home minding my own business; I don't need to know all this stuff about housing options and all this kind of stuff—but one of the things we saw that Lions Place was the largest non-profit seniors housing facility in the province; it was the Cadillac. It was a Cadillac.

I guess the other thing I reflect on—what Lions Place has become is we pulled together then—we didn't know what to do but we pulled together a committee of family members and residents, right, and it really amazed me—some of these residents. I thought this one guy—he's probably about 75 or something; he winds up being 85—who's very active in the committee, and this other guy I thought, well, if this person's 85, then this other person's probably the same age—he was 92. And we had to all band together to save the building.

I still remember that our first public protest—so we got all these people in wheelchairs and walkers and everything, and we're standing outside of Smith Street Lofts; that's how we launched the campaign to save Lions Place. We're standing out there and our message was: We don't want Lions Place to become the next

Smith Street Lofts. That was our message: It's already happened; we don't want it to happen again.

And I think one of the things that's very sad for me is now there just isn't Smith Street Lofts to stand out in front; now the community talks about: We don't want the next Lions Place to happen. I don't feel good about that. I don't feel good about being a precedent, about we don't want this to happen again, right?

And so, I guess, one of the things I think we really need to look at is what do our elderly and senior folks need, right? And as Erika talked about, you know—I'll just focus on Lions Place; that's a loss of 300 units, and I'll talk to you about what it's like there now. We knew it was going to happen that way; we knew that Mainstreet would play the long game. So right now, it's only about 30 per cent of the residents that are seniors in Lions Place. So we had the Cadillac building in all the province, serving about 300 people. Now there's only 30 per cent that are there. And it's only going to go down further as people need to go to other places to live, as people find the—people really find that they're just living in an apartment block right now; it's not a seniors home.

And this past month, I had to move my 96-year-old mother out of there; she'd been there 25 years. It was her home and—I don't want to focus this on me because there's a lot of people that have a lot worse challenges, right, but I also want to bring some—you know, what's the impact of these things on a personal level. And it just wasn't the place for seniors anymore. We worry about the amenities that were in there: cafeteria and the store. The younger people don't use the cafeteria; younger people don't need the store. People who remain there do need it because there's a lot of seniors—a number of seniors that live there that can't afford assisted living and that meal is really important to them; that's what helps them hang in to a place that they really are struggling with.

So, you know, I think we need to think about those kind of things. And like I say, I think that's a bipartisan issue. We care about seniors. But I think the previous government needs to understand that that was a colossal error, and that that's a long-term legacy that has impacted a lot of families.

And I just want to be, you know, blunt that—I get it, there's a role for profit-driven housing in our community, but there's also an important role for non-profit, non-market housing. And it doesn't have to be ideological; the numbers just don't add up. People can't afford the rents, and that we need to have a way of meeting the needs of folks like that. So that

is a long-term impact on families. And I think we need to understand that there is an important role for non-profit, but I would argue rent-geared-to-income housing.

So I do have, you know, a couple of things to say about the bill. When you're doing community work for a long time, you're like a history library that no one ever sees, because you have all these letters and emails and stuff like that. So I did dig up, because I had sort of a general recollection of where this idea for the government to intervene on the sale of housing came from. And so it was right in the midst of when Lions Housing had refused to put a pause on the sale and to allow the community and the three levels of government to come together to look at an option.

And one of the things—you know, I was going to include it in a package, but I just thought I'll wing it—but one of the things that was really important at that time is one of the Cabinet ministers from the federal government, Dan Vandal, sent a letter to the chair of Lions Place to say the federal government funded this program, this housing initiative, this is public money, we think it needs to remain a non-profit housing entity and we're willing to work with the community that wants to look at an alternative.

Lions' board refused any of that kind—those kind of options. And so we were left with needing to say, well, when buildings get sold, what do you do? So it's interesting, and this is why, you know, I think it's a—kudos to the public sector servants, is there was a—

The Chairperson: Tom, I thank you for your comments.

I do ask for leave for Tom to finish his final remarks.

Is there leave? *[Agreed]*

Please continue.

T. Simms: So it was a staff person connected with CMHC that was on our working group, and he shot us an email and said, look, there's legislation in Quebec that prevents the sale of non-profit and social housing. And that's where it started. We brought that forward to the government at the time, we brought it forward to the opposition parties. And so this idea around Bill 12 really came from the community and the crisis of the sale of Lions Place.

So I'm pleased and supportive of the bill. I appreciate and support the recommendations that the Right to Housing Coalition has made.

And I would have one amendment that I would really want to focus on that I would like the

government to consider. And that is the amendment to have the responsibility for the decision and the authority around the sale of non-profit housing be vested in the minister and not the bureaucratic entity.

Now, we've heard from the bureaucratic side of things of the sort of the minutiae of all around that. I get that, but I think the general public needs to know. And I'm more concerned about future governments, not so much this government, that there is direct political responsibility for decisions that are being made. That when it's—

The Chairperson: Thank you so much, Tom.

Are there any questions?

Ms. Smith: So I want to thank you, Tom. You know, you've been a huge advocate for years and years and years, and you've done so much work not only with seniors but with our youth. I want to thank you for sharing your story. I'm an emotional person, so you got me.

And, you know, seeing all those seniors and seeing the decimation of community, really. Like, that was a community. Those seniors had to move and leave each other. And we've seen that and we want to ensure that that doesn't happen ever again with our public housing. So this bill is meant to protect our housing that we have and ensure in future governments that that doesn't happen.

The Chairperson: Thank you, Minister Smith. Thank you.

Tom?

* (19:40)

T. Simms: Yes, no. I appreciate that and I appreciate your description is: it was a community, and it feels like that community's getting smaller and smaller at Lions Place, and that's hard.

And, yes, I guess, just quickly to say around the ministerial responsibility is that if there's perception of wiggle room in future governments that, oh, well, it's Manitoba Housing that made the decision; it isn't us. That doesn't help the community hold future governments accountable.

And I would, you know, ask that the government look at making that amendment. It's not costing you any money.

And I would also say that it's consistent with the Quebec legislation. If the Quebec legislation is saying the minister needs to have that direct authority,

we think the Minister of Housing should have that responsibility as well.

So our feeling is that is important for future governments as we in the community are trying to address these kind of things, and that it needs to be political and not deflected to some kind of bureaucratic entity, that while legally people might understand the i's and t-i's that are dotted and t's are crossed, the general public doesn't understand it and it's easy for a government to say, well, that was Manitoba Housing and Renewal Corporation's decision, it wasn't ours, when we know it was, right?

So I would urge the government to make that amendment. I think it's small but it's really important.

The Chairperson: Thank you.

Questions?

MLA Bereza: Thank you, Mr. Simms, for your presentation and the information that you brought here tonight. We will hopefully be proposing some amendments that will hopefully encourage more investment into this type of housing.

Thank you.

T. Simms: Sort of unrelated, but I—when I was sitting in the room, there, I knew I had to say it. My grandfather and father were originally from Portage. So I don't know how long you've lived there, but—

An Honourable Member: Sixty-two years.

T. Simms: —sixty-two years, so he was the inspector there, my grandfather, for many years, and I once saw in the paper they were really proud that he was able to help get one of the schools indoor plumbing and moving away from the outhouses, so that's one of our claims to fame in our family.

The Chairperson: Thank you.

Any further questions?

Thank you—oh, Mr. Bereza.

MLA Bereza: Thank you, Mr. Simms. I don't believe I was around at that time.

The Chairperson: Thank you, Tom.

I will now recall Gerald Brown—oh, sorry. *[interjection]* Sorry, my apologies.

We will move on to the next bill, bill number—we have another—we've had another written submission from Kevin Rebeck on Bill 8.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting?
[Agreed]

Thank you.

**Bill 23—The Public Interest Expression
Defence Act
(Continued)**

The Chairperson: Now we go on to Bill 23, and I would like to call upon David Grant.

David, can you please proceed with your presentation.

David Grant (Private Citizen): Thank you.

Bill 23, based on the prior presentations, seems like a great bill here. We've needed this bill for a long time. Unlike one of the other people who found a problem with a paragraph, I was just so shocked to see it there. I'm so glad that it's going to be helping to encourage people to speak publicly that I didn't nit-pick and look for a problem with it. I just love it the way it is. And it's so much of an improvement over what we have.

I'm hoping that it'll encourage more people to do what sometimes is called whistle-blowing, although they've—public speaking doesn't have to be that. Too many good folks in Manitoba know of malfeasance and want to report it but they also know they can be victim to prosecution and other 'victive'—vindictive stuff. I've suffered some of that. Ms. Hancock spoke before, has experienced that to a much greater extent, but they still want to do the right thing.

Until the protections offered in this bill become law in Manitoba and until the good folks who want to speak out in public know that they are protected, much is wrong with our corporations and institutions will not be fixed. So I have great hopes for it.

I was selected to serve on a very important bill—sorry, on a very important board. While there, I discovered much that was wrong. I was able to use normal board processes and motions to correct some of these. In one other case, 10 years ago, I spoke here to bill 21.

I followed the organization's rules for board members speaking in public. We were restricted to only speak in favour of actions of that board. So as an action of the board two years before, and I spoke here in favour of that action of the board.

The person who didn't like me speaking then decided that no member of that board could ever speak in public, which is pretty different because what

happened is the board had made a rule that the organization could make charitable donations to registered charities.

Bill 21, 10 years ago, said the organization could make donations. I saw a big difference there: registered charity or just donations to the next-door neighbour. And that's what I spoke to, is having bill 21 incorporate what the board had already passed.

Anyway, that was seen as a huge violation of trust and so they hounded me for a while and I ended up having to run away. But anyway, the Bill 23, if it had been in place, would have made it simpler for justice and public interest to prevail.

Ironically, in the act that governed that organization, section 56 says that no action shall proceed against somebody acting in the public interest. So they ignored their own act to harass me and chase me out of the organization.

So that's something else that I'm not sure how you deal with that in Bill 23: if some organization has such crazy leadership, draconian leadership that they're going to ignore their own rules, are they going to ignore Bill 23?

So just offer that as a cautionary tale that even where there's a protection built into an act, which is good, bad people may still harass good people when they're doing a good thing.

So I'm going to leave that to you. And thank you very much, so much, for bringing this bill forward, and I look forward to it becoming law.

The Chairperson: Thank you, David.

Questions?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Thank you very much, Mr. Grant, once again, for your presentation. And nobody knows public advocacy like you. You're here for all the committees and we appreciate that and protecting your voice in all ways that we can, I think, is important.

So thanks again for your presentation.

D. Grant: And in response, I would point out that there are a lot of cases where people needed this and once it's well known—and again, maybe that's something that one of your people can look at, whether the things that happened to Ms. Hancock could happen after this bill is law.

You know, will people still get away with doing nasty things to good people? I would hope not, and if there's a way of rewording some small part of Bill 23 to make sure no nasty people do bad things after this.

So thank you, and thank you so much for bringing it forward.

The Chairperson: Thank you, David.

Mr. Wayne Balcaen (Brandon West): Mr. Grant, thanks very much. I know you've appeared at any committee that I've been at and certainly bring good perspectives forward. Appreciate you attending committee all the time and having your voice heard.

So thank you.

D. Grant: It's not just a hobby in retirement. It's—I've been involved in provincial politics for 60 years now. In the old days, it was just helping get the premier of Ontario elected and stuff, but it's been a lifelong hobby of being-participating and trying to make things better, because you guys are how Manitoba is going to get better, both sides, and anything I can offer to help is definitely worth my time.

And thank you very much for the time here.

The Chairperson: Thank you.

Any further questions?

Thank you, Mr. Grant.

I would like to now call Ms. Heather Fast.

Ms. Fast, please go ahead with your presentation.

* (19:50)

Heather Fast (Manitoba Eco-Network): Good 'neening'—good evening, everyone. My name's Heather Fast, and I'm the policy advocacy director at the Manitoba Eco-Network.

The Manitoba Eco-Network is a non-profit registered charity which seeks to strengthen Manitoba's environmental community with the goal of protecting our environment for the benefit of current and future generations.

I'm a lawyer and a legal academic who spent a long time working with the grassroots community to find ways to improve access to justice in Manitoba. So I'm extremely pleased to be here today to support the passage of Bill 23, The Public Interest Expression Defence Act.

Bill 23 will create a new legal pathway to protect citizens speaking up about matters of public interest

and discourage the use of litigation as a means of limiting discussion and debate. This type of frivolous lawsuit is also often referred to as a strategic lawsuit against public participation, or a SLAPP suit.

Anti-SLAPP legislation, like Bill 23, is an important mechanism for improving procedural justice, ensuring those advocating for public interest do not feel intimidated or afraid to speak up. I've been seeking the adoption of anti-SLAPP legislation in Manitoba, modelled after the ULCC and Ontario's act for many years, both through my work at the Manitoba Eco-Network and my academic studies as a Ph.D. candidate, which have focused on identifying legal mechanisms that can be adopted at the provincial level to facilitate access to justice for Manitobans.

Unsurprisingly, anti-SLAPP legislation is often recommended as a means of protecting citizens from frivolous lawsuits. Community members have spoken with the Eco-Network about their fear of legal repercussions for speaking up about public interests.

For example, we've heard from citizens who've received cease and desist letters for making a Facebook post about their environmental concerns. Many citizens will discontinue their advocacy activities when faced with a legal threat, as the potential legal and financial burden is extremely overwhelming.

The adoption of anti-SLAPP legislation like Bill 23 will help strengthen the ability of Manitobans to advocate on behalf of themselves and their communities without facing severe legal and financial consequences.

Anti-SLAPP laws help protect vulnerable citizens such as survivors of gender-based violence when they disclose or report the violence they have experienced. Anti-SLAPP also protect those who study, report and publish about matters of public interest from being intimidated or silenced by costly, time-consuming lawsuits.

The Manitoba Eco-Network has had a number of great discussions over the last few years with the Department of Environment and Climate Change about our policy and law reform recommendations and the need for anti-SLAPP legislation such as Bill 23. We appreciate the time that's been spent listening to us, both by Minister Schmidt and Minister Moyes.

Bill 23 has also given the Eco-Network the opportunity to build a new connection with Minister Wiebe and his staff at the Department of Justice and discuss our thoughts on the bill. It's nice to feel heard by the

Manitoba government and see action being taken to protect public interest advocates.

However, there is one big problem with Bill 23 that I hope can be fixed today. Section 4(2) of Bill 23 could result in situations where, when a legal proceeding involves an injunction, the filing of a dismissal motion under section 3 of the act will not pause the proceeding, even if the injunction ends up being meritless.

We think this exception weakens the protections offered by the bill. There should be an opportunity for the proceeding to be paused even when injunctions are involved. As a result, we recommend removing section 4(2) from the bill.

Our engagement with Minister Wiebe and his team seemed to demonstrate a clear interest from the department in justice in improving protections for those speaking up about public interests.

Next week, when I deliver the lecture on public advocacy to my law students that I rescheduled to be with you here today and we watch this recording in class, I hope I'll be showing them an example of democracy in action; of elected officials actively listening and changing proposed legislation to better protect Manitobans.

We want to see a version of Bill 23 that aligns with the approach used in the ULCC and Ontario acts, meaning no section 4(2), to ensure there are no gaps in the protection of individuals and organizations speaking up about matters of public interest.

Although the version of Bill 23 that was introduced is not perfect—if I was marking it in my class, I'd give it maybe C+ or a B—it's my hope that we will see the removal of section 4(2) of the bill today so I can assign The Public Interest Expression Defence Act the grade Manitobans deserve, which is a big, fat A+.

Thanks for your time and consideration of my remarks.

The Chairperson: Thank you so much.

Mr. Wiebe: Yes, thanks so much, Ms. Fast, for your presentation. Looking to get that A+ tonight, but I appreciate it.

Your support really means a lot, because not only are you representing the Manitoba Eco-Network who lives and breathes this reality every day and really tries to navigate these issues, but your academic work has really lent—lends a lot of credibility to this issue as well. We appreciated the meeting and the opportunity

to talk through some of the—your concerns around section 4(2).

And yes, we're looking forward to working with you. And thank you again for your presentation, and thank you for the students who are following along and going to watch this later. We hope to see them in committee, following your lead and participating in democracy.

The Chairperson: Thank you, Minister Wiebe.

H. Fast: Thanks. I hope to be back, and hopefully in the future I will be Dr. Fast instead of Ms. Fast, and you can hear about my study results.

The Chairperson: Thank you.

Anything else?

Mr. Balcaen: Well, thank you for your presentation and, again, doing the advocacy. I also look forward to seeing the students here in the future, because that's what this—committees are about, is having that. And it was good to hear a—finally a passing grade for this government.

So thank you.

H. Fast: Thank you. And I just—I appreciate your comments made today about the importance of hearing from the public. I very much agree.

The Chairperson: Thank you.

Any further questions?

Hon. Renée Cable (Minister of Advanced Education and Training): Thank you for coming here today, and thank you for being such a phenomenal example to your students. I think that it's so important that we have instructors, professors, folks in positions like yours doing the good work of showing students exactly what this looks like in action.

So thank you so much for doing that.

H. Fast: Thanks, and I'll do my best to prepare them for when they come speak to you.

The Chairperson: Wonderful. Thank you.

I would now like to call upon James Beddome.

My apologies if I mispronounced your name.

Floor Comment: No, you're good.

The Chairperson: Perfect.

James, please proceed with your presentation.

James Beddome (Private Citizen): Thank you very much to the committee; thank you very much to the Chairperson.

I'm very happy to be presenting here today in support of Bill 23, the public interest expression and defence act. I also am going to echo—and I will get into that momentarily—echo some of the comments of the previous presenters, that I believe that subsection 2 of section 4 should be removed from the bill.

But overall, this is a good bill. I do want to address an opening matter, which—been lucky enough to present many times to this standing committee. This is a somewhat unique process in Manitoba; I think only one other province in Canada has the process where anyone in the public can come in and I think we've heard some great comments today.

So I'll make a suggestion, which is: I know—I believe the legislative rules provide two days minimum notice for creating a standing committee together; I would suggest upping that to a week so the members of the public can have more time to prepare better submissions and better participate in this process. So just as an opening matter, I want to put that on the record once again, and I hope this may be—might be the last time I have to put it on the record: because I see changes as a result of that.

Now, once again, this is a good bill. It serves to create a legal tool to reduce the risk that legal action will limit the expression that relates to matters of public interest. I'm speaking today as a private citizen, but I will state I'm called to the bar in Manitoba and, prior to a recent career shift about a year ago, I spent 10-plus years working as a lawyer, primarily in litigation.

Couple of adages that I found myself constantly telling clients over my decade long of practice was: There's no justice in the justice system. And the sad reality of that is sometimes it's relative that we need changes in the laws, but more often than not, it's a reality of the inequity in the justice system.

This bill isn't going to solve massive economic issues, but the reality is, the justice system is hugely inaccessible for people: ten, twenty-five, a hundred thousand goes very quickly. That's just the reality of it and it makes it inaccessible. I remember advice that I got was that, as I was about to go do my articles from a lawyer, was realize how expensive we are: even most lawyers can't afford to hire lawyers.

* (20:00)

So the reality of our justice system is that, very often, it's for large organizations and very wealthy people. And that's something that this bill provides: a small tool that will help improve that.

Another adage that I often ended up telling people is: Even if you ultimately win the suit, just by being sued, you lose, in many respects. Once again, it's a cost issue, right? Because the reality is, once you're served with a claim, you have to respond. If you don't respond, default judgment will likely be—will be awarded against you. The other party's going to get what they want.

And even if you do respond and you fight the suit, the reality is that, typically, costs are awarded on what's known as—lawyers call it tariff basis, which means in accordance with the cost tariffs laid out in the King's Bench rules. And you can't say for sure—depends how many hours the lawyer will take—but I would suggest that, typically, that's about half to one third of the actual costs that people incur.

And this is why I think in some ways this bill provides some good provisions, specifically section 6, which provides costs on a full indemnity basis, which means 100 per cent basis. It also allows for the discretion of judges to adjust that award as they see fit. And I want to highlight the discretion of judges because I think that's very important. I want to make it clear that, you know, I want to get ahead of any of the sky-is-falling arguments that might appear, right?

Judges are highly competent in Manitoba. They are good at assessing claims, determining the merits of claims. That's what they do. So I think we need to realize that. And I think realize that—you know, entrust our judges to have that discretion. And this bill simply creates the option of moving forward with the motion to dismiss a proceeding where the judge, on the—on balance—it's outlined in section—sorry, I apologize—section 3, I believe, where they sort of outline the balance—balancing weight that the judge is going to take to look on balance. Is this—purpose of this proceeding, is it intended to suppress public expression?

Now, I will say that subsection 4(2) should be removed. And I think, in addressing that, I want to highlight how injunctions typically proceed. Because this doesn't mean we will never see any injunctions. This doesn't mean we won't see people having legal protections. There is simply an additional tool, an additional motion that people can avail themselves of if they're going to move forward. But rule 40 of the Court of King's Bench Rules stipulates how an injunction may proceed, and, although it doesn't

always happen, I will suggest more often than not, injunctions proceed on a without-notice basis. That's more common than not.

So the—what that means is that the other side isn't there. It's an ex-party proceeding, so the other side doesn't get to argue—make their arguments. And now, although lawyers, we have a obligation to be truthful and honest to the court, we also have an obligation to advance our clients' interest. So you can probably understand, in an adversarial system, when one side presents arguments, the other side doesn't, it makes it certainly—certainly creates some procedural inequity.

Then a party, typically, once they've got their judgment, now they need to respond. They need to deal with the injunction and how it's going to be dealt with. The main action, or application as the case may be that originates the proceeding, is honestly very often nominal. It wouldn't make it into King's Bench in terms of quantum of damages. They're usually trivial suits in nuisance or trespass or maybe detainue. There may be issues of publication. Can't comment on, you know specifics; each case is unique to its own. But the reality is that the actual claim itself is generally very nominal.

And so that's why it's important that subsection 4(2) be removed because that injunction itself would be a way to continue to drain a party's resources. It in many ways is nonsensical with the over intention of the bill. And all it would mean is that the party that then had that injunction would then end up having a motion where the judge would ultimately decide the entire proceeding—whether it has merit or not and whether the intention of it is to suppress public interest.

Ultimately, I just wanted to sort of outline that sort of procedural aspect so that I think members of the Legislature understand that. This isn't going to change the world, but it is going to make a meaningful impact. It is going to create an option for people when they're facing what is colloquially known as SLAPP lawsuits, strategic legal actions against public participation. And it has broad-reaching impacts, as we've heard tonight: labour disputes and injunctions on labour disputes; environmental issues; publications, broadcasters, journalists, they're—I think—abuse survivors.

There's the—a broad range of categories. Politicians, right? I mean, you—we—you were all lucky enough to benefit from parliamentary privilege when you speak inside the Legislature, as are parliamentarians in Ottawa; however, municipal councils don't have that same benefit. They don't have that same protection. You may not have that same protection if

you're acting outside of your course of official duties when speaking in the Legislature.

So this has broad-ranging impacts, and it is a good bill, and it will be made a better bill by removing subsection 4(2), and I hope this government passes it. I hope we see this government pass it unanimously, which is what we saw in BC. It shows that there is a strong, unanimous support to a meaningful bill, and it would mean Manitoba would be the fourth jurisdiction, as I understand it, in the country, following BC, Ontario and Quebec in implementing anti-SLAPP legislation protection for the citizens of Manitoba.

Thank you very much, subject to any comments you may have.

The Chairperson: Thank you.

Any questions?

Mr. Wiebe: Yes, thanks very much, Mr. Beddome. Very good to see you again. I appreciated the thorough analysis that you brought to the committee tonight. That kind of insider's perspective, I think is really helpful for us to understand, you know, the impact that this can have in protecting those folks who are vulnerable, and I appreciate your support of this.

Again, we met earlier, happy to listen to your concerns around 4(2). Just as a note, you know this is one of the bills that was delayed by the opposition, and so, yes, I think it's a good question, you know, whether there will be a unanimous support. I hope that there is as well.

J. Beddome: Yes, I also hope there will be unanimous support. It's why I actually—I thank you for your meeting, and took an attempt—I hope it's okay to speak to the other side, so to speak. I hope we don't see it that way, because it's about Manitobans, but about understanding the implications of this bill and that—I also want people to understand that it—like, as I said, it isn't Chicken Little; the sky isn't necessarily falling; this isn't going to—you know, it isn't—it's huge, it's important, but it's not going to change everything. It's not going to change the world. Systematic inequality is still going to exist. We're going to have to make massive improvements on our economic system, a number of changes.

But it is a meaningful tool, so I hope, like you, we can see unanimous consent for this, ultimately.

The Chairperson: Thank you.

Mr. Balcaen: James, thank you very much for the—your presentation, and really putting an expert spin on

this for us and bringing that forward. It—you know, it's actually very persuasive, some of your comments that you're making here, so we thank that.

And I'll just add to what the minister said, is that yes, we did hold this bill back, and specifically for the reason that we wanted to make sure it was right. We wanted to check with the experts and we wanted to check with people within the law and citizens that are being affected.

So, you know, it's important to make sure we get this right.

The Chairperson: Thank you, Mr. Balcaen.

J. Beddome: Definitely, I agree it's important that we get this right. It—I think it's important we hear from Manitobans, which, you know, I made the comment sort of about the process, and so I don't know. I put the—I guess I don't really get to ask the questions, but I'm going to ask one anyway, which is sort of, will we be seeing unanimous support? Has decisions been made now that enough time has been there to reflect and consult with experts?

The Chairperson: Thank you.

Any further questions?

Seeing none, thank you for your time.

I would now like to call upon Ms. Louise May. She is on Zoom, so Ms. May, I would ask you to turn on your camera and your microphone please.

Hi there. Ms. May, please proceed with your presentation.

Louise May (Private Citizen): Yes, okay. Thank you very much. I appreciate the opportunity to come at this from my home. I was unable to get downtown, and this offered me an opportunity to share my thoughts on this important bill.

I am very supportive of it. I would like to see it go through. I know there are some amendments that have been proposed, and I agree with those amendments.

I guess I'd like to bring my own personal perspective to it, having just been through quite an involved process, which made a lot of headlines around, but it was certainly a case where this bill would have prevented myself from being the target of a lawsuit, and others as well.

* (20:10)

So we talk about this concept of people being intimidated to come forward and protect their communities,

protect the vulnerable people, protect the history: Burton-forward, important concepts that are not being proactively dealt with by our politicians. And that's, I think, where this needs to start, is that, you know, as we progress as humanity if we can move forward with more rigorous ethical debate that we might be able to circumvent some of these things.

And really what it comes down to in the situation that I was involved with, which was the protecting and preserving of the St. Norbert forest—important forest—Lemay Forest—and the important heritage asset of a graveyard of over 3,000 identified children from the orphanage that was on that site from the early 1900s to 1950, major historical development and, of course, you all know that the Province did step in finally and expropriate.

In the months that were quite stressful for myself, I will say, and for many others, and the decisions that I had to make as an individual—and I will say that I'm also a small-business owner. I am 21 years of Aurora Farm in St. Norbert within the city limits—160 acres. So I manage land; I manage a business. I have a lot of ethical considerations in my business, so I am not coming at this thinking that other business owners don't go through those same kind of ethical decisions.

But when we have landowners, in this case in particular, who are, it seems, without that sense of community ethics and that those conversations break down entirely, that what we are left with is literally standing in front of bulldozers, literally holding a fire—a sacred Indigenous fire—for months to try to protect and bring awareness.

In my own case, in early January, the injunction that was brought on by the owner, the landowner, the injunction—I should say by the landowner's company—so an incorporated company is able to do—to create an injunction naming many different people. It named over a dozen people and then numerous Jane and John Does.

So that left them open to simply—I wasn't even named on it originally, and some of the people who were named had no idea why they were being named, for instance.

So this kind of—this shotgun approach—where, you know, a person who has already lost, has already had his proposal turned down at almost every turn, is able to still circumvent all of that and threaten the community by starting to just cut down the trees.

And it's just the bullying techniques and the evidence that was gathered was all illegally gathered. The developer in question had a video camera in his sunglasses, we found out. You know, numerous individuals got different kinds of letters from the lawyer that were nonsensical and just simply threatening us.

I found myself having to hire a criminal lawyer to defend myself in a civil case. And of the four counts that were of the contempt, three of them were dropped and the one charge that was—you know, ultimately, I think, the most bullying charge—was that they wanted me to rescind my private prosecution against the developer and the landowner personally, which was the route I chose to take as an individual to try to stop that—to try to stop the trees from cutting down. And it was a tactic, a maneuver that my lawyer has suggested was something I could do personally. I didn't need to have anyone else with me. I could just go down and file it, and so we did.

So this is—you know, and this is coming from—for myself, 40 years of activism. I became an activism—activist in my teens and I have seen many, many different projects and been in different situations. And what we're seeing is this—over these years is this inch-by-inch control that has now led us to this situation where, you know, individuals just are afraid to stand up.

And many, many—I can't speak for them personally, but I will say that I heard from many of the other participants in the Lemay Forest how afraid they were and how they were afraid to go out of their homes because other threats were happening, not just legal. I had someone drive by my house a week before my sentencing hearing, yelling: F you, Louise. A man. And these kind of—like, all these other kinds of bullying techniques that kind of surround the legal thing; very unnerving.

So, you know, if we want to—and we're looking at sort of a global sense of loss of democracy. And so, to me, the only way that we can protect our democracy is to make sure that individuals who have knowledge, who have experience, who are potentially able to view things in a better, ethical way—because we don't have the same ties and constraints—that we're able to step up and that we're able to be present.

You know, with the rise of the hatred-based communities that seem to appropriate all of the social maneuvers that we as progressive activists have pioneered and used over and over, this is another affront against democracy that I just—I don't know.

This bill is a tiny—we have to pass it. We have to pass it. But it's a tiny protection where we need a much bigger protection from the government.

I'm sure you are all wrestling with these things on a daily basis, so I am just here to say I hope everyone will be united on making sure that this happens. If we had had this in place, I would have been protected. I would not have had to put myself way on the line to do what I had to do to stop the trees from cutting—coming down.

So I'll stop there.

The Chairperson: Thank you for your remarks, Ms. May.

Any questions?

Mr. Wiebe: Thanks, Ms. May. Wow; what a story. Incredible. Thank you for sharing.

I'm glad that we could step up as a government. We can protect Lemay Forest, and I'm glad that we're moving on from that, but I guess I'm just reflecting on the fact that this bill, again, has been delayed. The fact that Manitoba hasn't had this legislation because it was never considered or contemplated or passed—voted against, I guess, is the way to put it—by the previous government.

I guess, maybe just—can you just recount again, just detail how this bill, if it had been in place, the kind of impact it would have had on your situation specifically and the kinds of pressures that you were feeling—and I guess others in—with regards to saving Lemay Forest.

The Chairperson: Thank you, Minister Wiebe.

L. May: So first of all, I think I—and someone more knowledgeable than me—James, probably knows this, but—that provinces that have enacted anti-SLAPP legislation, I would think that those developers or, you know, people wanting to threaten would be a little bit more careful, a little bit more reticent to get involved in doing that kind of threatening action against the community, I hope.

So there's that kind of preventative measure that—right there. I, myself, am not exactly clear. You know, does this come in where a judge—so I watched the judge in my case.

* (20:20)

Like, I mean, I went in front of that judge many times, and I watched her not have the tools to throw it out. And I wonder—again, James maybe could answer

this better, or someone else with a more legal mind—that it gives the—I would hope, that this gives the judges a way to pre-emptively say, yes, no, we're not going to allow this to go through in the first place; we're not even going to get to a trial. We're not going to enforce. We're not going to allow this injunction to move forward.

So, you know, I think the injunction that was out against us, the whole big group, that I ended up being the only one who was tried for that injunction—that injunction, I—it had no basis in fact and it had no evidence, you know, talking about the individuals' participation; it was just a big list of names, and, like I said, mine wasn't on it. So even with mine not on it, I was still—they were still able to circumvent that and use it as a tool to shut me down or to attempt to shut me down, personally.

So I'm not representing any group. I'm an individual. I just knew that—you know, that that was what I had to do because I knew that we don't have anti-SLAPP legislation. I knew that that was what they were going to do. They've already proven in several other situations that this is how they operate. So there was no surprise.

So to answer your question, I hope it would have curtailed it right from the—snubbed it out right from get-go.

The Chairperson: Thank you.

Any further questions?

Mr. Balcaen: Again, thank you very much for your presentation and bringing your specific case forward here. It gives us, again, understanding from many different Manitobans.

Thank you.

The Chairperson: Ms. May?

L. May: You're welcome. Thanks for having me.

The Chairperson: Thank you so much.

I will move to the next speaker, Ms. Diane Bousquet. She is on Zoom.

Ms. Bousquet, I would ask you to turn on your camera and your microphone, please. Ms. Bousquet, can you please turn on your camera and your microphone?

Ms. Bousquet, please continue with your presentation.

Ms. Bousquet, we can't hear you. Can you please ensure that your microphone is on?

Diane Bousquet (Private Citizen): Hello? Hello?

The Chairperson: There we go. Thank you. Please proceed with your presentation.

Ms. Bousquet, please proceed with your presentation.

D. Bousquet: Hi, my name is Diane Bousquet, Shining Flowering Thunderbird Woman. I am a Métis woman of Bear Clan, a rights holder and a land defender of the Lemay Forest.

I have stood alongside others fighting for the search for Brady landfill where communities continue to seek justice, truth and the return of our missing and murdered sisters.

I have also walked from Portage la Prairie residential school, a place my father survived, all the way to Winnipeg, to the homestead of my mother's 'ancestral' homestead. Every step of that walk was an act of ceremony, prayer and peaceful advocacy, reconnecting generations separated by trauma, calling this province to remember these acts in search for our sisters. And on my walk from Portage la Prairie and defending the Lemay Forest, I've been assaulted, arrested and criminalized for standing in peace.

These experiences are why I'm here today. I come before you in strong support of Bill 23. I am not a lawyer or a politician. I am a woman with lived experience of being silenced, ignored and restricted for speaking the truth, for defending land, for protecting the memory of children and for standing up for what's right.

For years I've spoken in ceremony and in advocacy for lands like the Lemay Forest, a place of sacred—sorry, a sacred place in St. Norbert that holds deep cultural, spiritual and significant meaning for our people.

In that journey, I've witnessed how systems have often protected those with power and privilege and not those acting in good faith. I've seen justice systems used as a weapon to discourage truth rather than a shield to protect it.

Bill 23 brings hope because it recognizes that public participation, truth-telling and peaceful advocacy are not threats. They are essential to a healthy democracy and to reconciliation in action. While I fully support this bill, I respectfully ask that section 4 be amended to include the protection of

individuals facing injunctions, restrictions, arrests or legal orders meant to silence peaceful advocacy or expression on matters of public interest.

Right now section 4—mainly a civil action like defamation, but in reality many advocates, Indigenous land defenders, whistle-blowers and communities face injunctions, arrests and court orders that do more than restrict speech. They cut us off from our lands, our ceremonies and our sacred responsibilities.

In my own advocacy, these injunctions did not only limit my right to public participation, they robbed me of my ancestral rights, banning me and others from our ancestral lands and from conducting ceremonies that have been carried out since time immemorial.

These are not—these were not restrictions based on harms I've caused, but the discomfort of the truth I was bringing forward. Meanwhile, others have used the justice system through threats, injunctions and procedural tools to silence those working for accountability.

That's why I recommend that this section be amended to include the following language: this act applies to any proceedings that arise from the expression of a matter of public interest, included but not limited to acts of defamation or injunctions, arrests or orders to seek to restrain or penalize public interest expressions or peaceful advocacy by individuals acting in good faith.

This amendment would make sure that the law protects all truth tellers, those who write, speak, sing or pray for change, not just those who thought—who do so through formal institutions or media. This summer, I fasted outside the Manitoba Professional Institute of Planners. That was a—that fast was not a protest. It was a prayer. For four days and four nights, I stood in ceremony for truth, healing and accountability within a system that has forgotten their humanity.

It was about reconciliation with the land, with community and with truth itself, and yet even peaceful acts like prayer and ceremony can be misunderstood and met with resistance. Bill 23, if strengthened—this amendment could help bridge that gap. It would ensure that those who are acting from 'conscius,' especially Indigenous women, land defenders and advocates for transparency are treated as—not as adversaries but as contributors to justice and healing.

This bill can demonstrate what reconciliation looks like in law: protecting voices, truth and

honouring the sacred responsibilities we carry for each other and this land.

* (20:30)

I urge the committee to pass Bill 23, The Public Interest Expression Defence Act, with the consideration of a critical amendment.

The protection of public interest expression is not only a legal matter; it's a moral one. And for far too long, fear has silenced the voices that need to be heard most. With this bill, courage can finally be protected and truth can once again have a rightful place in public life.

Thank you for your time today.

The Chairperson: Thank you, Ms. Bousquet.

Mr. Wiebe: Thank you, Diane, for your presentation here tonight. I—you said you weren't a lawyer at the beginning of your presentation, but I thought you laid out a perfect case as to the importance of this bill. But, of course, you did it with heart and personal experience, which I think is probably the most important part of this.

I also just wanted to thank you for pointing out your agreement with previous presenters around section 4(2), and I think that there is a consensus that I'm seeing from presenters and from the public. And, of course, we're happy to work with you and with the public to make sure this bill, you know, is the most effective that it possibly can be. So thank you for your presentation tonight.

D. Bousquet: Thank you.

The Chairperson: Any further questions?

Mr. Balcaen: Diane, thank you very much, again, for your presentation. It's important, as I've said to all of the presenters, to hear from Manitobans across our province and all of the different experiences that people have. So I appreciate you taking the time tonight to give us this presentation.

D. Bousquet: Thank you very much for your guys' time tonight.

The Chairperson: Thank you very much.

I will now go on to Mr. Eric Reder—Reder. Sorry if I'm mispronouncing your name.

Is it Mr. Reder or Reder?

Floor Comment: We're getting there. It's Reder.

The Chairperson: Reder. Oh, sorry.

Mr. Reder, please proceed with your presentation tonight.

Eric Reder (Wilderness Committee): Thank you. Thanks for having—giving me an opportunity to speak on Bill 23.

My name is Eric Reder. I'm the director of the Wilderness Committee. We just celebrated 45 years of standing up for nature and wilderness across the country just in August, and I've been the director in Manitoba for 20 years.

A couple things right off the top. I'm standing here to support Bill 23, anti-SLAPP legislation. I think we were looking at—BC brought this in in 2019. So it's an important piece to have in place.

The other thing, before I forget, is that section 4(2) on injunctions, absolutely I support the removal of that from this bill from the stories we've already heard.

I'm going to start by telling you a story from 2010 from BC that would have driven the anti-SLAPP legislation. Taseko was a mining company that was going to mine beside Fish Lake. We were engaged with the First Nation whose territory it was. As an environmental organization, we're not consultants. We work on a public-need basis.

And one of the things we did was, their application to open up the mine beside Fish Lake, their environmental—Environment Act proposal, what it would be called in Manitoba, stated that over time, it was going to contaminate Fish Lake. We published that to our website, and then we got a cease and desist order, and then we got a lawsuit from Taseko Mines because we'd published the words that they had published in their application to the government to open up a mine.

So within a few days of that being made public, the public being aware of that, one of the leading anti-SLAPP lawyers in the country walked into our office, Daniel Burnett, and said, I'm taking this case on pro bono for you. So that was really good, except that we're looking at, you know, losing our organization that had been in place for 30 years because this company is scared of the fact that we published the things they said in public. And the fact that a lawyer stepped forward and helped us was obviously very good, and it indicates that there's public good; there's pieces that we need to work on.

What it took for our organization was a complete revamp of what we were allowed to say in public.

And it took more than 100 hours of dispositions with this lawyer so that we could clear ourselves through this case. We eventually won the case, which is excellent. But, again, it took a lot out of our organization to do this.

So then fast forward to 2019. BC has passed their anti-SLAPP legislation. The letter that I've handed out to you is directly as a result of my work in Manitoba during the pandemic, doing some research on caribou in Nopiming Provincial Park.

One of the things that I looked on the mines branch website is I found mining claims that are inside the protected area. And I'm, like, no, that can't really be. Like, they're—who would make this mistake? This is impossible. So I planned a trip. I took my kid out with me and we paddled out on the May long weekend and I documented GPS co-ordinates, photographs, drone footage, everything I needed to show that this mining claim was explicitly inside a protected area, which is illegal.

Came home with the documentation, loaded it all up. This is a big deal. And then within a couple of days I got this lawyer—this letter from the lawyer—so immediately we're scared. We're trying to figure out how to protect our provincial parks.

So when we talk about the personal and what this means, we've heard from other folks who talk about the risks that they've went through. There isn't anybody who speaks up for caribou. There's nobody speaks up for our provincial parks, and I would imagine that everybody in this room here has fond memories of going and visiting provincial parks. And we lose pieces of those when we don't care for them.

And so in this instance, again, Daniel Burnett, we contacted him. It wasn't pro bono this time. We sent over this. I've given you the news release that showed what we said in public and the letter that we got from the lawyer. Very explicitly in Manitoba the reason we need this anti-SLAPP legislation is so that people can speak up on the public good.

If I had said something wrong and I was getting sued because I had defamed someone, that's an entirely different situation. But we're stating the facts about what is happening for the animals on the land in Manitoba.

So those pieces are direct—that was all I was going to present on today, but I really want to touch on something that Louise May talked about and then Diane just presented on. I was part of the Lemay Forest fight for 120 days this year, and it was a hard thing.

I would suggest that in January I got a very terse message from the lawyers for the developer—for the owner—of the Lemay Forest. That put me into the—again, looking for lawyers to hold this up, say, wait, that why am I being told to do all this work for this lawyer. This isn't the way things are supposed to go.

What I would suggest is that lawyers are, without anti-SLAPP suit, lawyers are emboldened to lash out at people and to pressure people, and they're emboldened because there is no response; there is nothing that people are going to do.

So folks who can afford to hire lawyers get to control the narrative, and that happened for quite a while on Lemay Forest because Lemay Forest was a five-year battle that only culminated in a real decision being made by this government in the last 120 days.

So what we do for public good here, for standing up for any piece of society, whether it's talking about social housing, which has come up here today, or talking about funding organizations. M.J. talked a little about what it was like to be in First Nations, be in Hollow Water, and be trying to get—confront the chief and council about their decision making. I was followed around Hollow Water on that same campaign by the RCMP every single time I showed up in the community.

So there's a place where a power imbalance exists and it's up to you, as leaders of this province, to figure out how to sway the power imbalance back so that we, as a collective, can look after ourselves, we can look after nature, we can look after climate, and that's pretty much the extent of my presentation today.

Thank you.

The Chairperson: Thank you, Mr. Reder.

Questions?

Mr. Wiebe: Yes. Thanks, Mr. Reder. You know, I've got to admit I appreciated what you shared here today and it makes my blood boil to hear the ordeal that you've been put through. And we're heard from numerous others, high-profile situations, who've experienced the same kind of things, so I know that you're in good company there.

* (20:40)

But I just wanted to express, yes, the frustration along with you, you know, what you had to go through. And I'm really happy that we could bring this legislation forward and I do hope that it gets all parties' support, we just get this done. I can't believe

we've delayed it this long. Let's get it done and let's protect the good work that you're doing.

Thanks again.

The Chairperson: Mr. Reder?

E. Reder: Thank you.

Mr. Balcaen: Thank you, Eric, for your presentation and bringing what you had as first-hand experience forward on this. So again, I know the minister said it several times that this was held back, but for good reason. We want to make sure that the legislation—it's proper and meets what everybody is looking for.

So thank you for being here and thank you for your presentation.

E. Reder: Yes, thank you. I would say that the more indication that people see in public of people working across the aisle, the easier it will be to turn down the rhetoric. The show of support behind things like anti-SLAPP, which really goes to empower citizens to be part of their society, things like, again, climate legislation, having people from both sides of the elected House, from all three parties in the elected House, standing together and passing messages on to the public instead of looking for ways that they can be political.

Some of the things are much more important than who's going to win the next election because we're running out of time for caring for society, nature and climate, and you guys are in the seat right now, and we're going to be looking back and remembering that you guys had that opportunity to collectively get together. This is the time for you to do this.

Thank you.

The Chairperson: Thank you.

Any further questions? No?

Thank you for your time, Mr. Reder.

Bill 30—The Election Financing Amendment and Elections Amendment Act

The Chairperson: We will now move on to Bill 30.

And I would like to call upon David Grant.

Mr. Grant, please proceed with your presentation.

David Grant (Private Citizen): Thank you.

In contrast to the other three bills that I spoke to, which I was pretty completely in favour of, and I didn't discover problems with them but others did, in the case of Bill 30, it's a bit different. And maybe I'm

not interpreting it correctly. But been doing this politician and voting and elections thing for a very long time, since the '50s, and voting was once limited by law and procedure to citizens. Bill 30 seems to ignore that principle. I would like wording added to Bill 30 that would bring this back in.

I understand that Alberta tried to—they're going even farther, putting citizenship status on driver's licences, which is a radical step. And to do that, they were unable to get Ottawa to provide them with who's a citizen and who isn't. So if Ottawa doesn't know or won't say, it might be difficult, but it would be nice if Elections Manitoba had that as one of their guiding principles, that when people are being added that they be citizens. And Bill 30 seems to be missing that. It allows the CEO of Elections Manitoba to use any trusted means to add names. And so that's a bit troubling, but I'm not sure there's a good solution if Ottawa can't help us.

And the—another principle or concern I had is that most of the political action groups in Manitoba, the EDAs, are in non-held ridings, that if the Liberals have one, almost all of theirs are non-held. And for an EDA—this is a electoral district association—the local volunteers in a non-held riding, they take in nearly zero dollars a year, and they spend nearly zero. They might buy doughnuts; they might not. And any attempt to require a lot of money to be spent on audits could financially ruin them. Maybe I'm misinterpreting it; maybe that's only in election years, but it's a concern. I remember decades ago when I was in charge of the south Winnipeg—or a secretary of south Winnipeg Boy Scouts, and we wanted an audit performed, and it turned out at that point anybody in Manitoba could perform an audit. You didn't have to be a CA or anything like that.

But anyway, just the idea of laws that require an action to be taken are good. Where the law says, and you must spend this much on that service, if the organization is impecunious, has no money, and wants to have their books certified by a third party, looked over, and there's almost nothing to it, if that could be done for 50 bucks, you know, for somebody to peruse the three entries and sign off, we shouldn't be required to spend thousands.

Just a comment, and if I've got it wrong I'm sorry, but if the bill does actually require non-held tiny EDAs to spend a substantial amount of money, I think it's a bad idea.

The other is advanced voting. It does spell out advanced voting, the time period it should cover.

I've sat at a lot of advanced voting and regular election-day voting as a volunteer scrutineer and as an employee of Elections Canada, and a lot of the time it is pretty boring. You bring a newspaper, because nobody comes in. And it strikes me that if you go for a lot of 12-hour advance days, that's great for marketing. You know, tell the public, from 8 to 8, come on in, and all these days.

And that's about as generous as we can be for the public, but it means that almost all that time by all those employees is wasted. And I'm not sure how we deal with that, but if we know that the busy time is from 4:00 to 6:30, being open from 4:00 to 8:00 rather than 12 hours for a bunch of the advance days might be a more—a better use of resources.

And just want to make that comment as somebody who's been—sat bored for way too many hours with no customers. And obviously, something like Bill 30 is a good place to put that in, because it does make reference to advanced voting. And advanced voting that turns up five votes an hour is not something to be proud of. If we want to pretend that those five votes would never have voted, sure, but I think there's time to rationalize this. I know we aren't private industry and we shouldn't pretend to be, but there is reason to rationalize it.

I guess there are a couple of other things involved here. That—I understand that the Bill 30 expects, or the law expects a—one of the political parties to investigate if there are complaints, and that's interesting, because I've seen—the Law Society is allowed to do their own investigations of their own problems, professional engineers do the same. And it goes horribly wrong, because what somebody who wants to let the bad guy off the hook calls an investigation is not something you and I would agree is an investigation.

Which then brings up the—it would be a good idea if, for legislative purposes, for the purposes of Bill 30, for the purposes of other acts, where you guys call for an investigation. I think the widespread dismissal of things that should be investigated by doing fake investigations—it would be good if we—and again, I may be working with Minister Wiebe's person there on this—but if we spelled out what we mean by investigation. It doesn't mean you call up the criminal and say, it wasn't such a bad thing, was it? And then you toss the complaint. I think there should be standards for what we call an investigation of a professional complaint, or a complaint on an elections issue.

So there are certain things—like, I've done professional investigations. You got a problem in a company

and we gather information. We gather it as widely as we can. And the report describes what we did, you know, as far as the investigation: looking up old records and talking to people and so on. And I think any investigation should be required to provide a report, and the report should describe the procedures used. You know, the philosophy and the—what we did to investigate.

* (20:50)

Because right now, in—as again, Bill 30 calls for parties to investigate complaints, and I have dire feelings that this is going to end up just as bad as if one of us complains to the Law Society, and they decide, oh, that the guy's pretty important here, we're tossing that one. I'm afraid, especially if it's a party investigating a complaint, that they're going to be doing not the kind of investigation we would be happy with.

So again, Bill 30 may not be the place for it, but Bill 30 is another area where the government of Manitoba requires an investigation. There's a complaint, we want to investigate it, all this—a lot of this stuff people were talking about under Bill 23 would qualify also as complaints that should be dealt with. And if the organization doing the investigating is allowed discretion, and the person is being investigated is important, and—it'd be better to have them an unstained reputation, we can expect a non-investigation.

So it's a little off topic, but it is in there. So for one thing, if there's going to be an investigation asking the group that may have benefitted from the problem is maybe asking too much—you know, it's certainly—it's been suggested before. I think that's why we have—police have special organizations to investigate stuff that may be done badly by police rather than having the detective who has lunch with the accused person investigate. So that's a different matter, but the problem is one in common.

So as I say, I think we need a standard set, and I can work with your person, Mr. Wiebe, on that, on what an investigation should incorporate. And the report should describe all the things that were done in the investigation, and we should require that. So anyway—but it is common to many pieces of legislation in Manitoba, where we require this to be investigated.

And I have many pieces of evidence where a bunch of stuff was sent in with a complaint, you find out later that it was dismissed and you say, why. Well, there was no evidence. What happened to that pack of stuff I sent you? And—

The Chairperson: Thank you, Mr. Grant. You can finish your remarks during the five-minute question period.

Are there any questions?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, thank you, Mr. Grant, once again, for the presentation. I think you have the same goal as our government and of Elections Manitoba, and that is to enhance and protect our democratic institution, so thanks for your perspective on it.

The Chairperson: Thank you, Mr. Grant.

D. Grant: I did sort of wander off the topic of elections, although I think those are still valid points that we try to set up the advance to make maximum use of people. And the citizenship thing is not easily solved, but I'd like it to be worked on. And the finance thing for the EDAs, and as I say, the other part, I was pretty much done.

I guess the idea that if you dissent from the view that elections are perfect, in some circles, that's a crime. I think federally they have done that. If you say things aren't good in the election process, you can be charged with a serious offence. And I would think that creating a lie about elections should be prosecuted. But saying, hey, what about this? Or, what if somebody does that? If you're raising questions, that should never be a crime in Manitoba.

And so that was—thank you very much for your support, Mr. Wiebe, and that was my other comment.

The Chairperson: Thank you, Mr. Grant.

Mr. Wayne Balcaen (Brandon West): Well, thank you, Mr. Grant. Again, always coming up with ideas and thoughts on the various bills, and it is appreciated, and thanks for your advocacy.

D. Grant: Thank you.

The Chairperson: Any further questions?

Hon. Renée Cable (Minister of Advanced Education and Training): Thank you again for your presentation and being so engaged. You mentioned protecting our democracy and strengthening what we have here.

Do you have any sort of last words about what we can do to continue to strengthen our democracy here in Manitoba?

Floor Comment: Well, it—I guess—

The Chairperson: Mr. Grant.

D. Grant: I'm sorry, yes.

There are some—won't call them existential, but there are some threats to what we expected of democracy all our lives that nobody is talking about, and one of them is citizenship versus non. And—so that's, again, hard to settle; if Ottawa isn't keep tracking of who's a citizen, how are we to do it?

The other is the effect of media, that we find that media in some cases can see if they're in the room, when really strange stuff's happening at City Hall and people presenting evidence. This is a problem, and city hall ignores it. And so the public never know that, unless they happen to be watching YouTube. So that's another area of concern.

The whole idea of the federal government paying the salaries of almost everybody that reports on the federal government is problematic. I think in other countries it would never be accepted. But we have.

So that's, you know, as far as the protection of democracy, I think the idea that we have a solid forum of you people responding to us, speaking to us, and we get to speak to you, and you're very responsive and do the right thing, that's wonderful.

And I think the idea that—and I guess the security of the ballot is something that's been an issue more so in the US where there are examples of boxes being brought in after the candidate loses: well, let's bring in four more boxes and now he wins. That sort of thing we don't see here, and we don't want it. But it does speak to the integrity of the ballots. And that's one thing. Paper ballots take forever to—well, they take an hour to count. But machines are so easily tricked that I would hope that we stay with a piece of paper.

And thank you very much for your question, Ms. Cable.

The Chairperson: Thank you so much for your time.

That—I will now go back to our list.

So for Bill 8, Mr. Victor Vrsnik?

Mr. Victor Vrsnik?

Mr. Visnik [*phonetic*]-Vrsnik will be dropped from the list.

We now move to Bill 12. Gerald Brown?

Gerald Brown?

And Mr. Brown will be dropped from the list.

That concludes the list of presenters I have before me.

* * *

The Chairperson: In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

Minister Wiebe? How would you like to proceed?

Mr. Wiebe: I would suggest that we proceed through the bills in numerical order.

The Chairperson: Okay. We will now proceed with clause by clause of Bill 8. Sorry, we need to do a committee substitution.

Mr. Wayne Ewasko (Lac du Bonnet): Yes, so we're going to be doing a substitution: myself for Mr. Bereza on the committee.

The Chairperson: Right now we're going to do Bill 8 first.

Mr. Ewasko: Oh, I understand. I just figured since we're at the start of everything, so—but go ahead.

* (21:00)

The Chairperson: It was previously suggested that we go through the bills in numerical order. However, there was a suggestion to go through the bills in numerical order but start with Bill 40, and then move to Bill 8.

Is it the will of the committee? *[Agreed]*

Committee Substitution

The Chairperson: I would like to inform the committee that under rule 84(2), the following membership substitution has been made for this committee, effective immediately: Minister Schmidt for Minister Cable.

Thank you.

Bill 40—An Act respecting "O Canada" and Other Observances and Land and Treaty Acknowledgements in Schools (Education Administration Act and Public Schools Act Amended)

(Continued)

The Chairperson: Does the minister responsible for Bill 40 have an opening statement?

Hon. Tracy Schmidt (Minister of Education and Early Childhood Learning): I do.

Thank you to the members of the committee. Thank you to all of the presenters here tonight, both those that were in person and for the written submissions. Thank you very much for your time, your thoughtful consideration of Bill 40.

As Minister of Education and Early Childhood Learning, I am very proud of this bill. And this bill does many important things, all of which are intended to modernize The Education Administration Act and The Public Schools Act and to bring them into 2025 so that our observances in our public schools reflect and respect what Manitoba is and who we are as Manitobans.

So one thing Bill 40 does is long overdue, and that's to remove the part of the act that mandated religious exercises in the classroom. The courts here in Manitoba decided that that was an unconstitutional practice back in 1992, but the rule nevertheless remains on the books, so we are now taking it out. We could perhaps call that a bit of housekeeping.

Another important thing that Bill 40 does: affirms and legislates patriotic observances including O Canada, Remembrance Day and citizenship exercises. These previously existed in regulation and what—a part of what Bill 40 does is entrench those important patriotic observances into legislation.

Bill 40 will make it law that every day in every public school, O Canada will be played and respected because, perhaps now more than ever, our youth need to be united and to take pride in our country and everything that it stands for.

Bill 40 also makes it law that not only will every school observe Remembrance Day in order to honour Canada's veterans, but we're also making it more flexible so that schools can honour this sacred day in a good way. Previous regulations provided that Remembrance Day must be observed on the last day of school before November 11. Schools and veterans and Legions alike have been asking for this change to the regulation to allow for greater flexibility on which day Remembrance Day is observed in schools to allow for greater participation, for the co-ordination of veterans and Legions to, again, allow greater participation and more meaningful participation across many schools.

They have asked; our government has listened. And now we will enshrine that into law.

As I've said, part of the intention of Bill 40 is to modernize the acts and bring them in line with what is common practice and—common and acceptable practice in our schools today.

So in that theme of enshrining into law what is already in practice in classrooms across the province and, thank goodness, across the country, is Bill 40's requirement that school boards establish policies

regarding land and treaty acknowledgements, like so many schools and school divisions have already done.

And these schools are—many schools and school divisions are already doing land and treaty acknowledgements in practice. In fact—and I think most of the committee members would probably agree—in every school I have had the great fortune of visiting, land and treaty acknowledgements are a regular practice. And, in fact, I would suggest that there is maybe no space where we see the work of the Truth and Reconciliation Commission and the late Justice Murray Sinclair more clearly and abundantly than in our public school system.

That work goes well beyond land and treaty acknowledgements. We see in our schools today land-based learning. We see examples of the seven sacred teachings. We see Indigenous-language courses and clubs. So I just want to take a brief moment to thank school leaders, educators and, most importantly, the kids for their leadership and for their important work on reconciliation in the classroom.

We are going to make sure that this good work does not slide backwards in a day where we have elected officials who would deny the history of residential schools and the harm, the intergenerational harm that is—continues to rear its ugly head in our society today. We're going to make sure that that good work doesn't slide backwards. We're going to make sure that this is law in Manitoba.

And finally, yes, Bill 40 does remove the requirement to sing God Save the King every day. Manitobans know that this fell out of common practice decades ago. Schools have independently made and affirmed those decisions for years, year after year, for a variety of reasons, some of which we can discuss here tonight.

But first, let's be crystal clear: nothing in Bill 40 bans God Save the King. That's just division being sowed by the opposition who would prefer that Manitobans would continue just fighting each other so that they don't notice the other corruption and failures plaguing the PC Party and the PC leadership.

So they would have you believe that this is some conspiracy to ban the song or to discount the monarchy, but nothing could be further from the truth. If a school community or a classroom teacher decides that the singing of God Save the King makes sense for their students, please, by all means, sing away.

* (21:10)

But I want to bring us back to the work of reconciliation being done in our classrooms across our province and why we do that work, including land and treaty acknowledgements. It's to bring to light the terrible history of colonialism, including the racist policy of residential schools and the impacts that that history has on Indigenous people of this land that we call now Manitoba.

Those impacts are felt today. We can see them and hear them all around us if we are listening; and if we are committed to the truth and to reconciling that truth so that Canadians and Manitobans, we can find a better and brighter path forward together.

So if we are going to acknowledge the real and ongoing intergenerational harms of colonial policies, including residential schools where kids were stolen from their families, forced to abandon their culture, their language, their ceremonies, their ways of seeing and knowing the world; they were stolen from their communities, from their nations and forced to pledge allegiance to a Crown that is inflicting—that had inflicted harm upon them; if we are going to acknowledge that truth and the real harms that flow from it, then I can absolutely understand that why, for some school communities, for some classrooms, they might decide against that as a daily practice in their schools. And that's okay.

Bill 40 allows for the freedom to choose, and we expect that those choices are guided always with the best interests of the child at the centre of those choices, so that each and every child knows that they matter, that they belong, that they are safe and included and respected in the classroom. That is at the cornerstone of all of my work as minister, of all of our work as the NDP government.

I will continue to work closely with all stakeholders and experts in the sector as we communicate to implement these changes. I look forward to the unanimous support of this committee.

Thank you very much.

The Chairperson: We thank the minister.

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

Mr. Wayne Ewasko (Lac du Bonnet): It's interesting that Bill 40 comes forward and then the minister goes off on a little bit of a tangent, but that's okay. That's—there's nothing new with you-know-who and his government officials.

So when we talk about legislating O Canada on a day-to-day basis, we on the Progressive Conservative side have teachers and trustees, and we also have teachers and trustees on the NDP side, and we know, as teachers, O Canada is strongly suggested to be sung at the start of each day.

We are in support of this bill to a certain degree, bringing forward the Remembrance Day and being able to give schools and school divisions the flexibility of the various different days to practise it. Because we know that, especially in rural communities, there's many officials and legions that have multiple schools. And so this way it gives the opportunity for flexibility within those communities to hold Remembrance Day ceremonies at the schools and have those various, you know, veterans and organizations attend those very important ceremonies.

Which lead us to evenings like today, where those men and women that have gone before us and continue to fight for our freedoms on an everyday basis allows us to enjoy the democracy that we have today. And Manitoba being one of just a couple provinces in this great country of ours that actually has a committee stage and—so I'd like to thank the presenters who came on, you know, to speak to the bills that have been brought forward.

You know, we held this bill up to get a chance to have those conversations and collaboration with many of those education partners and stakeholders all across this great province: parents, guardians, teachers, support staff, bus drivers, senior administration and, of course, school boards and that.

And so when we talk about also land and treaty acknowledgments, we know that that is already sort of ingrained in many schools and school divisions already. And I know, being former Education minister in this great province of ours, it was our government that brought forward many of those practices and put them in place into documents that—you know, I'm hoping that the now-Education Minister doesn't try to turn back time and get rid of some of those—some of that really good work that has gone forward in this great province of ours.

That being said, the minister said herself that this is something that we're giving the freedom for school divisions and schools to come up with their own policies and freedom of choice. And so even though we are going to be supporting this bill, we're going to be supporting this bill with the addition of a couple amendments, and that is to continue that free choice so that it's actually written in the regulations that

schools and school divisions can continue on with that choice.

It's not fear mongering, as the minister says. The minister's really good at trying to put forward wedges. And she's done this since she took over in the Education file, and she can't seem to handle the fact when she's given a little bit of a—little bit of pushback, respectful pushback—but then we can see the partisanship ramp up in behaviour and tone.

With that, we are going to be bringing forward a couple amendments. I don't see—or, we don't see—and many of the stakeholders and education partners across this province—don't see any need to get rid of the regulations to get rid of the Royal Anthem. We think that it is a good option. Do many schools practise it? No. But during certain times of the year and that, definitely they do. And some schools do. And some schools still want to do it.

The minister says that it is their option to be able to still practise that, but you know what? If it is that case—if it is that way, there's no reason to not keep it in there as an amendment to this bill. I mean, for goodness' sakes, we saw, you know, the Premier (Mr. Kinew) pat himself on the back and touting the king—and receiving the medal on—the King Charles III Coronation Medal from the Governor General, Mary Simon, back in November of 2024.

And in 2024, Premier Kinew awarded 27 Manitobans with the King's Coronation Medal to recognize their contributions to the province, country and the world. I had the pleasure as Leader of the Opposition at the time to award three medals, and every other sitting MLA had the privilege and honour to acknowledge and give out two additional medals.

So I don't think that it's really that much of a stretch, since the minister decided to go a little partisan, what I—what, you know, many people need to know out there is the fact that we, in the Chamber, put forward some suggestions to sing O Canada at the end of each and every day, and there's probably 85 to 90 per cent of the NDP caucus exits at the end of the day and does not partake in O Canada. There are a few that still participate at the end of the day, singing O Canada. So it's interesting that they can't just see it, instead of talking out of both sides of their mouths.

So with that, honourable Chairperson, I'm going to leave it at that and proceed to the clause by clause, and we will be bringing forward the two amendments which, again, hopefully unanimously, we pass this bill

with the amendments and move it forward to third reading.

Thank you, honourable Chairperson.

The 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*]

Shall clauses 1 through 3 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Shall clause 1 pass?

Some Honourable Members: Pass

The Chairperson: Shall clause 2 pass?

Some Honourable Members: Pass.

The Chairperson: Shall clause 3 pass? Oh. Clause 1 is accordingly passed.

Clause 2—pass; clause 3—pass; clause 4—pass; clauses 5 through 7—pass.

* (21:20)

Shall clauses 8 through 10 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Clause 8—pass; clause 9—pass.

Shall clause 10 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Mr. Ewasko: So I move

THAT—in committee, the proposed amendment to Bill 40, An Act Respecting "O Canada" and Other Observances and Land and Treaty Acknowledgements

in Schools (Education Administration Act and Public Schools Act Amended):

THAT Clause 10 of the Bill be amended by adding the following after the proposed section 85:

School board may direct singing of Royal Anthem

85.0.1(1) A school board may, by by-law, direct the singing of the Royal Anthem (God Save the King) in each school, at the times and on the school days specified by the board.

Singing of Royal Anthem in particular schools

85.0.1(2) If no direction has been given, the principal may approve the singing of the Royal Anthem in the school at the times and on the school days specified by the principal.

Consultations

85.0.1(3) Before directing or approving the singing of the Royal Anthem, consultations must be held with

(a) the parent advisory council, parent council or school committee for the relevant schools or school; and

(b) residents of the school division or school district, or in the case of a particular school, the area served by the school.

The Chairperson: The motion is in order.

It has been moved that—by Mr. Ewasko

THAT Clause 10 of the Bill be amended by adding the following after the proposed section 85:

School board may direct singing of Royal Anthem **85—**

Some Honourable Members: Dispense.

The Chairperson: Dispense.

The floor is open for questions.

MLA Schmidt: Confirming that I have 45 seconds?

Thank you. Okay, so thank you to the member for Lac du Bonnet (Mr. Ewasko) for the amendment. However, I will note that this bill was first introduced into the Legislature in March of 2025. Between then and now—and I would argue including tonight, at committee—we have had no one from the sector, no one from the community, ask for this type of provision. So I'm not sure what is motivating this.

What I fear is motivating this is a desire to continue to muddy the waters, to continue to sow division on this issue. Again, I regret that the member opposite did not listen to some of my opening

comments that highlighted the incredible work of this bill.

Instead he continues to zero in on this notion about God Save the King, which, again, we introduced this in legislation—we introduced this piece of legislation for consideration in March of 2025. I can confirm as minister that I've received no correspondence to date asking for the amendments that have been put forward here today, so I can confirm that for the committee.

The purpose of Bill 40 is to modernize these acts and to provide further clarity. I would argue that the amendments actually provide very little clarity and, in fact, are quite confusing and, in fact, redundant because, as I've said in March when the bill was introduced, as I've said here tonight, Manitobans have the freedom to make this choice.

If Manitobans choose to sing God Save the King in the privacy of their own home, if the school community and a classroom leader decides that's appropriate for their classroom, they're absolutely free to do so, and so this amendment, I would argue, would be redundant.

Thank you very much, honourable Chair.

The Chairperson: Thank you, Minister Schmidt.

Any further questions?

Mr. Ewasko: I don't have any further questions. I guess it's my amendment that we brought forward, so I didn't hear a question there. But since the minister rammed this through in March and again, representing Manitobans and the opposition party, we do have the democratic right to hold back certain bills and do further consultation around the province, and we have done that.

And we have spoken to parents and guardians and school divisions, trustees, superintendents, principals, teachers, support staff, custodian staff, school bus drivers, anyone else within this education world, former teachers, professors, university professors, college instructors, and they felt that to bring forward a friendly amendment to bring further clarity was not muddying the waters, as the minister says. Matter of fact, this brings even clearer direction that—and this says, it's highlighted; the word may is there.

So it leaves the choice there for schools and school divisions to move forward if they see fit to be able to sing the Royal Anthem, God Save the King, and maybe the minister can answer why she wants to, you know, potentially get rid of it. She stated in her

opening comments that she doesn't want to get rid of it, that it's there, this is a redundant thing.

So this amendment brings in—brings super clarity to the fact that it is still a choice for school divisions, schools and administration, to make those decisions for their school community.

Thank you, Madam Chair.

Hon. Renée Cable (Minister of Advanced Education and Training): Yes, so you mentioned a number of folks who were really emphatic about this very confusing, unnecessary amendment, and I just wondering where those folks are. They've had the opportunity to—from—did you say April?

An Honourable Member: March.

MLA Cable: March—from March until now to come forward and join you in supporting this amendment, and I'm wondering where they are. We had dozens of committee presenters this evening, none of whom presented this or ideas behind this, so where are those folks, and why didn't you do it while you had the opportunity?

Mr. Ewasko: So I appreciate the minister bringing forward her question and reading off the same talking points that the minister has.

In regards to the presenters tonight, there were—I believe there is one presenter on Bill 40, and he thought that was a good idea to bring some of these things forward. Not everybody in the public necessarily knows exactly what is happening here at the Leg. on an everyday basis, and so that's why we held it back; needed some further discussion to try to make it right and to bring some clarity to bring it forward, the choice for school divisions and schools.

* (21:30)

I've listed off those individuals that I spoke with, the groups of people that I spoke with. I—you know, maybe the Minister of Advanced Education have—had those conversations with professors and former teachers and deans of education and things, and maybe has shared that as well, maybe or maybe not, with the Minister of Education. I don't know. I haven't asked her that question.

Thanks, Madam Chairperson.

The Chairperson: Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: The question before the committee is as follows:

THAT Clause 10 of the Bill be amended by adding the following after the proposed section 85:

School board may direct singing of Royal Anthem—

The Chairperson: Dispensed? *[interjection]*

Some Honourable Members: Dispense.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Yes.

Some Honourable Members: No.

The Chairperson: I hear a no. The amendment is—

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

The Chairperson: Shall clause 11 pass?

Some Honourable Members: Yes.

Some Honourable Members: No.

The Chairperson: I hear a no.

Shall clause 10 pass?

Some Honourable Members: Yes.

Some Honourable Members: No.

The Chairperson: I hear a no.

Mr. Ewasko: I move—and I will take the wonderful guidance from our wonderful, wonderful helpers in the back of the room and I won't read the whole beginning.

So I move

THAT Clause 10 of the Bill be amended by adding the following before the proposed section 85.1:

A—Period of reflection

85.0.2(1) A school board may, by by-law, direct that pupils be given time for a period of reflection at the conclusion of the opening exercises of the school day.

Consultations

85.0.2(2) Before directing that a period of reflection be held, the school board must consult with

(a) the parent advisory council, parent council or school committee for the schools in the school division or school district; and

(b) residents of the school division or school district.

The Chairperson: So if the amendment is in order, the—it has been moved by Mr. Ewasko,

THAT Clause 10 of the Bill be amended by adding the following before the proposed section 85.1:—

An Honourable Member: Dispense.

The Chairperson: Dispense.

The amendment is in order.

The floor is open for questions.

MLA Schmidt: Thank you to the member for Lac du Bonnet (Mr. Ewasko) for this amendment.

I'm curious if and why, in his time—as the committee knows, prior to his role as critic, the member for Lac du Bonnet was the Minister of Education—so I'm curious about where all these good ideas, where these amendments to the Public Schools Act were at the time when he was minister.

But regardless, I will say that, in principle—to give my friend some credit—I think in principle this is a great idea. I think legislating it is absolutely redundant because I think this is something that is happening in practice in our schools all over the place, so I wonder if he's been to visit any schools lately that are doing these type of practices already.

For example, I can share with the committee that recently I paid a visit to École Sun Valley School, which is a K-to-5 school, I believe, and I walked into the gym at the beginning of the day and there was a bunch of children sitting at tables, and the lights were down low, and it was completely silent, and I thought, what's going—is this a mass detention—I didn't know what was going on.

And so I asked the educator that was touring me around the school, what's going on here? Why are there—there was probably 100 kids in the gym, lights down, eating quietly, and she said: This is our reflection snack. It's something that we've been doing, so it's—by the way, part of our government's—the NDP government's—\$30-million annual investment to feed every single school—pardon me—every single

child in every single school across this province. Any kid that needs it has access now to healthy, high quality, free-barrier-free-food in schools.

So as part of delivering that NDP nutrition program, this school has incorporated into their breakfast program a reflective snack for their breakfast program, and according to this educator, the students not only really enjoyed it, but she talked about how much it benefitted their daily learning and how it really set a great tone for the day.

And so, in principle, again, I think this is really great. I also would share with the committee a practice that is in River East Transcona School Division of interactive start. I don't know if anyone's heard of this type of practice, but it's something—it's common practice in the sort of the middle years and specifically in the middle years in River East Transcona where the day starts with interactive start, and that's where there's a variety of different types of activities that children can choose to participate in as a way to start their day, and some of those—sometimes it's a chess club, sometimes it's—but sometimes it's a yoga practice or a meditation practice, or a reflection.

So in principle, I think this a lovely idea. I do have some concerns about the fact that it would have to be mandated at the conclusion of the opening exercises. I think that students and teachers need the flexibility to be able to have these kind of excellent practices throughout their day.

And, again, you know, I just want to, again, thank and highlight, you know, the great work that educators are doing in classrooms every day to bring in great ideas like this. They don't need the government to mandate it, you know. This is something that—this is the work that educators and school leaders are doing every day, and we support that work and we encourage them to continue that work and we believe that this amendment would be redundant.

So again, I'll ask the member opposite where this idea was when he was minister.

Mr. Ewasko: Thank you, Madam Chairperson, for the opportunity to answer the minister, and it gives me great pleasure and it's welcoming to hear that the minister is probably going to support this amendment, considering it's a great idea.

You know, again, being not only the Education critic and former minister, visited many schools, and just this year alone probably over 10 schools, not only in my constituency, but in others as well, and the period of reflection is not consistent. And, you know,

as far as the minister talking about mandating things, well, that's what Bill 40 is doing—mandating O Canada at the start, and basically what this amendment brings forward is that a period of reflection would be at the conclusion of opening exercises of the school day.

It could happen any time during the school day, really, and that would be up to the school and school board or school principal, and they'd have conversations with the parent advisory council or a parent council or a school committee, whatever they want.

* (21:40)

So I think this is—as the minister said—is a great idea, and I look forward to passing this amendment unanimously. A little disheartened that the minister and her colleagues, the member for Point Douglas (Ms. Smith) and the member for—the minister for advanced ed for the lack of me knowing exactly what constituency represents—voted down the other amendment.

But that being said, looks like—

The Chairperson: Order.

It's—order.

It's the Minister of Housing, Addictions and Homelessness; that's how you refer to Minister Smith.

Thank you.

An Honourable Member: Is she not the MLA for Point Douglas?

The Chairperson: I've just been directed. Please refer to her as the Minister of Housing, Addictions and Homelessness. Thank you. *[interjection]*

A moment, please.

Moving forward, can we please just—in everyone's interest—just be respectful, do our best to follow the rules and carry on.

Mr. Ewasko, would you like to continue?

Mr. Ewasko: We're good to move on.

The Chairperson: Great, thank you. Any further items for—Mr. Oxenham?

Mr. Logan Oxenham (Kirkfield Park): Yes, I'm just wondering—thank you, Madam Chair, you're doing a fantastic job. I just was going to ask the member from Lac du Bonnet what specific problem this period of reflection is meant to solve.

You know, given schools already have discretion to include reflective or contemplative moments under existing open exercises, I'm just wondering why we

need another layer of regulation and consultation for something that can already happen freely.

Mr. Ewasko: So to the member, I just—you know, it's one of those things that again, like I said, the groups that I had consulted with thought the two amendments would be very nice, as the Minister of Education had pointed out.

It's an amendment to bring forward a point of reflection in the day after opening exercises, as we in the Chamber as well, we have some time, we do land acknowledgements, we do opening prayer and we do have some time for reflection as well.

As the member knows, in the Chamber we've also tried to bring forward the singing of O Canada at the end of the day, and—not all members of the NDP caucus practise that. And so it's unfortunate, but you know, I look forward to the full support of the member passing forward this amendment.

Thank you.

The Chairperson: Are there any further questions?

Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: The question before the committee is as follows: moved by minister Ewasko,

THAT Clause 10 of the Bill be amended by adding the following before the proposed section 85.1:—dispense?

An Honourable Member: Dispense.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Yes.

Some Honourable Members: No.

The Chairperson: I hear a no.

Thank you for your patience.

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

An Honourable Member: Aye.

The Chairperson: All those in favour—all those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

The Chairperson: Clause 10—pass; clause 11—pass.

Shall clauses 12 and 13 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: Clause 12—pass.

Shall clause 13 pass?

An Honourable Member: No.

The Chairperson: I hear a no.

MLA Schmidt: I move

THAT Clause 13 of the Bill be replaced with the following:

Coming into force—royal assent

13(1) Subject to subsection (2), this Act comes into force on the day it receives royal assent.

Coming into force—September 1, 2026

13(2) Section 7 comes into force on September 1, 2026.

The Chairperson: It has been moved by Minister Schmidt

THAT Clause 13 of the Bill be replaced with the following:

Coming into force—royal assent

13—

An Honourable Member: Dispense.

The Chairperson: Dispense? Dispense.

The amendment is in order.

The floor is open for questions.

Mr. Ewasko: So I'd like to ask the Minister of Education and advanced—or, and Early Childhood Learning, so why September 1, 2026? Why not immediately soon it—soon as it receives royal assent?

MLA Schmidt: Thank you to the member for the question, which allows me the opportunity to explain.

So the reason for the general amendment is that this bill was held over, was introduced in the spring session as I mentioned earlier. It was one of the bills that the opposition decided to hold over and to bring to this committee for debate. So the date that was previously in the act has been surpassed, and so it's administrated generally.

When we're talking about section 13(2)—clause 13(2), specific to section 7 coming into force on September 1, 2026, section 7 is the section that

deals with the policy surrounding treaty and land acknowledgements, so we felt that it was necessary to give school divisions and school administration and leadership the time to do those necessary consultations with their community, with First Nations and Indigenous leadership within their community, and to make sure that they have the time to consult with the many people that they would need to consult with to make sure that they have comprehensive and meaningful policies surrounding their land and treaty acknowledgements.

So thank you for the opportunity to explain the amendment.

Mr. Ewasko: So to the minister, so when you were preparing this bill to bring forward, you stated, and I know that if we look back into Hansard, the few people—and to take a visual terminology of a couple of the ministers that are on this committee on the NDP side, couldn't—the minister couldn't actually repeat who she actually consulted with on this.

But I am assuming that a lot of the work that was done was ahead of time, and the school divisions were given a bit of a heads-up that you were going to be doing something similar to this, so that it actually gave them quite a bit of time to start working on some policies.

* (21:50)

And because this is a policy, something that the school divisions would be doing amongst many of them, so they wouldn't have to recreate the wheel with each and every school division. This is something that could've been done ahead of time, knowing that—you know, as the minister is in a majority right now and in government—that this bill would've been passing by the end of October, beginning of November 2025.

And so it's interesting that once again it seems that collaboration, accountability and preparedness and consultation doesn't seem to be in the purview of this Education Minister as she's moving forward on many things with education partners across this great province of ours.

So it's unfortunate that they're going to wait 'til the beginning of September 2026, but I guess it is what it is. You're in government for the time being and hopefully maybe the NDP government can get a little bit better prepared and that, for the upcoming session after the following Throne Speech.

Thank you, Madam Chairperson.

The Chairperson: Any further—Minister Cable.

MLA Cable: Yes. *[interjection]* Oh, sorry.

I just wanted to pose to the honourable minister, you know, we're doing enhancements to STEM programming, enhancing science and math skills across the board. Is building a time-travel machine in the near future so that having to make amendments like this wouldn't happen in the future?

MLA Schmidt: Thank you to my honourable colleague for the question.

You raise an interesting question. You're right, the advancements in STEM are rapid, and we're seeing the impacts of things like AI and other types of digital enhancements in our classrooms, so we'll see if that time machine is in the future, no pun intended.

I do appreciate the opportunity to just correct the record a little bit, some of the stuff that the member from Lac du Bonnet mentioned in his debate, because I don't believe that he was listening or understood to my response to his question about the need for more time.

He has once again—you know, he makes a regular practice of insulting my intelligence and my credibility and my professionalism. He has suggested that I have somehow lacked the opportunity to have consultation. Nothing could be further from the truth, and if he had listened to my answer, the reason why we are providing this extra time is not for school divisions to consult with me or with the department or with government.

What I said was that school divisions, in order to craft meaningful treaty and land acknowledgments, have to make sure they're doing that in consultation with their community, very specifically with First Nations leadership, Indigenous leadership, elders and other people in the community.

So that's why we're giving them time. I have consulted with school divisions; I absolutely take the time to do that. We can always do better. I'm always open to consulting further. But just to correct the record: it is not with the government that school divisions require more time to consult, it's with the real important work that they need to do in consulting with the community.

And it doesn't surprise me at all to hear a member of the opposition arguing for less time for consultation, because that's what I heard. I heard him say: We don't need time, let's just go ahead, they've had enough time. And that doesn't surprise me. That is the style of their government. It was a top-down,

patriarchal, paternalistic, father-knows-best type of government. That was Brian Pallister's style, that was Heather Stefanson's style, that is clearly the style of membership—the member for Lac du Bonnet (Mr. Ewasko).

On this side of the House, the NDP government is open, always, to listening, to active engagement and dialogue, to deep and meaningful consultation, especially when we're talking about—with our First Nations and Indigenous communities. So I will always advocate for more time for that consultation if what we want are real and meaningful land and treaty acknowledgments.

And the one presenter that—bringing it back to the presenters—that's what we're here tonight for, right? We're here to listen to the community, not just from the member for Lac du Bonnet and his ideological bent; we're here to listen to the community.

And something that the presenter, Mr. Grant, talked about was the need to move beyond just the words of a land acknowledgement, the need to move towards really meaningful ways of engaging in that work of treaty and land acknowledgements.

And so we need to give school divisions and schools the time to work with their community and to work with the elders and knowledge keepers and the leadership in their community to make sure that they are coming up with those meaningful practices.

And I've seen some just absolutely incredible ones in schools across our province, and so I'm very proud of this amendment to give school divisions the time to do that important consultation work, and we will not rush it.

The Chairperson: One thing just before we continue. There's just been a few instances of people not directing their comments through the Chair. I just remind people that all comments need to come through the Chair.

Mr. Ewasko: I believe if we jump in that time machine that the minister was talking about—DeLorean or whatever type of time machine she's talking about—we could actually see that I was not in any way, shape or form to have been talking down to the minister about her level of intelligence.

I know that she's an educated person, and she sits in a chair now that is an absolute privilege and an honour to sit in. It is unfortunate that the minister—obviously the previous premiers, Pallister and Stefanson,

seem to continue to live rent-free in her head and that she can't get over that.

But what I was saying, it was sort of one of those things where I know, from being a teacher in one of our incredible school divisions in this province of ours, having the consultations that schools and school divisions are having with all of their education partners, parents, staff, guardians, First Nations communities, happen on an ongoing basis.

And you know, matter of fact, when we talk about engagement and collaboration and having those consultations with the First Nation communities, Indigenous communities, she is—has been the recipient of a great document called Mamāhtawisiwin, which I do understand that eventually she's going to move forward with duplicating that document in the early childhood learning area of her portfolio as well. So I look forward to that.

And with that, honourable Chairperson, I don't actually have any further questions. I just want to correct the record that the only one that goes offside and gets into some personal attacks is the minister herself.

So with that, let's get on with it and let's pass this very important amendment that the minister's bringing forward so that school divisions can follow Bill 40 come September 1, 2026.

The Chairperson: Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: The question—shall the amendment pass?

Some Honourable Members: Pass.

The Chairperson: Shall clause 13 pass—oh, sorry. The amendment is accordingly defeated—passed, sorry.

Clause 13 as amended—pass; enacting clause—pass; title—pass. Bill as amended be reported.

Thank you.

* (22:00)

Is there leave to take a five-minute break? [*Agreed*]

Thank you.

The committee recessed at 10:01 p.m.

The committee resumed at 10:08 p.m.

Committee Substitutions

The Chairperson: Order, please.

I would like to inform the committee that under our rule 84(2), the following membership substitution has been made for this committee, effective immediately: Minister Wiebe for Minister Schmidt, MLA Bereza for Mr. Ewasko.

Bill 8—The Liquor, Gaming and Cannabis Control Amendment Act (Continued)

The Chairperson: Does the minister responsible for Bill 8 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): I do, thank you very much, Chair. Good evening.

Bill 8 will create regulations prohibiting specific business types from being licensed for liquor service in certain geographic areas.

Manitoba currently has two liquor service licence categories: general, which allows entry to all; and age-restricted, which prohibits minors from entering. General liquor licences are issued to businesses such as restaurants and bars, where liquor is consumed on site. Under this general licence, convenience stores can sell food for consumption in a dining area, which therefore allows them to sell liquor.

I know from my own experience as a parent with kids who frequent convenience stores in our neighbourhood, that they go there to buy snacks and drinks often, and they do this because they're—these are stores that are in our neighbourhood. They're close to their schools and they're close to the community centres.

Having liquor on site at a venue that children frequent simply changes the experience, and it opens the door to children being exposed to alcohol consumption in a place that's otherwise designed for them. Exposure to liquor at a young age can lead to a normalization of alcohol and early initiation of drinking among youth.

* (22:10)

Alcohol consumption before the age of 18 can have a detrimental consequence on brain development, lead to risk-taking behaviour and academic decline. And keeping alcohol out of young people's hands can divert them having—from later having contact with the criminal justice system.

This bill allows government, through regulation, to designate specific business types as unsuitable for liquor service licensing, such as convenience stores in urban areas where children tend to congregate. Business opportunities can differ between urban and rural settings, and so rural convenience stores may be the only establishments that provide liquor service in a community.

So that's why we're creating regulation-making powers to limit liquor licences only in certain areas. By doing so, we're balancing the safety of young people with flexibility for businesses across Manitoba.

Thank you.

The Chairperson: We thank the minister.

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

Mrs. Colleen Robbins (Spruce Woods): Well, we oppose Bill 8 because it will hurt small businesses in the community. The impact, the viability of convenience stores that we heard tonight have been struggling, with 100 stores closing in Manitoba already.

We believe consumers should have choice. And if it's okay for my children, my grandchildren, as a youth to walk into my rural store, and you think that urban children are going to have issues with alcohol—do you have any evidence that shows that rural Manitoba children are being affected with alcoholism over urban kids? *[interjection]* Okay, okay. So I just feel that rural Manitoba, you're saying it's okay for children to frequent stores with alcohol and it isn't going to affect them, but it will affect in a urban area? It makes no sense whatsoever.

I also—where businesses locate and what kind of businesses are operating and serving alcohol should be decided, to me, by local municipalities through zoning and urban planning bylaws and open for free market to help grow Manitoba's convenience stores in selling.

The Manitoba government's still going to get the taxes from this, and just like the lady tonight, she did say that they are creating in other provinces a great amount of money towards taxation of the alcohol sold in convenience stores. And it's—the theft is also less in the convenience stores.

I know—in our area, I know the owners are very protective, and there's no danger or—to the public. And we don't have people securing like we do at our Manitoba liquor stores. So the problems aren't happening that way. Independent businesses take their

business serious. They want to be able to have this extra revenue, and I think that your—this bill will hurt small businesses.

Thank you.

The Chairperson: Just a reminder to address your comments through the Chair. Thank you.

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.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you.

**Bill 12—The Housing and Renewal Corporation
Amendment Act
(Continued)**

The Chairperson: Does the minister responsible for Bill 12 have an opening statement?

Hon. Bernadette Smith (Minister of Housing, Addictions and Homelessness): I do, thank you, honourable Chair. I want to thank all of the presenters for taking the time to come out and present, and also for those—for their written submissions and their perspectives that they provided tonight for our government.

Finding affordable housing is a growing challenge, not only here in Manitoba but across the country. That's why our government is investing in housing, protecting the investments Manitobans have made in affordable housing.

We believe that every Manitoban deserves a safe, secure place to call home. The purpose of Housing and Renewal Corporation Act is to ensure that Manitoba has an adequate supply of housing, and that housing remains affordable for tenants with low to moderate incomes or with special needs.

However, the current act does not include sufficient checks and balances to prevent the sale or transfer of buildings that have received public funding. So without these safeguards, we saw the sale of affordable housing and unaffordable rent increases under the previous government. That government sold previous—sold housing. Our government is building and protecting it.

So Bill 12 will protect Manitobans' public investment in affordable housing. It aligns with our government's priority to maintain and expand an adequate

supply of affordable homes and to ensure that housing remains truly affordable.

The sale of Lions Place, as we heard tonight, a seniors' non-profit housing complex in Manitoba, to an Alberta-based, for-profit real-estate company raised serious concerns and left a lot of seniors without their community.

Manitobans worried the future—Manitobans worry that future sales of public-funded housing could lead to rent increases and loss of affordable units, and that's why this bill is important. Manitobans spoke up, and our government is listening.

We know that affordable housing helps combat poverty, builds safer communities and provides stability for individuals and families. That's why Bill 12 will require that any owner of a publicly funded building must obtain prior written consent from the Manitoba Housing Renewal Corporation before selling, demolishing or repurposing that building for anything other than social or affordable housing.

Members across the way have criticized this bill, saying it will discourage investment. Well, they didn't produce—not one speaker tonight, just—to the contrary.

I'll take this moment to remind the room that those same members delayed this bill in the last session; that not one developer produced—came tonight to raise any concerns. Not one developer wrote in to my office with any concerns or presented at committee.

Our government continues to invest in market, social and affordable housing, and we will soon have more news to share about new measures, including a tax credit to support housing development.

So Bill 12 strikes a careful balance between encouraging development and safeguarding the investment Manitobans have made in social and affordable housing. So under this new legislation, more than 150 existing projects, representing over 5,000 rental units, will be protected. All new projects receiving at least 15 per cent of their funding from the province will also be covered.

These measures will help preserve Manitoba's affordable housing stock for generations to come, and we heard how important that is from members that came and presented tonight.

Bill 12 protects Manitobans and the public investments that make affordable housing possible, reaffirms our government's commitment to safe, stable and affordable housing.

So I want to thank all of the members that came and presented tonight, all of the non-profits for their valuable and affordable housing that they provide, and for protecting taxpayers' money, unlike the former government-PC government, who sold off and failed to protect the social housing which seniors, vulnerable seniors or fixed incomes who had the beautiful, thriving community at Lions Place that unfortunately was slowly dismantled by the non-protection of the Cadillac senior housing of the former government.

We're not taking this approach. This bill is to ensure that Manitobans-taxpayers' monies are protected and that social and affordable housing is protected. We're very proud of this bill and the protection that it will provide for Manitobans for years and generations to come.

The Chairperson: We thank the minister.

Does the critic from the official opposition have—Mr. Bereza?

MLA Jeff Bereza (Portage la Prairie): First of all, to the people that presented tonight, both with written and in person here, thank you very much for the work that's been done here; to the committee that's here, also thank you for being here tonight.

* (22:20)

Key messages is—just to be clear on this—is that we did have a 'dumber' of developers that did come forward to us. There was concerns that, if they were identified, that there could be retribution against them, so that was one of the reasons for them not coming forward tonight.

I will talk about some of the things that they did speak of. Some of the things with the bill is it will discourage investment in social housing. This bill will make the affordable housing crisis even worse by discouraging developers from investing in housing. This bill meddles in the real estate market and will discourage developers from creating new housing units.

This bill will hurt Manitobans looking for an affordable home. The bill meddles in the real estate market and will discourage investors. The bill discourages investment in housing and social housing. This bill will discourage developers from investing because they need the Province's permission to sell or divest their assets.

This bill will make the affordable housing crisis even worse by discouraging investors from creating new housing units. This bill meddles in the real estate

market, because developers would need provincial approval to sell. The bill is bad for Manitoba families looking to purchase affordable housing. Developers will be discouraged from partnering with the government to build new housing units, because the government will control whether their assets can be sold.

Some of the comments that did come from some of the people that come forth to us were—the consensus from the committee was the best place for this type of arrangement from the Province would be each individual funding agreements.

Overall, the committee thought that 15 per cent was too small, the funding percentage for this type of broad prohibition. Most importantly, the committee was of the opinion that if it were to proceed, there should be a time frame or sliding scale for when prohibition expires, depending on the exact structure and scope of each project, after which the Province will have seen if the social benefit and the owner would then be free from prohibition.

The committee also felt that if it proceeds, there should be a way to deal with extenuating circumstances like death of an owner or bankruptcy. With the province—it gets—first right of refusal on the buildings they contribute to, then if they—sorry. Then if they don't want the building sold—[interjection] Sorry. Then perhaps the Province could buy it and control it themselves.

A healthy real estate market needs liquidity, and if the owner doesn't have control over 'selling'—selling the building, then there's less motivation to reinvest and maintain the asset, if they can't expect to realize a return. For those wanting to hold long-term, it might not be a difference, but the proposed restriction will impair value.

So again, some of these people it—did speak to us are investing in social housing in other provinces currently right now. So again, we're going to propose some amendments that we think would help enhance this bill and move it forward even more.

Thank you.

The Chairperson: We thank the member.

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

Clause 1—pass.

Shall clause 2 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

MLA Bereza: Thank you.

Proposed amendment to Bill 12, The Housing and Renewal Corporation Amendment Act, moved by myself, Mr. Bereza,

THAT Clause 2 of the Bill be amended in the proposed clause 14.2(2)(a) by striking out "15%" and substituting—it with—"50%".

The Chairperson: Is there leave to have the amendment considered as written? *[Agreed]*

THAT Clause 2 of the Bill be amended in the proposed clause 14.2(2)(a) by striking out "15%" and substituting "50%".

The Chairperson: It has been moved by Mr. Bereza,

THAT Clause 2 of the Bill be amended in the proposed—

An Honourable Member: Dispense.

The Chairperson: Dispense? Dispense.

The amendment is in order.

The floor is open for questions.

Ms. Smith: So I'm interested to know who this committee is that the member has consulted, because we've done lots of consultation on this and spoken with lots of non-profits. Not one person has written in to our office. Not one—we've met with hundreds of folks.

Folks that are getting into the non-profit housing are not getting into non-profit housing to make money. They're getting into the non-profit-housing sector to help people. They are getting into non-profit to support and to ensure that folks are getting out of gender-based violence, that they are getting wrap-around supports, that they are—families that need affordable housing.

So I'm interest to hear the member where this committee is, because 15 per cent is, you know,

strikes the right balance. It's a move in the right direction.

We heard from members tonight, you know, over 600 units were sold in just two transactions: Smith Street, Lions Place. This protects the taxpayer's purse. This ensures that investments that were made by Manitobans into social and affordable housing are kept social and affordable.

So I'm not sure why members opposite want to delay this bill, why they delayed it for months. We—you know, we want to make sure that folks get into housing, that they're supported, that they're not homeless, that they get the supports that they need, that they have access to safe and affordable housing.

We heard members tonight talk about folks fleeing gender-based violence. We heard folks talking about seniors' housing, how it was dismantled because of the lack of support of members opposite in selling—not supporting Lions Place.

So, you know, this has been what taxpayers have asked for, what Manitobans have asked for. They've asked us to protect social and affordable housing, and this is exactly what this bill is doing. And this strikes the right balance and this is what 15 per cent is what has been asked for by Manitobans.

MLA Bereza: Again, I will say this committee was a group of real estate developers, and again, they asked not to be named because the—a fear of retribution from the government, and again, that was—we feel that a true partnership is 50 per cent.

The Minister of Justice (Mr. Wiebe) seems to think that this is a joke. This is the information that we brought forward that we got from those real estate investment developers. They're afraid of retribution, as I would be.

The Chairperson: Any other questions?

Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Yes.

Some Honourable Members: No.

The Chairperson: I hear a no.

Shall—

Voice Vote

The Chairperson: All those in favour of the amendment, please say Aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say Nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

MLA Bereza: I have another amendment.

* (22:30)

I move

THAT Clause 2 of the Bill be amended by adding the following after the proposed clause 14.2(2)(a):

(a.1) more than 25 years have elapsed since funding for the construction and financing of the building was last received;

The Chairperson: It has been moved by MLA Bereza

THAT—the Clause 2 of the Bill be amended by adding the following after the proposed clause 14.2(2)(a):—dispense?

Some Honourable Members: Dispense.

The Chairperson: Dispense.

The amendment is in order.

The floor is open for questions.

Ms. Smith: Again, we didn't have one single presenter come and speak to this amendment, so I'm not sure where, you know, members opposite is going with this.

We consulted, a—you know, many, many people; many, many Manitobans; non-profit sector. We've consulted with real estate, we've consulted with developers. They told us that this was the right—move in the right direction, that this was—struck the right balance.

So again, not sure where the member is going with this. He talks about the committee; who is the committee and why wouldn't they come to speak to this amendment and in favour of their amendments?

MLA Bereza: Again, I will say that the real estate people that we talked to were very adamant that we did not use the names of the real estate businesses that

they represented, because they were concerned about retribution moving forward.

But their feeling is, again, that there should be a 25-year time frame or a sliding scale for when the prohibition expires, depending on the exact structure and scope of each project, after which the Province will have seen its social benefit; the owner would then be free from the prohibition without an end date.

Owners and investors should—or, would in—have less incentive to make investments to maintain and upgrade their properties.

Thank you.

The Chairperson: The amendment—is the committee ready for the question?

An Honourable Member: Question.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: The amendment is accordingly defeated—oh, okay, sorry.

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

The Chairperson: Clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you.

**Bill 23—The Public Interest Expression
Defence Act
(Continued)**

The Chairperson: Does the minister responsible for Bill 23 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): I do.

Well, I have to start by thanking the presenters that came here today. You know, we heard some

really difficult stories, some real hardship that folks experience because we didn't have this kind of legislation in place. And I think I expressed it with one of the last presenters, that, you know, it really frustrated me to hear the kinds of meritless lawsuits and legal proceedings that were brought against an individual who was, you know, again, speaking out in the way that they thought was appropriate and important to them, and doing so, you know, again, for—in the public interest, and their voice was ultimately silenced.

And anyway, it was very touching to hear those stories and to hear those personal experiences. I thought that was a really important way. We know that this is important legislation, but to hear it from folks directly, I thought it was really, really important.

I did want to also just note that we do have here in the room two of our last presenters from this evening, who stuck it out right to the end, and I want to give them huge props, because these committee hearings can be quite long, and, you know, and I think even just chatting with them in the back, they recognize there is a process to this, and they recognize that process.

But even having said that, to stick it out to past 10 o'clock at night on a Wednesday, really, kudos to you and thanks for all your work in sticking around, helping to shape the work of the committee and make a difference. And your work really did shape this bill, so I really appreciate it.

So just a few words with regards to this Bill 23. We know that these anti-SLAPP lawsuits are often employed to intimidate or suppress the rights of citizens to speak out, and this bill will really put in some important safeguards to their ability to engage in open debates, their ability to hold powerful entities accountable and to promote transparency.

The bill ensures that a defendant may bring a motion to dismiss the suit on the grounds that the proceeding originates from a communication made by the defendant on a matter of public interest, and again, that's some of the stories, some of the really important public stories that we've heard, that were shared here at committee.

If a judge is satisfied, then, that the defendant has sufficiently proven this, the burden would shift to the plaintiff to prove that the claim shouldn't be dismissed, and no further steps would need to be taken by any party in the proceeding before an administrative tribunal until a decision on the dismissal motion was made.

If a proceeding was dismissed under this legislation, a judge may also award the moving party damages if the proceeding was commenced in bad faith or for an improper purpose. A motion to dismiss a SLAPP suit should be addressed in a timely fashion, and as such the bill includes restrictions on the length of cross-examinations that may be conducted to cut out that potential loophole.

The bill strikes a balance between protecting legitimate expression and preventing harm, ensuring that legal actions with substantial merit can proceed while discouraging lawsuits that are solely designed to suppress the public discourse.

The proposed legislation is consistent with the model legislation developed by the ULCC and similar legislation passed in Ontario and in British Columbia, and it will discourage the use of litigation as a means to stifle open discussion and debate in—on matters of public interest. It strengthens the democratic discourse and it protects those who expose wrongdoing. It protects those who engage in meaningful debate and to—protects those who speak truth to power, and it acknowledges that public participation is the cornerstone of a healthy and informed society.

Again, I'm so pleased to be able to bring this forward.

I'm also really excited that, you know, we worked with the community, we've listened to some concerns, and we have some important amendments to bring forward as we move through the bill.

Again, I just want to thank the folks who have participated in this democratic process. You've proven that the procedures that we have in Manitoba are worthwhile and useful, and you've really made a difference in protecting people in this province.

Again, I'm frustrated that we haven't gotten this done and that it's been delayed, that it wasn't—it was voted down by the previous government. I think I heard from many presenters: put politics aside, let's just get it done. That's my attitude, so that's what I want to do here tonight.

Thank you, honourable Chair.

* (22:40)

The Chairperson: We thank the minister.

Does the critic from the—Mr. Balcaen.

Mr. Wayne Balcaen (Brandon West): I gave most of my comments during second reading on this bill and I do think there is room for improvements as

we move through. And I think we heard loud and clear from many people tonight about clause 4.2. And I heard the minister state that he's got some amendments to bring forward, so I look forward to what the minister has to bring forward, and look forward to moving forward on this bill.

Thank you.

The Chairperson: Thank you.

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 to 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]*

Clause 1—pass; clauses 2 and 3—pass;

Shall clauses 4 through 6 pass?

Some Honourable Members: No.

The Chairperson: I hear a no. Shall clause 4 pass?

Some Honourable Members: No.

Mr. Wiebe: I have an amendment. I move

THAT Clause 4(2) of the Bill be struck out.

Motion presented.

The Chairperson: The amendment is in order.

The floor is open for questions.

Mr. Wiebe: Honourable Chair, I'm proposing to strike out subsection 4(2) in this bill, removing an exception for injunctions proceedings. This will further strengthen the bill. It'll allow freedom of expression in the public interest to continue unabated and it will allow those who wish to speak truth to power to do so.

It will also bring the bill even closer to—into line with the Uniform Law Conference of Canada's model legislation and similar anti-SLAPP legislation, as we heard from many of the presenters that exists in Ontario, neither of which contain these exceptions for injunctions.

Once again, I just want to take a moment to thank the presenters that came to committee tonight who were unanimous in their calls to amend the bill and, of course, Manitoba Eco-Network for their work on this,

and many others who came forward with a straightforward recommendation, and it was something that I was happy to look into a little bit further, understanding that this really just strengthens the bill, gives us more opportunity to use this legislation to protect those who are vulnerable.

And we know that it's good legislation. As I said earlier, let's get it done; let's get it passed.

Mr. Balcaen: I meant to say in my past remarks as well, really have to thank Heather and James that are still here, making sure that this bill is moving forward. We agree with this amendment and I look forward to moving it forward.

The Chairperson: Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: Amendment—pass; clause 4 as amended—pass; clause 5—pass; clause 6—pass; clauses 7 and 8—pass; clauses 9 through 11—pass; clauses 12 through 15—pass; enacting clause—pass; title—pass. Bill as amended be reported.

Thank you.

Bill 30—The Election Financing Amendment and Elections Amendment Act

(Continued)

The Chairperson: Does the minister responsible for Bill 30 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Bill 30 will hold all political parties to a higher standard of ethical campaigning, and it will make it easier and more accessible for Manitobans to vote, and ultimately it will protect the integrity of our elections.

This bill will make amendments to both The Election Financing Act and The Elections Act to address various issues.

New offences are being created that punish impersonation of elections officials and publishing of false statements. This includes the banning of so-called deep fakes, which are digital tools used to make videos using the likeness of nearly anyone they wish, saying anything they wish and usually as a malicious tool to spread false information. These have no place in our political campaigns.

The bill is also giving voters and party members tools, enabling them to hold politicians accountable by requiring parties to establish a code of conduct that

includes a complaint procedure for advertising. The divisive and disgraceful ads that were run in the previous campaign that attacked murder victims and their families that the opposition party ran in the last election just underscores the need for this mechanism.

This bill also makes it easier and more accessible for Manitobans to vote by expanding advanced voting locations and options, including returning offices on the Sunday and Monday before an election. The legislation lowers the personal contribution limit from its current \$6,000 to \$5,000 to ensure that more Manitobans can meaningfully participate in the electoral process equally and to bring us in line with most other jurisdictions.

These changes protect our electoral process, our democracy and our province, which is critical in this age where democracy faces growing threats.

Thank you.

The Chairperson: We thank the minister.

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

Mr. Wayne Balcaen (Brandon West): Again, I brought a lot of our concerns and comments forward during second reading of this bill, and a lot of them, what I mentioned in that address that I made in the Chamber, was that we would have some amendments to bring forward on this bill, and the amendments I genuinely believe will strengthen the bill and will help enhance this bill and help both sides move this forward.

So I look forward to continuing on with this bill and moving forward through the amendment stages.

Thank you.

The 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*]

Clauses 1 and 2—pass; clauses 3 and 4—pass.

Shall clauses 5 through 7 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

* (22:50)

Shall clause 5 pass?

An Honourable Member: No.

Mr. Balcaen: I have an amendment to move.

The Chairperson: Go ahead, please.

Mr. Balcaen: I move

THAT Clause 5(a) of the Bill be replaced with—the following:

(a) in clause (1.1)(a), by striking out "2018 calendar year" and substituting "2026 calendar year"; and

Motion presented.

The Chairperson: If the amendment is in order, the floor is open for questions.

Mr. Balcaen: This amendment restores inflation indexing for political contribution limits, resetting the cap to—at \$5,000 and providing for automatic annual adjustments based on the January 2026 consumer price index.

Over time, inflation erodes the real value of contribution limits, reducing the ability of Manitobans to support the candidates, parties and causes that they believe in. Indexing ensures that civil–civic participation remains fair and accessible so that ordinary citizens can continue to play a meaningful role in the democratic process. It also provides consistency with other provisions in provincial law, such as the inflation adjustment for auditor fees.

This amendment is practical, fair and democratic. It ensures that the right of Manitobans to engage politically keeps pace with the cost of living and that participation in public life remains open to everyone, not just those with greater financial means.

Thank you.

Mr. Wiebe: I don't think the critic from the opposition got the memo. We want to keep big money out of politics, so that's why we're reducing the amount from \$6,000 to \$5,000 which, I take it that, from the member opposite's point of view, isn't a lot of money, but I would suggest that from his constituents' point of view, the average Manitoban's point of view, \$5,000

is a lot of money, and not something that everyone has readily available to give away to a political party.

Now, we do want to give that opportunity for those Manitobans that can afford it, and that's why we're leaving it at \$5,000. But to suggest now that it should go up and up and up, like his predecessor Brian Pallister wanted us to do, I think it's the wrong path.

I think we want to keep big money out of politics. We want the average Manitoban to have a chance to have their voice heard in our democratic process.

The Chairperson: Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: The amendment is accordingly defeated—sorry. Okay.

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

The Chairperson: Sorry, my mic was not on. My apologies.

Clause 5—pass; clause 6—pass; clause 7—pass.

Shall clauses 8 and 9 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Clause 8—pass.

Shall clause 9 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Mr. Balcaen: I have an amendment.

The Chairperson: Mr. Balcaen, go ahead.

Mr. Balcaen: I move

*THAT Clause 9 of the Bill be amended by replacing the proposed section 61.1 of **The Election Financing Act** with the following:*

61.1 ADVERTISING CODE OF ETHICS

(1)—Model code of ethics

The CEO must create a model advertising code of ethics and make it available to registered parties.

(2)—Code of ethics of registered party

Every registered party must establish and implement a publicly available code of ethics to govern advertising by any of the following, or on behalf of any of them with their knowledge and consent:

- (a) the party,
- (b) the constituency association of the party,
- (c) a candidate the party has endorsed,
- (d) a leadership—sorry—a leadership contestant for the party.

(3)—Complaints procedures required

The advertising code of ethics of a registered party must establish a procedure for the party to accept and address complaints that allege a breach of the code.

(4)—Referral to commissioner

If a person who makes a complaint is not satisfied with the manner in which the registered party addresses the complaint, the person may request the registered party refer the complaint to the commissioner. The registered party must make the referral within 10 days after receiving the request.

(5)—Commissioner may dismiss referral

The commissioner may dismiss a referral made under subsection (4) if the commissioner considers it to be frivolous, vexatious, made in bad faith or unnecessary in the circumstances.

(6)—Commissioner to issue opinion

If the commissioner does not dismiss a referral under subsection (5), the commissioner must review the complaint and publicly issue an opinion that

- (a) states whether the registered party breached their advertising code of ethics,
- (b) includes reasons for the opinion, and
- (c) recommends at least one remedial measure if the breach—or, sorry—if a breach occurs.

The Chairperson: Is there leave to have the amendment considered as written? *[Agreed]*

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- (a) states whether the registered party breached their advertising code of ethics,

(b) includes reasons for the opinion, and

(c) recommends at least one remedial measure if a breach occurred.

The Chairperson: It has been moved by Mr. Balcaen *THAT Clause 9 of the Bill be amended by replacing the proposed section 61—*

An Honourable Member: Dispense.

The Chairperson: Dispense? Dispense.

The amendment is in order.

The floor is now open for questions.

* (23:00)

Mr. Balcaen: This amendment clarifies that if—that it is the chief electoral officer or the commissioner rather than political parties themselves who will be responsible for investigating complaints made under a party's code of ethics.

As originally drafted, complaints would go directly to the political party being accused, forcing parties to act as both judge and defendant of their own case. That set up undermines fairness, transparency and public trust.

Transferring this responsibility to Elections Manitoba and the commissioner ensure that complaints are handled by an independent body that already has the training, mandate and procedures in place for investigations. It creates consistency with other parts of The Election Financing Act, which entrust enforcement to neutral authorities rather than partisan organizations.

This amendment strengthens the bill by protecting all parties equally and ensuring Manitobans can have confidence that ethics complaints will be handled fairly, objectively and without political inference or abuse of process.

Thank you.

The Chairperson: Thank you.

Any further—

Mr. Wiebe: I have to start by saying, I hardly think that the party who was just found guilty of one of the worst—no, no, the worst ethics violations in Manitoba's history—to think that they would think that they have the moral authority to bring forward any kind of amendment.

You know, former premier, fined \$18,000. A former deputy premier, fined \$12,000. A member of

their current caucus—so I mean, maybe you could make the argument, oh, well, that was in the past. A current member of their caucus has been fined \$10,000, found guilty by the Ethics Commissioner, and still just sits in caucus, makes these decisions? Maybe helped draft this amendment? I mean, it is quite unbelievable.

I would also note that this legislation and this particular clause is specifically designed to stop the kind of campaign that members opposite undertook in the last election. Like, members sitting at this table here ran under the banner and said, this is a great idea, Heather Stefanson. You should attack the victims of murder—you should attack the victims of a serial killer.

Like, the members opposite, sitting right here, said, that's a great political strategy. That'll really divide Manitobans and drive votes our way. Or said, hey, you know, trans kids. That's something that gets people scared. Let's attack them. Let's use a lot of—bunch of coded language to make sure that all of our base knows just exactly where—what we're talking about, but we can always hide behind the language and say, oh, it wasn't us, or we didn't want to do that.

What this particular legislation does, and this clause in particular, is it holds parties to account, and it makes sure that Manitobans have the choice at the ballot box.

Now, we were—you know, in the last campaign it was hard slogging on the doorsteps, right? And I'm looking over at members on our side of the table, because we went door to door and Manitobans were—heard this divisive language and they heard these outright fabrications coming out of the opposition. They heard this hateful language, and I've got to say, for a lot of them we needed to have a conversation; we needed to talk it through; we needed to help them understand this is really, really negative, divisive stuff. This isn't who we are as Manitobans.

But if we had the tool where political parties had to be transparent and say yes, we know what we're doing; this is—we agree with it, or maybe you don't. And if you don't then you have to have a code of conduct that says you don't. And then you get held to account by the people of Manitoba.

I'm also completely baffled that the party of, like, personal responsibility and, you know, small government and all of these sort of concepts now says no, no, no; we want a commissioner to come in and have oversight. We want the people of Manitoba to have a voice. We want them to have the say. This is a

democracy; we want the people of Manitoba to make a decision.

The difference here is that we want to make sure they have all of the information in front of them, that they know exactly who they're voting for. So the next time that the member opposite thinks it's a good idea to go after trans kids, he has to write that in his code of conduct: yes, it's okay. No problem, no issues there. Go ahead, all our candidates can go and talk about, you know—divide Manitobans and go after vulnerable kids and then let Manitobans decide.

Or maybe, now he's turned a new leaf and maybe he's a different man. Well, then, he can write that in his code of conduct along with his party and he can be very explicit about that and he can make sure that Manitobans see that as well. Whether Manitobans believe him, well, again, that's for them to decide. And they will, in the next election.

But, you know, I just—I cannot believe that members opposite think that they have any kind of moral authority in this conversation whatsoever, and especially the kind of moral authority that makes them think that they can supersede the will of the people. It's about Manitobans' decision. That's who we're going to listen to. And we're going to give Manitobans transparency and visibility into what those candidates stand for and we're going to let them decide in the next election. We know they're going to make the right choice.

The Chairperson: Thank you.

Mr. Balcaen: So what I heard during that diatribe, and of course, this minister would follow his leader's will on this, so what I'm hearing is that the NDP government is scared of having reviews done by an independent body. This legislation or this amendment was brought forward so that a neutral body could decide on these. And I'm sure that is the will of Manitobans rather than having a party be placed in that area where the NDP could sweep something under the table.

So this was brought forward to have fairness for all people in Manitoba, all electorate—people that are participating in the election as well as all parties. So honestly, I'm concerned that this minister is going to vote against an ethics code. It speaks volumes.

Thank you.

The Chairperson: Anything further?

MLA Jeff Bereza (Portage la Prairie): I have to agree with my colleague, the MLA for Brandon. I cannot believe that the NDP, after going through

that diatribe that the Minister of Justice (Mr. Wiebe) just went through, will not—will not—vote for this ethical difference that Manitobans should be asking for. He will not support it. That's what we hear tonight. That's what we heard.

Thank you.

The Chairperson: Thank you.

Hon. Renée Cable (Minister of Advanced Education and Training): I feel like maybe I need to explain what Minister Wiebe just laid out, which was that we are putting forward legislation that will force transparency, that will force people to know exactly who they're voting for. We don't need very trusted, reputable civil servants to be policing what you do. We need Manitobans to understand exactly who you are when they vote. And this legislation will ensure that if the things that myself and my sister Bernadette had to go door to door to door to explain to people what is on those billboards and explain to my own child what those billboards meant, that next time you're going to be accountable, immediately accountable.

And if that's not clear in the legislation, then maybe we haven't been clear on the impact of those decisions. And the folks that stand on your side of the House and duck and say, that wasn't me, that was somebody else—I'm sorry, Chair—won't be allowed to do that again. They won't be able to hide next time and say that it wasn't their decision because it will be open and transparent and free for everybody to see online exactly what their intent was.

* (23:10)

So, Madam Chair, I emphatically will support this bill.

Thank you for the time.

Mr. Balcaen: I just want to make a comment on the member's last statement. Trusted public officials are the example in many, many legislations, including—and I'll bring it up because I'm very familiar with it—the police services, and there's an independent review agency called the Independent Investigation Unit of Manitoba that looks into police wrongdoing, and that is because people don't want to have police investigating themselves.

That's just one example of many that are legislated. And it's important that a neutral party makes those decisions, and that's why it's more transparent and it's more open for Manitobans. And it concerns me that your party is afraid of that transparency.

The Chairperson: Thank you, Mr. Balcaen.

If the amendment is in order—oh, no, sorry. Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: Question: Shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

Recorded Vote

Mr. Balcaen: A recorded vote.

The Chairperson: A recorded vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Ayes 2, Nays 3.

The Chairperson: The amendment is accordingly defeated.

* * *

The Chairperson: Clause 9—pass; clauses 10 and 11—pass; clause 12—pass; clauses 13 through 15—pass; clauses 16 through 20—pass; clauses 21 through 23—pass; clauses 24 through 28—pass.

Shall clauses 29 and 30 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Clause 29—pass.

Shall clause 30 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: I hear a no.

Mr. Balcaen: I have an amendment to move.

I move

*THAT Clause 30 of the Bill be amended in the proposed section 182.1 of **The Elections Act** by adding "if they make, distribute or publish the material or information knowing it is false or misleading or having a reckless disregard as to whether it is false or misleading" at the end.*

Motion presented.

The Chairperson: The amendment is in order.

The floor is open for questions.

Mr. Balcaen: This amendment adds a knowledge and intent requirement to the offence of publishing or distributing false or misleading election information.

As written, the original provision could unintentionally penalize campaign volunteers or workers who unknowingly distribute inaccurate material prepared by others. For example, a volunteer dropping off flyers could mistakenly deliver materials to both sides of a street not realizing that one side belongs to a different polling division with a separate voting location. That volunteer would have no knowledge that the information that they were handing out was incorrect, yet they could still be found in violation of the law.

This amendment ensures that only those who act knowingly or recklessly are liable.

Thank you.

The Chairperson: Thank you.

Any further questions?

Mr. Wiebe: I think there's a fundamental misunderstanding of the bill by the opposition. This, of course, is completely a fact-based clause and, really, intent is not necessary in this case.

You know, look, we are getting barraged by the potential for misinformation, and, working with Elections Manitoba, they've been very clear that they

need the support to make sure that misinformation doesn't impact our elections.

They're looking for all the tools that they can get. That's what this is about.

We're going to pass this. We're going to do—continue to work with Elections Manitoba. And we're going to make sure that we stop this misinformation.

The Chairperson: Anything further?

Is the committee ready for the question?

An Honourable Member: Question.

The Chairperson: Shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

The Chairperson: The amendment—I hear—sorry.

Voice Vote

The Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Nays have it.

The amendment is accordingly defeated.

* * *

The Chairperson: Clause 30—pass; clauses 31 and 32—pass; clause 33—pass; clauses 34 through 39—pass; clauses 40 and 41—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 11:17, what is the will of the committee?

Some Honourable Members: Committee rise.

The Chairperson: Committee rise.

COMMITTEE ROSE AT: 11:18 p.m.

WRITTEN SUBMISSIONS

Re: Bill 8

The Manitoba Federation of Labour, MFL, is Manitoba's central labour body, representing the interests of more than 130,000 unionized workers from every sector and every region of the province in the public and private sectors, as well as the building trades.

The MFL supports this bill as it will help to enhance community safety and protect Manitoba's balance approach to liquor sales, something that working families want to see. Manitoba's local, publicly-owned liquor marts deliver high quality service to Manitobans and pour the profits that are made from it right back into our hospitals, schools, and other vital public services that we all count on.

The \$13 million in profits generated by Manitoba's public liquor system is money that is used to hire health care and education workers, and fund other public services we all count on.

Manitobans are very happy with our current public liquor system, and they love the high quality service and professionalism they get at Manitoba Liquor Marts. Customer service surveys consistently show more than 90% of Manitobans are very happy with the service they receive at Liquor Marts!

Manitoba's current model for liquor retail does a good job of balancing convenience with social responsibility. Liquor Marts operate in urban centres where they can be profitable, and private sellers exist in smaller regions where Liquor Marts are not profitable. It's a model that has existed for many years, and it's a model that works for Manitobans, because we all benefit from the public-owned profits.

Liquor Marts are nice places to shop, and the service and knowledge provided by the hardworking Manitobans there is second to none. Because it's a Crown Corporation, Manitobans own it, and it's accountable to us. And having well-trained staff helps to keep liquor out of the hands of minors. And because liquor marts are often bigger than a convenience store, they can ensure good selection for customers.

Unfortunately, the previous PC government tried to upend this balance by privatizing liquor sales and allowing for the sale of liquor at convenience stores like 7-11, a deeply irresponsible decision given the rampant crime plaguing our province that has caused several 7-11 locations to shut down across Winnipeg. Allowing for the sale of liquor at these locations

would only serve to deepen these public safety problems.

Because of the advocacy of Liquor Mart workers and their union, the MGEU, Liquor Marts have been able to stem the rising tide of violence in liquor stores a few years ago by introducing controlled entries to their stores. These workplace safety measures have reduced thefts at Liquor Marts by an astonishing 97 per cent!

But no such controls exist at 7-11s and other convenience stores. Adding liquor to the mix would be a recipe for disaster, putting workers and the public at greater risk. We are glad that the provincial government is taking steps to stop the granting of liquor licenses to places like 7-11. This is an important bill for public safety and an important bill to protect our tried-and-true liquor retail model, one that delivers high quality services and helps to fund the public services we all count on.

And while we're on the subject of our public liquor system, I want to take the time to thank the Government of Manitoba for banning scab labour in our province. Shamefully, scab labour was used by Manitoba Liquor and Lotteries during the Manitoba Government and General Employees' Union liquor strike of 2023. I think we will all remember Heather Stefanson's famous, or perhaps infamous, video about how she 'drew the line' at fair pay for our province's liquor workers. The PC government was all too happy to force a strike at Manitoba Liquor Marts, thinking it would help them get re-elected.

We, we all know how that went. I knocked on hundreds of doors during the provincial election campaign, and Manitobans were deeply unhappy with the Stefanson government's treatment of liquor workers, and of MPI workers too. So, I will close with some free advice for the PC members of this committee: think twice the next time your leader talks you into going after working people in this province.

Kevin Rebeck
Manitoba Federation of Labour

Re: Bill 12

Re: Recommendations on strengthening Bill 12

The Right to Housing Coalition (RTH) is pleased that the Government of Manitoba has taken action in response to the current affordable housing crisis to protect the supply of non-market, social and affordable housing through the introduction of

Bill 12, The Housing and Renewal Corporation Amendment Act. Non-market, social and affordable housing, including government-owned, non-profit and co-operative housing, is the only housing that is affordable to very low to low-income households and, increasingly, to moderate income households.

A strong aspect of Bill 12 is the permanent protection of the land owned by a social or affordable housing provider with an existing or new funding agreement with the Manitoba Housing and Renewal Corporation (MHRC) through the mechanism of a caveat registered against the title to the land that requires MHRC's consent for its sale or transfer, for both current and subsequent owners. It is important to have this mechanism to ensure that buildings remain dedicated to the purpose of social housing beyond the length of the funding agreement and that public investments will remain protected in perpetuity.

While Bill 12 takes an important step forward by requiring the MHRC's consent for the demolition, change of use, sale or transfer of buildings of a subset of non-market, social and affordable housing providers, RTH has identified a number of concerns about the Bill's potential to effectively both prevent and respond to the conditions that put such housing providers—as well as their tenants—at risk. Moreover, Bill 12 on its own cannot protect the full stock of non-market, social and affordable housing in Manitoba; further legal protection of all non-market, social and affordable housing beyond the authority of the MHRC as well as government funding are needed. The government must take responsibility to ensure no net loss of the non-market, social and affordable housing stock. RTH's key concerns with Bill 12 are the following:

Bill 12 does not apply to and therefore does not offer protection from the sale, demolition or change of use of a substantial subset of non-market, social and affordable housing providers, including the following: government-owned housing, non-profit providers whose government funding agreements have expired prior to the Act coming into effect, non-profit providers who receive government operating subsidies, and non-profit providers who receive government funding from a body other than Manitoba Housing.

Consent for "sale, demolition or change of use of [a] funded building" resides with MHRC instead of more appropriately with the Minister of Housing, Addictions and Homelessness, the latter who bears the responsibility and is accountable for the oversight of social and affordable housing in Manitoba.

The public interest that MHRC must consider in its decision-making on a "sale, demolition or change of use of [a] funded building" does not explicitly refer to or compel the protection of the non-market, social and affordable housing stock. Bill 12 requires the MHRC to consider either the general housing supply or the need for affordable and social housing. This weak 'either-or' criterion undermines any real and specific safeguards against the loss of the non-market, social and affordable housing stock that the Bill otherwise endeavours to provide.

Bill 12 does not make provisions for the protection of tenants or members residing in the buildings of non-market social and affordable housing providers that sell, transfer, demolish or change the use of their building(s).

Below is a set of recommendations developed by RTH to limit the demolition, change of use, sale, or transfer of non-market, social and affordable housing to the for-profit sector. While the recommendations address the areas where Bill 12 should be strengthened, they also go further in describing measures that will protect and ensure the financial sustainability of the entire stock of non-market, social and affordable housing.

Thank you for considering our recommendations.

Yours sincerely,

The Seniors Working Group, on behalf of the Right to Housing Coalition.

About the Right to Housing Coalition

The Right to Housing Coalition is a group of individuals and organizations concerned about housing insecurity and homelessness experienced by low-income renters in Manitoba. The Coalition calls on all levels of government to prioritize investments in social housing to ensure all Manitobans can access a home that is affordable, safe, secure, and culturally appropriate.

The following recommendations are rooted in the second pillar of the Right to Housing's social housing action plan for Manitoba, which was released in October 2023. The plan is based on decades of research and consultation. Its 5 pillars have been endorsed by more than 90 organizations.

Recommendations to protect and preserve the non-market, social and affordable housing stock:

Spirit of the legislation

1) The spirit of the legislation is to protect and to preserve the non-market, social and affordable housing stock specifically by prohibiting its

demolition, change of use, or sale or transfer (change of ownership without money) to the for-profit sector, and to protect and support tenants of non-market, social and affordable housing. This intention must be unequivocally stated in the proposed legislation.

Housing providers covered in the legislation

2) All non-market, social and affordable housing providers who are in receipt of or who have ever previously received public funding to acquire, build, restore, renovate, or operate with subsidies must be covered under the legislation. This category includes non-profit housing providers, housing co-operatives and government-owned housing.

Responsibility of the Government of Manitoba towards non-market, social and affordable housing providers and their tenants

3) In order to protect and preserve the non-market, social and affordable housing stock and protect their tenants by preventing conditions that may lead to the housing provider's dissolution or to the demolition, change of use or the sale or transfer to the for-profit sector of their building(s), the government must:

a. offer adequate funding to social and affordable housing providers who are facing dissolution or considering the demolition, change of use or sale or transfer of their building(s) due to a lack of adequate financial resources, so that they may continue to operate sustainably (e.g. maintain their buildings in a state of good repair, make needed capital investments, and maintain existing subsidies for low-income tenants).

b. regularly and carefully review the financial audits of non-market, social and affordable housing providers and address critical financial issues early-on and provide capacity-building and funding support where necessary.

Responsibility of non-profit and co-operative housing providers towards their tenants and members

4) Housing providers must undertake regular audits by a certified accountant, and a report in an accessible format must be prepared and shared with their tenants or members in a timely manner.

Limiting the demolition, change of use and sale or transfer to the for-profit sector of non-market, social and affordable housing

5) Non-market, social and affordable housing providers must not transfer their building(s) to the for-profit sector. Transfer to a non-profit entity must be another non-market, social or affordable housing

provider. The government, however, must maintain its public housing stock and not transfer its housing to a non-profit or co-operative housing provider unless it can provide a transparent guarantee that the transferee will be able to continue to offer the same or improved quality and quantity of housing over the long-term. In the case of transfer, tenants must be allowed to continue to live in the building(s) in the same units and at the same rent.

6) Non-market, social and affordable housing must not be demolished, have its use changed, or be sold unless approved by the Minister of Housing, Addictions and Homelessness and under the following conditions:

a. The Government of Manitoba must demonstrate a plan to ensure that the demolition, change of use or sale does not result in a net loss of the non-market, social and affordable housing stock in Manitoba.

b. The Minister must demonstrate transparency and accountability around the decision to approve the demolition, change of use or sale.

c. The housing provider must keep tenants or members fully informed as soon as any progress occurs, and on an on-going basis, about a proposed demolition, change of use or sale of its buildings.

d. For tenants who lose their housing as a result of a demolition, change of use, or sale of the building(s), the government must secure alternative and comparable non-market housing which is acceptable to the tenant and at the same rent. New housing must be secured before the tenant loses their housing to prevent transitions into homelessness or unaffordable housing.

e. The public must be notified well in advance in an appropriate and accessible manner when a non-profit or co-operative housing provider has applied to the Minister or when the government has established its intent to demolish, change the use of, or sell to the for-profit sector their building(s), through, for example, a public display and/or announcement in a widely circulated media publication.

f. All proceeds from the sale of government-owned housing must return to government funding envelopes dedicated to the maintenance, repair, and the subsidy of existing and development of new social housing (rent-geared-to-income) units.

Kristin Bernas

Re: Bill 23

Dear Committee members,

While I applaud the Manitoba Government for tabling Bill 23, The Public Interest Expression Defence Act, I would like to take this opportunity to express my concerns about a new section added to the bill, specifically Section 4 (2). That section substantially weakens the bill and could well result in situations where, when a legal proceeding involves an injunction, the filing of a dismissal motion under s 3 will not pause the proceeding, even if the injunction is deemed to be meritless.

A dismissal motion will not pause an issued injunction of stop an injunction from being sought while another proceeding is paused under s 4(1) of the Act, leaving a pathway open to drain a defendant's resources, even in the face of a pending anti-SLAPP motion in another proceeding that arises out of the same situation.

In situations where community members are speaking out about public interest matters, peaceful protest is an important tool to be used so public interest advocates can spread their message, connect with allies, and physically show up to show how many interested members of the public feel the same way.

Injunctions can be secured for a number of reasons, including those that could conflict with purposes of the Act, e.g., an injunction preventing someone from speaking up about a public interest issue, or physically showing up (like at a community event or public hearing) could be brought frivolously.

In my opinion, Section 4 (2) should be deleted or amended to ensure that public participation is fully protected and that frivolous lawsuits designed to silence the public will not be tolerated by the courts.

Sincerely,
Erna Buffie

Re: Bill 23

I watched a very funny John Oliver YouTube on Bob Murray, the US coal magnate and sleaze bag. I know that it's a US example, but the intimidation tactic is the same in Canada.

About half the US States have punitive fines for using this kind of tactic. This issue is about inequality. It's the governments job to represent citizens Not businesses. In this age of obscene neoliberalism it's telling that such a no brainer piece of legislation is not already on the books. If our government doesn't have

the guts to do what's right in issues like this, it risks shrinking it's power to nothing and taking democracy with it .

Has anyone watched the Disney series Alien Earth? In the story the writers imagine a world with no government, just 4-5 large corporations. The way the law works in this world should be entertaining to our legal participants. I'm sure the writers would agree that SLAPP lawsuits were likely a key factor in how that world came to be.

John Oliver would have fun mocking you all if you were to allow men like Bob Murphy to weasel a way around the bills intentions through injunctions.

Thanks

Brent Bjorklund
MB Green Party

Re: Bill 23

It's time Manitoba catches up to other provinces who have anti-SLAPP legislation, however sec 4.2 must be removed.

As a victim of SLAPP for exercising our democratic right to public participation to protect indigenous rights to ceremony, environmentally sensitive biodiverse and historically significant urban land, I have lasting trauma caused by injunctive action, harrassment and threats by a developer's representative and his legal council. Their actions were vindictive and immoral and caused emotional and physical trauma to women and Indigenous people.

SLAPP is a colonial and most often mysogynistic tactic which must be legislated without sec 4 .2.

Cat M Gauthier

Re: Bill 23

To the Standing Committee on Justice,

My name is James Wilt and I am the Policy Development Manager at Climate Action Team Manitoba. I also hold a PhD in Geography from the University of Manitoba, specializing in the environmental history of the oil industry in Canada.

I am writing to express full support for the passage of Bill 23, The Public Interest Expression Defence Act, and commend the Manitoba Government on the development of this extremely important legislation. I would also like to acknowledge the tireless work of

the Manitoba Eco-Network and other organizations in advocating for this bill. It is essential for Indigenous Nations and environmental/civil society groups to have legal protections from frivolous litigation intended to suppress and deter legitimate protest.

Along with my professional background, I am extremely supportive of this legislation due to being part of a large group of Manitobans that was targeted by a SLAPP suit between 2017 and 2020. This SLAPP suit was initiated by a private developer against almost 50 alleged participants in the "Rooster Town Blockade" of Summer 2017, a protest that was acknowledged in the Legislature on Oct. 17, 2017 by NDP MLA James Allum. At the time, the developer's lawyer alleged that the peaceful occupation had caused "damages in the millions or tens of millions of dollars."

This legal process consumed several years of our lives and cost many thousands of dollars in legal fees, despite a law firm generously providing heavily discounted rates to a collective made up of many defendants. The eventual settlement cost an additional \$30,000. It also exacted a significant psychological toll on defendants and had a major chilling effect on

the willingness of participants to continue their involvement in activism and advocacy, even well after the lawsuit was settled.

I am extremely grateful that, thanks to this legislation, Manitobans will no longer face this kind of legal retaliation and can be assured that legal processes will be used as intended. Thank you for your work on this issue and consideration of this submission.

James Wilt

Re: Bill 40

Good evening Minister and MLAs

My apologies for not being able to attend the Committee meeting tonight but a Family Member has an Emergency so I will be attending this instead of the Meeting but I was just wanted to express my gratitude for the Bill and I hope that it gets done quickly and that it is passed by the Committee and the House!

Thank you

Ben

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

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