

Fifth Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Legislative Affairs

Chairperson
Mr. Len Isleifson
Constituency of Brandon East

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
AL TOMARE, Nello	Transcona	NDP
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BUSHIE, Ian	Keewatinook	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS

Monday, May 8, 2023

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Len Isleifson (Brandon East)

VICE-CHAIRPERSON – Mr. Rick Wowchuk (Swan River)

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Messrs. Piwniuk, Reyes

*Messrs. Bushie, Isleifson, MLA Lindsey,
Mr. Wowchuk*

APPEARING:

Ms. Cindy Lamoureux, MLA for Tyndall Park

PUBLIC PRESENTERS:

*Bill 21–The Highway Traffic Amendment Act
David Grant, private citizen*

*Bill 22–The Emergency Measures Amendment Act
David Grant, private citizen*

*Bill 25–The Workers Compensation Amendment Act (Wildfire Firefighters)
Kevin Rebeck, Manitoba Federation of Labour
Blaine Duncan, Manitoba Government and
General Employees' Union
David Grant, private citizen*

*Bill 36–The Fair Registration Practices in Regulated Professions Amendment Act
David Grant, private citizen*

MATTERS UNDER CONSIDERATION:

Bill 21–The Highway Traffic Amendment Act

Bill 22–The Emergency Measures Amendment Act

Bill 25–The Workers Compensation Amendment Act (Wildfire Firefighters)

Bill 36–The Fair Registration Practices in Regulated Professions Amendment Act

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Clerk Assistant (Mr. Tim Abbott): Good evening. Will the Standing Committee on Legislative Affairs please come to order.

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

Are there any nominations?

Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure): I'd like to nominate Mr. Isleifson.

Clerk Assistant: Mr. Isleifson has been nominated.

Any further nominations?

Seeing none, Mr. Isleifson, please take the Chair.

Mr. Chairperson: Good evening, everyone. And our next order of business is to elect a Vice-Chair.

Are there any nominations?

Mr. Piwniuk: I nominate Mr. Wowchuk.

Mr. Chairperson: Mr. Wowchuk has been nominated.

Any other further nominations?

Hearing none, Mr. Wowchuk is therefore elected as Vice-Chairperson.

So, the bill—the meeting has been called to consider the following bills: Bill 21, The Highway Traffic Amendment Act; Bill 22, The Emergency Measures Amendment Act; Bill 25, The Workers Compensation Amendment Act (Wildfire Firefighters); and Bill 36, The Fair Registration Practices in Regulated Professions Amendment Act.

I'd like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting 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.

Prior to proceeding with public presentations, I would also like to advise members of the public regarding the process of speaking in 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 30 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; second, an member of the official opposition; and third, an independent member.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If a 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 must say that person's name. This is the signal for Hansard recorders to turn the mics on and off.

So, just a really quick question for committee members. We have one presenter from out of town, but they are attending virtually. So what order would we like to see the presentations done this evening?

An Honourable Member: Presenters who are here first—like who are here, present. *[interjection]* Go through the list.

Mr. Chairperson: So, we—so, the suggestion is we'll just go through the order as presented in front of us? *[Agreed]*

Very good, so then that's what we will attend to do for this evening, then.

Bill 21—The Highway Traffic Amendment Act

Mr. Chairperson: So, I will now call on Mr. David Grant to come to the podium.

Mr. Grant, welcome. We are looking at Bill 21, The Highway Traffic Amendment Act. And do you have any items to hand out this evening? None?

Mr. Grant, the floor is yours.

David Grant (Private Citizen): Bill 21 makes reference to reducing the chances of a crash of a heavy truck by assuring us that every driver has been checked.

It refers to the word fitness, that the driver must be fit. To most of us, fit means being able to run up and down stairs more than not being a crazy driver. But it did remind me of an emerging health issue in the US.

And so, I'm supporting Bill 21 entirely, but I would suggest that, in future, when we come back to

this topic, and as it evolves, that we consider enhancing it slightly.

In the USA, the FAA assures the flying public that every pilot has been checked for the most common, relevant health issues. The delay in health—heart 'palthlus' can predict heart failures and sudden collapse, which is a bad thing both in a heavy truck driver and a US pilot. The—this—good ECG results are needed every year for a pilot to continue to fly.

In the last year, those specifications have had to change, because there's an emerging issue in—we can say beyond just the US—there's an emerging issue with heart health. Maybe pandemic-related, but it means that a pilot who would have failed last time—passed last time, now fails, and it was so serious, that US—the FAA had to change the specs. So, if you were too sick five years ago to fly a plane, you're okay now, because otherwise we would run out of pilots. So, that just says that there's an—as I say, an emerging issue.

I would like to see you, in a future version of this law, consider ECG testing of heavy truck operators, because it is a good predictor of sudden, unexpected collapse. And I would say that the guy driving the truck coming toward me is as important to my life as an American pilot is, since I don't fly.

But, anyway, I just thought I'd, you know, offer that, and the—I think it's—there's good evidence that routine ECG testing are important in the world of travel safety and, with respect, ask you to consider adding such a process to a future version of Bill 21.

And that's about it. The stuff on Bill 22, I wait 'til I'm called, is that correct? Okay. Thank you very much.

Mr. Chairperson: Yes, well, hold on there, Mr. Grant.

And we will now go to a five-minute question period where the committee members have the opportunity to ask you questions.

And we'll start with the—Minister Pivniuk.

Hon. Doyle Pivniuk (Minister of Transportation and Infrastructure): Well, thanks—oh.

Thanks, Mr. Grant. Thanks for your presentation. It's very valuable that we hear from the public, and I'm glad you came forward.

That's something like, I guess, when—what—you kind of want to look at, see what they do with pilots, then, right, with, again, an EKG, with—you're asking that they should do. How many—what would be the

amount of time between each time they have to do, let's say, a fit? *[interjection]*

Mr. Chairperson: Sorry, Mr. Grant, I have to acknowledge you first so that they can turn the recorder on.

So, Mr. Grant, the floor is yours.

D. Grant: I don't have numbers and I like—being a former engineer, I like to have numbers to base everything on. I don't have numbers, but conveniently, most of us old folks in Manitoba go in for our free yearly checkup, and that would be—I would guess that some of the truck drivers involved are doing that, too. So, an annual basis would be a convenient time to start with.

And, as I say, there's no point going to all the minutia that FAA does, but that's—that would be a nominal number as a once a year. And stuff can change in a year, but we don't want to enburden people, either.

So, thank you.

Mr. Ian Bushie (Keewatinook): Thanks, Mr. Grant. Thank you for your presentation, taking your time to come up here to express your concerns.

One of the questions I guess I would have is, when you talked about, you know—and the minister had asked about the—what kind of time frame would you look at, in terms of being able to do some kind of physical testing and stuff like that, and your suggestion is perhaps annually. But, again, as something to be looked at kind of as a further amendment, potentially, to this piece of legislation at some point in time.

But do you see any kind of issues with who we are in Manitoba, in terms of access to even just those kind of testing requirements or backlogs to be able to do that in particular—

Mr. Chairperson: Your time has expired.

So, Mr. Grant?

* (18:10)

D. Grant: Yes. I had to change doctors, because mine retired suddenly after 40 years. But he had the toys that did that every year, so the little box of toys that they use for that test are fairly common, they're fairly inexpensive, and so I don't think it would be a big problem. It's not like dialysis where we might have, you know, other advanced health care. This is just one step above a blood pressure test.

So, I think that wouldn't be an issue.

Mr. Chairperson: Other questions?

Ms. Cindy Lamoureux (Tyndall Park): Thank you, Mr. Grant, for what you've shared with us this evening here.

I was wondering, just off the top of your head, if you know if these ECG tests are used—or, practices are used in other provinces or territories here in Canada on truck drivers?

Mr. Chairperson: Mr. Grant, go ahead, sir.

D. Grant: No, I'm sorry, I don't have that information. The only reason I brought it up is because I was following this issue in the US as an emerging health issue and then this bill came up, and the bill in its wording says fitness, not craziness. And so I thought, oh, fitness, that's a good one. And then I looked in it further and it didn't look like that at all.

So, it was partially my initial misunderstanding and then transitioning into, hey, that's a good idea.

So, no idea, sorry.

Mr. Piwniuk: Mr. Grant, I want to thank you for coming out to present on this bill. It's an important bill that we need to amend when it comes to especially chameleon drivers, like, organizations that come and—when it comes to making sure that we basically look into their past to making sure that they don't come from another province to come and register here in Manitoba.

So, we want to make sure that our highways are safe. So I want to thank you for coming out to present.

Thank you.

Mr. Chairperson: Mr. Grant, any comments back to the minister?

D. Grant: No, I think it's wonderful. And I think the background checks are something we've gotten used to for the last decade or so.

You know, we want a border card or a passport or whatever, they're going to check your background, and I think this is a very important thing to do.

Thank you.

Mr. Bushie: Thanks, Mr. Grant.

And, again, I think you touched on the basis of it, is this is a start, and I think this is—discussions we've had when this is brought up in the Chamber and in the House is this is a start, and I think it's—goes down the

right path to be able to regulate and kind of—the health and safety of our citizens here in Manitoba.

So, when you were talking about, you know, bringing in a—the physical fitness aspect of this, as well, I think that's a great idea and I think that's something that needs to be addressed in the legislation, as well, at some point.

Thank you.

D. Grant: I think it's—it goes beyond physical fitness because a person can be tiny lungs, tiny heart but if it's working happily, an ECG says you're not imminent problem, then you could be—because some guys who sit in trucks and stop at greasy restaurants three times a day, they may not have a movie-star body but that doesn't mean they're not fit to drive. But the—when the ECG says—or, EKG says there's a problem.

But—thank you very much for your point.

Mr. Chairperson: Thanks, and we thank you very much.

The time for the questions are over.

And we will just move on. I think we only had the one presenter to Bill 21.

Bill 22—The Emergency Measures Amendment Act

Mr. Chairperson: So, we'll move on to the presentations for Bill 22, which is The Emergency Measures Amendment Act. And, again, that's standing in the name of Mr. David Grant.

Mr. Grant, if you want to come back to the podium. The floor is yours, Mr. Grant.

David Grant (Private Citizen): Yes, I'm—I support Bill 22 and all its goals.

And if I was going to tack on anything else in there: emergencies, usually, are things like roads covered in river and so on. And I would suggest that the number of times we've had to close a major highway because of snow has an economic effect, and—I'm not sure if that qualifies as an emergency, but it's certainly a concern.

And that's why I would, you know, like to see the—that considered as a—in the same frame and that might mean making sure we have enough plow guys for an expected storm.

The other thing I'd like to suggest as an alternative is instead of just closing the highway if it's a fog issue,

declaring—having the laws that would allow the government to declare a new limit. Other words, if it's decided the visibility's an issue, Highway 1's going to be 30 'kiloms' an hour maximum, ticketable above that.

So, just an option that would keep the trucks rolling if it's deemed the conditions are safe for that. And—just an alternative.

And thank you for your time.

Mr. Chairperson: We thank you for the presentation.

The floor is now open for questions.

Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure): Yes, thanks, Mr. Grant.

When it comes to our highways, when it comes to snow, I know it's not really part of our EMO, emergencies management—that we're going to be calling it now—organization. That's what the bill is going to be changing the name.

But when it comes to highways, it's basically more of a visibility issue, is that our staff can't go out because—it's up to the RCMP. The RCMP actually ones that close the roads and, until it's safe to come out there because of the visibility, that's when our plows are out there, and they have—like, especially our major routes—they'd have to—we have a policy that they actually clear everything within 40—

Mr. Chairperson: The minister's time has expired.

Any comments to that, Mr. Grant?

D. Grant: No, I know how it works, and I—I'm just making an editorial comment that's supporting your bill. And that was about all.

Thank you.

Mr. Ian Bushie (Keewatinook): Thanks, Mr. Grant, for the few words on the bill.

And I think one of the things that strikes me in the bill is the word continuity. And, I mean, continuity of—you're talking about continuity of travel, commerce, those kinds of things, but also continuity of the kind of the response that the government would have, or various departments would have, so I think you're right on when you're talking about how do we keep things moving.

I mean, we use the word emergencies, and I think we're using the word emergency a lot more and more, given whatever snowstorm, floods, rains, fires, those kinds of things. So, we're doing it more and more.

So, I think it's important to—

Mr. Chairperson: Mr. Bushie, your time has expired.

So, Mr. Grant, any comments back to—no?

Any other questions? Hearing none, thank you again for your presentation this evening.

**Bill 25—The Workers Compensation
Amendment Act
(Wildfire Firefighters)**

Mr. Chairperson: Our next list of presenters—we'll move to Bill 25, The Workers Compensation Amendment Act (Wildfire Firefighters).

And, at this time, we'll invite Mr. Kevin Rebeck, from the Manitoba Federation of Labour. I believe you're online, sir. If you could turn your video on, which it is.

Ms. Lamoureux, can I get you to move either this way just a little bit or—oh, he'll go up. Okay, that's okay. He's going to go up top, and he's on this one. Okay. I just—sorry about that, Kevin, I didn't see you there.

So, with that, the floor is open; you have 10 minutes. The floor is yours.

Kevin Rebeck (Manitoba Federation of Labour): The Manitoba Federation of Labour is Manitoba's central labour body, representing the interests of over 125,000 working Manitobans in the public and private sector, as well as in the building trades. The MFL is a strong advocate for better health and safety laws and practices, greater focus on the prevention of workplace injuries and illnesses and a fair workers compensation system that provides the care workers need to recover and to get back to work in all the other parts of their lives after an injury.

I know that some of you might be used to me appearing at committee to take issue with a bill government's introduced, but I'm here today to speak in favour of Bill 25. Bill 25 will right the historic wrong that Manitobans who fight wildfires have been barred from presumptive workers compensation coverage for occupational diseases that's been available to those who fight urban or structural fires.

We know that the toxins and carcinogens that wildland firefighters are exposed to are linked to multiple serious health effects. We also know that the frequency and intensity of wildfires is growing, partly as a result of climate change and drought. It was deeply unfair that wildland firefighters were left out

of the presumptive coverage that other firefighters have access to.

Passing this bill into law means that workers who are suffering from a serious occupational disease like cancer will not have to face the additional burden of having to prove that that disease is the result of the hazards we know to exist in their workplace.

We know that the process of having a workers compensation claim approved can be difficult, even those with a relatively minor injury. Imagine doing it while suffering from a debilitating cancer. The introduction of presumptive coverage for these workers will make their path to receiving the compensation coverage a little easier.

This expansion of presumptive coverage also serves as a reminder that there remain many occupational diseases known to be caused by specific workplace exposures that are not covered by any type of WCB presumption. Workers suffering from these diseases continue to face the added burden of proving a 'causal' connection to their work.

In addition to the many deadly lung and respiratory diseases caused by asbestos, which continues to be the No. 1 occupational killer in Canada and in Manitoba, there are many other diseases that we know that are caused by on-the-job exposure to specific agents. To name just a few examples, there's occupational asthma caused by inhalation of certain wood dust, bladder cancers caused by the chemicals present in rubber products and dyes and poisoning caused by workplace exposure to lead, nickel and other metals.

* (18:20)

More than five years ago, The Workers Compensation Act Legislative Review Committee made a consensus recommendation that this injustice be corrected by creating a presumptive schedule of occupational disease for WCB to administer. Under such a schedule, when a worker with a specified disease has been employed in the associated process or industry, the disease would be presumed to be caused by the work, unless the contrary was proven.

In 2021, this government passed amendments to The Workers Compensation Act to empower the WCB to create a schedule of occupational diseases. This was a very positive step, and was supported by the MFL. Schedules of occupational diseases exist in other jurisdictions, and they make it easier for workers, who are suffering from a listed occupational disease due to

their work, to receive the workers compensation support they're entitled to.

The 2021 amendments also explicitly empowered the WCB board of directors to make regulations respecting occupational diseases, including the establishment of a schedule setting out occupational diseases and types of employment, or employment conditions.

Unfortunately, despite this government doing the right thing and passing these changes into law two years ago, the Workers Compensation Board still hasn't created an occupational disease schedule. This means that workers are suffering from diseases that they have from their jobs, but are falling through the cracks at WCB, and struggling to prove their condition is work-related.

I encourage the minister to tell WCB to get moving on creating a robust schedule of occupational disease, like other provinces have, so that more workers receive the WCB support they deserve.

Thank you.

Mr. Chairperson: And we thank you very much for those comments and that presentation.

So, just as I open the floor for questions to our panel here, just a reminder: you have 30 seconds. I hate cutting you off, but you only have 30 seconds, so save the preamble if you can, if you have questions; would be great.

So, with that, we'll start.

Hon. Jon Reyes (Minister of Labour and Immigration): On behalf of my department, Labour and Immigration, I just want to thank you, Kevin, and my colleagues here from all sides, on supporting Bill 25. I want to thank you for the engagement and co-operation assisting us with your valuable input on Bill 25.

As the minister responsible for Labour, I welcome the input you have provided tonight to improve and enhance legislation, and we'll continue that conversation in doing so.

Thank you.

K. Rebeck: Yes, thank you, Minister.

We are appreciative of this bill going forward. We think it will make a real difference in many workers' lives.

And, again, I just would encourage your support in making sure that WCB backs on the other decision

that your government made on getting that disease schedule so that many other workers in other job classifications can get that presumptive coverage for diseases that we know—and other provinces know—people get in the course of their work, so that they have the supports they need to not spend their final days fighting with WCB, but instead, get the help and support they need.

Thank you.

MLA Tom Lindsey (Flin Flon): I want to thank you for being here tonight again, Mr. Rebeck. Your input is always important when we're debating these bills, and particularly when it comes to health and safety bills. And I don't think anybody around this table tonight is going to disagree that it's long past time that this piece of legislation got passed.

Can you tell us maybe just a little bit more about this schedule of occupational diseases, and how much of an expansion of existing coverage that would mean for workers.

Mr. Chairperson: The member's time has expired.

K. Rebeck: Yes, thank you for the question. Yes, in addition to this bill, this government did pass legislation to mandate WCB to act on creating an occupational disease schedule. It's been over two years since they gave that direction, and WCB has not created such a schedule yet.

Seven other provinces have schedules. We would be joining the majority if—when we create the schedule that we do. And what this really means, just like for the firefighter legislation that's being dealt with tonight, that we know that there are a number of jobs that people perform, that there are diseases that are linked to those jobs. They are hazardous jobs that are exposed to chemicals or agents that are disease-causing exposures.

And having a presumptive schedule allows workers to get coverage in a fast way. It kind of fast-tracks that process and allows them to get the support and help they need while they're still living, because, sadly, many of these workers are suffering from fatal diseases that can be linked to workplace injuries, but have to spend their final days, or their spouses have to finish the fight, with WCB to get coverage.

And we know from experience in other jurisdictions, you know, if you have a cancer in Manitoba, you get about a one-in-ten shot of WCB covering your cancer. If you have a cancer where these exposures—

or, these occupational schedules exist, I think it's a five- or six-in-10 chance it's covered.

So, what are the odds that we have it right, that we're challenging and fighting with people and denying them, or that other jurisdictions have it right, and a bunch of Manitobans are spending their final days fighting with WCB in futility and not getting the support and coverage they need because of a disease that they contracted through work.

I think we can probably see it's the latter, and I'm glad government gave direction to establish a disease schedule; I'm sad that it's still not in place because of a lack of an action by our WCB institution.

MLA Lindsey: –that, Mr. Rebeck.

One of the things that we always focus on in health and safety is prevention. Is the level of PPE that a forest firefighter, a bush firefighter, is that same level of protective equipment available to them as it would be to, say, an urban firefighter, as far as respirators and all of those kind of things? Is there workable personal protective equipment, or does there need to be more work done to make that equipment available?

K. Rebeck: Yes, I think we always need to invest more in personal protective equipment so that people have the tools they need. Our urban firefighters are often given some superior tools and resources to protect themselves.

I thought that lung cancer would be the most common one, and as we've delved into this issue a bit more, forest firefighters and urban firefighters, frankly, absorb a lot of the toxins through their skin. It isn't a matter of the respirators, necessarily, but the other protective equipment that we have to keep workers safe.

So, as a whole, we need to do a better job of making sure that we're giving all workers the tools that they need to keep them safe and protect them from the exposures that their jobs all too often put them in danger of getting hurt at work, and in diseases' cases it's often years later that we find out. So, we need to take those precautionary steps sooner than later.

Mr. Chairperson: Thank you very much for your presentation, and for participating in the question-and-answer phrase, Mr. Rebeck.

We will move on to our next presenter, is with the Manitoba Government and General Employees' Union, MGEU, Mr. Blaine Duncan. Mr. Duncan, do you have anything for the committee? No?

You have 10 minutes, sir; the floor is yours.

Blaine Duncan (Manitoba Government and General Employees' Union): Good evening, Chairperson and honourable members.

My name is Blaine Duncan. I'm the safety-health specialist with the Manitoba Government and General Employees' Union. I'm here on behalf of President Kyle Ross, who happens to be out of town at the same meetings Kevin is at the moment. But thank you for the opportunity to be able to speak with you tonight.

The MGEU represents 30,000 working Manitobans, including employees who work specifically in the Province of Manitoba's Wildfire Service in classifications such as fire rangers, helitac officers, area fire managers, air attack officers, fire operations managers and conservation officers. So, we're very pleased to be able to speak on this issue tonight. These members, as Kevin has indicated, have not been covered previously, and we're looking forward to the expansion of the coverage under WCB.

We're proud to represent those folks working in very difficult work, as Kevin has mentioned. Many of them are on the front lines during the wildfire season, and many of those folks are also managing the efforts of those actively engaging the fire. These jobs are extremely demanding and require firefighters to be deployed to all corners of the province, across North America and internationally to protect life, property and natural resources.

Wildfire Service personnel battle through hazardous conditions such as smoke inhalation, extreme heat and often risk physical injury. The repetitive exposure to toxins, harmful chemicals and carcinogens can have devastating impacts on their health; the least we can do is provide presumptive coverage for these exposures.

The Workers Compensation Act was amended in 2002, and subsequently since then several times. Forest firefighters and other Wildfire Service members were excluded from the original legislation and subsequent amendments. It was through an MGEU convention in 2022 that there was a call upon a government to extend that coverage.

Working together with the Federation of Labour and the Minister of Labour and Immigration (Mr. Reyes) brings us here to this evening. This expansion of presumptive coverage for forest firefighters will mean these essential public servants no longer fall through those cracks.

I want to thank the Minister of Labour and Immigration for introducing the change and the legislation for wildland firefighters is a positive step towards supporting the health and well being of our members who work tirelessly to protect our forests, property and communities.

Thank you.

* (18:30)

Mr. Chairperson: Thank you very much for your presentation, sir, and with that we'll open the floor to questions.

Mr. Reyes: Thank you, Mr. Duncan, and I just want to thank you, the Manitoba Federation of Labour, MGEU, and again, from all sides also for supporting Bill 25. I was really grateful that your president was able to be here and support during the first reading.

Again, I want to thank you for the engagement and collaboration representing the 30,000-plus members and assisting us with your valuable input on Bill 25. And as the Minister responsible for Labour, again I welcome continued engagement and collaboration conversations to ensure that we can improve and enhance services for workers in Manitoba.

B. Duncan: We appreciate the efforts here today.

Mr. Chairperson: –notice. I was so into the question and answer phase I forgot to start the timer, so I'm just going to do a quick adjustment here.

Now we'll start it, and—now we'll start it, and we'll go to Mr. Lindsey.

MLA Lindsey: Thank you very much, Mr. Duncan, for your presentation. That certainly, like you said earlier, nobody around this table argues that providing that kind of presumptive coverage is the right answer.

Do you want to talk a little bit about what more we can do on the preventative side?

B. Duncan: Yes. So, you raise an interesting point earlier when you were asking about prevention measures. There are tactics that can be employed to fight fires in a certain way to try and remain out of the smoke, although I think you can probably appreciate that when we're talking about forest fire fighting that is very difficult to do.

One of the things that is happening more recently over the last five years or so is the establishment of respiratory protective standards. This is not something that the firefighting industry has really been interested in doing. Manufacturers in that regard have not been

interested in pursuing it because they didn't think there was a market for that.

But we now have an international standard in place. We do have some manufacturers who are looking at developing equipment that would be suitable for forest fire fighting. Again, you can imagine the arduous conditions that these people work under. You're not going to see them in the same gear that you would see a structural firefighter in.

And so they are looking at some very lightweight powered air purifying respirators that will deliver clean air to forest firefighters.

So the technology is being explored. The question becomes what that timeline is and then the acceptance amongst the firefighters in adopting that, and the employers as well, of bringing that into the system.

Mr. Chairperson: Okay. Any further questions?

And thank you very much for your presentation and for joining us today, sir.

So, with that, we'll invite Mr. David Grant back to the podium. The floor is yours, Mr. Grant.

Mr. David Grant (Private Citizen): I'm in support, as everybody seems to be, of this bill.

The two points I wanted to make are that we're making presumptions—that's what the whole thing is about—based on statistics and disease correlations. And I just want to remind you that as this heart health issue emerges and we know more about it in a year or two, we might want to revisit this stuff, but beyond that, that's just an obvious one. Beyond that, I have worked with breathing apparatus, PPE, advanced stuff, and so I'm quite familiar with it, and as you just said, it's not as much fun when you're out for a week in the bush. But certainly for urban fires it's practical to wear really good stuff.

I worked in uranium, lead, PDI, and a few other things that'll kill you right away. So breathing protection was very important to us. That's why when the mandates came out three years ago, it didn't bother me. I still had stuff and I was used to wearing real good protection. So, that's something—the PAPRs are something I'd been advocating for anybody who is in a care facility.

And so the stuff is out there and I would suggest, you know, the—obviously the department's going to be looking at that, but I support what you just said, and I thank you. That's all.

Mr. Chairperson: Thank you very much for your presentation, sir. We'll open the floor for questions.

Mr. Reyes: Again, not really a question. I just want to say thank you, Mr. Grant, for taking the time as a private citizen to add your input to the bills tonight.

Again, I want to thank you for your time and for the information and continue on with the engagement when we do come—bring these bills up to committee. So thank you very much.

MLA Lindsey: Thank you for your presentation again tonight, too.

And I appreciate what you're saying about the PPE. And sometimes necessity drives the invention and sometimes legislation drives the invention of PPE. I've spent 20 years in health and safety, and the progression of equipment that when I first started to when I retired from that, was quite remarkable. So, sometimes the industry just needs the push to develop the equipment.

So, I don't really have a question for you; I just wanted to thank you for coming out.

Mr. Chairperson: Any comments back?

D. Grant: The equipment I was using in the '70s was fairly antiquated, but it did a really good job because it had a full-face mask and a hose, and you plugged it into the factory outlet, and you're breathing what they claimed was clean air, and you weren't breathing anything around.

And I would say that, like I'm still 75 and healthy, and having worked in a lead factory and so on and uranium, the cliché is that I shouldn't have made it this far. But I am a firm believer in PPE, and I still have like 15-decibel hearing in spite of working with diesels and stuff. So, PPE is a wonderful thing, and it helps you get to be really old and still healthy.

But, thank you.

Mr. Chairperson: Any further questions?

Hearing none, thank you, again, Mr. Grant.

Bill 36—The Fair Registration Practices in Regulated Professions Amendment Act

Mr. Chairperson: And I understand that you're our final presenter for that bill, Mr. Grant, so if you want to stay at the podium, and we can move on to Bill 36, which is The Fair Registration Practices in Regulated Professions Amendment Act.

And as our No. 1 presenter, 10 minutes, and the floor is yours, sir.

Mr. David Grant (Private Citizen): Bill 36 is another bill deserving of our support. It's needed because, I guess we could—I could paraphrase that sometimes the regulated professions are acting in their own interest or their own overcautiousness and not necessarily in what we determine as the public interest.

Please recall that each of these regulators were created theoretically to protect the public interest; that's the only reason that the engineers group and lawyers exist is to protect the public. And each of these groups—I hope is not too far off the topic—but each of these groups tend to operate in secrecy in almost every way. And, of course, it's necessary to protect the name of a professional if he's being investigated; you have to keep that secret so that his reputation isn't harmed if it's a spurious complaint.

But beyond that, every action, in my opinion, every action of an official complaint within one of these organizations, should be published; redact the stuff you need to but at least let us know that this guy who is doing this kind of doctoring or whatever, stole money. You know, let us know the nature of the crime before the whole process is over. And also—so anyway, that's something that I think I'd work with the minister on in the future, but just to let you know that the Bill 36 is a start at fixing a narrow slice of a problem in the regulated industries—or professions. And so that is something I would like to see eventually.

The—every act that regulates a profession, I think, needs to change, and please also consider changing your whistle-blower laws. Slightly off topic, but if you're worried about things going wrong in a profession, the people who notice that first are inside the organization, and right now none of the professional regulators, none of those people, are protected by any kind of whistle-blower stuff, so they're out of work forever if they say anything.

And I think the only way we fix, won't necessarily call it corruption because it's a nasty word, but things that go wrong at high—in high places is by having more people contributing to the good cause. And so, that's just maybe one of my regular whininess is to ask for better whistle-blower protection for Crown corps people and for people working in the regulated industries.

So—but that's all, thank you.

Mr. Chairperson: Thank you very much once again, for your presentation. Greatly appreciate it.

And we'll open the floor to questions.

Hon. Jon Reyes (Minister of Labour and Immigration): Thank you again, Mr. Grant, for your—for the information that you've added on.

Again, I just want to thank everyone for agreeing and supporting this bill. The bill intends to remove barriers faced by labour mobility applicants in Manitoba by ensuring they are treated fairly and their applications processed in a timely manner, which is well needed for our province to address labour shortages. And, again, I thank everyone supporting this bill on behalf of my Department of Labour and Immigration.

Thank you, again, for your comments, Mr. Grant.

Mr. Chairperson: Mr. Grant, any comments to the minister?

D. Grant: Thank you.

Mr. Chairperson: Okay, questions.

* (18:40)

MLA Tom Lindsey (Flin Flon): Don't really have a question for you either, Mr. Grant.

I appreciate you taking time to come and talk to all these bills tonight, and certainly the regulated professions is something that we need to really have a good look at and make sure that it's doing what it's intended to do and to make sure that there aren't things that aren't being reported that should be reported certainly, certainly when it—we look at some of the registration policies and whatnot, there—probably doesn't hurt to have a look at some of those things and update them.

Mr. Chairperson: Thank you—

MLA Lindsey: We just need to make sure we're doing the right thing. So, thank you.

Mr. Chairperson: Mr. Grant, any comments?

D. Grant: I agree, and I'm sure I'll be working with the minister, you know, in the coming months on making further changes or preparing for further changes.

So, thank you for your comment.

Mr. Chairperson: Perfect.

Any other questions from the committee?

Hearing none, thank you again very much for joining us, not just for this bill, but for all the bills tonight. It's great to see the input.

So, according to my list, that is the end of the presenters that we have.

So, is there anybody that's in the room, present with us this evening, that wants to present before we close the floor to presenters?

Seeing none, thank you very much. And so, we'll move on.

* * *

Mr. Chairperson: And, question for the committee: In which order would you like us to proceed with the clause-by-clause consideration of these bills? Any ideas? Numerical?

As suggested, by numerical order. Is that agreement with all? Okay, it's all agreed.

Bill 21—The Highway Traffic Amendment Act (Continued)

Mr. Chairperson: So, we will now proceed with clause by clause in the numerical order, starting with Bill 21.

Does the minister responsible for Bill 21 have an opening statement?

Hon. Doyle Pwiniuk (Minister of Transportation and Infrastructure): Good evening, everyone, and members of the committee.

I am pleased to be here tonight to discuss Bill 21, The Highway Traffic Amendment Act. This bill will improve road safety by increasing the oversight of heavy vehicle operators in Manitoba.

Bill 21 addresses recommendations made by the 2019 Office of the Auditor General's report. Report recommended that—increased enforcement efforts against chameleon carriers. Chameleon carriers are operators who close down their business or reopen under a different name so that they can avoid facing consequences of—for their poor safety record.

Under this bill, operators who are suspected of being chameleon carriers will face a tighter scrutiny, and governments will be able to empower to take stronger actions against them.

By addressing these unsafe carriers, Bill 21 will protect Manitoba road users and ensure greater accountability in our transportation sector, including bus operators.

The increased safety oversight of heavy vehicle operators under the bill applies for both the trucking industry and the passenger carriers.

I do want to note that, while the bill gives the department powers to address unsafe operators, we are making—also making sure that all operators will be treated fairly. Operators will have the right to appeal to a decision to the Licence Suspension Appeal Board to have their case heard. The Licence Suspension Appeal Board is an independent board that hears other kinds of motor carrier appeals.

Bill 21 will have minimum impact on operators who safely record good standings. Safe operators are not the target of this bill. However, the bill will create a level playing field to eliminating operators who cut costs by not allowing safety requirements.

I would like to take this opportunity to thank all those who provided input in support of this bill. I look forward of this committee considering this bill tonight.

Thank you.

Mr. Chairperson: And we thank the minister for those comments.

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

Mr. Ian Bushie (Keewatinook): I'm a firm believer that all Manitobans can agree that road safety is incredibly important. Any measures that will ensure safety on our roads and highways must be taken. This is particularly important when it comes to vehicles that transport children, such as school buses.

There have been a number of accidents involving school buses in Manitoba in the last few years. These stories underscore the importance of highway safety, and particularly of school bus safety. Bill 21 sets out the process for planning for a fitness safety certificate, which is required for the operation of regulated vehicles such as school buses, as well as passenger vehicles that seat 11 or more, and as well as the trucking industry.

The purpose of safety fitness certificates is to foster a culture of safety among vehicle operators in Manitoba and to protect the public from unsafe drivers. There is also some finer points that need to be, I believe, brought 'forwith' at some future point, so that there is no, quote unquote, falling through the cracks of carriers that may be able to try and beat the system.

But overall, I believe this is a firm start to being able to hold the industry accountable for the safety—and in particular the road safety—of all Manitobans. So, that being said, I'm also happy to support Bill 21.

Thank you.

Mr. Chairperson: And we thank the member for those comments.

So, 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; clauses 5 and 6—pass; clauses 7 through 10—pass; clauses 11 and 12—pass; clauses 13 through 15—pass; clause 16—pass; clauses 17 and 18—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 22—The Emergency Measures Amendment Act (*Continued*)

Mr. Chairperson: We will now move on to clause by clause on Bill 22.

Does the minister responsible have an opening statement?

Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure): Good evening Mr. Chair and members of the committee. I'm pleased to be here to input on the Bill 22, The Emergency Measures Amendment Act.

This bill is an important bill to ensure Manitoba have access to government services in any emergency or disaster. Bill 22 will streamline the process that provincial government's departments use to respond to emergencies. Under bill—under this bill, all government departments will be required to develop a continue plan that will replace the existing requirements of departments by developing emergency management programs.

The continuity of the plan is to all-hazards plan, while an emergency management program will customize each type of possible emergency. For example, you might have one plan for a flood, one for a fire, et cetera. The continue plan will all—more

flexible and creates less work for departments, since they will only need one plan to respond to all—any type of emergency.

This bill does recognize emergency planning is not a one-size-fit-all process, and that some departments will only need to be continuity plan, with others will still need to prepare for emergency management plans. For example, you can expect that the Department of Sport, Culture and Heritage, that does not have to have our active role in emergency responses, would only have to be a continuity plan, while the Department of Families that provide direct service to clients during emergencies will need to prepare emergency management programs along with their continuity plan.

The—Bill 22 will also change the number of Manitoba Emergency Measures Organization to Manitoba emergencies management organization. This changes it to better align EMO with similar organizations across the—across Canada. So, other provinces do have an emergency management organization; that was their title.

Finally, Bill 22 will make it easier for government to designate critical service providers. In the past, the government could only designate an individual business or organizations as critical service providers. This was a lot of work, and the risk—some providers being missed. Moving forward, the government will be able to designate a critical service provider by groups or class. For example, all telecommunication companies could be designated as essential service providers.

Thank you again for the opportunity to speak at this bill and bring forward tonight. I look forward to a speedy passage.

Thank you, Mr. Chair.

Mr. Chairperson: And we thank the minister for those comments.

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

Mr. Ian Bushie (Keewatinook): Bill 22 amends The Emergency Measures Act in light of the historic challenges that the province has faced in recent years.

In the past few years we have seen the COVID-19 pandemic, droughts, intense snowstorms, floods and the federal government's invocation of the Emergencies Act. These events have made it clear that there's a need for measured and organized responses

to challenges which hinder the ability of government to function.

* (18:50)

Bill 22 does not significantly change the province's preparedness for all emergencies, but rather provides changes in reaction to challenges previously faced. Emergency preparedness is incredibly important, especially in times we are currently living in.

The need to have this in place needs to also take into consideration the vast challenges that the Province faces from all corners of the province, north, east, south, west. And we feel that The Emergency Measures Act, when it comes into place, there needs to be a continuity of kind of communication that goes.

So, this is a start in the right direction but at the same time, it needs to really acknowledge the challenges that are faced from everybody in the province of Manitoba, whether it be in the north, south or remote communities in Manitoba.

So, critical service providers needs to be a—clearly defined as well, so that we do have that continuity of services so that when we have—and you've heard the term time and time again, the one-hundred-year storm or one-hundred-year flood which is now happening every couple of years now.

So, we need to really kind of change how we think emergency preparedness, and I believe Bill 22 is a step in the right direction, but we still need to take it a little bit further.

Mr. Chairperson: Thank you very much for those words.

So, with that, as I mentioned before, during consideration of a bill, the enacting clause and title are postponed 'til all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in block 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; clauses 5 through 7—pass; clauses 8 and 9—pass; clauses 10 through 12—pass; clauses 13 and 14—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 25—The Workers Compensation
Amendment Act
(Wildfire Firefighters)
(Continued)**

Mr. Chairperson: We will now move on to clause by clause on Bill 25.

Does the minister responsible for Bill 25 have an opening statement?

Hon. Jon Reyes (Minister of Labour and Immigration): Yes, I would like just to make a couple of opening comments.

Mr. Chairperson: Minister Reyes.

Mr. Reyes: First of all, I'd like to thank everyone that came out to present on this bill tonight, including Mr. Kevin Rebeck, president of the Manitoba Federation of Labour, a trade union federation representing over 135,000 workers across numerous sectors, and Mr. Blaine Duncan of the Manitoba Government and General Employees' Union, the union representing wildfire firefighters employed by the government of Manitoba.

This is an important bill that will include wildfire firefighters within the presumptive cancer and heart injury provisions of the act that other firefighters and the Office of the Fire Commissioner personnel in Manitoba are eligible for.

The proposed amendments will equally recognize the hazards faced by wildfire firefighters at a fire scene. In doing so, we acknowledge that increasingly critical role played by wildfire firefighters. These amendments also create alignment with several other jurisdictions around the world that have moved to include wildfire firefighters within workers compensation presumptive cancer provisions.

Going forward, wildfire firefighters who submit occupational injury and illness claims to the Workers Compensation Board relating to the cancers and heart injuries proscribed under the act, will follow the same streamlined process available to other types of firefighters, making it easier to establish causation, and putting all firefighters on equal footing.

We appreciate the opportunity to hear opinions on this legislation from Manitobans, and I'm grateful for the dialogue and advice that I have received from stakeholders on this legislation. I would again like to thank all the stakeholders who had advocated for the

development of this bill in support of Manitoba's firefighters and other personnel exposed to the hazards of a fire scene.

Thank you, Mr. Chair.

Mr. Chairperson: And we thank the minister for those comments.

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

MLA Tom Lindsey (Flin Flon): So, when firefighters suffer from certain types of primary cancers or heart injuries, the firefighter presumption allows them to establish their cancer or injury as work-related.

Currently this presumption does not apply to wildlife firefighters. Bill 25 proposes that illness and injury presumed to be caused by firefighting, and covered by The Workers Compensation Act will now include those who fight wildfires. Under the current act, if firefighters or Office of the Fire Commissioner personnel are diagnosed with one of 19 designated cancers or suffer a heart injury within 24 hours of responding to an emergency, the act presumes this to be a work-related illness or injury.

Through the inclusion of the definition of wildfire to the firefighter presumption, compensation will apply equally to all firefighters, as it should.

As the prevalence of dangerous wildfires is only expected to increase with climate change, it is important that we put the necessary supports in place to protect wildfire fighters. And that's why I've focused some of my questions and comments on the prevention part as well as the presumption after the injury has occurred.

So, that's something that I hope, between the government, the MFL and MGEU and other stakeholders, that we can really put some research efforts into addressing those prevention things, so thank you.

Mr. Chairperson: And we thank you very much for your comments.

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

Bill 36—The Fair Registration Practices in Regulated Professions Amendment Act
(Continued)

Mr. Chairperson: We will now move on to Bill 36, clause by clause.

Does the minister responsible have an opening statement?

Hon. Jon Reyes (Minister of Labour and Immigration): Yes, I do, Mr. Chair.

Mr. Chairperson: Minister Reyes.

Mr. Reyes: First, I'd like to thank everyone that has contributed to this bill.

This bill intends to remove barriers faced by labour mobility applicants of Manitoba by ensuring they are treated fairly and their applications processed in a timely manner.

The amendments have been drafted with the belief that we can improve registration timelines without compromising standards and public safety. It will help regulate professionals to practise without delay by ensuring regulatory professions are compliant with all domestic trade agreements that Manitoba is a party to, which requires licence-to-licence recognition with specific timelines.

These amendments will also reduce red tape for internationally educated professionals through language-proficiency testing regulations. It empowers the minister to make a compliance order against a self-regulated profession in extreme cases where there are practices that do not comply with Manitoba labour-mobility obligations.

It also allows for exceptions in cases that warrant making these changes balanced and fair. The amendments in this bill will advance transparency, objectivity, impartiality, fairness, and ensure that internationally trained applicants are able to quickly integrate into our job market and fully utilize their skills and training to benefit all Manitobans.

Thank you, Mr. Chair.

Mr. Chairperson: And we thank the minister for those comments.

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

MLA Tom Lindsey (Flin Flon): While this Bill 36 amends the fair registration practices of the regulated professions act, it establishes time limits that regulated professions must respond to applications for

registration from individuals who have similar registration. I guess the devil is in the details again, making sure that by the words similar registration doesn't in any way lessen the standards that Manitobans can expect that their regulated professions will adhere to.

We recognize that there is a horrible shortage of health-care workers at present, created by this government, and this bill is an attempt to try and fix that problem, but it will take much more than just this bill to fix that.

My biggest concern with this bill is the compliance orders may now be made under this act if a regulated profession fails to comply with a domestic trade agreement, so we need to make sure again, as I've said, whether it's someone coming from another Canadian jurisdiction or an international jurisdiction, that the training-education requirements aren't going to be lessened to an extent that now Manitobans will not get the same level of care, the same level of quality, of people that they've come to expect.

* (19:00)

We can't, just in the rush to fix the problem, create a great bigger problem going forward, so my caution to this government is to make sure that we're not just lessening those regulations in an attempt to fill the shortages that presently exist. Certainly, we would never be against people coming from other jurisdictions to fill these roles; we just need to make sure that the qualifications are going to provide the same or better levels of care than what people expect now.

Thank you.

Mr. Chairperson: And we thank the member for those comments.

So, once again, 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; clause 5—pass; clause 6—pass; clause 7—pass; enacting clause—pass; title—pass. Bill be reported.

So, this concludes the business of the committee.

The hour being 7:01, what is the will of the committee?

Some Honourable Members: Rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 7:01 p.m.

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