



Fourth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Law Amendments

Chairperson
Mr. Jack Penner
Constituency of Emerson



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON LAW AMENDMENTS

Thursday, June 4, 1998

TIME – 10 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Jack Penner (Emerson)

ATTENDANCE - 11 – QUORUM - 6

Bill 42–The Norway House Cree Nation Northern Flood Master Implementation Agreement Act
 Bill 25–The Highway Traffic Amendment Act
 Bill 27–The Manitoba Employee Ownership Fund Corporation Amendment Act

Members of the Committee present:

Hon. Messrs. Cummings, Downey, Findlay, Newman, Radcliffe

Messrs. Dyck, Maloway, Martindale, Ms. McGifford, Messrs. Penner, Struthers

APPEARING:

Hon. James McCrae, Minister of Environment
 Hon. Bonnie Mitchelson, Minister of Family Services
 Hon. Vic Toews, Minister of Justice and Attorney General
 Mr. Kevin Lamoureux, MLA for Inkster

Mr. Chairperson: The Standing Committee on Law Amendments this morning will be considering the following bills: Bill 4, The Child and Family Services Amendment and Consequential Amendments Act; Bill 12, The Addictions Foundation Amendment Act; Bill 14, The Executions Amendment Act; Bill 16, The Water Resources Administration Amendment Act; Bill 18, The Registry Amendment Act; Bill 21, The Communities Economic Development Fund Amendment Act; Bill 25, The Highway Traffic Amendment Act; Bill 27, The Manitoba Employee Ownership Fund Corporation Amendment Act; Bill 42, The Norway House Cree Nation Northern Flood Master Implementation Agreement Act.

WITNESSES:

Bill 4–The Child and Family Services Amendment and Consequential Amendments Act

Wayne Govereau, Office of the Children's Advocate
 Kaye Dunlop, Awasis Agency of Northern Manitoba

We do have two presenters on the first bill, Bill 4. It is our custom to hear public presentations before considerations of the bill. Is it the will of the committee to hear public presentations first? [agreed]

MATTERS UNDER CONSIDERATION:

Bill 4–The Child and Family Services Amendment and Consequential Amendments Act
 Bill 12–The Addictions Foundation Amendment Act
 Bill 14–The Executions Amendment Act
 Bill 16–The Water Resources Administration Amendment Act
 Bill 18–The Registry Amendment Act
 Bill 21–The Communities Economic Development Fund Amendment Act

I have a list of the persons wishing to appear before the committee. The first one is Wayne Govereau of the Office of the Children's Advocate, and there is Kaye Dunlop of the Awasis Agency of Northern Manitoba. They have registered to speak on the bill.

Should anyone in attendance wish to appear before the committee and speak on the bill, they can notify the Clerk at the back of the room, and if we have none by the time we conclude the hearings on this bill, we will then proceed with the dealing of the bill. To date, no persons have registered to make presentations on 12, 14, 16, 18, 21, 25, 27 or 42 of the bills.

Are there any people at this point who are wishing to make presentations to any of these bills? Seeing none, it is the will of the committee to hear the public presentations Bill 4 first, followed by the consideration of the remaining bills in numerical order. Is that the will of the committee? [agreed]

Does the committee wish to establish a time limit on the length of the presentations? What is the will of the committee? No time limits?

Hon. James McCrae (Minister of Environment): Mr. Chairman, there probably is no need for that. I understand that we have only a couple of presenters, and I know that they know that members have a lot of bills to consider this morning and will govern themselves accordingly. I am quite confident about that.

Mr. Chairperson: Is that the will of the committee? Agreed? [agreed] We will then proceed accordingly.

Bill 4—The Child and Family Services Amendment and Consequential Amendments Act

Mr. Chairperson: The first presenter, then, is Mr. Govereau. Have you written presentations for distribution?

Mr. Wayne Govereau (Office of the Children's Advocate): Yes, I have.

Mr. Chairperson: Mr. Govereau, you may proceed with your presentation.

Mr. Govereau: Good morning, honourable members. I appreciate having the opportunity to appear before this legislative committee to speak on Bill 4 regarding proposed legislative amendments with respect to the Children's Advocate. First, I acknowledge and support the proposed amendment which will see the Children's Advocate appointed as an officer of the Legislative Assembly. Unfortunately, it is not to the extent to which I support Bill 4 in its present form.

* (1010)

What I am proposing to you today is an alternative document entitled The Children's Advocate Act—it is

attached to the package—which represents my response and recommendations with respect to the proposed amendments contained in Bill 4. Essentially, I am proposing separate legislation governing the Children's Advocate as opposed to inclusion within the Child and Family Services Act. Since there is not consensus at this point with respect to whether or not the Children's Advocate should have the authority to address all children's issues, my recommendations contained in the attached document remain within the realm of advocacy for and on behalf of children involved in Manitoba's Child and Family Services system. However, I remain optimistic that a broader mandate will eventually be enacted.

The amendments which I am proposing are typed in bold-face italic print throughout the attached document. Specifically these include:

That the term of office for the Children's Advocate be five years, not three, with the possibility of reappointment for an additional five years. This is consistent with legislation governing other Children's Advocates and other officers of the Legislative Assemblies across Canada.

Secondly, that the duties of the Children's Advocate be expanded to include the promotion and co-ordination of community-based advocacy for children.

That the Children's Advocate can provide information and advice regarding the availability, effectiveness, responsiveness and relevance of services pursuant to The Child and Family Services Act.

That the Children's Advocate have the capacity to make special reports on issues as they may be considered necessary, as well as having the authority to speak publicly on matters.

That the powers of the Children's Advocate be expanded to include public education and children's rights including the UN Convention on the Rights of the Child.

That the Children's Advocate also have the power to make recommendations with respect to legislation,

policies and programs regarding services to children.

That the Children's Advocate resolve disputes through the use of mediation, conciliation, and other dispute resolution processes including the use of traditional aboriginal means such as the healing circle.

That protection for complainants and others be reworded as presented in the current legislation which is subsection 8.7.

Finally, that the Children's Advocate and his or her staff cannot be called as witnesses or compelled to give evidence, and this is also consistent with the Ombudsman and other Children's Advocates in Canada.

With these amendments, I do thank the committee for hearing me.

Hon. Bonnie Mitchelson (Minister of Family Services): Mr. Chairperson, I just want to say thank you to Wayne Govereau who has acted as our Children's Advocate for the last three years. Thank you for your presentation.

Ms. Diane McGifford (Osborne): Mr. Chair, Mr. Martindale is unfortunately not able to be with us until 10:30, so in his absence I would like to also extend thanks on behalf of our caucus to Mr. Govereau both for his work and having had the opportunity to deal with his office in a former life, I know that his office does very fine work. So I thank him for his work and thank him for his presentation this morning.

Mr. Chairperson: Any other comments? Thank you for your presentation, then. Next, I call Ms. Dunlop. Have you any presentation for distribution?

Ms. Kaye Dunlop (Awasis Agency of Northern Manitoba): Yes, I do, Mr. Chairperson.

Mr. Chairperson: The Clerk will see to the distribution. Ms. Dunlop, you may proceed with your presentation.

Ms. Dunlop: Mr. Chairperson, good morning, committee members and honourable ministers. I have

had the opportunity previously in Thompson, Manitoba, to address a smaller committee of which Mr. Dyck was the chairperson. The report that I have provided for you today is similar to although updated from the report that I presented at that time.

I appear on behalf of the Awasis Agency of Northern Manitoba, Island Lake Child and Family Services, and MKO with respect to their family matters. I am legal counsel to all of those entities as is my colleague, Ms. Helen Zuefle, who is also here with me today and available to answer any questions.

What we would like today to say, firstly, is that we were generally pleased with respect to the recommendations brought forward by this committee. I think they followed our report with respect to almost every single aspect. There is one area I wish to speak to that we continue to have concerns about. I wish as well to reiterate that it is our concern and it continues to be our concern, with respect to this legislation, that it is only going to work if it is relevant and accessible to and visible to the First Nations children that we represent. As I indicated, we represent 26 northern communities. That is approximately 52 percent of on-reserve population in Manitoba, and to date they have had little or no access to the Child's Advocate's office. Our hope was that this legislation would in some way strengthen the commitment of this Legislature and the government to enforce that presence in a form that is going to work on reserve.

I will speak, firstly, to two particular points that we wholeheartedly endorse in the legislation, and then I will speak to the last point that we have concerns about and would like to see you examine further in terms of strengthening that portion of the legislation.

Many of the presentations that were before this committee suggested expanding the role of the Children's Advocate's office. We were adamantly opposed to that, and we took the position that the legislation as currently drafted is completely adequate to address the needs that this Child's Advocate has to fulfill with respect to our children and children in Manitoba. As presently outlined, the Children's Advocate has the ability under the current act to employ a diverse responsive and proactive role in

addressing the larger systemic barriers to effective child and family services delivery. It is not the legislation itself that is restrictive, rather it is the role and emphasis the Children's Advocate has chosen to adopt in doing his work.

In our opinion, Section 8.2.1(a) that you have chosen not to change in any way, and we heartily congratulate you for that, clearly provides the mandate for the Children's Advocate to engage in positive, collaborative development with service providers and other stakeholders. However, the office's role of system police—they have chosen to be the system police—has dominated and alienated relationships with service providers who are repeatedly blamed for the failures of the system. Ensuring that the Children's Advocate moves beyond this emphasis of specific case policing is desperately required if Manitoba is to begin seriously addressing the rising number of children entering care each year and the quality and scope of services that we can offer to these children and their families. There is no reason why the system as a whole and specifically other Child and Family Services agencies could not engage in a similar process that Awasis Agency has chosen to do, that is, to re-examine the way we deliver services to the children that we represent. It is not the legislation that needs to be changed; it is the thinking of the service providers that needs to be changed, and, in particular, it is the thinking of the Children's Advocate who has a significant role to play that needs to be changed.

The only thing stopping change is the hanging on to paternalistic, bureaucratic approaches to Child and Family Services delivery, an approach that is encouraged by the child and utilized by the current Child's Advocate's office. In this regard, I think it important that you have limited the term of the Children's Advocate's office, that you provided for a review process, and that you provided an end date to when the current Child's Advocate will be out of his term of office, so that we can look at exactly what the office has been doing and bring fresh new ideas and approaches into this area.

Growth and development cannot grow out of ridiculing, blaming environment where only failures are emphasized. Again, we indicate that is the way the

office has operated; that is not what the legislation prescribes.

Recommendation 1.2 of your recommendations by your committee is supported by this agency and the other agencies and political organizations that I represent, and it will address the issue of the advocate, hopefully, of not fulfilling the appropriate role and send a message to him and his office staff that they need to take a different approach to making changes within the system.

* (1020)

Secondly, we support recommendation 1.5. That recommendation, although it does not change the legislation, strengthens Section 8.4 of the act which says: "The children's advocate may in writing authorize any person to perform any of the duties or exercise any of the powers of the children's advocate." The recommendations of your committee, although not enshrined in legislation—and as a lawyer, I understand why you cannot enshrine what is suggested—but the committee has suggested that the Children's Advocate must delegate their authority, must bring within their scope the service providers who know something about the children whom they represent.

This is particularly important to northern Manitoba First Nations communities, because we do not have the presence of the Children's Advocate up there. So this section can be used to delegate the authority of the Children's Advocate to bring within its scope First Nations people and service providers who know their communities, who know what the issues are, who resolve disputes in a culturally appropriate fashion, as opposed to the current adversarial process, not only adopted by this Child's Advocate but encouraged by our present court system.

To do that, however, you would need to be mindful of the fact that, if you are going to say you must delegate this authority, there have to be the resources provided to do that, and that means staffing and funding. Just having a conversation with Mr. Govereau now, it is probably cheaper to have a staff member in Thompson, Manitoba, to deal with these issues than to pay \$850 each time they have to fly to Thompson to

hear one of these cases. There is not just one of these cases, there are several, and it happens back and forth several times a year.

The cost of transportation alone should convince you that a staffperson in Thompson, who can service the 26 First Nations communities that are in and around Thompson, would be appropriate to make this section effective. Otherwise, the Child's Advocate has no relevance whatsoever to the First Nations communities in northern Manitoba, because they do not have the resources to even deal with their needs or even advertise the fact that they are available to assist children in those communities.

As a Child and Family Services agency, and as a political organization, we wholeheartedly support the rights of our children to have access to mechanisms that will assist them with respect to their rights and assist them in understanding what has become very difficult in adversarial court process in Child and Family Services.

The third point I want to make, and that is a point that I have concern about, relates to recommendation 1.4. That recommendation offers a dispute mechanism for resolution of disputes between Child and Family Services agencies and the Child's Advocate's office. It is unfortunate that that became an issue before the committee, but the fact is there have been a great deal of disputes between Child and Family Services agencies and the Child's Advocate's office. My report, I feel, outlines why, from our position, those disputes occur.

They occur because of the adversarial approach taken, because of the failure, we think, on the part of the staff people to service our members in a culturally appropriate fashion and in a respectful fashion and in a fashion that recognizes the unique differences and the geographical barriers between the Winnipeg office and most of our communities. So those disputes have taken place because of that, but we indicate that that is simply because of the way that office has chosen to run itself. By using recommendation 1.4 and saying, well, we will now refer these disputes to the director of child welfare to resolve, I can tell you that you are only going to create a more difficult and lengthy process for Child

and Family Services agencies to have to go through.

We use, not regularly, but we have used the director's review process. When we have a dispute, usually interagency, about the placement of a child or about the failure of another agency, for example, to follow program standard 421, which is the standard that deals with where you can and cannot place native children in foster care and for adoption purposes—when we have those types of disputes, we go to, occasionally, what is called the director's review process. That is the same process that is being recommended here for us to go to when we have disputes with the Child's Advocate's office. So you have all of a sudden created another bureaucratic, what we consider, nightmare for us. The processes are lengthy. The reviews, although intended to be a quick method, have not operated in that fashion and they have rarely ended in a satisfactory result to either agency involved. I say this bearing in mind a recent directors' review whereby the director chose to make no decision, and there are reasons why that may or may not have been appropriate but all it resulted in was a waste of our time trying to get it resolved and no resolution being offered.

I would also indicate that the director, and I understand this, is reluctant to enter into this process when there are court proceedings pending. Well, when a child comes to the Child's Advocate's office, many, many times they are already before the court process. So we are being repeatedly told in this director's review process that perhaps the best forum, because you are before the court, is to resolve the method through court. So I think all we are doing is creating something that is likely not going to be used; we are going to get the excuse, you are before the court process anyway, so let the judges resolve it, and we all know they are not resolving it in a satisfactory fashion. It is an expensive method of resolving disputes because we have to pay our lawyers to appear on our behalf, and I am assuming that if the Child's Advocate is going to be involved, they may or may not have to hire a lawyer for that process, and we simply feel the process is not going to work.

The better avenue is to provide direction to your Child's Advocate that you are not operating your office in appropriate fashion, that we are more concerned that

you deal with the larger systemic issues in a co-operative fashion, in a culturally appropriate and respective fashion as opposed to the adversarial fashion because we can get that by simply filing in court and dealing with it through the court system. We already have that avenue open to us. We do not need to be double hit by both the Child's Advocate and the court system.

So I am suggesting that that is not a recommendation that is going to be used. You can put it in your legislation, but it is certainly not one that we are going to take advantage of. In fact, we will do our best to avoid that extra process.

Again and lastly, I am going to indicate our concern is and always has been that First Nations children who make up approximately 75 percent of the children in care today, whether it is in the city of Winnipeg or outside of the city of Winnipeg, that we start looking at their concerns and that we start providing them with the leadership and advocacy that they need within the current Child and Family Services system. You are not doing that at the present with the Child Advocate's office because you do not have a presence in northern Manitoba where so many of these children are in care. Thank you very much.

Mr. Chairperson: Thank you very much, Ms. Dunlop. Are there any questions?

Mr. Doug Martindale (Burrows): Mr. Chairperson, I would like to thank the presenter. I always enjoy listening to your presentations. They are always very concise and thoughtful. One of the things that we heard in the presentations when the subcommittee was hearing briefs from the public was that the Children's Advocate legislation allows the advocate to investigate and to make recommendations, but after that the advocate has almost no authority or power. A number of people expressed frustration that the advocate could not make any changes or get results. Some of the presenters recommended that there be some sort of dispute resolution mechanism such as mediation or arbitration. I am wondering if you would be in favour of amending the legislation to allow for that, whether it was by using Mediation Services or a mutually agreed-upon third party. What do you think of that idea?

* (1030)

Ms. Dunlop: I think the trend in Child and Family Services in Manitoba, certainly the First Nation trend, is that we are going towards mediation to avoid the court process. I do not think that is something that you need to legislate, certainly not for First Nations communities because that is inherent in their culture. As you know, the Awasis Agency has entered into an agreement with the Province of Manitoba and the federal government to implement mediation, magistrate system which we hope to see up and running within the next year. That alone, I think, will replace a significant amount of the need for people to even use the Child's Advocate's office, and I think that is a policy and procedure issue that ought to be followed and encouraged by both levels of government as opposed to legislated.

We are looking at amendments to the legislation for that, but we have determined that we do not need an amendment to the legislation to utilize a mediation process. We need it to beef up the powers of our magistrates, the portion where they will be going through court, but mediation, we feel that we do not need it. It has to be on a voluntary basis, and we feel that the majority of our people are going to choose mediation. I think if that service is offered through the Child's Advocate—it has not been offered, by the way—that people will use that, too, but you do not need to legislate.

Mr. Martindale: Mr. Chairperson, but if mediation works for your agency, why not extend that opportunity to other people who may choose to go to the Children's Advocate's office for assistance?

Ms. Dunlop: Absolutely, but you do not have to do that by a legislative amendment. You do that by policy saying before you enter the Child and Family Services system, we have a government-sponsored mediation system that you can go through. You cannot deviate from someone's right to choose the court system, in any event. They are going to constitutionally have the right to choose. So you cannot enforce it, and if you do enforce it, we found in our own communities that people will not freely participate. They have to have the choice to enter into it.

Mr. Martindale: Mr. Chairperson, a number of presenters, not only in Thompson but in rural Manitoba, wanted to see the services of the Children's Advocate extended or expanded. Do you think that there is a need, in addition to Thompson, for his office to be extended to other parts of Manitoba, and what do you see is the best way of doing that?

Ms. Dunlop: I thought that I had addressed that somewhat. Our concern is definitely that the office has to be expanded and be available to our children, as well as, the children of Winnipeg. Thompson will do fine to service our communities. In terms of rural Manitoba, there obviously needs to be a presence there as well. To do that, I am going to reiterate once more, that takes beefing up resources and funding to make it available to all children in Manitoba.

Mr. Chairperson: Thank you very much. Are there any other questions?

Mrs. Mitchelson: Mr. Chairperson, thank you for your presentation, Ms. Dunlop. Can I ask the question—I know that the advocate has made a recommendation that we extend or expand the term of office to five years with the opportunity for a second five-year appointment. Would you have any problem with that kind of amendment?

Ms. Dunlop: Wayne and I have a fine working relationship, and he is very responsive to criticisms that we bring forth and work out, and I would like to point that out right away. Our concern is with the office as a whole and the direction of the office. We would definitely not support any longer than a three-year term with a review as to whether or not there should be an extension. We say that because this government needs to ensure that this office is working appropriately, and it is clear from the presentations that were made and it is clear from our point of view that this office is not working appropriately. The legislation is fine. The duties and powers that this person has under the legislation are fine. It is how that individual chooses to see those duties within the system as a whole. So, no, we would not support any longer term. We need that review mechanism in there to make sure you have the appropriate person.

Mr. Chairperson: Any other questions? Thank you very much for your presentation, Ms. Dunlop.

Ms. Dunlop: Thank you for your time.

* * *

Mr. Chairperson: We are now to the end of the presentations unless there are any other presenters that the Clerk's office has noted. Seeing none, can we then move to the clause-by-clause considerations? Bill 4 is on the agenda first.

To clarify one point for the committee, for shorter bills, the clauses will be called individually. For the larger bills, the Chair will be calling the clauses to conform to the pages. Is that the will of the committee? Are we agreed to that procedure? Okay.

Is there unanimous consent at the outset of the meeting that any amendments that may be moved this morning will be considered with respect to both the English and the French language? Are we agreed to that? [agreed]

* * *

Mr. Chairperson: Is the minister for Bill 4 present? Does the minister wish to make any opening statements on Bill 4?

Mrs. Mitchelson: Mr. Chairperson, I am really pleased that we have had the all-party committee process that has listened to Manitobans. As a result, I know that we did have a majority report that came forward to the Legislature and that members of the official opposition, the critic specifically, brought in a minority report. We all know that, when we go out through an all-party process, no matter what the issue might be, very often there is some give and take, and we all would like to see more in a piece of legislation maybe or more in a change of direction than what might end up being the general consensus of a committee. There is some give and take, and I am very pleased that that process did happen.

I am pleased with the report and the recommendations and the amendments to the legislation that have been brought forward. That does not mean to say that, as we have experience with an all-party process where the advocate reports to the Legislature, changes cannot be made down the road as we see how the legislation and the office work under the direction and the policy direction of all members of the Legislature, regardless of political stripe.

I just want to thank all of the committee members that were involved in that process. I think that at the present time we have the legislative amendments that can move us forward and ensure that we monitor on a year-by-year basis the workings of the Children's Advocate office and how well it is impacting on support for children who need the support of that office. So I am pleased to have all parties in the Legislature involved as we move forward from here as a result of the amendments that are being made.

I just want to say thank you to the committee, thank you to the presenters. I look forward to going through clause by clause and having this bill passed and enacted.

Mr. Chairperson: Mr. Martindale, with an opening statement.

Mr. Martindale: Mr. Chairperson, I do not usually commend the government on the record, but I am in a good mood today. I would like to commend the member for Pembina (Mr. Dyck), who chaired the subcommittee and did a very good job. I would also like to commend the government for having the wisdom to let the committee travel. I remember being in committee a couple of years ago and asking for hearings outside of Winnipeg, and initially the minister and the government said, no, they were not willing to do that. I remember that the member for Rossmere got up from the table and went and whispered something in the minister's ear. I do not know what he said, but it was very influential because after that she changed her mind and decided that, yes, we would travel outside Winnipeg. I commend the government for that decision. It is certainly becoming much easier to do. We heard presenters from Brandon and Dauphin via video conferencing, a first for the Manitoba

Legislature, and certainly much cheaper than having an all-party committee travel to those communities. Then we did travel to Thompson and heard briefs in person. I think it was a very helpful process to hear presentations from people who did not have to travel to Winnipeg because we went to them.

So, with those few comments, I am ready for clause by clause.

Mr. Chairperson: Does the member for Inkster have an opening statement?

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, I just want to put a few words on the record given that it was an all-party committee that in fact went out. I know the member for The Maples (Mr. Kowalski), like other committee members, put a great deal of effort into the process and was quite good in terms of keeping me and others informed as to what was happening with respect to the Children's Advocate's office and the amendments that were being discussed and talked about. I think that when you have all-party groups getting together to look at changes and reforms, it is, generally speaking, a very positive experience for all those who participate. At the end of the day you can come up with a piece of legislation that seems to have that much more in terms of support, general support.

*(1040)

Mind you, having said that, our last—Ms. Dunlop brought up one issue there that the minister posed the question about the review. I cannot recall the member for The Maples and I having a discussion about that particular point, so I am not too sure what the legislation being proposed actually does in dealing with the review. Is it the five years, the three years that remain the same? That was something that was somewhat new to me, but maybe the minister can just quickly comment on that. Otherwise, we were quite pleased to see it come to the committee stage, the legislation.

Mrs. Mitchelson: Mr. Chairperson, I think, just for clarification, that the legislation reflects the majority committee report that indicated that the Child's Advocate should be appointed for a term of three years

with the option for an additional three-year appointment. I guess a recommendation from the advocate was that the term of office be five years with the opportunity for an additional five-year appointment. The question that I was asking Ms. Dunlop was: would she agree with an amendment that had the term of office be five years and, after review, another five years? I think her comments reflected the point that we needed to get the office working right and that she was supportive of the three-year term with an option for a three-year extension at this point in time. That is the status quo; that is what is in the legislation.

Mr. Chairperson: Thank you very much. During the consideration of a bill, the preamble and the title will be postponed until all other clauses have been considered in their proper order. Is that the will of the committee? [agreed]

Should we then proceed with the bill?

Clause 1—pass; Clause 2—pass; Clause 3.

Mr. Martindale: I have an amendment to 8.1(4) which is being distributed.

Mr. Chairperson: We have not reached 8.1—oh, I am sorry. Okay, 8.1(4), here we are. Thank you.

There is a proposed amendment by Mr. Martindale to Clause 8.1(4).

Mr. Martindale: I move

THAT the proposed subsection 8.1(4), as set out in section 3 of the Bill, be amended by striking out “three years” and substituting “five years”.

[French version]

Il est proposé que le paragraphe 8.1(4), énoncé à l'article 3 du projet de loi, soit amendé par substitution, à “trois ans”, de “cinq ans”.

Mr. Chairperson: What is the will of the committee on the proposed motion of Mr. Martindale to amend Clause 1(4) with respect to both English and French texts applicable? Shall the motion pass?

Mr. Martindale: Mr. Chairperson, I would like to speak to my amendment briefly.

Mr. Chairperson: Is it the will of the committee to allow the member to speak?

Mr. Martindale: Well, you do not have to.

Mr. Chairperson: Sorry, I am being—

Mr. Martindale: Well, I am going to be brief, because I would like to accommodate the minister who has an important appointment at eleven o'clock. I would not want her to miss the words of wisdom of the ministers of social services from Saskatchewan and B.C. and others that she is going to be talking to in that conference call, so I will keep it short.

I would just like to briefly explain the rationale for my amendment of “five years,” that is, if we are going to attract good quality people and I think that probably we would be advertising nationally if the Children's Advocate were to be a position that was advertised, we need to give people some job stability. I think five years with once renewable would provide that, whereas we may not attract the best possible candidates if it is a three-year term only once renewable. It has nothing to do with the existing advocate. It has to do with the long term and being able to get the best possible person, because the term of office is sufficient to attract people that could potentially see themselves in that position for 10 years.

Ms. McGifford: Mr. Chair, I want to add a couple of remarks to what my colleague from Burrows has said, too. I believe the Ombudsman's term is five years and the Ombudsman is an officer of the Legislature as the Child's Advocate will become. As well, I note that officers of Legislatures in other jurisdictions are generally five years. For example, I am thinking of Freedom of Information and Privacy Protection officers in other jurisdictions like B.C., Alberta, Saskatchewan, Ontario. I know we do not have an officer of that nature, so I want to support Mr. Martindale's motion for five years and add those two reasons.

Mr. Lamoureux: Mr. Chairperson, I find it somewhat interesting in the sense that just the other day I was in

the Chamber, and I was listening to the member for Wellington (Ms. Barrett) talking on the Cuff report where she was saying that we should not be moving from three years to four years for the election of city councillors because three years, there was more of a sense of accountability. Even though there is elected versus—this is an unelected position, I think that there is merit to having it three years. With respect to the Ombudsman's office, I would not object to having that brought down to three years, if it seems to be more effective in ensuring better accountability. No offence should be taken by the current person responsible for the Child Advocacy office. It is no reflection on him whatsoever. I just think Ms. Dunlop put it well that there is a need. I do not think that it hurts the system by having it a three-year term position. I do not think we will have any shortage of individuals wanting to fulfill this particular role, and I would stick with the three years. I am sure the member for The Maples (Mr. Kowalski) would in all likelihood support that also.

Mr. Chairperson: Any further comments? If not, on the proposed motion of Mr. Martindale to amend Clause 3 with respect to both the English and French text, shall the item pass?

An Honourable Member: Pass.

Some Honourable Members: No.

Mr. Chairperson: All those in favour—I declare the item lost.

We shall then move on to further consideration of clause by clause. Clause 3, shall the item pass?

Mr. Martindale: I have an amendment to 8.1(5).

I move

THAT the proposed subsection 8.1(5), as set out in section 3 of the Bill, be amended by striking out “three years” wherever it occurs and substituting “five years”.

[French Version]

Il est proposé que le paragraphe 8.1(5), énoncé à l'article 3 du projet de loi, soit amendé par substitution,

à “trois ans”, de “cinq ans” et par substitution, à “six ans”, de “dix ans”.

Mr. Martindale: I do not know if that is still in order, since you defeated my first amendment.

Mr. Chairperson: There is a motion to amend Clause 8.1(5). Shall the item pass?

Some Honourable Members: No.

Some Honourable Members: Yes.

Mr. Chairperson: No? All those in favour, would you say yea.

I am sorry, I failed in my responsibility. It was just indicated to me that there was not a written motion, but there is a written motion.

The proposed motion is:

THAT subsection 8.1(5), as set out in section 3 of the Bill, be amended by striking out “three years” wherever it occurs and substituting “five years”.

Mr. Martindale, do you wish to comment on the motion? No comments.

* (1050)

Voice Vote

Mr. Chairperson: All those in favour, will you indicate by saying yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, would you indicate by saying nay.

Some Honourable Members: Nay.

Mr. Chairperson: I declare the item lost.

* * *

Mr. Chairperson: Item 3—pass. Items 4 to 6.

Mr. Martindale: I have an amendment under Section 6.

Mr. Chairperson: Section 6. Can we then pass the previous motions?

Items 4 to 5(3)—pass.

Mr. Martindale: My amendment is being distributed. Is it okay if I read it? I move

THAT the proposed clauses 8.2.1(1)(a) and (b) and 8.2.2(1)(a) and (b), as set out in section 6 of the Bill, be amended by striking out “under this Act” wherever it occurs and substituting “under this or any other Act or from any agency or organization that receives funding from the government”.

[French version]

Il est proposé que les alinéas 8.2.1(1)a) et b) et 8.2.2(1)a) et b) soient remplacés par ce qui suit:

a) au bien-être et aux intérêts des enfants qui reçoivent ou qui peuvent avoir le droit de recevoir des services en vertu de la présente loi ou de toute autre loi ou de la part d'un office ou d'une organisation qui reçoit un financement du gouvernement;

b) aux services fournis aux enfants ou mis à leur disposition en vertu de la présente loi ou de toute autre loi ou par un office ou une organisation qui reçoit un financement du gouvernement.

Motion presented.

Mr. Martindale: I would like to speak to it.

Mr. Chairperson, the purport of this amendment is to extend the services of the Children's Advocate to children who receive service from any government agency or department. We heard a number of presenters who recommended this in the public hearings that we held. They believe that restricting the advocate to only Child and Family Services Agencies was not sufficient and that his office should be available for children who have complaints in other government departments or are served by other

government agencies.

Mr. Chairperson: I have been advised that the amendment proposed by Mr. Martindale is out of order because it contravenes Rule 60.(2) of our rule book, which reads in part: “No Member, who is not a Minister of the Crown shall move any amendment to a Bill . . . that increases any expenditure or varies a tax or a rate of tax.”

As the motion would have the effect to enlarging the jurisdiction of the Office of the Child's Advocate and thereby increasing that office's expenditure, the motion is out of order and therefore cannot be considered by the committee.

Mr. Martindale: So, Mr. Chairperson, you are saying that being a minister is not enough, you have to be a minister of the Crown.

Mr. Chairperson: Thank you, Mr. Martindale, we appreciate your humour. There is, however, one consideration that committee can make. If there is unanimous consent by the committee that this motion should be passed, the committee could consider it. I mean, that is part of the consideration. What is the will of the committee? Is there unanimous consent?

Some Honourable Members: No.

Mr. Chairperson: No. Okay.

Ms. McGifford: Mr. Chair, is that the only other possibility? Could it be referred to the minister for her consideration? It seems to me that not only is the current service to children in Manitoba not only not sufficient but probably lacks all common sense. If we have a Child's Advocate who can only advocate for children who are receiving services from Child and Family Services, it is just ludicrous. There are all kinds of other children who are left out of the net and consequently left at risk. I am sure that the minister would, perhaps, like to consider Mr. Martindale's proposal.

Mr. Chairperson: There is no prohibition or restrictions on the honourable member wishing to make direct representation to the minister on this matter

outside of the jurisdiction of this committee. So I would suggest that you might want to have that discussion with the minister outside of this committee and make that representation to her.

Clause 6—pass; Clauses 7 to 11—pass; Clause 12 to 15.

Mr. Martindale: You are going much too fast here, Mr. Chairperson. I have an amendment to Clause 7.

Mr. Chairperson: Is it the will of the committee to revert to Clause 7? Mr. Martindale has an amendment. Agreed. We will then revert to Clause 7. I will consider Clauses 8 to 11 then having been passed. We will now deal with Clause 7.

Mr. Martindale: I move

That the following be added after section 7 of the Bill:

7.1 Section 8.3 is amended by adding the following after clause (f):

(g) where the children's advocate considers it appropriate in respect of a dispute relating to a matter referred in clause (a), and the parties to the dispute consent,

(i) to use mediation, conciliation or similar techniques to encourage settlement of the dispute, and

(ii) if the dispute is not settled, to refer it to arbitration.

[French version]

Il est proposé d'ajouter, après l'article 7 du projet de loi, ce qui suit:

7.1 L'article 8.3 est modifié par adjonction, après l'alinéa f), de ce qui suit:

g) recourir à la médiation, à la conciliation ou à des processus semblables afin de favoriser le règlement d'un litige portant sur une question que vise l'alinéa a) et, en cas d'absence de règlement, renvoyer le litige à

l'arbitrage, s'il juge que ces mesures sont indiquées relativement au litige et si les parties au litige y consentent.

Motion presented.

Mr. Martindale: Mr. Chairperson, when we were hearing briefs from the public, there were many, many people who included in their original brief the need for some kind of arbitration or conciliation process. Those who did not include them in their brief, I asked them if they were in favour of some kind of dispute-resolution mechanism, and it was almost unanimous that there should be the opportunity for the Children's Advocate to use some sort of dispute-resolution mechanism. That is why my amendment today. I think that this would be helpful.

Many people pointed out that the existing powers of the advocate are quite restricted, mainly to investigate complaints and to make recommendations to the minister, and many people expressed the frustration that he had no power to resolve disputes. This amendment would give the Children's Advocate that authority, not to impose a resolution on disputes himself, but to refer them to mediation. We have excellent organizations such as Mediation Services that might be available, and I would suggest that any third party that was mutually agreed upon could be used to resolve disputes.

Mr. Chairperson: Similar to the previous amendment, this amendment is out of order because it contravenes the same Rule 60.(2) which would cause an expenditure by government, and I would suggest that the minister have this discussion on this matter outside of the committee's jurisdiction if he so wishes to pursue this matter.

Mr. Martindale: Mr. Chairperson, I would like to ask you some questions about the ruling because if the advocate referred people to a third party, it would not cost the government any money. If it referred people to an agency outside government, it would not cost the government any money, so I wonder if you could explain your ruling in a little more detail. Could you do that?

Mr. Chairperson: I would certainly entertain that discussion, Mr. Martindale, but again outside of the jurisdiction of this committee. You are challenging the Speaker's ruling, and the only motion that I think you can put at this time instead of asking for the debate is to challenge the ruling of the Chair.

Mr. Martindale: I am not prepared to challenge the ruling of the Chair, but I am wondering if you could explain to me or point out more clearly which sentence or which part of this amendment specifically would cost the government more money.

Mr. Chairperson: I have been advised, Mr. Martindale, that the reference to mediation and conciliation would be the areas that would add additional cost to the minister's jurisdiction. That is the area of concern here and the arbitration would have the additional costing, so that is the reason why this is ruled out of order.

* (1100)

Mr. Martindale: Mr. Chairperson, are you not assuming that it would be government arbitration? I do not assume that in my amendment.

Mr. Chairperson: I am not going to debate. Again, I refer back to the advice that I have been given. I would ask that you either challenge the ruling of the Chair or we proceed with the amendments, and I have declared this amendment out of order.

Mr. Martindale: Mr. Chairperson, I challenge your ruling.

Mr. Chairperson: Thank you. The ruling of the Chair has been challenged. The question is: shall the ruling of the Chair be sustained?

Voice Vote

Mr. Chairperson: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Mr. Chairperson: The ruling of the Chair is sustained unanimously.

* * *

Mr. Chairperson: Clause 7—pass; Clauses 12-15—pass; title—pass; preamble—pass. Bill be reported.

Bill 12—The Addictions Foundation Amendment Act

Mr. Chairperson: The next item on the agenda is Bill 12, The Addictions Foundation Amendment Act. I will ask once again: are there any presenters to this bill?

If not, we will then proceed with the clause-by-clause consideration of the bill. We will set aside the title and the preamble as previously and consider them at the end of the presentation.

Clauses 1 and 2—pass; Clause 3—pass; title—pass; preamble—pass. Bill be reported.

Bill 14—The Executions Amendment Act

Mr. Chairperson: Bill 14, The Executions Amendment Act. Would the minister come forward, please. Are there any presenters to Bill 14? Seeing none, we will then proceed to the clause-by-clause consideration. Does the minister have an opening statement on this bill?

Hon. Vic Toews (Minister of Justice and Attorney General): No, I do not.

Mr. Chairperson: Does the opposition critic have an opening statement? No.

We will then make the consideration of clause by clause and the same rules will apply, that the title and the preamble will be set aside till the end of the bill.

Clauses 1 to 3(1)—pass; Clauses 3(2) to 5(2)—pass; Clauses 6 to 9—pass; Clauses 10 to 12—pass; title—pass; preamble—pass. Bill be reported.

**Bill 16—The Water Resources Administration
Amendment Act**

Mr. Chairperson: Bill 16 is that of the Minister of Natural Resources. Would the minister please come forward. The Water Resources Administration Amendment Act. Are there any presenters to Bill 16?

Seeing none, does the minister have an opening statement?

Hon. Glen Cummings (Minister of Natural Resources): No, Sir.

Mr. Chairperson: The minister does not have an opening statement. Does the opposition critic?

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, in second reading, I did get the opportunity to speak to this bill. One of the things that I had somewhat emphasized during my second reading discussion was that it would have been nice to have provided more opportunity in terms of time between this bill coming from second reading into committee stage.

I really do believe that there would have been more Manitobans interested in making presentation to this particular bill expressing whatever concerns that they might have that would have arisen from the flood of the century. I know during the peak, if you like, there were a lot of Manitobans that were wanting to express their concerns regarding compensation and the way compensation was being handled, and I think that had there been more time or at least the government taking some sort of initiative to let them know that the committee was going to be dealing with this particular bill, because it does deal with the flood plain, that there would have been Manitobans participating in the public hearings. I think that we might have benefited by that.

So I just wanted to express just a little bit of disappointment, given the importance of this issue to so many Manitobans. I feel fairly firmly that there would have been others that would like to have participated at least in a very formal way because they have not really been given that opportunity outside of the committees that were established that went around the province but nothing directly to the Legislature. This would have

been a good vehicle for them to express their thoughts first-hand to government.

Mr. Stan Struthers (Dauphin): Mr. Chairperson, obviously after the Flood of the Century last year, we had to do some planning and put some forethought into how we are going to protect people from the disaster which occurred last year. That is what the purpose of Bill 16 is all about, to take care of one angle of the disaster that took place last year.

I want to address to the minister a question about people who experienced the flood in 1997, people who are looking now to build to the standards that the province is asking them to build towards. What is available to these people who got hit last year in the flood? What is the procedure that they go through now when they build on, trying to get to the level that the provincial government wants them to be at? What is available to these people in terms of compensation, some kind of help to move towards floodproofing and being up to the standard that the province is expecting?

* (1110)

Mr. Cummings: Mr. Chairman, I would like to address the comments of both critics for a moment. This bill is not intended to deal with the aftermath of the flood of '97. This bill is intended to deal with the appropriateness of how we assist the communities with their future development, future building sites in the valley. While they may want to take the opportunity to express some frustration, the fact is this bill was vetted with the municipalities in the affected areas, strongly supported by them, in fact, requested in some cases that the province take the responsibility for helping them get the levels established for new construction in the valley.

I am quite prepared to address the question the member for Dauphin (Mr. Struthers) asked, which is: what kind of a program do we have for those who are rebuilding as a result of the flood? As far as this bill is concerned, this bill is to directly impact upon, with the support of the municipalities, levels and choosing of sites that future construction will be required to follow in the valley. We should be fair about this, and I have no idea which ones they were. We chose not to

separate one from the other, but in fact the media did some research, and there were over 400 buildings within the valley that were not built to 1979 levels plus two feet. They were in significant difficulty when the waters rose this year. Some of them were able to survive with emergency response; some of them were not.

This is not a "blame the people in the valley where they live" bill; this is about consumer protection. It is one thing to build a structure on your own volition and ignore the warnings of what the levels of construction should be at, but it is a heck of a lot worse when that building has then traded hands two or three times and some innocent third party is now living there, and they have their life savings wiped out because the person who originally built the structure chose to ignore the best advice that was given to them. That is why this is in place. The municipalities in the valley felt that they were ill-equipped in the short term to enforce this. Some of them do not have planning districts, and so the fact was sections of the old act that we are replacing with these amendments were only enforceable if we in fact bulldozed the property. In other words, if somebody chose to build and ignore the advice, the only tools that were available to the government were to say that this building is inappropriate where it is and will have to be levelled.

The act, as it is written today and hopefully passed today, requires the shooting of levels, but even if someone went in and built a structure, and that can happen in a rural setting, without having the appropriate levels, that as soon as it has been made known to the appropriate authorities, in fact a stop work order, which is enforceable, can be put in place. That again is intended not to invoke a hardship upon the people who are building the property but to provide some kind of rational level of consumer protection in terms of potential vulnerability of future floods. So that is the *raison d'être* behind this bill.

In terms of what is available, and the member for Dauphin (Mr. Struthers) I think is still expecting me to respond to what is available to those who are recovering from the flood, they will receive assistance up to a maximum of \$30,000 for 75 percent of the costs for moving, raising, elevating, diking, any method

which they may choose to protect their property to 97-plus-2 levels. That includes putting it on a pad, that includes all of the various options. In fact, I want to compliment the department and the assessors who have been in the field.

We started off with remodelling the 1979 floodproofing agreement, and we took the standards that were put in place then, modified them to 1997 water levels, but we also took the plan as it was structured then, and there were some fairly severe guidelines that were in place. In the field today people have been very, very flexible, and if it meets engineering standards, it has been largely accepted for support. That requires a lot of individual work. You cannot walk in with a template and say: here is what is available to you, and if you do not meet that standard. I mean, that would be the simple and bureaucratic way to administer it.

So the people in the field, both with Government Services and Natural Resources, have been very, very accommodating. In fact, that probably explains why it takes longer for some people to reach a conclusion on what they want to do because, rather than being flat out told that, no, they cannot meet this standard, well, let us work together and see what we can do to establish an appropriate protection for you, or is this site that you are sitting on even viable to be protected?

So, very briefly, that is what is available for diking. If the member wants further detail on other programs available, I will be glad to provide them.

Mr. Lamoureux: Mr. Chairperson, I did have just again more so for clarification, in essence, when, and it does appear that the bill does have the support to pass, and I am not just saying from the government, is it then the line of the government that any new construction that occurs today has to be above the '97 flood plain by at least two feet? If it is not above that, you are not going to be allowed to build in that area, and if in fact they do build, it will be at their own risk, and if they get found out that they built that the government would then be asking them to take it down. Can someone actually build at their own risk?

Mr. Cummings: That was not the intent of the bill, but in fact someone could ignore the advice. As opposed to demolishing the property if it had proceeded a long ways and a stop work order was not implemented early in the construction phase, it seems to me that the humane thing to do then is rather than wreak economic hardship on the person, make them fully aware of the dangers that they are putting themselves in. For and for future protection there would in fact be an ability to put a caveat against the property that it would not be eligible for future tax supported relief in the event of flooding and damage. Now, that is certainly not a desirable outcome, but in today's society, even in my community or almost any community that is not considered organized territory across the province, people generally speaking are expected to take out building permits.

The Province of Manitoba is exercising authority in the flood plain, the Red River Valley, in order to make sure that this is expeditiously in place for this summer. I would be more than happy to devolve this authority to the municipalities, if and when they are prepared to take it or when it would be appropriate for them to put it under their planning authority, based on the authority that is being granted under this bill for the measures as I outlined them.

The result that the member is asking about would be the absolute last thing that I would want to see happen. It is intended to prevent people from putting themselves in that situation. It can happen, as I said, in a rural setting where it might not come to the notice of any authority until construction was well along that something was occurring that could be vulnerable, then it strikes me that the only fair thing to do in terms of the taxpayer, because there is a responsibility on the part of whoever is in government of the day to exercise the capacity to put a caveat against the property. Number one, it is very clear to the owner at the time. He might choose then to put additional diking around it, even though he had already constructed in violation of the advice that should have been in place; or, No. 2, a second purchaser would know clearly what he was getting into and probably the value of that property, obviously, would be severely impacted unless that second purchaser found a way of floodproofing.

Mr. Lamoureux: Mr. Chairperson, I think it is critical in the sense of fairness that what we are seeing is a very strong line. I think that is necessary where a government is saying no one can construct below the '97 flood level plus two feet. If there is, for whatever reasons and we are just talking new construction, it would be absolutely essential that it be made clear what the government's position is. The simple reason is that if you do not make it clear, for example, you do not put the caveat on, you are not being fair to others that might have been able to build given that they would have been allowed for an exemption. So I think that the government, in setting its regulations to put into place this legislation, has got to make that issue very clear from the onset.

With those few words, Mr. Chairperson, I think we could go through the clause by clause.

* (1120)

Mr. Cummings: I certainly do not want to extend this debate, but I want to compliment the member for recognizing that, because easily people could misinterpret this, as people have done in other issues in the valley, that this is somehow intended to punish people for building in the valley. It is not in any way intended to do that. It is a consumer protection for future generations or future buyers who might acquire the property.

As the member has correctly pointed out, it would create a distinct unfairness in the valley. We saw some evidence of that as the flood recovery from last year has unfolded. As I alluded to earlier, some buildings were, in fact, constructed recently and were not within the advised levels and they had trouble. We chose out of humane and, I think, reasonable reflection the desire of society not to sort those out or not even make an attempt to sort it out, because this was a massive flood and the damage was totally devastating to the people involved. We have to do everything we can from here forward to make sure that new construction does not find itself in that situation, so I appreciate his comments.

Mr. Chairperson: Bill 16, we will consider clause by clause, and we will set aside the title and the preamble until the end of the bill. Clauses 1 to 2(3)—pass; Clause 2(4)—pass; Clauses 2(5) to 2(9)—pass; Clauses 2(10) to

Clause 5—pass; title—pass

Oh, I understand we have an amendment to the title, so we will revert to the title.

Mr. Cummings: I propose

THAT the title of the Bill be amended by adding “and Consequential Amendments” before the word “Act”.

Mr. Chairperson: The honourable minister has proposed—

Some Honourable Members: Oh, oh.

Mr. Chairperson: Can we have some order, please. It almost sounded like a gaggle of geese. Are you done with the conversations now?

THAT the title of the Bill be amended by adding “and Consequential Amendments” before “Act”.

Amendment—pass; title as amended—pass; preamble—pass. Bill be reported.

Bill 18—The Registry Amendment Act

Mr. Chairperson: Bill 18, the Registry Amendment Act. Does the minister have an opening statement?

Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs): No.

Mr. Chairperson: No? Does the opposition critic have an opening statement?

An Honourable Member: No.

Mr. Chairperson: We will then deal as previously. Clauses 1 and 2—pass; Clause 3—pass; title—pass; preamble—pass. Bill be reported.

Bill 21—The Communities Economic Development Fund Amendment Act

Mr. Chairperson: Bill 21, The Communities Economic Development Fund Amendment Act. Shall

the minister come forward? Mr. Minister, do you have an opening statement?

Hon. David Newman (Minister charged with the administration of The Communities Economic Development Fund Act): No, I do not.

Mr. Chairperson: No? Does the opposition critic have an opening statement?

An Honourable Member: No.

Mr. Chairperson: We will then proceed as previous. Clauses 1 to 2(2)—pass; Clause 3—pass; title—pass; preamble—pass. Bill be reported.

Bill 42—The Norway House Cree Nation Northern Flood Master Implementation Agreement Act

Mr. Chairperson: Could I ask for leave to skip to Bill 42—since the minister is at the front of the room—The Norway House Cree Nation Northern Flood Master Implementation Agreement Act? [agreed] We will then proceed.

Clause 1—pass; Clause 2—pass; Clause 3—pass; title—pass; preamble—pass. Bill be reported.

Bill 25—The Highway Traffic Amendment Act

Mr. Chairperson: Bill 25, The Highway Traffic Amendment Act. Does the minister have an opening statement?

Hon. Glen Findlay (Minister of Highways and Transportation): No.

Mr. Chairperson: The minister does not. Does the opposition critic have an opening statement?

An Honourable Member: No.

Mr. Chairperson: The opposition critic does not. We will proceed as previous.

Clauses 1 and 2—pass; Clauses 3 to 5(2)—pass; Clauses 5(3) to 7—pass; title—pass; preamble—pass. Bill be reported.

Bill 27—The Manitoba Employee Ownership Fund Corporation Amendment Act

Mr. Chairperson: The Manitoba Employee Ownership Fund Corporation Amendment Act. Does the minister have an opening statement?

Hon. James Downey (Minister of Industry, Trade and Tourism): Yes, I do, Mr. Chairman.

Mr. Chairperson: The minister does have an opening statement.

Mr. Downey: Mr. Chairman, I appreciate the fact that the committee is moving along very quickly, so I will try and keep my comments to 40 minutes. I just want to say, though, I appreciate the support of the

opposition in this bill, because it is, in fact, extremely important to the overall economic development of the province, and I recommend passage of this bill.

Mr. Chairperson: Does the opposition critic have an opening statement? No. We will proceed then as previously.

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

That concludes the business of the committee today. Committee rise.

COMMITTEE ROSE AT: 11:28 a.m.