

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

*Chairperson*  
*Mr. Andrew Smith*  
*Constituency of Lagimodière*

**Vol. LXXV No. 13 - 6:30 p.m., Tuesday, October 12, 2021**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
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COX, Cathy, Hon.	Kildonan-River East	PC
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SALA, Adrien	St. James	NDP
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<i>Vacant</i>	Fort Whyte	

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

**Tuesday, October 12, 2021**

**TIME – 6:30 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Andrew Smith  
(Lagimodière)**

**VICE-CHAIRPERSON – Mr. Blaine Pedersen  
(Midland)**

**ATTENDANCE – 6 QUORUM – 4**

*Members of the Committee present:*

*Hon. Mrs. Cox, Hon. Ms. Squires*

*Ms. Adams, Messrs. Moses, Pedersen, Smith*

**APPEARING:**

*Mr. Dougald Lamont, MLA for St. Boniface*

**PUBLIC PRESENTERS:**

*Bill 72–The Disability Support Act and  
Amendments to The Manitoba Assistance Act*

*Mr. David Kron, Cerebral Palsy Association of  
Manitoba*

*Ms. Suzanne Swanton, Continuity Care Inc.*

*Mr. Alex Lytwyn, private citizen*

*Mr. Samuel Unrau, private citizen*

*Ms. Krista Clendenning, private citizen*

*Ms. Whitney Hodgins, private citizen*

*Ms. Jessica Croy, private citizen*

*Ms. Lorna Canada-Vanegas Mesa, private citizen*

*Bill 232–The Emancipation Day Act*

*Mr. 'Segun Olude, private citizen*

*Ms. Rosemary Sadlier, Black Canadian Network*

**WRITTEN SUBMISSIONS:**

*Bill 72–The Disability Support Act and Amend-  
ments to The Manitoba Assistance Act*

*Leanne Fenez, Abilities Manitoba*

**MATTERS UNDER CONSIDERATION:**

*Bill 72–The Disability Support Act and Amend-  
ments to The Manitoba Assistance Act*

*Bill 232–The Emancipation Day Act*

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**Clerk Assistant (Ms. Katerina Tefft):** –on Social and Economic Development, please come to order.

Our first item of business is the election of a Chairperson.

Are there any nominations?

**Hon. Rochelle Squires (Minister responsible for Accessibility):** I nominate the MLA for Lagimodière, MLA Smith, as Chair.

**Clerk Assistant:** Mr. Smith has been nominated.

Are there any other nominations?

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

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

Are there any nominations?

**Ms. Squires:** I would like to nominate the MLA for Midland, MLA Pedersen, as Vice-Chair.

**Mr. Chairperson:** Are there any other nominations?

Mr. Pedersen has been nominated for the position of Vice-Chair.

Are there any other nominations?

Seeing none, the MLA for Midland, MLA Pedersen, is now the Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 72, The Disability Support Act and Amendments to The Manitoba Assistance Act; and Bill 232, The Emancipation Day Act.

I'd like to inform all in attendance of the provisions of 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.

Written submissions from the following persons have been received and distributed to committee members: Leanne Fenez from Abilities Manitoba. Does the committee agree to have this document appear in the Hansard transcript of the meeting?  
[Agreed]

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations with another five minutes allowed for questions from committee members. If a presenter is not in attendance when their name is called they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

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

Also, if any presenter has any written materials for distribution to the committee, please send the file by email to the moderator who will distribute it to all committee members.

Thank you for your patience. We will now proceed with public presentations.

What is the will of the committee as far as consideration of bills? Would you prefer to have Bill 72, then followed by bill 32 or no? *[Agreed]*

### **Bill 72—The Disability Support Act and Amendments to The Manitoba Assistance Act**

**Mr. Chairperson:** I will now call on David Kron and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

**Mr. David Kron (Cerebral Palsy Association of Manitoba):** Hello.

**Mr. Chairperson:** Hello, Mr. Kron. Please go ahead.

**Mr. Kron:** Thank you. I wanted to thank the committee for allowing me to speak tonight.

I am the Chair of the Children's Coalition and I'm here—and the Children's Coalition is a network of service providers that helps families and children with disabilities navigate the system.

I'm also this—for full disclosure—the executive director of the Cerebral Palsy Association. I'm on Barrier-Free Manitoba. Also, I make poverty history's provincial working group and I'm also with the Social Planning Council of Winnipeg.

So I come at poverty in several different ways and what we're really talking about is trying to get folks

with disabilities out of poverty. You've got a whole range of things that we can do to make the whole system streamlined, make it—the tone of EIA more centered, person-friendly and so that it's not a very—right now it's fairly 'advantational' between the worker and the client.

Right now, you have the government employee, the EIA worker, watching the dollars of the government and also being the gatekeeper for the client into the system. So that's really a conflict of interest.

I really wanted to congratulate the government and the—on looking at reforming EIA for folks with disabilities. I think it's a long time coming. I think there is a lot of things that we can work with in the regulations to smooth out the edges of this bill. I think I'm looking forward to working with the government and the department to work out what those regulations need to look at and how they need to fulfill somebody's complete life from the age of 18 onwards.

One of the things I wanted to bring to the government's—members' attention is the Stadler decision. That should be something that we look at, where the government first choice is if somebody's on CPP, they have to go to the federal system early. I think we should look at that.

The other part is that there's the federal program coming—the universal income. And how do those two systems mesh, because I don't want one to take from Paul and give to Peter, and have, you know, the members I support out in the cold.

One of my concerns is in section 6, subsection 2 and the determination of financial resources. The current act does not look at spousal income or common-law income and CLDS—or Community Living disABILITY Services—really likes that shared partnership and roommates. And a lot of my members, even if they're not part of CLDS, do roommate together for economic and accessibility reasons.

And so, really, the department has no place in the bedrooms of our members to determine whether they're, you know, common law or just roommates. And so I think that's—really kind of takes away from the dignity and the human rights of folks with disabilities, and it's a real problematic addition to the bill that really needs to be looked at. I think it's an overreach of the government.

I'd also like to talk about just having the—just the growth of having prolonged and—I can't remember the actual term of the bill, but we've got a lot of people that are in the system now and whether they're going

to be grandfathered in or what that transition period is going to be and how we're going to treat folks, whether they're part of this new system, whether they're going to be left behind. And I've got members of the CP association that have been part of EIA for 40 years; they're in their early 60s and you just can't move them into—without supports.

The other thing I think the department needs to look at in the regulations is the connection of EIA with equipment and disability support health unit. Right now, you need to be part of EIA in order to get supports, and I've got members who could work part time, but they don't. They lose access to Pharmacare, they lose access to equipment, and so there is no incentive for them to go out and work. So even if you could do some sort of amended system so that it gave them some incentive to go out and find a part-time job and to try it over a period of time, I think that would be important.

And also, some of the issues with trust, Henson trust, EIA trusts have now kind of been excluded from the new bill, and I think that is really problematic, and it should be in the bill in the legislation, not just the regulations because we all know how easily regulations can be changed.

Like I said, I'm really looking forward to working with the department and hope that there's meaningful consultations with the community so that you're not doing something to us without us. And we want EIA to be a partner in lifting up everybody out of poverty because over 22 per cent of folks with disabilities in Canada live below the poverty line, and it's just not right. It's a human right and let's just all work together to lift everybody up.

So that is my presentation today and thank you very much.

**Mr. Chairperson:** Thank you very much for your presentation, David.

Unfortunately, due to technical difficulties, we're going to have to recess the committee until further notice.

*The committee recessed at 6:48 p.m.*

*The committee resumed at 7:02 p.m.*

**Mr. Chairperson:** Will the committee come to order. We have resolved our technical difficulties, and last we left off was with Mr. Kron.

And I believe he just finished his presentation. Now he has five minutes to do his question-and-answer.

So I do thank you again for the presentation, Mr. Kron.

And do members of the committee have questions for our presenter?

**Hon. Rochelle Squires (Minister responsible for Accessibility):** Not necessarily a question. Just I'd like to express my appreciation also to Mr. Kron for your 'preciation' and your patience here tonight, as well as your thoughtful presentation.

I also want to thank you, Mr. Kron, for your years of advocacy work, which are undoubtedly imprinted on this bill and many other initiatives that our government has undertaken to improve the lives of people with disabilities.

You had aptly pointed out that there is some areas where the bill is providing a broad framework, but intentionally nondescript in some of the other areas that will undoubtedly come in regulation, and we have struck a community advisory committee that will be providing us guidance and feedback and consultation every step of the way. And there'll be a process to develop those regulations to ensure that the program is being done with the community and not strictly for the community in the absence of people with lived experience and the community's voice.

So, again, just thank you so much for all your work that you've done over the years in providing advice and consultation on initiatives like this, on behalf of many vulnerable Manitobans and Manitobans with disabilities. And, of course, we are working towards making life better for people with disabilities, and I encourage you to continue with your wonderful advocacy work, and I look forward to working with you on the regulations for this bill.

**Ms. Danielle Adams (Thompson):** I'd like to thank you for taking the time to come and present to the committee today. You provided us with a lot of information, which was really great.

I was just wondering if you could provide me with what your thoughts are with the change in criteria going from one year—or, from 90 days to one year. That will remove about 12,000 people with disabilities from receiving supports.

And I was just wondering if you could provide what your thoughts are on having the criteria changed

and the impacts that will have on a lot of people in the disability community?

**Mr. Kron:** Thanks. Oh, sorry—yes, thank you for that. I do plan to write a letter to the minister and to all parties just outlining some of the more technical things that I didn't want to go through in my 10 minutes.

But that change from 90 days to a year is really problematic, especially for folks with 'episodial' type of disabilities like mental health issues or all sorts of different things. You know, it really is a concern how you go from 90 days to a whole year without any real reasoning behind it in the bill.

And so, I look forward to hearing more from the government and more from all members of the committee on the thoughts and the—but that has definitely been a concern of one of the many different committees that I've been on.

So yes, that is something we're very concerned about.

**Ms. Squires:** Thank you very much for that input, Mr. Kron.

And just to clarify—and I did explain this to members opposite earlier, about how this new program will work and how, right now, there will be—there's 22,000 people approximately receiving EIA benefits. We are creating this new category for people with severe and prolonged disabilities, and then there will be another category—an interim category—for people with episodic disabilities to also receive benefits.

So she is wrong in her assertion that about 12,000 people will be not receiving benefits; that is incorrect—or, receiving the disability benefits, that is absolutely incorrect. And undoubtedly, Mr. Kron, you and I will work together along with other community members to ensure that we've got a process for people with disabilities in the province of Manitoba, in whatever category they are.

**Mr. Kron:** I look forward to working with the department on making these regulations as easily and, you know, person-centred as they can be.

**Mr. Dougald Lamont (St. Boniface):** Yes, thank you very much, Mr. Kron, for your presentation.

I just—as a quick question about working, if you could just expand a little bit on that.

**Floor Comment:** So, right now, there's a disincentive for folks—

**Mr. Chairperson:** Unfortunately, that is all the time we have for the Q & A process.

That concludes—and thank you very much, Mr. Kron, for your presentation. I do apologize, the time has expired for the question-answer portion.

I will now call on Suzanne Swanton from Continuity Care Inc. Suzanne.

Please unmute yourself and turn on your video.

**Ms. Suzanne Swanton (Continuity Care Inc.):** Good evening, Mr. Chairperson and committee members.

**Mr. Chairperson:** Suzanne. Good evening, welcome.

**Ms. Swanton:** My name is Suzanne Swanton and I'm the executive director of Continuity Care.

Oh, is my time going already? Should I begin?

**Mr. Chairperson:** Yes, Ms. Swanton. Yes, please go ahead.

**Ms. Swanton:** Okay. My name is Suzanne Swanton, I'm the executive director of Continuity Care. Continuity Care is a non-profit organization that supports families in Manitoba with planning for their family member with an intellectual disability. As an advocate for our members, I'm representing the voice of families this evening.

Most of our members have a family member who is a recipient of the current EIA program, under the disability category and rely on this program as their main source of income as they're not able to fully support themselves in other ways.

\* (19:10)

Over my 16 years as executive director for Continuity Care, I have become very familiar with how the current EIA Program operates, the regulations and the policies and The Manitoba Assistance Act itself. I get to hear first hand from our members how important and beneficial the EIA Program is and also how frustrating and challenging it can be for them.

Many of our members participated in the community consultations back in October of 2019 and February 2020 regarding the development of this new disability support program. Our hopes for the program would be that it would be an improvement over what is currently provided under the EIA disability category—that it would be more clear, transparent and easier to navigate, and that it would provide a

dignified minimum income that will allow people with ongoing and significant disabilities to live a good life and not a life in poverty.

I am pleased to see the plan for the new disability support program is moving ahead, but after reviewing the proposed Bill 72, I am both discouraged and concerned that this new program won't be much different than the one that currently exists.

I want to share four of my questions and concerns with the committee this evening with hopes that there may still be time to make amendments to Bill 72 before it's passed in the Legislature.

Question No. 1: Who falls under the new disability support act?

The purpose of this new act is to provide financial assistance to Manitobans who are living with a severe and prolonged disability and have insufficient means of supporting themselves. It's not clearly outlined in the act what is meant by these terms severe and prolonged. We would recommend that they be included as definitions in the introductory provisions.

Another related concern is how eligibility will be established for the new program. Under section 9.3, it says that the applicant may be required to undergo a disability assessment, including a medical examination. Currently, each program has its own definition of disability and requires proof or an assessment in their application processes. This is very confusing, challenging and exhausting for individuals with disabilities and their families to navigate.

We would like to recommend that there be some consistency in eligibility across provincial disability programs. It's our hope that the systems can become more consistent, streamlined and easier to navigate, therefore reducing the amount of red tape, bureaucracy and systemic barriers that people experience when trying to get the support that they need.

Question No. 2: What happens to those individuals who don't fall under the new program? The current eligibility criteria for EIA under the disability category is quite broad: An individual who has a mental or physical disability or disorder that's likely to last more than 90 days and this disability keeps them from earning enough money to pay for their or their family's basic needs. Under the proposed amendments to The Manitoba Assistance Act, the eligibility and criteria is going to be changed to a mental or physical disability or disorder that's likely to continue for a period of more than one year.

What will happen to these individuals whose disability is still significant but not as long lasting? For example, someone living with a psychiatric condition, which is more episodic in nature—will they be grandfathered in? Will there still be a disability category under the amended Manitoba Assistance Act, or will these individuals be forced to move into the general category which provides a lower level of benefit which may not meet their needs? For many folks—for many of these folks, they often fall through the cracks in their system, and EIA may be the only program that they qualify for. This is unclear and quite concerning.

Question No. 3: Will the new program continue to be both income and asset tested? It was our hope that the new program was going to be less restrictive than the current program, and that participants and their families would be under less scrutiny and that there would be less reporting involved.

As we've reviewed the act—excuse me. It appears that the new program could potentially be more restrictive. For example, under 6.2 determination of financial resources, they've added point A, all income from any source received by the applicant, recipient, their spouse or common-law partner or any of their dependants. As well, for points B, C and D, their spouse and common-law partner have been added. Therefore, the new program will be taking into consideration the income and assets not just of the applicant or recipient, but also that of their spouse, common-law partner and/or dependant.

To give an example, if I'm a person under this program and my dependent child receives a monetary gift from a grandparent for their birthday, then that gift may be taken into consideration when determining my benefits. Does this seem fair and reasonable?

Why do recipients continually have to prove their financial need and eligibility for support? Why does this new program have to be means-tested as well as needs-tested? Shouldn't the nature of their disability, which is both severe and prolonged, be enough to qualify them? How does this help—excuse me—raise individuals with disabilities out of poverty and eliminate barriers to full community participation and inclusion?

My final question is: Will the current exemptions under the disability category of The Manitoba Assistance Act continue under the new program? Over the past years, there have been several improvements to the current EIA program under the disability category, mostly in terms of exemptions of certain financial assets. Examples include the Registered Disability

Savings Plan; the EIA Disability Trust; the \$500-per-month gift amount from family and friends; and the increase in the liquid asset amount.

These exemptions are currently included in the regulations for The Manitoba Assistance Act, not in the act itself. It's important to note that these exemptions do not cost the Province any money. Funds come from other sources, including family contributions, inheritances, disbursements from life insurance policies and, for the RDSP, federal government grants and bonds.

These exemptions are important and beneficial, as they help to supplement what the person receives through EIA, and we know only provides basic coverage. Many people living with disabilities—*[inaudible]*—additional funding to meet these needs.

For our members, the RDSP, the EIA Disability Trust and also discretionary—also known as Henson trusts are the main financial tools and strategies that are utilized in planning for the future of their child or family member. As we don't know yet what the rates are going to be under the new program, we would like to see all of these current exemptions continue under the new disability support program, as this helps to ensure the person is living a good quality of life and provides some peace of mind to their parents and families.

Ideally, we would like to see this exemptions stated in the act, as that provides greater reassurance to recipients and their families. However, we realize that many of these details and operational aspects will be outlined later on in the regulations.

We would also like to recommend that discretionary trusts, also known as Henson trusts, continue to not be considered as an asset of the individual and either be clearly stated as an exemption in the new disability support act regs or continue to be silent as they are under the current Manitoba Assistance Act.

These are my main questions and concerns that I will be addressing this evening. There are others. However, time does not allow, and it's my hope that other presenters and advocates will be raising them in their presentations.

Thank you for the opportunity to speak before the committee and for your time and attention.

**Mr. Chairperson:** Thank you for your presentation, Ms. Swanton.

Do members of the committee have questions for the presenter?

**Ms. Squires:** Thank you very much, Ms. Swanton, for your presentation tonight and for your feedback that myself and folks from my department have been taking notes. And you're absolutely correct in that we will have plenty of time to work through some of these issues.

One of the things that we heard over and over when we were in community consultation was the need for a program that reduced the barriers for people living with disabilities to receive benefits and to also reduce that administrative burden. And that is certainly what this bill intends to do by the—more of a streamlined reporting process as well as a simplified process for receiving the benefits.

\* (19:20)

And so one of the things that you touched on is that a lot of the details are definitely going to be outlined in regulation, and we have struck a community advisory committee that will be guiding us through that process of developing the regulations, including all those exemptions. Just this year alone, I can think of three off the top of my mind that were benefits that were created to address pandemic-related supports offered through either the federal government or the provincial government, and then we were needing to go into the regulations to provide an exemption for any EIA clients receiving those benefits.

And so keeping the exemptions in regulation allows us to be nimble when a new program is offered to right away make that exemption for the EIA client, and I believe that the exemptions are best laid out in regulation, and I look forward to—for the consultation with you on determining those exemptions for this new program.

**Ms. Swanton:** Thank you. I hope to be a part of—invited to be a part of that community consultation.

**Ms. Adams:** And I'd like to thank you for taking the time to share your thoughts and concerns on this bill. I have similar thoughts—concerns regarding this bill.

I would just like to get your thoughts on one of the amendments that are in the bill, and I'm going to read it exactly, because it is a concern I have with people that have episodic and intermediate disabilities. In part of subsection (1): by striking out physical or mental incapacities or disorders that will likely continue for more than 90 days, and substituting the capacity and continue for a period no more than one year.



So I am quite concerned that this will result in 12,000 people being removed from EIA disability and not being put into the new program, as they are removing EIA disabilities.

So I'd just like your thoughts on what that will mean for the people in the disability community and how this will impact people that are already struggling with poverty issues.

**Ms. Swanton:** Yes, we noticed the changes in wording in terms of the eligibility there as well, which I included in my presentation.

It's concerning. We—I remember being around the table at the community consultations with people from the mental health community and, as well, some of the addictions support programs, and there are many individuals that depend on EIA for support and that, as I said, that might be their only means of support as they may not qualify for other programs.

So we would like to see some sort of support and consideration in either the new program or under the amended Manitoba Assistance Act for these folks.

**Mr. Lamont:** Thank you, Ms. Swanton, for your presentation. It was much appreciated.

Just a quick question: One of the things in the bill is that the government may put a lien on property, and I was just wondering if that was something that you were concerned about, or if you had thoughts on.

**Ms. Swanton:** Yes, I read that as well, and we've had some discussions with other community advocates about that.

I think it's concerning for sure and, looking at the criteria for recovery of benefits from when needed, and that extends not just to the person or recipient, but also their spouse, common-law partner, parent, or dependent child, so it's very concerning that that could be the potential impacts in that type of situation.

And I'm just noticing the clock, so I share your concern.

**Mr. Chairperson:** The time for our question-answer has expired.

Moving along, the next presenter—it is my understanding Janet Formes [*phonetic*] will not be presenting this evening, so I'll now call on Alex Lytwyn and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on.

**Mr. Alex Lytwyn (Private Citizen):** Hello, my name is Alex Lytwyn.

**Mr. Chairperson:** Good evening, Alex. Please go ahead.

**Mr. Lytwyn:** Hello, my name is Alex Lytwyn. I been on the EIA system for 17 years, and it's a good system, but at the same time, it's an awful system.

And what I mean by that is right now the EIA system is set up to fail because there's no incentive for anyone to get off the EIA. You see, what I mean is if you make any more than \$200 a month, the EIA cuts your benefits almost in half and it makes it impossible to live off it. Not to mention, for the first time, last year I made \$17,000 on the EIA system. So, for someone that lives way below the poverty line and wants to get a job, they can't, because if they do, they'll be in more poverty than they are at the moment.

And another thing that needs to be addressed in Bill 72 is the fact that there is no available connection between the worker and the client. And what I mean by that is, like I mentioned before, I have been on EIA for 17 years and not once has my worker or any type of other support from EIA contacted me and asked me, hey, how you doing? Has anything changed with your disability? Is there any way—do you want to get a job? Is there any way I can help you? Like, we want you to get the most out of life.

But nobody from the government side seems to recognize that people on EIA, yes, we're disabled and we go through hardships, but we're human beings. And from all my experience, all I am to the government is a case number, and that has to change.

And we have people with disabilities, whether it's an intellectual or a physical disability—has a [*inaudible*] job, but yet the EIA system doesn't want to see the whole person. They just see the words physical and mental and disability, and right away, we're all put into the same group. Well, it's been my life struggle to tell people that no matter how dark things get, that there's always a brighter side to everything. And if I'm allowed to be honest, EIA and the Manitoba government, they make the dark a lot more than they should.

All we need for persons with disabilities on EIA, all we need is a little help, a little nudge in the right direction. But instead all we get is booted aside and labelled as something we're not. We're not just case numbers. We all have something to give society. And, sure, we may not be able to have a regular job, like a

politician, a police officer, a firefighter, but we all matter.

And that is the thing I wanted to address tonight, is Bill 72 is awesome, but I really hope that if it does get implemented that the—yes, the legal jargon is important and everything else is important, but the thing that's most important to me is that the human aspect has to be put back into government.

\* (19:30)

Now, currently, I am 35 years old, and I have dealt with the government since I've been about five. So I know the ins and outs, and I know there's a lot of red tape, but I call on the Manitoba government to make it easier for human beings who are going through some challenges to give them a way and make it a little bit easier than it is now.

You see, I get \$894 a month on my—it goes as *[inaudible]*—which is not very much, with the price of inflation and everything going up, you know, it's very difficult, you know.

But I do want to talk a little bit about myself. You see, I've been to college twice. I have my business administration diploma. I have my applied counselling certificate. I work hard. I have my degrees behind me. To get a good job would be easy is—if I can't get a good job *[inaudible]*. I'm so *[inaudible]*. And, like the other presenters mentioned, there has to be a little bit of leeway for people to get the most out of their *[inaudible]*. And if there's so many jobs that are open right now in Canada and Manitoba, then you would think the people in charge would want to make it easier to—for people to get off the system rather than make it more difficult.

And then one of the—one other thing I would like to touch on is, you see, when you are on income assistance, the odds are pretty good something happen to you or has happened in a life that caused you to have hardships, which in turn gives you mental stress. You know, and honestly, at times, my mental stability is not the best. It's virtually—in this new age of COVID and stuff. And if we had the ability to be in one—of ourselves and just being human beings instead of just a number to the government, it would allow us to be more happy.

And, see, everything for me is a fight in life. And I don't want that fight. It's just, once in a while, I would like a guiding partner to help me through it. And I feel the government has the ability to be my guiding partner, and not just me but all the other disabled people.

So let's work together, and let's help disabled people be the amazing individuals that we are.

So thank you for your time, and I look forward to your questions. Thank you.

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

Do members of the committee have any questions for the presenter?

**Ms. Squires:** Thank you very much, Mr. Lytwyn, for your presentation tonight, and thank you so much for coming here to present to committee.

I know presenting at committee is sometimes a daunting experience, and you've shown great courage addressing the committee and sharing with us your perspective—your lived perspective—which is so entirely crucial for us to hear in terms of how policies, legislation and regulations impact your life and the lives of other people with disabilities.

I couldn't agree more with you when you said that we need to do more to help people with disabilities achieve their potential. And that is certainly the hope of our government. That is the hope of the Department of Families. And I certainly look forward to working with you more as we draft regulations and move forward with a better way for people with disabilities.

Thank you for being here tonight.

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

**Ms. Adams:** Thank you so much for taking the time and letting us hear about your lived experience and the barriers that you have faced.

It was—it's so important to hear and it's so important to ensure every Manitoban, no matter their ability, is included and supported by reducing the barriers and providing equitable access for all. And it's so important to hear that and so thanks so much for taking the time this evening.

**Mr. Lamont:** I'll just unmute.

Yes, thank you so much, Alex. Your words were really touching and really important. It is incredibly important—I think, as you put it—to—that we need to give people with disabilities the nudge and the help they need that—to live the incredible lives that you could be living.

I just had one quick question. So you said, I think it was \$894 per month. Is that correct? I was just wondering for how long, how many years has it been that it's been \$894 a month?

**Mr. Lytwyn:** Oh, it's been going on for a couple of years. I would say it's been \$894 a month for the last two years or so.

**Mr. Chairperson:** Seeing as no further questions, we'll move on to our next presenter and, Mr. Lytwyn, thank you for taking your time out this evening to present.

I will now call on Samuel Unrau, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

**Mr. Samuel Unrau (Private Citizen):** Good evening, Mr. Chairperson.

**Mr. Chairperson:** Mr. Unrau, please go ahead.

**Mr. Unrau:** Thank you, and I would like to thank the committee for the opportunity to speak on this legislation and just take a quick moment to recognize I'm speaking from Treaty 1 Territory and from the homeland of the Métis nation.

I'd like to set the stage at where my perspective has been developed. From birth, I've lived with spina bifida, been paralyzed from the waist down my entire life. And I've been involved in various social programs, including being a ward of the state as a youth and being considered—what I would consider a long-term client of EIA. And today I'm proud to say I'm finally independent, although I recognize that I needed to do this for my own survival.

There's no doubt that our current system is inadequate and the support provided is not sufficient, especially for those who need the system for the long term.

Also, I just noticed the clock has not been reset there, Mr. Chair. There we go.

After reading the bill itself, I don't see, from a previous client, any significant changes from The Manitoba Assistance Act, other than effectively, legislatively creating a separate program for persons with disabilities but also increasing the fines for—from \$500 to \$5,000 if false statements are made. Otherwise, from the law's perspective, it's structurally the same but with a new title attached to it.

While I recognize that the details of income supports and other things, including, you know, how many catheters somebody might be permitted to use on a monthly basis, I believe that there are six ways that we can strengthen this bill.

The first one is in relation to marital quality. And multiple presenters have already touched upon this.

Social dynamics aside, this section places relationship limitations on participants in this program. The determination of financial resources from a relationship adds a significant barrier to a person with a disability to enter a long-term relationship with a partner or spouse. Ultimately, this decides on who is going to be responsible for providing support for a person with a disability and, therefore, any engagement in a relationship by law also turns into a caregiver situation, and can place a significant strain on the 'bility' to be in a meaningful relationship.

In my opinion, this creates three effective realities. First, the person which they are choosing to have a relationship with will bear the full responsibility of their care. Second, the person which they are choosing to have a relationship will liquidate their assets and voluntarily live in a state of poverty so that the 'perder' can continue to receive disability supports and benefits. Or (3) the person with the disability will be prohibited from fully participating in a relationship, including sharing a common dwelling with the person they love.

The need to assign custody of a person with a disability acts as a barrier to marriage equality. Not only do we wish to have our own agency as a person, but we want to contribute to relationships that we are engaged with. Relationships, as we most understand, is a system of giving and receiving and adding a significant financial burden to a person with a disability who relies on the program is discriminatory.

\* (19:40)

Section 2, income to not be considered. So section 8 outlines that The Legal Aid Manitoba Act must not be considered in determining eligibility for support or any financial assistance. A major consideration for the committee would be to add any support from programs or regulations from The Student Aid Act be additionally listed as items not considered as part of their eligibility for support or financial assistance.

For individuals like myself, education was a major pathway to independence, and finally being able to participate fully in the labour force. I could guarantee that without my education I would still be on EIA, and I was fortunate to get my education before the regulations determined that the pursuit for a university education was no longer permitted. Today, any support under The Student Aid Act, including disability-related grants, low-income grants and student debt would be considered a financial resource.

By allowing funding received from The Student Aid Act to not be considered as income as part of the new program, we can create the opportunity for a person with a disability to attain a university education and potentially better their employability outcomes. This is supported by a report from Statistics Canada, where the rate of employment increases by 16 to 29 per cent when a person with a disability attains a university education. And if not that, then at a minimum, we are providing an opportunity for a person with a disability to learn and to enrich their minds through education.

Three: legislate increases in funding received. So, the current system has a significant flaw where there has not been significant increases in funding over years. This has further pushed the gap between program supports and the real costs of goods and services in the community, and while we currently see ourselves in a time of high inflation, this gap will only continue to increase.

We also saw recently with COVID-19 the need to provide support to individuals to get through the pandemic, and while I acknowledge that opinions will differ on that specific amount, the amount provided was nowhere close to the limited amount currently provided in the disability category of EIA and, nonetheless, the general category. We see that the actual costs of living are much higher and that instances of further poverty would have been seen if everyone who experienced a loss of income due to COVID-19 were given similar rates to live on.

The legislation needs to create protections to ensure that this does not become neglected again in the future, especially for those who have no choice but to be on the program. This will reduce instances of health issues associated with poverty and reduce our need—deed and burden on the health-care system as a whole. I will note that during my time as an EIA client, I saw a significant decline in my health over my extended time in that program.

There's references to a phenomenon known as the welfare wall, which is the additional financial obstacles that occur when assistance is removed—and a common for persons with disability is related to the increased medical costs that they will bear. EIA currently does not recognize the true costs of medical supplies, but rather, captures all medical costs in a catch-all \$100 expenditure. However, when calculating income supports, the true cost of medical supplies are not included in this calculation.

The Rewarding Work Health Plan is a program that seeks to address this for prescription drugs, dental and optical benefits. However, there are clashes with private insurance policies that can create a gap in coverage. It is important to note that medical supplies are not covered in this program and are the responsibility of the client once they have exited.

Therefore, for those who wish to exit this program, they have to wait for an opportunity where there is either enough insurance or enough income to cover these medical supplies, which I saw in my case. For individuals who have more substantial medical costs, this acts as an increasing barrier for those who wish to transition out of the program.

There is one opportunity for the Province to consider in relation to medical supplies, and that is to create a program separate that both provides those who are involved in this program, and those who are not, items such as, like, incontinence supplies and catheters for persons with paraplegia—can be a financial barrier to independence.

Other provincial programs, such as the Saskatchewan Aids to Independent Living, provide financial support for these medical supplies. Not only does this reduce the financial burden for those exiting programs such as EIA, but also provides support to working individuals to further reduce their financial burden and allow for a similar standard of living to that of somebody who does not have a disability. Depending on the medical supplies covered, this may reduce the need for a person with a disability to eliminate their income in order to gain access to ongoing medical supplies where it is financially advantageous.

And the last: recognizing permanent disabilities. Section 9.3 refers to the need of a disability assessment as part of their application to the program. I recommend that an additional statement be added that recognizes instances in which a person does have a permanent disability. It should note that if a person has a permanent disability on a medical basis, it should not be subject to be reviewed over and over again.

Currently, on the disability category of EIA, you can only attain permanent disability status if you refuse to gain any form of employment. The program does not recognize when a disability is permanent from a medical perspective, often resulting in costly assessments where the Province pays a medical provider to send in the exact same report on a patient's condition.

In my example, being born with spina bifida and effectively having a portion of my spine missing, every one to three years I would need to provide a disability assessment to prove that my spine has not been replaced or regenerated, and that my disability was still present. Not only would this be a savings to the program itself, but it reduces the stress and limits the hoops that a participant has to go through as well.

In conclusion, the success and impact of this program will depend on the regulations that the director and the minister will decide when they initialize this program. I recognize that the legislation in its present form is limited in its scope in creating meaningful change and perpetuates the status quo.

In my proposals on the six key items, I opt for amendments that will further protect the rights of persons with disabilities who are in this program, ensure opportunities for growth and meaningful existence, see funding legislated to reflect the true tests of need and the true costs of living as well as fund efficiencies and to provide opportunities for persons with disabilities to live in dignity.

I want to recognize that these thoughts are largely built upon my individual lived experience and that the needs of our community is diverse and may be more extensive than mine. However, by creating a new program that is truly flexible to meet the needs of our population, we can ensure that no Manitoban who has a disability is left behind.

I thank you for your time and your consideration in hearing this presentation and welcome any questions. Thank you.

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

Do members of the committee have questions for the presenter?

**Ms. Squires:** Thank you very much, Mr. Unrau, for your presentation tonight.

And I just also want to start my comments by congratulating you for graduating from your diploma program and for pursuing higher education and for achieving independence. That is truly a success story, and I am very honoured that you chose to share that with committee tonight. So thank you very much for that.

There are so many great points that you made during your very thoughtful and concise presentation, and I'm very pleased that my department officials are here also, taking some notes. Just—and one of the

things that I want to touch upon is the exemption of some of the post-secondary grants that you had mentioned, and I will certainly endeavour to take a look at how we can make it more available and accessible for people with disabilities to take advantage of post-secondary grants and pursue post-secondary education and be incentivized to do that.

When it comes to the ongoing—the disability eligibility, I couldn't agree more with you, and I feel that it's just unfair that you were needing to go and requalify for your disability benefits and that your eligibility was being assessed on an ongoing basis. That is something that will not continue, obviously, under this new program. We—and that is why one of the main reasons why we've created the long-term severe and prolonged disability categories so that people with disabilities will not have to continuously seek eligibility status and can live a more dignified life. That is the intent, and I certainly look forward to ongoing consultation with you in regards to developing the regulations of this legislation.

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

**Ms. Adams:** Thank you so much, Samuel, for taking the time this evening to present to this committee, and it was so important to hear some of the concerns and the issues you've raised in regarding this bill.

One of the questions I do have for you is regarding the change in the criteria in going from 90 days to one year, and how that will leave out a lot of people that have disabilities, effectively removing 12,000 people from EIA disabilities and not being eligible for this new program.

What are your thoughts on the barriers it will have for people with disabilities?

**Mr. Unrau:** Thank you for the question.

I think it's important to be able to capture as many different types of abilities in order to provide support where possible. And definitely, the gap from 90 days to a year can definitely be of concern to myself. I think, you know, given the fact that, you know, disabilities not only are severe and prolonged but episodic as well, and I think that the program needs to be flexible enough in order to ensure that all persons can benefit in their time of need.

\* (19:50)

**Mr. Jamie Moses (St. Vital):** Thank you so much for your presentation. I thought it was really, really impactful to hear first-hand from your perspective about the changes that this bill proposes.

I wanted to find out from you a little bit more. You spoke about your educational experience, and I wanted to just ask you what it would be like—what do you think your educational experience would have been like if this bill went through and you weren't able to access some of those student aid programs? If that was the case for you—just talked about—a little bit about what it would be like from your own personal experience.

**Mr. Unrau:** Well, I can actually give you an experience in speaking with a fellow friend of mine who was actually considering going into post-secondary education, and the 'prohibition' of going into some university programs did create a limitation and therefore he chose not to go. And I think that would be similar to myself as well.

There's a lot of things to navigate when you have a disability, and the less things that we have to navigate in order to access these programs and to reduce these barriers to such programs such as Student Aid is important. I probably would not have seen myself fully attain my university education if I was not permitted to at the time.

**Mr. Lamont:** Just a quick question. Thank you for that excellent presentation.

You said you saw this somehow as a—am I correct in saying you said this is a continuation of the status quo? Am I wrong in—and if so, why is that the case?

**Mr. Unrau:** I'd largely say a lot of the legal framework here being very similar to that of The Manitoba Assistance Act, and therefore relying on the regulations. So we're more or less relying on good faith that the regulations will be supportive for persons with disabilities, but I think we can add further protections into this law to ensure that it actually advances the lived experience for persons with disabilities.

**Mr. Chairperson:** That concludes the question and answer portion, and I do thank you, Mr. Unrau, for taking time to do your presentation to committee this evening.

I will now call on Krista Clendenning, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on.

**Ms. Krista Clendenning (Private Citizen):** Hello, can you—

**Mr. Chairperson:** Yes, we can. Welcome to the presentation, Krista. Please go ahead.

**Ms. Clendenning:** Thank you. Thank you for having me speak today.

So, my name's Krista Clendenning, I am a lawyer with a firm called Tradition Law and I do wills and estate planning. And I specifically do a lot of work for—

**Mr. Chairperson:** I apologize, Krista, it's my understanding there's another technical difficulty with the livestream. So we will just cut it off right there and return as soon as the situation is rectified.

Thank you for your patience, and I again do apologize for this interruption.

Committee will recess for a few minutes while we wait for this to be fixed.

Thank you.

*The committee recessed at 7:53 p.m.*

*The committee resumed at 8:01 p.m.*

**Mr. Chairperson:** I now call committee to order. And we did leave off last—and again, I apologize for the technical difficulties—but we left off partway through Ms. Clendenning's presentation.

Ms. Clendenning, please go ahead and continue your presentation.

**Ms. Clendenning:** Okay, thank you.

My name's Krista Clendenning and I'm a wills and estate lawyer in Winnipeg and I work primarily—or, a lot with families of persons with disabilities. So I'm an individual who does a lot of planning around the existing EIA disability program, using the EIA disability trust strategy and utilizing things like Henson Trusts to provide for family members with disabilities.

So I'm presenting today on some of the strategies that currently exist in the current program under EIA disability, and I just want to comment on the importance of those planning strategies and carrying them through into the new program or expanding on them into the new program.

So, of course, it's really difficult to provide much perspective on the new disability support program when so much of it is going to be set out in the regulations. And so the existing regulations and the exemptions that are provided that I think are particularly important include the EIA disability trust. So, that trust is a specific trust that is under our Manitoba program. There's that \$200,000 limit that currently exists for

these trusts and RDSPs. We really want to see that carried through as a continued strategy for people that are under the disability support program and even potentially expanded to allow them to set aside more money or have amounts that may be inheritances that are received by them or insurance payouts or things like that. When they have these lump sums that come into their hands, we don't want to see them—see their support cut off or see their—them lose their housing that they're in or their other programming. So that EIA disability trust is a really important creature that we have here in Manitoba and we want to see continued.

The other thing with that trust is the current rule that the money that comes out of can only be spent on disability-related expenses; that is a very difficult thing for people to navigate, given that we don't have anything in the regulations that sets out exactly what those expenses are.

So if we're seeing this kind of strategy carried through, it would be helpful to see more information about what is entailed in a disability-related expense or possibly reducing or eliminating that criteria for payments out of these trusts. We're already limiting the amount of money that's being set aside there; I'm not sure that it even needs to be restricted to being spent on disability-related items. Could be expanded there.

Also, Henson Trusts—something that's been brought up today by other presenters. Currently, Henson Trusts are a strategy that is something that can be used in Manitoba. Henson trusts are a way of setting up a discretionary trust for a beneficiary. That beneficiary may be a recipient of EI disability or other government support. It allows for family members to provide for that person and provides a discretionary source of support for them to top them up when their government support is not meeting their needs or allowing them to live up to their full potential and the full lifestyle that they could otherwise enjoy.

Both this EIA disability trust and the Henson trust are strategies that we want to see continued. We also want to see more clear explanation about their being exempt. We want case workers to understand these strategies better. The clients that I deal with so often are struggling with the EIA case workers, the program itself, trying to navigate the complexity of this program that they're having to hire a lawyer to work through it, which is, I think, speaking to how complex this program is and that it probably needs to be simplified or resources need to be provided so that people can navigate it on their own. They shouldn't need a

lawyer to go through—to figure out their exemptions and what they can have in terms of assets.

So, really, providing some resources for individuals that are recipients under this program, ensuring that there's clarity among these exempt options. Other things that are currently allowed: owning a home, having a property that they—the person that's a recipient of the income support—resides at. So, sometimes, family members will leave the home to that individual so they can continue to reside at that home that may have been tailored for them based on their disability. Seeing that continue into the new act is also important.

Receiving gifts. So, currently, we have exemptions for gifts under the EIA disability program. We would like to see that included in the new program, if not expanded. Additionally, the liquid asset exemption that we currently see under the EIA disability program—seeing that continued, seeing that potentially expanded. We currently have have a \$4,000 limit for an individual.

An ability to encourage saving for people with disabilities. I know it's a very difficult thing when a person with disabilities receiving income might want to be setting aside funds to go on a trip or do something else or save up for something. That's difficult at present.

So, overall, with these different strategies that EIA disability recipients are currently able to use, I think it's extremely important to carry them through into the future, expand on them into this new program, ensuring that there's consistency there as well. There are so many families that are out there that have planned around this current—these current regulations, thinking that their family members will be on EIA disability. So I think it is really important to think about those families and making sure that those strategies will still be available if that loved one now switches over to the disability support program.

As has been mentioned before, I mean, us working in this area of disability planning and these different organizations that have been presented today, we do see people slip through the cracks and some of these individuals may be accessing these support programs but, based on the nature of their disability, are not accessing other supports, other programs and in some ways are falling through the cracks. So it would be great to see this new program address some of that, but also just to make sure that these other supports when they're offered by family members, when someone is lucky enough to have that opportunity for

family support, to make sure that that's still an option for them, that they can either be supported by gifts or supported by these trusts being set up.

If these options were to be restricted, I would only imagine that family members would start to plan in a way that doesn't leave inheritances or doesn't leave funds set aside for a person with disability, which obviously reduces the funds that are then available to support those individuals and leave them solely relying on government support. I don't imagine that is the outcome that we want to see, and that we want to continue these options for family members to continue to support their loved ones.

\* (20:10)

A couple just other small points regarding the program in general: just, I guess, assessment processes is something that's been touched on. I know people with disabilities are often having to go through various assessments in order to get access to services. If there's any way to co-ordinate the types of assessments they're going through or using—an assessment, for example, for the disability tax credit, they, you know, qualify for that, maybe they should be—that's evidence that they qualify under this new program. So if there's any way to kind of reduce the amount of assessment these individuals are having to go through to meet with doctors over and over and paying for these assessments sometimes, that would also be ideal.

Another point that was raised and dealing with the financial resources inclusions, the income from any source, that addition that's coming into both The Manitoba Assistance Act and The Disability Support Act certainly poses a lot of concern to me, as I don't really know what that's intended to mean. I don't know what we're going to see in regulations that addresses the income from any source. I know it's raised some flags for myself and others in terms of, is this going to include payments that are made from an EIA trust or from a Henson trust. What is this provision meant to include? So, I think, you know, I'm interested in getting more clarity on that point.

Another piece that was raised was the inclusion of spouses and common-law partners and dependants and their financial resources being attributed to the recipient. That may be going too far, in my opinion. And on the common-law partner as well, the definition that we're seeing in that act, on my review, is just very open, very immediate, any relationship that the person is residing in. I think more clarity with that definition, whether it's implementing a year or

six months or one of the other definitions that we commonly see in our legislation in Manitoba, would also be ideal.

I suppose I will leave it there as my comments since I'm about out of time.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Ms. Clendenning.

Do any members of the committee have questions to the presenter?

**Ms. Squires:** Just want to say thank you, Ms. Clendenning, for your presentation tonight here.

And you spoke a lot about some of the barriers that are existing in the current system. And, of course, that is the intent of this new Disability Support Act is to create greater ease in which clients can receive benefits that they are entitled to.

And so really appreciate your presentation, and you provided a lot of thoughtful feedback that we will take it back and reflect on. Thank you.

**Ms. Clendenning:** Thank you.

**Ms. Adams:** Thank you, Ms. Clendenning, for your presentation and providing a very interesting perspective on this bill.

I was wondering two things. What jurisdiction would you think would benefit the most for people with disabilities in Manitoba in terms of estate planning? And from a legal perspective, when so much of the bill is left into regulations, how does that affect estate planning for people when they're trying to make long-term decisions for family members that have disabilities?

**Ms. Clendenning:** I'll address the second question first.

In this case, where so much of this program is left to the regulations, it's, of course, very, very difficult to plan around it, so I know—I've had a number of clients this year that have held off on their disability-related planning, held off on setting up trusts and things for family members because they're concerned about what's happening with this legislation and they don't know what direction they're—things are headed—are—things are headed in, and there's just uncertainty and a little bit of fear there as well.

So, I mean, I think it's made it difficult to plan. I understand why the program has been set up in that way, so that you have more control through the



regulation, but it certainly caused difficulty with planning.

On the first question, I'm not sure that I understood the jurisdiction that would benefit. Could you just rephrase that question for me?

**Ms. Adams:** Not a problem.

You indicated that there were issues and concerns regarding trust funds and discretionary funds that were available and seeing it go forward and the change in—with Bill 72. Is there any provincial jurisdictions that you know of that you would like to see Manitoba use, going forward?

**Ms. Clendenning:** Yes, I'd have to do deeper digging into that, to look at the programs. I know who's done—Alberta has done a recent program; I think Saskatchewan.

I haven't done enough work in those jurisdictions to have a good enough handle on their programs. So it have to be something I'd look into more in terms of modelling ours after those individual programs.

**Mr. Chairperson:** Seeing as there's no further questions, Ms. Clendenning, thank you for your presentation and thank you for taking your time to be with us this evening.

I'll move on to the next presenter, Whitney Hodgins. And, moderator—I ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on.

**Ms. Whitney Hodgins (Private Citizen):** Hello.

**Mr. Chairperson:** Ms. Hodgins, please go ahead.

**Ms. Hodgins:** Hi. Good evening, everyone.

Thank you for hearing me speak towards—with regards to Bill 72 today. I know there are a few familiar faces here that I recognize and no doubt they recognize me, but for those who do not know who I am, I am Whitney Hodgins and I am a Brandon, Manitoba, resident. Not so long ago, I was also the NDP candidate in the recent federal election, and I am a person who lives with autism.

I have been an advocate for the past decade here in Westman, fighting for people living with disabilities and mental health needs, but what people don't know about me is that I started out with a lot more humbler beginnings. I was actually on EIA for six years of my life. This was not by any choice of my own. I was basically unable to find work because I was actually living in a time that didn't fully accept

people living with disabilities, and we didn't have legislation in place like the AMA today.

So you could imagine what living with a permanent disability in a program not designed for people like me was actually like. I had to prove medically that I was disabled every two years, and they had strict deadlines on getting that done. If it wasn't done properly or it was late, I would lose 200-plus dollars in my monthly allowance, which actually put me at risk for homelessness on more than one occasion. I actually remember for many, many moons rationing my food to once a day because the price of rent, groceries, et cetera, was very difficult to manage. My motto in life back then was no cent went unspent, and that was a motto that I lived by.

I eventually left EIA because it was a system that went from a program designed to help people get back on their feet or to support them, to a system that really made you feel like you were imprisoned and that you were set up to fail and that you were meant to stay there. I remember one time spending all the money that I had on groceries for that month and instead, I bought a pair of shoes. And that's just one of—other instances of that happening.

If I stood any chance of succeeding in society, ultimately, what would have had to have happened was I would have had to have masked my symptoms, pass off as normal and deny that my disability existed at all. That's [*inaudible*] survive in society. That's what I had to do. In fact, I'm masking right now.

But having to live in poverty and continuing to feel like I was a prisoner within a system—I couldn't continue to live in that lifestyle anymore, and I wanted to be just like everyone else.

When I had heard about Bill 72 coming to the forefront, I was no doubt excited, like everyone else, despite not being able to benefit from it, but finally seeing something like it after going through the hardship I went through filled me with hope that finally we were on the right path. However, once I got to see the document in its entirety, it broke my heart to see that very little actually changed from the old system versus the proposed system. So much so, it reminded me of just a copy-and-paste function that exists on all of our technology.

\* (20:20)

More importantly, the prolonged and severity clause within it. The definitions for these terms are incredibly vague, and I can also see how restrictive this language could be moving forward. When you use a

transitional word, such as the word and, it creates the mechanism of criteria that, no doubt, would create a very difficult situation for many Manitobans who are currently on the EIA system and living with a disability. Essentially, it would make this legislation out of reach for many.

There are issues with this language because, quite frankly, if you have medical documentation stating you have a disability, that should be proof enough. Having language of this nature expressed in Bill 72 has gone from a bill for all people with disabilities to only a fraction of people living with disabilities that it will actually help. For a bill that touts that it consulted folks, that it's supporting people, I don't think this is what anyone had in mind.

My other concern is how we assess people for this program and how they define a common-law partner. This places not only restrictions on someone's relationships with someone and how they're supposed to be reflected but it's also a significantly big red flag for me. I am one of many women who live with a disability who are survivors of domestic violence. By placing the entire financial burden on the spouse or making someone dependent on their common-law partner to finance the needs of the person with a disability, it opens the doors for abusers to target victims and the victims having zero way of escaping.

Escaping a domestically violent situation cannot be done safely or successfully if you have no money because you're financially dependent on an abusive spouse. It speaks to me a disaster waiting to happen, and we already know that domestic violence has gone up, not down in the COVID-19 pandemic.

But my biggest issue with this bill is it also—it grants the government the power to place a lien on a person with a disability's home or property. My main concerns with this clause is that it's in direct violation of the UN declaration of persons with disabilities. The actual article is article 12, section 9—or section 5, rather, that states: State parties shall take all appropriate and effective measures to ensure the equal rights of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that people with disabilities are not arbitrarily deprived or—of their property.

By putting a lien on someone's home, you're doing exactly that, whether they mean to do that or not. It's a huge overreach that should not be ignored by anyone and the only solution that needs to happen

here is clear exemptions need to be made or this section needs be scrapped entirely.

I commend the government for wanting to create new supports, but at the same time, while reading this, it's only made me realize that this bill only says that you're making a deal with the devil and we all know that a deal with the devil is not a deal worth shaking hands on.

I commend those who worked tirelessly to make this bill come to the forefront, however, until some amendments are made that substantially change the game on this bill, that not only looks at the recipients of today as well as the recipients of tomorrow, I cannot in good faith support a bill that only adds fuel to the never-ending fire that oppresses people living with disabilities.

I thank everyone for listening to my speech today and I look forward to hearing your comments.

**Mr. Chairperson:** Thank you for your presentation, Ms. Hodgins.

And does any member of the committee have questions for the presenter?

**Ms. Squires:** Thank you very much, Ms. Hodgins, for your presentation tonight, and you had spoke very eloquently about the challenge that you had in receiving eligibility.

And that is one of the intents of this bill—is to make it easier for people with severe and prolonged disabilities to not be required to go back time and again to have their disability reconfirmed by a medical professional and to be reconfirmed with the department. And we do believe that it's a more streamlined process.

So that is certainly something that this bill is intended to do that will make life easier for people with disabilities, as well as providing targeted supports for people living with disabilities. That is something that is yet to come in this bill, and I certainly look forward to sharing those details with yourself and many other members of the community.

**Ms. Hodgins:** Although that is great to hear, it also doesn't address the other concerns that I have with regards to liens on homes or property or, you know, our rights to even have a relationship with somebody.

Like, we are not innocent people out there. We do have needs and we are within our right to find love and be loved and reciprocate love. And with this bill,

it prevents that from happening and actually creates a toxic, dangerous situation.

And so I also am curious to know what other things, other than, you know, we're not going to make it mandatory every two years you claim that you're disabled. I need to see more than that.

**Ms. Adams:** Thank you, Ms. Hodgins, for your presentation and sharing your thoughts and concerns about Bill 72, and raising some real red flags regarding this bill.

I was wondering if you could provide me with what your thoughts are on so much of this bill being done in regulation and having it rely on the minister and not having it be—the minister could just change their mind and change regulations on a whim with a stroke of a pen.

**Ms. Hodgins:** That's definitely another big red flag, for sure.

It seems to be the pattern of multiple different bills now that it just gets deferred to the minister and, unfortunately, I kind of sit back and go, well, where's the accountability clause within the powers of the minister? Who did they answer to?

Because, right now, I have yet to see a strong foundation to prove to me that there is going to be an accountability there.

**Mr. Moses:** Thank you very much for your presentation.

And I really just wanted to take a minute to thank you for sharing your story, the story you shared about your struggle, about your—the abuse that you experienced, and I'm very sorry about that. But I just wanted to thank you for your bravery to share that with us all this evening.

And I hope that, obviously, you know this current bill, as it's written, has, you know, some things that don't address all of the issues that you've outlined, and I'm glad that you brought those forward today so that we can hear them so that decision makers in this building can eventually make bills that will help people like yourself across the province.

**Mr. Chairperson:** Seeing as there is no further questions, the time for question and answer period is over.

Ms. Hodgins, I thank you for the presentation and taking your time to join us virtually this evening. Thank you.

I now call on Lorna Canada-Vanegas Mesa, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

We have called Lorna once, and she's not on the call, so we'll drop her to the end of the list and revisit her when we get to her later.

I now call on Jessica Croy, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Welcome, Ms. Croy. Go ahead.

**Ms. Jessica Croy (Private Citizen):** Hello. Thanks for the opportunity to let me speak.

We need a program for people with prolonged and severe disabilities. We don't need to keep proving that we have a disability. It is very tiring for me to have to keep proving that I have a disability. The people who qualify for this program have disabilities that will not go away at any point.

\* (20:30)

The support for this program will—needs to make it so people who—with disabilities can live the best lives in the community. We want to be able to contribute to the community and feel fully included in society.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Ms. Croy, and I'll ask any members of the committee if they have any questions for the presenter.

**Ms. Squires:** Thank you very much, Ms. Croy. It is a pleasure to see you here and I look forward to our next opportunity to visit and discuss some of these very important issues in greater detail.

And I appreciate your sentiment that it's not fair that you would have to go and seek re-eligibility for a disability that you know is certainly not going to go away, and I'm very pleased that this program will provide you with more dignified support program and benefits that will certainly be with you for a long time and not have you go through unnecessary burdens to receive those benefits.

So, thank you so much for being here tonight. It is lovely to see you and stay well, my friend.

**Ms. Croy:** Thanks.

**Ms. Adams:** Thank you, Ms. Croy, for joining us this evening and your presentation. Thank you so much for sharing your perspective. It's so important that we

ensure every Manitoban, no matter their ability, feels included and supported by reducing their barriers.

So thank you so much for your presentation tonight.

**Mr. Lamont:** Yes, to Ms. Croy, I just want to thank you very much for your presentation, I really appreciated it.

And yes, it's really important that nobody be treated as less-than and I think you made a wonderful—you made a great point of that tonight, so thank you so much.

**Mr. Chairperson:** Seeing as no further questions, Ms. Croy, again, thank you for your presentation this evening and taking the time to join us virtually.

I will now call on Sharon Grehan and ask the moderator to invite them into the meeting. Please unmute yourself and turn on your video.

It looks like Sharon is not on the call, so we will be dropping her to the bottom of the list.

We'll move along to Roberta Hoogervorst. Unfortunately, she's not on the call right now, so we'll be dropping her to the bottom of the list.

And I will now call on Lorna Canada-Vanegas Mesa, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Welcome, Lorna. Please go ahead.

**Ms. Lorna Canada-Vanegas Mesa (Private Citizen):** Oh. I apologize for earlier; my computer went down. I had to try and jump back into the room.

So, I guess, I come—I'm coming here today as not only a parent of a child with a disability but also with a grandson, who's just seven years old now, that also has a genetic disability.

What I went through with the EIA system, no parent should have to go through. And I was—I really kind of had some big hopes when I heard about this bill coming out, that there would really be some, I guess, some definition between the two and that there would be more rights and not basically what we got with this new bill.

I look at this and I see children who potentially will never own properties if they stay within this—in the event that the government could then potentially put a lien against their properties. Can you leave properties to them in estate? Maybe not, because they

could end up losing them, as a part of what's being proposed in this bill.

Children who—I mean, when my daughter very first went through this, the government said because we lived in a rural area, in order to get my child resources, I needed to move her to the city so that she could go to school. I did that, only to find out that all of her funds except for \$100 a month, it was going to cost her for rent. And that was just shared rent in an apartment with other roommates. That left her with \$100 a month to feed herself, all of her hygiene products, and any other expenses she had. The resources that were promised at that point were non-existent.

So, basically, she ended up displaced from her family in the city with almost nothing to live on. That required us to make multiple trips back and forth from a rural area into the city to try and provide resources for her that she wasn't getting from the system.

I was hoping to see something more defined in regards to how children with disabilities are supposed to continue to go to school, how they're supposed to continue to live. She had no transportation in the city, and I think several speakers have already spoken to this and I'm—my understanding is that will now be by the wayside. But every two years, she was having to arrange for doctor's appointments to reconfirm that the disorder she was born with, she still had it. It wasn't going anywhere, it was there from day 1.

And so, for her to try and maneuver the city on her own, with no transportation, to try and meet all these requirements and jump through all these hoops for EIA, was unmanageable, and oftentimes, it actually declined her health. As a result, it created excess stress; it created excess anxiety that things that didn't need to be there were now there.

And so I'm hoping—with a grandson now coming into this system, I was hoping to see some pretty big changes here, and then—they were not the changes I was hoping to see.

In regards to all monies being accounted for, I guess we don't know what the actual dollar figure that they would have to live on in a month would be, but if it's consistent with what they're currently getting, that really leaves people behind. They are really never going to be able to move forward. There are no incentive programs out there for people with disabilities that want to try and work and get out into the workforce. They turn right around and they deduct it completely off their cheque, which leaves them less.

So I watched as my daughter was trying to work part-time jobs, walking across the city in the middle of winter, trying to get to these jobs to find out that she didn't end up making one more cent to live on in a month. Those kind—the types of incentives that are necessary to help people to get off of this EI system and try and move themselves forward, those incentives need to be somewhere written in there, and I'm not seeing that. I'm seeing that every cent that they get coming into their hands is going to be accounted for and it's going to be removed.

When my late husband passed away, she was in school and she was—qualified for the orphans' benefit. That, too, every cent of that was taken. It was deducted completely from her monthly income.

So those are the types of things that I'm not seeing being addressed in any part of this bill. It looks to me like it's the same EI system that's been in place for a long time with actually more barriers to prove and, you know, even more stringent barriers in regards to the income that potentially could be there to help them to move them forward.

\* (20:40)

And so, I mean, when I'm looking at this and I'm thinking, I have a daughter, I would really hate for her to end up in a relationship with a partner and end up being removed from the EIA system, only to find out she's in an abusive relationship that she now cannot get out of.

But, I mean, those are things that we do need to look at. And we also know that, statistically, women with disabilities have always ranked extremely high as being victims in domestic violence. Would not want to see anyone's daughters being placed in that situation or for any person with a disability to become so dependent again on someone else for their care that they could not get out of and move themselves forward.

That's all I had for you. I'm—you know, as a parent, I was kind of hoping for a lot more. I just tell them what I'm seeing, and I'm not thinking that it's addressing the real areas of need and the real segregation that needs to happen.

If anybody has any questions?

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

Do any members of the committee have questions for the presenter?

Minister Squires, go ahead.

**Ms. Squires:** Thank you so much, Ms. Canada-Vanegas Mesa, for your presentation this evening and for sharing with the committee your experiences with the program.

One of the intents, of course, with the separate program for people living with disabilities is to provide them with additional benefits for their shelter, for their ongoing activities and as well as to achieve a fuller life. And so that is certainly one of the intents of this legislation is to create that category which would reduce barriers for people with disabilities and then also to provide those targeted supports that you've spoken of in your presentation.

Just my quick question for you, if you don't mind sharing what—you spoke that your daughter was on EIA Program within the disability category. Would you mind sharing with us what year that was—or years?

**Ms. Canada-Vanegas Mesa:** She was at least five years before she came off of the system. So that would've been back in—she's been off for over—just over a year now.

And, I mean, again, when she was—once she managed to pull herself off, it was a real uphill battle for the first full year because there were very—there was no programming in place for her; they—you're either on it or you're off, and there's nothing in the middle. And so if you don't have family that you could fall back to for some of that, I can see where they would end up being almost a trapped feeling.

And I think there was a couple of people on there that spoke about feeling that they were in prison or trapped. It would feel like that. You would feel like you were being forced to go back on. We were able to keep her off, and so, so far, so good. But you never know, right? You just don't know how things are going to progress day to day.

**Ms. Squires:** Just want to express my gratitude to your daughter through you for her courageous effort and undoubtedly what you described as an uphill battle, and just certainly wish her all the success in the world.

Thank you.

**Ms. Adams:** Thank you, Ms. Canada-Vegas Mayas [*phonetic*], for sharing your story and sharing the story of your daughter and her work to get off EIA disability, and thank you for the support you provided her in this program.

You've highlighted some of the issues you have with the bill, and you said you wanted to see more with the bill. What would you like to have seen in the bill that you feel would've made a huge difference and an impact for your daughter?

And you indicated there's a grandson that may need disability support. So what would you like to have seen for them?

**Ms. Canada-Vanegas Mesa:** I would've liked to have seen more autonomy, some more ability for them to move forward and pursue, you know, future goals.

I mean, even for her to get her education was an unbelievable battle to go through resources to try and get funding for that. And so I'm hoping that, you know, once my grandson gets to that point, that that won't be as big of an issue as it was for her.

But for her first two years, she had to stay at home and do online schooling, which was extremely difficult. And it took us that two years to be able to get her into a classroom. And so, the fact that she held off and she managed to get through and she does have a bachelor's degree today, with honours, and she had a double major. And so, I mean, for her to do that, though, was an eight-year battle, where most students would be four or five years.

So those are the types of barriers that those kinds of things have created.

**Mr. Chairperson:** Seeing as there's no further questions, Lorna, I thank you for your presentation and taking the time to join us virtually this evening.

I will now call on Sharon Grehan, and ask the moderator to invite them in the meeting. Please unmute yourself and turn your video on. Unfortunately, it looks like Sharon is not on this evening.

We will go to Roberta Hoogervorst and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on. Unfortunately, Roberta is not here, either.

So at any point during the presentation, if either of them join, we would seek leave to have them do their presentation.

### **Bill 232—The Emancipation Day Act**

**Mr. Chairperson:** Now we'll move on to Bill 232.

I will now call on 'Segun Olude and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

**Mr. 'Segun Olude (Private Citizen):** Good evening.

**Mr. Chairperson:** Welcome, 'Segun.

**Mr. Olude:** First, I acknowledge standing on the traditional territory of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene peoples and the homeland of the Métis nation.

Honourable members of—

**Mr. Chairperson:** Sorry, Mr. Olude, I understand that Hansard was not recording this. Could you please go ahead? My apologies.

**Mr. Olude:** Honourable members of Manitoba Legislative Assembly, Chair of the committee, clerk of committees, chiefs of First Nations, friends and all present and all those who might come in contact with this document at a later date: greetings.

I think it's important to introduce myself: I am 'Segun Olude, I came here over 30 years ago as a student to University of Manitoba to study graphic design and, after that, got a job as a graphic designer and ended up teaching for 11 years at the University of Manitoba in graphic design.

And today, I have the pleasure—or should I say, the privilege, of speaking to you. I—

**Mr. Chairperson:** It appears that we have a technical difficulty here. 'Segun, can you hear us?

Unfortunately, it looks like there's still technical difficulty. We're going to come back to the presenter here and hopefully that'll be rectified by that point.

I will now call on Rosemary Sadlier, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Welcome, Ms. Sadlier, and please go ahead.

**Ms. Rosemary Sadlier (Black Canadian Network):** Thank you very much, and my apologies to the previous speaker, who was prevented from moving forward.

\* (20:50)

But let me begin. I'm very honoured to be able to provide my deputation to the Standing Committee on Social and Economic Development for the province of Manitoba in support of Bill 232, Emancipation Day. I would like to acknowledge that this land was settled and supported very early by people of African descent, the first named being African translator, Mathieu Da Costa, by 1604 and of the ongoing and seminal contribution made by him and those that preceded and followed in Canada's development.

I acknowledge the many people of African descent, who are not settlers but whose ancestors were forcibly displaced as part of the transatlantic slave trade, brought against their will and made to work on these lands. We must acknowledge that African-Canadians were an integral part of shaping Canadian history, and our history would not be the same without the Black experience.

On March 24, 2021, motion M-36 by MP Majid Jowhari was passed unanimously in the House of Commons, effectively making August 1st as Emancipation Day, a national day of celebration, commemoration and honour. It was adopted in the Senate on June 28th by Senator Wanda Thomas Bernard, but I have carried and championed this initiative since 1995.

This date marks abolition, confirmed through the 1833 British Imperial Act that went into effect on August 1st, 1834, building on the resistance and the resilience of our ancestors and a day that effectively freed the last enslaved Africans here, ending over 200 years of chattel slavery on the lands we now call Canada.

To them, much is owed. And to all the ancestors on both sides of the transatlantic slave trade, much is owed. It was a horrendous historical experience that connects us in the present as well. It is a statement of the absolute impact this first global abolition bill effected, fueling abolition movements worldwide. But it went into effect here in Canada on August 1st, 1834.

As you may be aware, I have been working to see official commemoration of August 1st since 1995 while with a provincial heritage organization in Ontario, the Ontario Black History Society. Also, later, while self-represented and while the head of the Black Canadian Network and, most recently, as the world Commonwealth society, I am the second vice-president of the national branch, which represents the 54 countries of the Commonwealth, primarily in Africa and the Caribbean, and I'm the equality lead for the Americas and the Caribbean with this organization.

However, in 1995 I had joined forces with a social justice advocate from Trinidad and Tobago in formalizing August 1st as Emancipation Day right here in Canada. My efforts were conducted then, as now, in a non-partisan manner. We immediately began a process of educating the public and holding receptions at educational talks and outreach.

Fairly quickly, the City of Toronto—then metro Toronto—issued our requested proclamations for August 1st. By October 1996, we had secured a proclamation with the City of Ottawa. I was in Ottawa for many events and met political figures who claimed interest in this, including MP Preston Manning, who then was leader of the Reform Party, who held a reception in support on Wellington Street. By 1999, MP Deepak Obhrai used one of his private member's bills to secure August 1st as Emancipation Day through bill C-282. It went to second reading but did not pass. He issued this again in 2000 but once more, after second reading, it did not pass.

It should be noted that previous Canadian celebrations had waned out following the loss of the popular leaders of the activities, namely Walter Perry in Windsor and B.J. Spencer-Pitt of the UNIA in Toronto, which originally had been launched by Marcus Garvey, as well as the popular venues that they used. The greatest show on Earth is what they called the emancipation celebrations in Windsor, and it was the largest Black cultural event in North America prior to Caribana, and it was closed down by the Canadian police and politicians concerned about the potential for rioting during the 1960s civil rights protests because, of course, Windsor and Detroit are inextricably intertwined.

Any other celebration at that time was focused on Caribana, which started in 1967, or small, loosely run family events that did not always have the educational nor the strategic direction for the event.

My initiatives as the proponent succeeding in seeing the 1990s proclamations issued with the City of Toronto, Metro Toronto, and the City of Ottawa, and starting in 1995 I had created, as I mentioned, annual Emancipation Day events which included Shouter Baptists and other religious groups, consulates, elected officials, international guests, educational speakers and food.

I persisted in seeking commemoration, and by 2008, on the first all-party unanimous bill 111 in Ontario, in the Ontario provincial parliament that was put forward by MPPs Ted Arnott, Maria van Bommel and Peter Kormos, Emancipation Day was created in Ontario.

I was honoured to be the keynote speaker at the first contemporary celebration in Windsor at the Caboto banquet hall at the invitation of the US Consul General, John Nay, in 2008, with whom I'd been working on many other Black history initiatives. There were many other celebrations and events that

were held at Queen's Park in Ontario with representation from all political parties, as well as the combined celebration that emerged later of Emancipation Day and Simcoe Day that was an event that had an international guests which was held in the presence of and, frankly, initiated by the Lieutenant Governor of Ontario, David Onley at Fort York National Historic Site, some with attendance of 2,000 people.

I proposed the idea more recently to MPs, Arif Virani reaching out to him in 2015, as well as Greg Fergus creating and submitting a parliamentary petition by 2016, and Senator Wanda Thomas Bernard. Bernard took my idea as bill S-255 to second reading in the Senate, but this was successful by October, 2018.

While I was able to help secure the support of opposing forces in the Senate, the session ended. It was then returned to the House and reimagined as a motion by MP Majid Jowhari who read the final successful vote—led the successful vote in March of this year. This finally made it Emancipation Day across Canada.

And I want to just thank the many who have supported this initiative through signing parliamentary petitions, attending events, keeping their support centered on making this happen, in particular people in Ontario like mayors David Miller, Barbara Hall, John Tory, all the way up to the Lieutenant Governor David Onley and the recurrent Lieutenant Governor, Her Honour Elizabeth Dowdeswell, with special thanks, of course, to the MPs and the senators.

In 2020, I held the first international commemoration of Emancipation Day online due to COVID-19 with representatives from Nigeria, Ghana, Britain, the Caribbean and across Canada, and I have been invited internationally to speak on panels and conferences.

So why—

**Mr. Chairperson:** Thank you, Ms. Sadlier. Unfortunately, our time has expired. I do thank you for your presentation.

Does any member of the committee have questions for the presenter?

\* (21:00)

**Mr. Jamie Moses (St. Vital):** Thank you so much for your presentation, your passion, your historical information and your—it was simply an inspirational speech to hear you—the work that you've done over the years to be pushing for this bill for Emancipation Day to be

recognized in your province and across our country regardless of political stripes. It's great to hear that you were able to work with political figures of all different levels, of all different parties. And I think that speaks to how this day, Emancipation Day, can transcend different party lines.

I'd like to hear a little bit more about—maybe if you take a minute to finish your comments, but I wanted to ask you about how the, you know, how this is used—been used to educate communities and educate people, how Emancipation Day has been used to help people.

But you could also take a minute maybe just to conclude your comments. I know your time ran out there.

**Ms. Sadlier:** Yes, thank you.

Maybe I'll just conclude my comments because, in a way, they do answer that question. But, effectively, it's a beginning of a different level of awareness, and I think that in 2021, that's what we're all about. The pandemics have really helped us all realize that maybe there's some things we need to do a little bit differently and—but I thank you for giving me three minutes, and I'll conclude my comments.

Now, if I can just get to that point, because I was actually going to name you, Jamie, MP, Moses. Okay, I'll just jump ahead a bit. Emancipation Day allows for the affirmation of the ancestors. Knowing this helps us all have brave conversations about the issues that we face today and the location of the Black population as a group in this society, their generational deprivation as well as the inspiration to actively find and carry out those steps that will address anti-Black racism.

Emancipation Day means commemorating the harms of slavery and celebrating our efforts to take action in the continuing pursuit of justice. It is part of a process to speak to the reality of the early Black contribution, not just one part of Canada, because it's not just an issue for the Maritimes or Toronto; it is something that is part of the entire country, including Manitoba, from early Black fur traders and explorers through to those who came in as part of the ranching or farming, to Billy Beal or the porters and their families who helped grow Pilgrim Baptist Church.

It speaks to our—to their, resilience in coming here even when the government deemed Black people unsuitable for the climate of western Canada by the early 1900s. It laid a foundation to build the freedom, to extend and grow opportunities for so many, including Markus Chambers—and I won't go into



describe who they are because you all know them better than I do—Chim Undi, Ify Chiwetelu, Usma [*phonetic*]—Uzoma—oh, she's going to kill me for messing up her name—Audrey Gordon and, of course, Jamie Moses, who took the St. Vital seat for the party. And Jamie is one of Manitoba's first Black MLAs and so conscious and so progressive in moving this particular motion forward.

Recognizing the beginning of freedom, freedom to come here, freedom to hold diverse opinions, freedom to participate, freedom to achieve: all of these are values that we all should be able to support.

**Mr. Chairperson:** Seeing as there's no further—Minister Cox, please go ahead.

**Floor Comment:** Can't hear you. You're muted.

**Hon. Cathy Cox (Minister of Sport, Culture and Heritage):** You're right. Anyway, so I would like to thank you so much, Ms. Sadlier, for your presentation and being here this evening.

It's been a long evening, but we're here because it's such an important issue. I'd also like to thank you for all of the work that you've done not only to help us establish this important day here in Manitoba but all of your assistance in helping all of the provinces and, of course, our country, Canada, establish the importance of Emancipation Day in August.

So I look forward to passing this important bill, this resolution—

**Mr. Chairperson:** And unfortunately, Minister Cox, we have run out of time.

But thank you for your—Ms. Sadlier, thank you for your presentation and taking the time to join us this evening virtually.

We will move along to our first presenter, who unfortunately had a bit of a technical issue. So we're going to see if Mr. 'Segun is back online. I call on the moderator to invite them into the meeting, and please unmute yourself and turn your video on.

**Mr. Olude:** Thank you again.

**Mr. Chairperson:** Mr. 'Segun, please go ahead.

**Mr. Olude:** Once again, I acknowledge standing on the traditional territory of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene peoples and the homeland of the Métis nation.

Honourable members of the Manitoba Legislative Assembly, Chair of the committee, clerk of the committees, chiefs of First Nations, friends and all present

and all those who might encounter this document at a later date: greetings.

May I once again introduce myself: I'm 'Segun Olude. I came here over 30 years ago as a student to study graphic design in University of Manitoba. After a successful career, I ended up teaching there for 11 years and today, I still practise my craft as I do teach all over Nigeria and here in Canada—same subject.

I stand here before you as an individual citizen supporting the recognition of August 1 as Emancipation Day in Manitoba, as outlined in Bill 232, The Emancipation Day Act, tabled before the Manitoba Legislative Assembly.

As generally agreed in the people-of-colour communities, and I'm quoting from someone else's: Emancipation Day is about celebrating freedom. Emancipation Day is about learning and understanding the history of slavery in Canada, reflecting on the present-day struggles for equality and preparing for a better future for all of us.

There are three main reasons why I support this proposal:

(1) To raise awareness and provide an avenue for healing from the trauma of slavery.

I was born and raised in Nigeria and knew about slavery but not enough to impact my world view. It was only after coming here to Canada that I learned about slavery in Canada and its lasting adverse effects on the people who bore trauma, those who continue to carry the burdensome history.

It was then that I came to understand the role of our tribe in the larger narrative of slavery. Families were torn apart; people were brutalized. Setting aside a day to learn and understand the history of slavery and how it plays into our current struggles for equality is crucial.

(2) To enhance multiculturalism. Canada prides itself as a multicultural country. Manitoba promotes itself with a slogan: Friendly Manitoba. In the spirit of multiculturalism and friendship, an Emancipation Day would create space for learning and sharing stories that would reaffirm all the pieces that make up the multicultural mosaic of which we are so proud.

(3) To create a broader path towards reconciliation. We acknowledge that our collective past, we did some things wrong out of ignorance but now that we know, let us in the spirit of reconciliation accept our mistakes and misdeeds and purposefully create a

better Manitoba for future generations. Let us participate in the bigger effort of reconciliation with the first owners of the land and all the people that gather on this same land.

\* (21:10)

Please, let me share with you today an example of the type of learning one could expect on Emancipation Day August 1, 2022. Come with me into the future.

And I'm presenting to you—my friends, may I offer you the Yoruba concept of *ìgbà aimọ*. This comes from the philosophical tradition of the Yoruba. *Ìgbà* is time, a period; *aimọ* is not knowing or ignorance. *Ìgbà aimọ* always referred to a time in the past when we did not know enough to make the right decisions. It is an acknowledgement that some things like slavery was wrong.

But now that we know, we have an opportunity to do right. *Ìgbà aimọ* opens the door to conversation, forgiveness and ultimately reconciliation. And my final words of encouragement to all present are summed up in this verse I wrote a few days before Thanksgiving: We cannot disregard the beauty and splendor of Canada, especially Manitoba. So I read, today, we'll know what we know. Tomorrow, we shall know more. Then, we shall do more good and live better lives, and one day we shall be at peace with one another and with all creation. It is my hope that there will be a unanimous vote to pass Bill 232 and make August 1st of each year Emancipation Day in Manitoba.

Thank you for allowing me the time and opportunity to voice my support. Thank you.

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

Do any members of the committee have a question for the presenter?

**Mr. Moses:** Thank you so much for sharing your words.

I could feel the power and the wisdom with—when you spoke them to us. I'm glad you were able to complete them, that we got through the technical difficulties. And I love your three points about awareness and healing, about enhancing our multiculturalism and about helping us find that path towards reconciliation.

And I want to show my appreciation for the words that you spoke that will help to us—help us, inform us about Emancipation Day. I also wanted to say that I really love your vision for the future about using this

bill to educate those who will come next and making our world and our community here in Manitoba a better place.

And so again, I just wanted to thank you again for taking your time to share your thoughts on Emancipation Day and your support for it.

**Mr. Olude:** Thank you and I look forward to working with everyone on making this day the most beautiful in Manitoba.

**Mr. Chairperson:** Minister Cox. Minister Cox, please unmute yourself.

**Mrs. Cox:** Thank you, Mr. Olude, for your very, very beautiful thoughts and comments. And you know, you're absolutely right. You know, when we look at the past and our mistakes, it only makes us look to the future, knowing that we are aware of mistakes that we made in the past and really gives us the opportunity to move forward with reconciliation.

So, thank you again for joining us. I really appreciate it and, again, I look forward to proclaiming Emancipation Day very soon—just I believe it will probably be on Thursday. So, thank you again. Take care and stay safe.

**Mr. Dougald Lamont (St. Boniface):** I just wanted to say thank you very much for your excellent presentation.

I particularly—I'll just say this—I particularly enjoyed the fact that you had—you—it was written with a near—with an eye to the future. That its greetings not just for us but for whoever might read it at sometime in the future because this is—I do think that this is a very important bill. I'm very thankful to the MLA for St. Vital for having brought it forward, and—yes. We're certainly hoping that we can get unanimous support for it because it deserves it.

So, and—thank you for your words.

**Mr. Olude:** Thank you.

**Mr. Chairperson:** Seeing there's no further questions, I want to thank you, Mr. Olude, for taking the time to join us this evening virtually and presenting to us. Thank you very much for your time and again, I do apologize for the technical glitch earlier.

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

\* \* \*

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

**Mr. Blaine Pedersen (Midland):** Bill 72 and then 232.

**Mr. Chairperson:** Is that the will of the committee? Okay, so then—yes, so we will begin with Bill 72 and then move on to Bill 232.

**Bill 72—The Disability Support Act and  
Amendments to The Manitoba Assistance Act**  
(Continued)

**Mr. Chairperson:** Does the minister responsible for Bill 72 have an opening statement?

**Hon. Rochelle Squires (Minister responsible for Accessibility):** Again, it's been my pleasure to be here to sponsor Bill 72, which is our government's commitment to a new income support program for persons with severe and prolonged disabilities that promotes the social inclusion of persons with severe and prolonged disabilities, recognizes their unique needs and barriers, ensures that there's a strong support service for—strong support for service navigation and service access, as well as removing barriers to help them achieve their full potential.

We recognize that many Manitobans living with disabilities struggle to meet their needs and rely on government programs, such as the Employment and Income Assistance Program.

Currently, persons with disabilities who require income assistance are enrolled in the persons with disabilities category of income assistance. However, this category provides benefits to persons with a wide range of needs that includes persons with severe and prolonged disabilities to continuously seek eligibility for their services and programs that they—and the benefits that they're receiving.

During our public consultation, we heard from over 560 Manitobans through the online portal, as well as 140 people who attended an in-person session and we heard of much support for this new income support program for persons with severe and prolonged disabilities.

Participants had also emphasized that people living with severe and prolonged disabilities have unique needs and may have targeted supports to help them fully participate in their community. And we certainly couldn't agree more. And that is what we have done in the creation of Bill 72, based on the

feedback of many Manitobans through these rounds of public engagement.

We have now developed a new income support program for persons with severe and prolonged disabilities. This program will be separate and distinct from the Employment and Income Assistance Program and will provide income and shelter supports as well as other benefits to be established in regulation.

Manitobans, of course, have asked for a separate program for people with disabilities for many, many years going back 15, 20 years. In fact, I heard from one person who had said to me that this has been something that was asked for since the '90s. And so our government is very pleased to deliver on this requirement that Manitobans have been asking for, which would change the disability income support program, would provide people with disabilities a more dignified support program, one that they would have reduced barriers to receiving access.

It would also reduce the burden of medical professionals, as they are continuously being sought for the eligibility purposes, their assessments are being required for the eligibility, and we certainly don't think that that is a good use of their time. They certainly could be providing support to their patients in ways that are much more meaningful than continuously reassessing people with disabilities just for the sake of receiving benefits.

So this is a program that has been developed with thoughtful consultation of many, many Manitobans.

I do just want to address some misinformation that members opposite has put on the record about Manitobans who would be disqualified, and quoting a number of 12,000 Manitobans who won't be classified under this program. That is completely erroneous, I don't know where she gets that number from, but I just want it to be recorded in the record—in Hansard—that that is a false allegation.

\* (21:20)

This program will improve the lives of many people with disabilities in the province of Manitoba. It creates separate distinct programs for people based on their needs and we certainly are wanting to make enhancements to the supports and the benefits that they receive that will be in regulation.

Again, one of the things that I'd highlighted earlier was that having the exemptions and some of the direct benefits outlined in regulation does provide

for that flexibility. I can think of many instances in the last year and a half alone, since the start of this pandemic, where there have been pandemic-related supports for people with disabilities that were easily exempted through regulation and didn't require a legislative amendment so that the benefits could flow without any clawbacks from their regular benefits program. And that is something that I believe government needs to maintain, is that ease in which we can provide exemptions for new benefits that possibly are on the horizon and to really reduce those barriers for people who need these benefits.

So with that, Mr. Chair, I'd like to conclude my comments and certainly look forward to continued debate on this bill. And I certainly hope that all ministers—or, all members of the Legislative Assembly would support the creation of a new Disability Support Act, something that has been asked for for well over 25 years and our government is finally delivering on.

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

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

**Ms. Danielle Adams (Thompson):** It is important to ensure every Manitoban, no matter their ability, feels included, supported by reduced barriers in providing equitable access for all.

While the Minister of Families' (Ms. Squires) bill increases support for those with permanent disabilities, it leaves some Manitobans behind. As I've stated before, a main concern that remains with Bill 72 is that it amends subsection 5(1) which strikes out physical and mental incapacities or disorders that are likely to continue for more than 90 days and substitutes it: impacts or disorders likely to continue for a period of more than a year.

This change means that disability supports will affect—only be available to Manitobans who have—amounts to a permanent disability that has a disability last longer than a year. It appears that people with disabilities that had their conditions 'reessed' may be kicked off their supports.

Mr. Chairperson, 22,000 Manitobans currently receive disability benefits. The Department of Families have said themselves—anticipates that 10,000 people will not meet the new definition of disability for the purpose of this act. That means going forward, 12,000 people with disabilities could be negatively impacted as a result of the Minister of Families' bill.

Simply put, people with 'interminet' disabilities are going to be left behind. Overall, the net effect of this bill is hard to tell. Some people may receive no supports and there are no guarantees that the current level will maintain supports they have. All disabilities should be taken seriously and intermediate disabilities is likely to continue for more than 90 days is incredible difficult for someone to deal with, as it may be exasperated if they are not able to receive their financial supports.

There is a better way to help people with disabilities, whether it is short or long-term. During a once-in-a-century global pandemic, the minister could probably support all Manitobans with disabilities without kicking anyone off. This would reduce the stress and improve the quality of life for thousands of Manitobans.

At this time, no expense should be spared when it comes to helping and supporting our province's most vulnerable citizens.

Thank you.

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

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

Also, if there's an 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*]

We will now consider clause by clause of Schedule A, The Disability Support Act.

Clause 1, Schedule A—pass.

Shall clause 2 though 6, Schedule A, pass?

**An Honourable Member:** Pass.

**Mr. Chairperson:** Clauses 2 through 6, schedule A, are accordingly passed—Ms. Adams? I heard a no. [*interjection*]

I hear a no. Are there any questions?

**Ms. Adams:** I have a question for 6(2).

**Mr. Chairperson:** Go ahead, Ms. Adams. Ms. Adams, go ahead.

**Ms. Adams:** We heard from a number of people today at the presentation where they raised concerns regarding applicants that have spouses or common-law partners and how that will impact them negatively.

I wonder if the minister could explain the rationale behind this and who they consulted regarding that clause.

**Mr. Chairperson:** Minister Squires, please go ahead.

**Ms. Squires:** If I understand the member opposite correctly, she's wanting to understand about clause 6(2)(a): all income from any sources received by the applicant or recipient, their spouse or common-law partner or any of their dependents.

I'd like to just inform this member that that is certainly a clause that is routinely found in every jurisdiction in Canada regarding income benefits—employment and income assistance benefits—and is something that was supported by her government for 17 years when they were in office, and going back even further than that, throughout the entire history of this benefit being available, there—this has been maintained by her government for decades.

**Mr. Chairperson:** Seeing no further questions:

Clauses 2 through 6, schedule A—pass; clauses 7 and 8, schedule A—pass; clauses 9 and 10, schedule A—pass; clause 11, schedule A—pass; clauses 12 through 16, schedule A—pass.

Shall clauses 17 through 19, schedule A, pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Mr. Chairperson:** I hear a no. Are there any questions?

Clause 17, schedule A—pass; clause 18, schedule A—pass.

Shall clause 19, schedule A, pass?

**An Honourable Member:** Pass.

**An Honourable Member:** No.

**Mr. Chairperson:** Hearing a no, are there any further questions?

**Ms. Adams:** I have an amendment.

**Mr. Chairperson:** Ms. Adams, go ahead.

**Ms. Adams:** I move:

*THAT Schedule A to the bill, (The Disability Support Act) be amended by adding the following clause 9(1):*

*The report must be laid out the following fiscal year covered by the report.*

(a) the number of recipients of disability support and the total amount of disability support provided;

(b) the number of recipients of shelter support and the total number—total amount of shelter support provided.

\* (21:30)

**Mr. Chairperson:** It has been moved by MLA Adams

*THAT Schedule A to the Bill (The Disability Support Act) be amendment by adding the following after Clause 19(1):*

**Total support to be detailed**

**19(1.1)**—report must set out the following for the fiscal year covered by the report:

(a) the number of recipients of disability support and the total amount of disability support provided;

(b) the number of recipients of shelter support and the total amount of shelter support provided.

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

Minister Squires, please go ahead.

**Ms. Squires:** I'd like to just inform the committee that this information is already available in the annual report that is tabled each year, and if the member would like copies of those annual reports historically, I'd be more than happy to show her where this information is detailed in those annual reports.

No legislation proscribes at this detail what needs to be outlined in the annual report because each year there are additions that need to be added and certainly other pieces of vital information that we do include in annual reports in our efforts to be transparent, and so this detail is certainly not something that is required. But I would be more than happy to provide members opposite with detailed annual reports going back since our government formed in 2016.

**Mr. Chairperson:** Ms. Adams, please go ahead.

**Ms. Adams:** So you'd be—have no problem supporting this amendment then?

**Ms. Squires:** As outlined in my previous answer, this information is already available.

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

**Some Honourable Members:** Question.

**Ms. Adams:** With the amount of—in this bill, with the amount of things that were—refer to regulations, it was felt that there needed to be more accountability with this legislation and to ensure that people with disabilities were being—receiving amounts and—that they need and were having regular increases, and this was a way to ensure that people with disabilities and with more transparency.

So I hope members opposite will be supporting this amendment.

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

**An Honourable Member:** Question.

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

*THAT Schedule A—[interjection]*

It has been moved by Ms. Adams

*THAT Schedule A to the Bill (The Disability Support Act) be amended by adding the following after Clause 19(1):*

**Total support to be detailed**

**19(1.1)** The report must set out the following for the fiscal year covered by the report:

(a) the number of recipients of disability support and the total amount of disability support provided;

(b) the number of recipients of shelter support and the total amount of shelter support provided.

Shall the amendment pass?

**An Honourable Member:** Yes.

**Some Honourable Members:** No.

**Mr. Chairperson:** I hear a no.

**Voice Vote**

**Mr. Chairperson:** All those in favour, please say aye.

**Some Honourable Members:** Aye.

**Mr. Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** In my opinion, the Nays have it.

**Recorded Vote**

**An Honourable Member:** A recorded vote, please.

**Mr. Chairperson:** A recorded has been called.

*A COUNT-OUT VOTE was taken, the result being as follows: Yeas 2, Nays 3.*

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

\* \* \*

**Mr. Chairperson:** Clause 19, schedule A—pass; clauses 20 and 21, schedule A—pass; clauses 22 and 23, schedule A—pass; clause 24, schedule A—pass; clauses 25 and 26, schedule A—pass; clauses 27 through 31, schedule A—pass; preamble, schedule A—pass; enacting clause, schedule A—pass; title, schedule A—pass.

We will now consider clause by clause of schedule B, The Manitoba Assistance Amendment Act.

Clauses 1 through 3, schedule B—pass.

Shall clauses 4 and 5, schedule B pass?

**An Honourable Member:** No.

**Mr. Chairperson:** I hear a no. The floor is open to questions.

**Ms. Adams:** My question is from subsection 5(1)(a) where it was strike 90 days and make it one year. Where did the minister come to that decision and why the increase?

**Mr. Chairperson:** Sorry, Ms. Adams, we'll have to just do it clause by clause here.

Clause 4, schedule B—pass.

Shall clause 5, schedule B pass?

**An Honourable Member:** No.

**Mr. Chairperson:** I hear a no. The floor is open to questions.

**Ms. Adams:** If the minister could please explain why they—why she changed it—the legislation changed from 90 days to one year and how that will have negative impacts on people with intermediate disabilities.

**Ms. Squires:** This is moving Manitoba in line with all other jurisdictions in the country.

And as I'd explained earlier to the member, we have currently one system, one system that was upheld by her government despite repeated requests for the creation of a new income support program and now we are branching off into three different programs.

There will be the Employment and Income Assistance Act, as it currently is; there will be a new—two separate programs for people with episodic disabilities, as well as severe and prolonged disabilities. This is more in line with other jurisdictions and certainly something that community has asked for.

**Ms. Adams:** Can the minister indicate when the bill for episodic disabilities will be made available and why they're not both being done at the same time to ensure Manitobans have the supports they need?

\* (21:40)

**Ms. Squires:** So I'd just like to clarify for the member that that new category is a—created in section 5(1)(a).

**Ms. Adams:** Subsection 5(1)(a), says, in part before subclause by striking out physical or mental incapacities or disorders that are likely to continue for more than 90 days, and substituting incapacity disorders likely to continue for more than one year.

So, people who have disabilities that are—last longer than 90 days but less than a year are not going to be eligible for this new program. So what will happen to the people that are in between those times? You have indicated that there will be a program for them, but there's nothing for them in this legislation.

So, when will that program be made available?

**Mr. Chairperson:** Just a reminder that members should be putting their questions through the Chair.

**Ms. Squires:** Thank you for that guidance, Mr. Chair.

And we haven't got to clause 18 yet, coming into force, but this act would come into force on a day to be fixed by proclamation.

**Mr. Chairperson:** Seeing as there is no further questions,

Clause 5, schedule B—pass; clauses 6 through 8, schedule B—pass; clauses 9 through 12, schedule B—pass; clauses 13 through 15, schedule B—pass; clause 16, schedule B—pass; clause 17, schedule B—pass; clause 18, schedule B—pass; enacting clause of schedule B—pass; title of schedule B—pass.

We will now consider clause by clause of the main bill, Bill 72, The Disability Support Act and Amendments to The Manitoba Assistance Act.

Clauses 1 through 3—pass; enacting clause—pass; title—pass; Bill be reported.

### **Bill 232—The Emancipation Day Act** (Continued)

**Mr. Chairperson:** Does the bill sponsor, the honourable member for St. Vital have an opening statement?

To clarify, we're now moving onto Bill 232. Does the bill sponsor, the honourable member for St. Vital, have an opening statement?

Mr. Moses, please go ahead.

**Mr. Jamie Moses (St. Vital):** I first want to thank, for the many community partners, who helped to bring this idea forward and our community here in Manitoba who were bringing this idea forward, who are sponsoring it, who are advocating for it, groups such as ACOMI, such as Black History Manitoba, many others across our province.

I also want to thank the speakers who spoke towards this bill today: Rosemary Sadlier, as well as 'Segun Olunde [*phonetic*]. They were very passionate and powerful and I think it all goes to show the amount of people who really support this idea of recognizing Emancipation Day in our province, and we're so happy that it's also being recognized across our country.

Because Emancipation Day is about learning about our collective history, about telling people that more complete history of our country that includes slavery and includes the history of freedom. It's about recognizing Emancipation Day as a step forward and recognizing Black and African-Canadian history is part of Canada's entire story and teaches the next generation about some of the forgotten parts, some of the shameful parts of our past that we must learn to not repeat again.

Emancipation Day is not just about honouring those—that past history and those past lives, but it's clear, as we heard from the presenters today, that it continues to affect the lives of Black people, African people here in Canada and everyone in our country.

So it's time for us today to recognize Emancipation Day, to recognize the role that Black, enslaved people played in the building of not just our country but specifically, building our province here in Manitoba as well as all of their descendants who

continue to make our communities better. The contributions of Black 'immigrants' who are just arrived and just arriving now to the Black immigrants who arrived 50 years ago, like my parents, to those who have called Manitoba home for generations, going back to the earliest European settlers, those Black Manitobans showed strength. They showed resilience, and they make the Black community in Manitoba what it is today.

So by celebrating Emancipation Day, it is an important part of us learning our history and educating all Manitobans so that we can reflect on our current actions and build for ourselves a more inclusive future. Ultimately, Emancipation Day is about celebrating freedom, and so I look forward to working together to passing this bill unanimously.

Thank you.

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

Does any other member wish to make an opening statement on Bill 232?

Seeing as none—during the consideration of a bill, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

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

The hour being 9:48, what is the will of committee?

**Some Honourable Members:** Rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT: 9:48 p.m.**

### WRITTEN SUBMISSIONS

Re: Bill 72

During the Disability Matters Vote awareness campaign, Heather Stefanson responded to the campaign's call for a dignified income for people with disabilities with a commitment to create a separate income support program that better met the needs of this population while still acknowledging ever persons' need and desire to contribute and work as they are able.

We appreciate the work that has been done to date to bring this commitment closer to fruition including the

thoughtful engagement of people with lived experience (and others) in consultation leading up to implementation. We attended all engagement opportunities and listened carefully to what was said.

In reflecting on those discussions and reviewing the content of Bill 72, we are struck with how few details are still known. While I am aware that much of the details (and indeed the devil is in those details) will be made clear when regulations are drafted for this new income support program. We urge the government to once again, engage and listen to those with lived experience as you create these more detailed plans.

Without knowledge of these details and based on the contents of Bill 72, we are left with the following questions and comments that we pass along to you as you consider the Bill:

1. Will this program truly address the reality that people with disabilities who experience significant and ongoing barriers to employment have been relegated to living in poverty for most of their lives? Will the government make good on its commitment to supplement the average total needs budget as it stated during the election campaign? Will the income provided truly cover the costs associated with having a disability? Or will there be continued restrictions on full community participation. Creating a separate program with a new name but that continues to maintain people with disabilities in lifelong significant poverty would be a travesty.
2. We are highly concerned that the structure of the Bill perpetuates the barriers to marriage and cohabitation for people with disabilities given the impact and interactions between income support rules.
3. While there is acknowledgement that some people with disabilities may face lifelong and significant barriers to employment and thus removal of the employment requirements is welcome, we urge the Province to continue to offer supports and services to assist people in the program to gain employment as they are able.
4. We encourage the Committee to consider a change in name / language used within the Bill. As opposed to referring to people and their disabilities as severe and prolonged, we would recommend that you follow the lead of the Accessibility for Manitobans Act and refer instead to the experience of barriers rather than disability. The income support program could be



- for those who have ongoing and significant barriers to employment.
5. What will happen for those people who currently receive disability benefits through EIA but who may not qualify under the new program? Will there continue to be a disability category under EIA? We urge the Committee to ensure that the employment support for those that experience disability and resulting barriers to employment but who do not qualify under the new program are protected and indeed, significantly enhanced.
  6. In deciding eligibility, the removal of multiple exemptions (\$4000, equity in a home, small gifts, RDSP etc.) along with the value of shelter / housing support provided by family are significant concern). These exemptions in combination with the restrictions on using funds to support a mortgage create structural barriers to people in this program that mean that they must lose their home, and live alone in abject poverty before ever being considered. People who are surrounded by those they love, have stable housing and who have a few hundred dollars squirreled away for their next health issue are safer and healthier and thus cost the Province less in the long run. The removal of the exemptions and the inclusion of means testing for the person along with everyone they live with is mean spirited and short sighted.
  7. Bill 72 includes financial resources such as all income from any source received by themselves, all real and personal property held by the applicant, the value of free shelter. In contrast, the regulations of the Manitoba Assistance Act list a series of exemptions from the calculation of financial resources. These exemptions include Canada student grants for people with disabilities, Canada Manitoba housing benefit rental supplements for persons living with mental health disabilities or addictions, and contributions, growth, interest, or withdrawals from a Canada registered disability savings plan. The regulations accompanying Bill 72 may highlight similar exemptions; however, there is no indication of these exemptions. We urge the government to explicitly include these exemptions as they have in the past.
  8. Will there be any acknowledgement of needs and not just means? Living with a disability is expensive. A one size fits all approach is not flexible or individualized and thus does not acknowledge the significant feedback of those that we heard in the stakeholder consultation.
  9. Given that Bill 72 does not and cannot provide all the details and that the regulations will provide more specifics we urge the government to ensure that there are robust and accessible engagement with people with lived experience of barriers and receiving EIA along with others as regulations are being developed.
  10. There is no mention of support being provided regarding health benefits, equipment support, etc. These are crucial supports that we want to ensure are included in the new income support program.
  11. Finally, as the federal government contemplates the Canadian Disability Benefit, we urge the Province to ensure that any benefits received federally are declared exempted income for Provincial recipients under this new Income Support Program.
- Respectfully Submitted,  
Leanne Fenez  
On behalf of Abilities Manitoba

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

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