

Fourth Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Ms. Nancy Allan
Constituency of St. Vital

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Fortieth Legislature

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

Thursday, June 25, 2015

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Nancy Allan (St. Vital)

VICE-CHAIRPERSON – Mr. Matt Wiebe (Concordia)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

*Hon. Messrs. Allum, Chomiak,
 Hon. Ms. Crothers, Hon. Mr. Dewar*

*Ms. Allan, Messrs. Ewasko, Goertzen, Graydon,
 Pivniuk, Rondeau, Wiebe*

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

*Bill 11–The Public Health Amendment Act
 (Prohibiting Children's Use of Tanning
 Equipment and Other Amendments)*

*Mr. Steven Gilroy, Joint Canadian Tanning
 Association*

*Ms. Erin Crawford, Canadian Cancer Society,
 Manitoba Office*

Ms. Kelly Karam, Fabutan Studios

WRITTEN SUBMISSIONS:

*Bill 11–The Public Health Amendment Act
 (Prohibiting Children's Use of Tanning
 Equipment and Other Amendments)*

Kathy Litton, Tan FX Sun Tanning Studios

MATTERS UNDER CONSIDERATION:

*Bill 11–The Public Health Amendment Act
 (Prohibiting Children's Use of Tanning
 Equipment and Other Amendments)*

*Bill 17–The Manitoba Public Insurance
 Corporation Amendment Act*

Bill 22–The Red River College Act

* * *

Clerk Assistant (Ms. Monique Grenier): Good evening. Will the Standing Committee on Social and Economic Development please come to order.

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

Are there any nominations for this position?

Mr. Matt Wiebe (Concordia): I'd like to nominate Ms. Allan.

Clerk Assistant: Ms. Allan has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Allan, would you please take the Chair.

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

Are there any nominations?

Hon. Greg Dewar (Minister of Finance): I nominate Mr. Wiebe.

Madam Chairperson: Hearing no other nominations, Mr. Wiebe is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 11, The Public Health Amendment Act (Prohibiting Children's Use of Tanning Equipment and Other Amendments); Bill 17, The Manitoba Public Insurance Corporation Amendment Act; and Bill 22, The Red River College Act.

How late would the committee wish to sit this evening?

Mr. Wayne Ewasko (Lac du Bonnet): I think we'll sit until 10 o'clock and then re-evaluate.

Madam Chairperson: I just want–

Mr. Ewasko: Or until the work of the committee is done.

Madam Chairperson: Thank you. That's better. We like that better.

Is that agreed by the committee? Is there agreement? *[Agreed]*

We have a number of presenters registered to speak tonight, as noted on the list of presenters

before you. On the topic of determining the order of public presentations, I will note that we have out-of-town presenters in attendance marked with an asterisk on the list. With this consideration in mind, in what order does the committee wish to hear the presentations?

Mr. Jim Rondeau (Assiniboia): First the out-of-town presenters and then we'll go by order of the bills, numerical order of the bills.

Madam Chairperson: Is there agreement? *[Agreed]*

I've been advised that Kathy Litton, No. 3 on the presenters' list for Bill 11, is unable to make her presentation at this meeting but would like to have the written brief considered by the committee as a written submission.

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

Thank you very much.

Before we proceed with presentations, we do have a number of other items and points of information to consider.

First of all, is there anyone else in the audience who would like to make a presentation this evening? Please register with staff at the entrance of the room.

Also, for the information of all of the presenters, while written versions of presentations are not required, if you're going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need help with photocopying, please speak with our staff.

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

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.

Prior to speaking—or, excuse me—prior to proceeding with public presentations, I'd like to advise members of the public regarding the process for speaking in committee. 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.

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

**Bill 11—The Public Health Amendment Act
(Prohibiting Children's Use of Tanning
Equipment and Other Amendments)**

Madam Chairperson: I will now call on Steven Gilroy. He is with the organization, the Joint Canadian Tanning Association. Do you have any written materials for distribution?

Mr. Steven Gilroy (Joint Canadian Tanning Association): Yes.

Madam Chairperson: Thank you so much. Thank you. We will distribute those materials, Mr. Gilroy, and you can start.

Mr. Gilroy: Good evening and thanks for the opportunity to be here tonight to speak on—to the committee about Bill 11, The Public Health Amendment Act. As was mentioned, my name is Steve Gilroy. I'm the executive director of the Joint Canadian Tanning Association, JCTA. I'm from Kelowna, BC, but originally from Winnipeg and had salons here as well.

An Honourable Member: Which part?

Mr. Gilroy: Pardon me?

An Honourable Member: St. Vital or where?

Mr. Gilroy: I was in the Osborne Village. Okay.

The Joint Canadian Tanning Association, Canadians' professional voice for the indoor-tanning sector, our goal of this association is to represent our industry with government and the community as well as encourage the proper usage of UV-emitting device—devices by professionals, well-trained staff with an eye towards minimizing the risk of clients of all ages.

In regards, we deploy the third-party online classroom training called Smart Tan training, which we have recently greatly expanded and was first reviewed here in Manitoba. I started all of my stuff with the government here in Manitoba. This program affordably educates salon workers on the proper equipment protocols, how to skin-type to ensure those who are skin type 1—always burn, never tan—regardless of age do not UV tan. This is key to reducing risk. Skin types 2 to 6 use the correct exposure schedules to tan responsibly.

I'm pleased to say that we—while our association formally represents 50 per cent of the industry in the province, the majority of dedicated salons and fitness facilities here in Manitoba have voluntarily chosen to undertake our own training which makes their clients safer while also significantly reducing the risk of professional liability insurance—so you get a discount on your insurance—which recognizes our training as a value of—to reduce risk.

Due to our clients and safety-focus orientation, I would like to express the JCTA supports the Bill 11 in its goals. As a background, since August 2014, JCTA members have voluntarily prohibited minors from accessing UV-tanning services. We made this decision at the time due to increasing concerns related to teens using poor judgment in the relation to UV light and overexposing themselves.

However, while we represent the majority of operators, we don't represent all of them, and the act will help make sure that rules apply to everyone equally. Simply put, it's the right thing to do if—and we are grateful for the government to advancing the bill.

That being said, we believe that Bill 11 could be improved for both the industry and, most importantly, for the clients we serve in our particular area of training. That's the key one we're after, is training. As professionals, we know that UV-tanning equipment, if used incorrectly, can be dangerous. That is why we spend so much on our—of our time educating workers from coast to coast on proper equipment protocols and exposure limits.

* (18:10)

It doesn't matter if you're 15 or 35, if you get into a UV-tanning unit that is used outside of manufacturers' guidelines, it is not properly maintained or goes beyond the accepted exposure limits, that's when we get into problems and increased risk. That's why we are proposing to the committee that we amend Bill 11 to require all salon workers with direct control over UV equipment be trained through an industry-certified education program, and in the briefing notes that we just handed out—provided, we have suggested specific language for this amendment. While we feel it is both logical and with the—in the spirit of the act, we believe that the inclusion of the amendments would not only have safety benefits for teens using UV tanning equipment, if doctors direct it, would also benefit our adult clients and save current non-certified providers money through reduced

insurance premiums. So we see it as a win-win. That's why we believe so strongly that just like the age restrictions and self-serve equipment ban, a training component is a common-sense addition to this bill.

In closing, I would want to, again, thank the committee for the opportunity to hear—to be heard tonight and speak towards the important act. If there's any questions.

Madam Chairperson: Thank you very much, Mr. Gilroy.

Do the members of the committee have questions?

Hon. Deanne Crothers (Minister of Healthy Living and Seniors): Mr. Gilroy, I wanted to say thank you very much. I appreciate your input, and I certainly appreciate the input that many in your field had in helping us create this legislation and, certainly, the high standards and the dedication that those who provide these services. Many have in their facilities. So thank you very much. I appreciate what you said. *[interjection]*

Madam Chairperson: My apologies. I have to recognize you, Mr. Gilroy, before you can speak.

Mr. Gilroy: Sorry.

Madam Chairperson: It's just so that Hansard can record your comments.

Mr. Gilroy: I appreciate what you just said. Manitoba was the first of governments in 1998 to start working on regulations. So I truly appreciate, and I've been part of that since 1998 and truly appreciate what you guys have done.

Mr. Cliff Graydon (Emerson): Thank you for coming in and making the presentation today, Mr. Gilroy. We appreciate the input from all the industry individuals.

And you have stated that a training program is very, very necessary. Are all of your operators trained? *[interjection]*

Madam Chairperson: Mr. Gilroy.

Mr. Gilroy: Sorry. All operators that are JCTA members must be certified as part of their membership. The other—a bonus is that they get reduced insurance rates if they are certified and are a member.

Mr. Graydon: And, because I'm not familiar with how the operations all work, the training program, is that a local program, or where does that take place?

Madam Chair, it's Mr. Gilroy's turn.

Madam Chairperson: Mr. Gilroy.

Mr. Gilroy: We offer both online training as well as classroom training through our suppliers here. Uvalux Tanning & Support comes through Manitoba and does certain training programs. Let's give an example. Fabutan, they have our training program inputted into their computer system so that they can get—do their online training right off the bat. So it's very accessible.

Mr. Graydon: So as—are you proposing, then, that we have one central training program.

Mr. Gilroy: No, there are other programs out there; NTTI certification has that. We—Smart Tan did their certification as a Canadian training program, modified the US program to a Canadian one, and I am so appreciative of—in 2004, the Manitoba CancerCare actually reviewed the first training program for Canada.

Mr. Graydon: When there is a number of different training programs, Mr. Gilroy, how would you propose the Manitoba government regulate that so that they're all the same because that's—I believe that's what you're proposing in your amendment.

Mr. Gilroy: As part of the amendment, what we're looking at is to generalize so that there wasn't one person that was in control of the certification program. I have spent years making sure that the Smart Tan certification program is correct for Canada, and it follows the regulations across the country. And it also follows the RED Act. So I can only tell you what I've done.

And our insurance companies, I've worked with the insurance companies since 2002 to make sure that these certification programs work for the insurance to get a discount on those, on that insurance. And they have seen the liability go down. We have not had a claim since we started to make sure people were certified and the insurance companies made a demand for it.

Mr. Graydon: Well, I certainly appreciate the lead that you and others have taken on this. I mean, no one wants to see someone unduly harmed through this program—is there—or through the tanning process. Is there a national, is there national regulations, or is

that not a possibility so that they're, that they, the same everywhere?

Mr. Gilroy: If we were talking about certification programs as a national program, we tried to do that in 2005 when the RED Act was reopened to, on the manufacture of the equipment. And we were told by the federal government that the only thing that they regulate is the manufacture of the equipment, and anything to do with education or training, similar to beauty salons, beauticians, that that was a provincial thing. So we've basically moved this right across.

And I think we have a federal one due to the fact is that our insurance companies are right across the country, and they have approved and reviewed our training program—and approved it.

Madam Chairperson: I'm sorry, we have extended our time on questions to you, Mr. Graydon, and Mr. Gerrard has a question, and we would require leave so Mr. Gerrard could ask that question.

An Honourable Member: And all I was going to do was thank Mr. Gilroy for his presentation tonight, Madam Chair.

Thank you very much.

Madam Chairperson: Mr. Graydon.

Mr. Graydon: I'd like to thank you for your presentation tonight. We really appreciate it.

Thank you.

Madam Chairperson: Is there leave from the committee so that Mr. Gerrard could ask a question? *[Agreed]*

Thank you.

Hon. Jon Gerrard (River Heights): Just wondered at this point whether there were other provinces or states which require the training at this juncture.

Mr. Gilroy: There—Ontario was the first one to do it, so they are demanding training now. There are, if I'm not mistaken, 11 states that have it and eight of them demand specific training. And they do a specific criteria but approve certification programs, and ours are approved in every state.

Madam Chairperson: Thank you, Mr. Gilroy, for your presentation.

Next out of town, Erin Crawford, the Canadian Cancer Society, Manitoba Office.

Do you have any written materials?

Ms. Erin Crawford (Canadian Cancer Society, Manitoba Office): No.

Madam Chairperson: Thank you. You can proceed.

Ms. Crawford: Okay, I'll just, first of all, clarify, I'm actually not from out of town; I am from here in Winnipeg. I am the director of public issues and community engagement at the Manitoba division of the Canadian Cancer Society, and we are pleased to see Bill 11 moving forward tonight as it provides a critical level of cancer protection for Manitoba youth.

In the summer of 2009, the World Health Organization elevated UV-emitting devices, including indoor tanning beds, from a possible cause of cancer to a known cause of cancer, meaning that tanning beds have the same cancer-causing status as tobacco. Since then, the Cancer Society has been calling for a ban on tanning equipment used by minors.

Melanoma is the deadliest form of skin cancer, and one of the most common kinds of cancers affecting young people between the ages of 15 and 29. And the most recent youth health survey of Manitoba kids shows that 19 per cent of grade 12 girls and 6 per cent of boys have used tanning beds, because we know that using tanning beds before the age of 35 increases these kids' risk of melanoma by 59 per cent, we know that this ban is critically important and can't come soon enough.

* (18:20)

Eight other jurisdictions in Canada already have bans in place, and we hope that government will move swiftly in proclaiming this legislation so that Manitoba youth are given the same protections as other kids across the country are already receiving. We hope there will be enforcement, penalties and staff training, and we hope that there will continue to be a desire to look for ways to prevent those cancers that we can, including through increased emphasis on shade in public areas and areas where kids congregate in the summer like splash pads and beaches.

Thank you for moving this piece of legislation forward so that it can be the last grad season that sees teenagers all going to the tanning salon in prep for their grad pictures.

One final comment: I would just correct—I would just comment on a statement from earlier and I

would say that UV tanning equipment, used correctly, can be dangerous.

Thank you.

Madam Chairperson: Thank you.

Do members of the committee have questions?

Ms. Crothers: Ms. Crawford, I just want to thank you very much. I'm deeply appreciative of the work that you've done through the Canadian Cancer Society, and I know you've been very helpful in creating legislation with my predecessors in this role as well, and I appreciate that you've come tonight to talk with us. Thank you.

Mr. Gerrard: In your presentation, you emphasize that individuals up to age 30 have a 59 per cent increase in melanoma as a result of using tanning beds. Should there be extra warnings for those up to age 30?

Ms. Crawford: Well, UV tanning equipment is not safe for anybody to use because we know that the UV rays themselves are cancer-causing, and so we would actually not encourage anybody to use indoor tanning equipment, and I think that, at the very least, everybody needs to be fully informed about what sorts of risks they are taking. So absolutely, and there are warning labels that were put in place under the previous legislation when parental consent was put in place.

But I think that every step needs to be taken possible to make sure that people are understanding that risk and, in particular, it is true that that particularly high increased rate is associated with young people, so I think that, absolutely, if they were—if there was a mechanism to make them aware of that information so they could make that informed decision we'd support that.

Madam Chairperson: Seeing no further questions, thank you very much, Ms. Crawford, for your presentation tonight, and technically, because you live in Headingley, you are an out-of-towner.

The next presenter on our list is Kelly Karam from Fabutan Studios, the owner.

Do you have any written materials?

Ms. Kelly Karam (Fabutan Studios): No, I don't.

Madam Chairperson: Thank you very much. You may proceed.

Ms. Karam: Good evening. I want to thank you guys again for the opportunity to be here tonight.

My name is Kelly Karam, and I am Fabutan's Manitoba representative. We are Canada's largest indoor tanning salon chain and a member of the Joint Canadian Tanning Association as well.

I'd like to begin by expressing my support for Bill 11. Throughout our life as a company, Fabutan has been the pioneer within our sector in the area of client safety. For over 30 years, we have voluntarily enforced mandatory age restrictions, be they parental consent or a ban on access to UV tanning equipment for minors. Simply put, we have always endeavoured not only to follow regulations in our sector, but to exceed them, and that's why we're here tonight to advocate for the passage of Bill 11.

The committee members may know that as of June 15th, 2012, teenagers were required to secure parental consent before they were allowed to access UV tanning facilities. We supported that legislation just as we do Bill 11 today,

Our franchises have always had training, and in 2013 we deployed and enforced advanced training using the Smart Tan program. This was because Fabutan's core belief is that salon workers need to be fully educated, both in the operation of equipment and all requisite laws and regulations that relate to our sector, and this is important for legislation such as Bill 11 in order for it to work on the ground. That's why Fabutan is calling on this committee to amend the proposed legislation just as the Joint Canadian Tanning Association recommends, which is to include mandatory training for salon workers who have controlled—or, sorry—who have control over UV-emitting equipment.

Taking this important step only has benefits. It will better protect clients of all ages. It will reduce premiums for owners and operators, allow for greater professionalism in the sector, and help ensure that the Bill 11 is complied with on the ground.

Considering that such an amendment carries no cost to the government, Fabutan strongly recommends that this committee act upon it this evening.

Thank you and I'd be pleased to take any questions.

Madam Chairperson: Thank you.

Ms. Crothers: Ms. Karam, I'm happy to see you here this evening, and I appreciated the time you spent with me fairly recently, talking about this. And

I'm listening very intently to what you're saying and just wanted to thank you for coming out. Thank you.

Mr. Graydon: I'd also like to thank you for your presentation tonight, Ms. Karam, and because I, as you can tell, I don't use a tanning machine or whatever it's called. I haven't been on a tanning bed and, in fact, I'm not sure I've been in a bed for a while.

But, at any rate, the equipment, does that equipment get tested periodically? Is there something that can go wrong with the equipment that an operator wouldn't know? Is there any testing for the equipment after it's been purchased? I know that it's tested before it's left, for sure, but, you know, even cars needs to be fixed once in a while.

Ms. Karam: Well, I can speak personally that we have maintenance guides that we have to follow, and so we have schedules that we need to make sure that we maintain the units and so that is done on a regular basis.

Mr. Graydon: When you say maintain them, like, I know that if you have a flat tire on a car you can change it and you can drive, but there's more than that to the maintenance of any piece of equipment. So is there any testing? And I'm thinking, when I was an X-ray technician, that we had—the equipment was tested to see if it had the same strength. And we're talking about UV rays. I don't know much about that but apparently, listening to the last presenter, that that's—she would have been happy if there was no UV rays used because they are cancer causing. Operators aren't going to be trained in that respect. So is there any testing that's available?

Ms. Karam: Again, I can only speak for Fabutan. Our manufacturers provide us with maintenance guides that we need to follow and execute. As far as bulb changes and maintenance, that's something that we make sure that that is actually controlled through our corporation. So we are mandated to change and do maintenance very regularly. And they actually calculate that via how many hours are on the bed.

Mr. Gerrard: Just two things. One is that we've had a proposal for an amendment which would require training, if you would comment on that. And second is—my understanding is that there are some medical conditions where the use of ultraviolet rays are recommended or may have beneficial effects. Do you get involved in such instances of sort of medical therapy?

Ms. Karam: Answering the first, I think you're asking about the training component, that we're wanting to see that, obviously, because we'd like to see the—you know, our main concern is ensuring that we have operators that are educated, and we do want to raise the level of professionalism in our industry.

Now talking to the point of getting into medical therapy, that's not something that—we leave that to the doctors.

Madam Chairperson: Seeing no further presentations—or questions—thank you very much for your presentation.

That concludes the list of presenters I have before me.

Bill 22—The Red River College Act

Madam Chairperson: We will now move to presentations on Bill 22, The Red River College Act, and we have one presenter. And our—that presenter is Martin Boroditsky, private citizen.

For the second time, I will call Martin Boroditsky, private citizen.

* (18:30)

Mr. Boroditsky's name will drop off from the list because we have called him twice.

That concludes the list of presenters I have before me.

Are they any other persons in attendance who wish to make a presentation? Seeing none, that concludes public presentations.

* * *

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

Mr. Jim Rondeau (Assiniboia): Let's start with the first bill we talked about which was the—

Madam Chairperson: Bill 11?

Mr. Rondeau: Yes, and then go to the next one.

Madam Chairperson: Okay, so we will proceed with Bill 11, then Bill 17 and then Bill 22.

Bill 11—The Public Health Amendment Act (Prohibiting Children's Use of Tanning Equipment and Other Amendments)

(Continued)

Madam Chairperson: During the consideration of a bill, the table of contents, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order. Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

We will now proceed to clause-by-clause consideration of the bill.

Does the minister responsible for Bill 11 have an opening statement?

Hon. Deanne Crothers (Minister of Healthy Living and Seniors): I do.

Madam Chairperson: Minister Crothers. It's like getting married.

Ms. Crothers: I'd just like to say, certainly, speaking as a parent myself, no parent wants to put their children at risk for developing cancer, most certainly. And we know that between 50 and 90 per cent of skin cancers are caused by sun UV exposure, which means that more than half of skin cancers can be prevented. It is estimated that one in seven Canadians will develop some form of skin cancer in their lifetime, making it the most common type of cancer in the country. And studies have shown that use of artificial tanning equipment before the age of 35 is associated with a significant increase in the risk of melanoma, the most serious form of skin cancer, and that's why Bill 11 is so important.

And I'd just like to take this opportunity to thank those who worked with us to bring this legislation forward, and that would be Erin Crawford, senior director of public issues and Canadian engagement for the Canadian Cancer Society; pediatric residents at Children's Hospital, especially Dr. Megan Cooney; the joint 'candeen'—the Joint Canadian Tanning Association—I'm very appreciative for their work and input on this.

And, in closing, I just want to say that this bill is here to protect our children. We want to make sure that we're reducing the risk of cancer for them and

that it is a work that is certainly collaborative. And I thank all those who came to speak this evening.

Madam Chairperson: Thank you very much. We thank the minister.

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

Mr. Cliff Graydon (Emerson): Madam Chair, I'm certainly not opposed to protecting our children and all Manitobans that are—all the people that use these tanning beds. I think that's a given for any of us. And I want to thank the people that made the presentations today.

I still have a bit of a concern. I'm not comfortable that there's no way to test the equipment, and I feel that that needs to be something that would be incorporated. Maintaining equipment and testing it is two different things.

And, other than that, I don't have a problem with this. I think we do need to protect Manitobans, and we do need to protect the health-care system, and we don't need to overload it with extra cancer patients.

And I believe that people that are—that have made the presentations tonight and the people that are in the industry are doing the best job that they can. I just want to know a little bit more about the testing of the equipment, and I'll do that checking myself.

But, otherwise, I don't have a problem with the bill at all. I think it's a good bill.

Madam Chairperson: Thank you very much. We thank the member.

Clauses 1 and 2—pass; clause 3—pass; clause 4—pass; clauses 5 and 6—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 17—The Manitoba Public Insurance Corporation Amendment Act

Madam Chairperson: Does the minister responsible for Bill 17 have an opening statement?

Hon. James Allum (Acting Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I do.

Madam Chairperson: Minister Allum.

Mr. Allum: The caregiver weekly indemnity will recognize those people who stay at home and look after their children. When families lose an unpaid stay-at-home caregiver in an automobile accident,

they not only suffer a huge emotional loss, they also face the prospect of having to shoulder the costs of looking after dependent family members at home.

This new legislation would enhance weekly benefits up to \$572, paid by Manitoba's public auto insurer, Manitoba Public Insurance. This legislative change would enhance existing coverage, fully recognizing the value of the work done by the caregiver and compensate the family for the economic loss. Typical examples of these caregivers: stay-at-home parent; a parent caring for an adult child with a severe, lifelong mental or physical condition, a disabled adult child, or spouse caring for their at-home partner with severe dementia; those caring for an infirm spouse. A husband caring for a wife with severe dementia at home: If he is killed in a motor vehicle accident, MPI would pay for her support. Another example: a mother who stays at home to care for an adult child with a severe lifelong condition, mental or physical or both. If she passes away, MPI can pay for someone to look after the adult child.

Claims for caregiver weekly benefits will be evaluated on a case-by-case basis, taking into account individual circumstances, including the number of dependants. It would extend the same benefits for caregiver weekly benefits that are already available to families when an unpaid caregiver survives an accident. Weekly caregiver benefits would range from \$436 for one dependant to \$572 for four dependants—the maximum amount, \$572 per week. Eligible survivors of fatally injured victims would be entitled to \$29,744 annually, based on the current compensation levels.

This new legislation would allow families to continue looking after a dependent child or adult at home. This enhanced benefit demonstrates the strength of the public auto insurance program and how it continues to assist Manitobans affected by a fatal auto crash. This enhanced caregiver support in Bill 17 ensures that MPI continues to provide Manitobans with the best personal injury coverage.

Madam Chairperson: We thank the minister.

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

Mr. Kelvin Goertzen (Steinbach): We are in support of this legislation. Just as a way of background, it was two years ago that a bill related to MPI came before a committee like this. I believe it was two years ago; sometimes time goes quicker

than we realize, but I think it was about two years ago. *[interjection]* One year ago? Sometimes time goes even slower.

Anyway, the—so we—there was a presentation that came forward from an individual who relayed, I think on behalf of one of their clients, what had happened in terms of the individual who was a caregiver being killed in an automobile accident and they were not covered under the legislation. So, at that time—and I believe it was still Minister Swan who was the Justice minister at the time—we talked about doing an amendment, possibly on the floor of the committee or at report stage, but it would have been difficult perhaps to fit it under that bill. And the minister and his staff at that time made a commitment to the individual who was presenting and to myself as the critic, that they would follow up and look at that situation. And to their credit, they obviously have, and I think that that reflects well on everybody who was at committee that night.

There might be some questions about the timeline and, you know, when things apply. I know it's difficult to apply timelines because you're always disqualifying somebody who falls on the other side of that timeline in bills like this. But I think that having been in contact with the individual who made the presentation a year ago, according to the minister, he's pleased that it will have some effect and that it will ensure that people like the individual who he was working with that time wouldn't fall through the cracks again, so to speak.

* (18:40)

So there are always things, I think, that happen with MPI that, you know, we could improve things. I remember when Steven Fletcher brought forward some changes many years ago about how do you value somebody's income when they're a student or perhaps at the very beginning of a career that would normally be lucrative and then they get into an automobile accident, and then they're sort of stuck at the income that they had at that time, but it's not really reflective of what their likely earning potential would have been.

So we had some discussions about MPI then. This is not exactly akin to that, but it's also one of those situations that need to be addressed and fixed, and so I'm glad the government has acted on that committee. I think it speaks well of—and I'll finish on this, but we're in the midst of discussing rules and changes to rules, and I think it's another example of how valuable this committee system is, and that all

political parties, I think, find it valuable, not that it's always easy. Even the Chairperson, and I have sat through some very difficult committee hearings, but they—I've always found that they are valuable and that people have the right to come and speak their view, and often we get some very good ideas from them and this is an example of one of those. So I'm glad that those came forward and I thank the minister for bringing it forward.

Madam Chairperson: We thank the member.

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

Bill 22—The Red River College Act

(Continued)

Madam Chairperson: We will now move to Bill 22. Does the minister responsible for Bill 22 have an opening statement?

Hon. James Allum (Minister of Education and Advanced Learning): I do. Thank you.

We know that better training and education opportunities are the key to keeping Manitoba on the right track. Institutions like Red River College play an integral role in training young people and getting people the skills they need to take advantage of the opportunities we are creating.

With this legislation we are acting swiftly to strengthen Red River College and give it the tools it needs to educate the next generation of students. We were pleased to work closely with them to develop this legislation and strike the right balance so Red River College can continue to deliver the excellent programming Manitobans have come to expect.

Earlier this week our government introduced a new post-secondary education strategy to help make universities and colleges work better so that students encounter no wrong doors as they get a good education.

Red River College has a key role to play in our post-secondary sector and for our economy and labour market, and this legislation will set the college on the right path to continue to deliver excellent in-demand programming into the future. Thank you.

Madam Chairperson: We thank the minister.

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

Mr. Wayne Ewasko (Lac du Bonnet): Madam Chairperson, we, with the Progressive Conservative

Party, recognizes the importance of Red River College as an educational institution here in Manitoba. Every year thousands of students are educated at Red River College in a wide variety of areas. As one of the province's foremost advanced education facilities we agree that Red River College will benefit from the enhanced legislation to govern their board and operations. It is unfortunate that such legislation has had to come following such a controversy surrounding the board's practices under the former president, but we welcome the efforts to ensure that such abuses do not occur in the future.

It is essential that schools and their boards have clearly defined mandates and operational guidelines. These ensure students, taxpayers, and their contributions are being handled responsibly to the greatest benefit of the province.

We, Madam Chairperson, and Minister, have been consistently calling for action by this government on the most pressing issues and, in fact, our advanced educational institutions within the past couple of years, so we look forward to seeing this bill move on through third reading. I know that Red River College has been asking for this as well and so we look forward to seeing that some of the unfortunate incidences that have happened in the past couple years, you know, hopefully, diminish with this legislation. So thank you.

Madam Chairperson: We thank the member.

Clauses 1 through 3—pass; clause 4—pass; clause 5—pass; clauses 6 through 9—pass; clauses 10 through 12—pass; clause 13—pass.

Shall clauses 14 through 16 pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Mr. Ewasko: Just in regards to clause 14, so the minister had asked a couple questions yesterday when we were moving the bill through second reading towards committee. So, when we're talking about the property and the assets and those types of things, can you explain again: Are those—are the buildings that are presently owned by MIT—are they going to be transferred over into—for ownership? Are they going to be purchased by Red River? How's that process going to work?

Mr. Allum: The bill certainly empowers, provides the authority to the college to acquire the assets. I think the member knows they already—Red River already owns certain of their facilities, and so that

certainly—this simply provides them with the ability to acquire the remainder of the assets.

Mr. Ewasko: The—so the maintenance currently under those buildings that are not owned by Red River, how is that going to be transferred over as far as the costs that are going to be incurred by Red River once this moves forward?

Mr. Allum: Quite simply, there's a—there will be a working groups established, if they're not already under way. They will work together to work on the relative details that are associated at any transfer, including labour and other related matter. And so those things will be worked out in the course—due course of time.

Mr. Ewasko: Okay. And, as I asked yesterday in second reading, I guess part of my concern is that some of the efficiencies—you know, I used the example yesterday, if there is something that had deteriorated within one of the buildings, they needed some sort of engineering study or whatever else, right now as the buildings are owned and maintained from MIT, they have access to the engineer's expertise within the government at quite the, I'm assuming, a substantial savings. So, if that is necessary once the buildings get purchased or transferred over to Red River College, those fees could be substantially higher, and so I want to know if some of those assurances are going to be given to Red River that, you know, as far as compensation for the costs in all of those.

Mr. Allum: Well, of course, those details will be discussed by the working groups, will come to consensus and agreement about it. But I would also add that in addition to the transfer of the assets, when it happens, ongoing discussions happen with related staff as well, and those—it may well be that those very staff that you're describing with their expertise also move over to Red River.

Mr. Ewasko: So right now on the buildings and the—at the assessed values of the buildings, and I know that as of yesterday there was no assessments done on those assets that were going to be purchased or transferred over, and I guess, maybe first of all, we should just clarify: Is Red River College—are they going to have to purchase those buildings from the Department of Infrastructure?

Mr. Allum: Well, at this point, the bill simply contemplates the college's ability and authority to acquire the assets, and so the details will be subject to continued negotiation and discussion.

Also, I want to add that yesterday I did say that MIT, which some of these questions are actually more for MIT, but there—of course, there is an understood value of the buildings right now, but, of course, I would expect, as I said yesterday, for those to be re-evaluated in the course of the dialogue that happens between government officials and college officials so that we get the exact right agreed-upon price.

* (18:50)

Mr. Ewasko: So I guess my only concern is that due to funding allotments to Red River College and other post-secondary institutions, I mean, some of these costs get trickled on to the students and that. And so I'm wondering if there does come a time when Red River College is unable to, you know, hopefully not, but is unable to pay for those—whatever, those renovations or whatever might have to be done to those properties, it is going to fall back on to the students and then eventually the taxpayer. Again, I'm not seeing the savings from doing that.

Mr. Allum: Well, of course, there is a desire on the part of the college to acquire these assets. As I said earlier, they already own some of these assets as well, so, consequently, we can see from that experience and, of course, universities also own their assets, we can see from that—those examples that, in fact, the scenario that you've identified has not necessarily come to pass, but it has been a position of our government and I think in governments past to be supportive of capital needs and-or renovation needs for universities or colleges.

As for whether this will have an impact on students, I think it's fair to say that we have among the lowest tuition rates in Canada now and have among the highest funding in the country.

So, in my estimation, our colleges and universities are very well positioned and this is a—this is something that there's consensus on between government and the college. And so I think this is—has potential. But as I said, the bill simply contemplates at this point the transfer.

Mr. Ewasko: Those—and thank you, Madam Chairperson—but those facilities right now, they're owned by MIT that Red River occupies and uses. Is there tax incentives or some sort of forgiveness on property taxes on those buildings right now as they sit, do you know?

Mr. Allum: Well, I believe that universities are currently exempt from property taxes, if I understand your question correctly; colleges are not at this point.

Mr. Ewasko: So then they would continue under this agreement to not have to pay for taxes?

Mr. Allum: Agreed.

Madam Chairperson: Clauses 14 to 16—pass; clause 17—pass; clauses 18 through 21—pass; clause 22—pass; clauses 23 through 25—pass; clauses 26 through 28—pass; clauses 29 through 33—pass; clauses 34 through 36—pass; clause 37—pass; clauses 38 through 41—pass; clauses 42 and 43—pass; clauses 44 and 45—pass; clauses 46 and 47—pass; clauses 48 through 51—pass; clauses 52 through 56—pass; clauses 57 through 59—pass; table of contents—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 6:54, what is the will of the committee?

Some Honourable Members: Rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 6:54 p.m.

WRITTEN SUBMISSIONS

Re: Bill 11

Good Evening,

Thank you for the opportunity to be here tonight, my name is Kathy Litton and I along with my sister Kellie Damphousse own and operate the TanFX network of salons. In the 15 years we have been in business we have grown from one location here in Winnipeg, to over fourteen locations in western Canada—with four more under development.

Five of these locations are in Manitoba—four in Winnipeg, one in Brandon and our two new developments are here in the city.

Our locations are inviting, staffed by certified salon workers and offer both sunless and UV tanning services in a fantastic setting.

We employ dozens of Manitobans in our locations and our head office and I am pleased to say that we view our team as family—which I am proud to say is growing.

Teen tanning has never been a core part of our business and we support the age restriction proposed under Bill 11. As a JCTA member, we have voluntarily implemented a full ban on minors

accessing UV tanning equipment since August of 2014.

That being said, as an owner operator, while I appreciate that the Act creates a level playing field for all operators, I do believe that it is missing a key component—mandatory operator training.

If we want to make sure this bill is implemented correctly on the ground and that in cases where light therapy is unavailable, and a minor uses UV tanning equipment at the direction of a medical doctor for a specific illness—then we need to make sure that the equipment is used correctly.

Considering that the vast majority of salons already have, or are moving toward enhanced and expanded

education, I believe it makes perfect sense to enshrine this in law. This will only bring improvements to our sector, by making it safer for clients regardless of age—while also saving business owners such as myself on insurance premiums. It's a win-win for our sector, for government and for our clients.

It is for this reason that I strongly recommend that this committee amend Bill 11 as per the Joint Canadian Tanning Association's suggested revision.

Should the committee members have any questions about this recommendation, or my business, I would be more than pleased to take them.

Kathy Litton

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

<http://www.gov.mb.ca/legislature/hansard/hansard.html>