

**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*

**Vol. LXVII No. 6 - 6 p.m., Wednesday, September 9, 2015**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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

**Wednesday, September 9, 2015**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Ms. Nancy Allan (St. Vital)**

**VICE-CHAIRPERSON – Ms. Theresa Oswald (Seine River)**

**ATTENDANCE – 10 QUORUM – 6**

*Members of the Committee present:*

*Hon. Ms. Braun, Hon. Messrs. Caldwell, Dewar, Nevakshonoff*

*Ms. Allan, Messrs. Cullen, Eichler, Ms. Oswald, Messrs. Pivniuk, Smook*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

*Mr. Shannon Martin, MLA for Morris*

**PUBLIC PRESENTERS:**

*Bill 13–The Planning Amendment Act (Special Planning Areas)*

*Ms. Diane Gray, CentrePort Canada Inc.*

*Ms. Frances Smee, RM of Rosser*

*Mr. Jim McLandress, Winnipeg Airports Authority*

*Bill 20–The Architects Amendment Act*

*Ms. Judy Pestrak, Manitoba Association of Architects*

*Mr. Verne Reimer, private citizen*

*Mr. Ralph Stern, private citizen*

*Bill 21–The Engineering and Geoscientific Professions Amendment Act*

*Mr. David Grant, private citizen*

*Mr. Grant Koropatnick, Association of Professional Engineers and Geoscientists of Manitoba*

*Ms. Vicki Poirier, private citizen*

*Bill 24–The Wildlife Amendment and Fisheries Amendment Act*

*Mr. Brian Strauman, Manitoba Wildlife Federation*

*Bill 31–The Registered Professional Planners Act*

*Ms. Valdene Lawson, Manitoba Professional Planners Institute*

**WRITTEN SUBMISSIONS:**

*Bill 21–The Engineering and Geoscientific Professions Amendment Act*

*Alan Pollard, private citizen*

*Bev Pike, private citizen*

*Don Osman, private citizen*

*Roger Rempel, private citizen*

*Bill 31–The Registered Professional Planners Act*

*Joe Masi, Association of Manitoba Municipalities*

*Braden Smith, City of Winnipeg*

**MATTERS UNDER CONSIDERATION:**

*Bill 10–The Municipal Amendment Act*

*Bill 13–The Planning Amendment Act (Special Planning Areas)*

*Bill 20–The Architects Amendment Act*

*Bill 21–The Engineering and Geoscientific Professions Amendment Act*

*Bill 24–The Wildlife Amendment and Fisheries Amendment Act*

*Bill 31–The Registered Professional Planners Act*

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**Madam Chairperson:** Good evening. Will the Standing Committee on Social and Economic Development please come to order.

Our first item of business is the election of a Vice-Chairperson. Are there any nominations?

**Hon. Erna Braun (Minister of Labour and Immigration):** I would like to nominate Ms. Oswald.

**Madam Chairperson:** Theresa Oswald has been nominated. Are there any other nominations?

Hearing no other nominations, Theresa Oswald is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 10, The Municipal Amendment Act; Bill 13, The Planning Amendment Act (Special Planning Areas); Bill 20, The Architects Amendment Act; Bill 21, The Engineering and Geoscientific Professions Amendment Act; Bill 24, The Wildlife Amendment and Fisheries Amendment Act; and Bill 31, The Registered Professional Planners Act.

How late does the committee wish to sit this evening?

**Mr. Ralph Eichler (Lakeside):** Until the—all the matters have been discussed and presenters heard.

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

Thank you. We have a number of presenters registered to speak tonight as noted on the list of presenters before you.

Written submissions from the following persons have been received and distributed to committee members: Alan Pollard, private citizen, on Bill 21; Bev Pike, private citizen, on Bill 21; Don Osman, private citizen, on Bill 21; Roger Rempel, private citizen, on Bill 21; Joe Masi, Association of Manitoba Municipalities, on Bill 31; and Braden Smith, City of Winnipeg, on Bill 31.

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

Thank you.

Before we proceed with presentations, do—we do have a number of other items and points of information to consider. First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance of the room. We have already had a couple who have registered this evening, so thank you.

Also, for the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask you to 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 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.

Prior to proceeding with public presentations, I would 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 that person's first name—or that person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Thank you for your patience, and we will now proceed with the public presentations.

### **Bill 13—The Planning Amendment Act (Special Planning Areas)**

**Madam Chairperson:** We have no presenters on Bill 10, so we will proceed with Bill 13, The Planning Amendment Act (Special Planning Areas). The first person—presenter on our list to present is Diane Gray—Diane Gray—sorry about that, Diane—president and CEO, CentrePort Canada Inc.

You can proceed, thank you.

**Ms. Diane Gray (CentrePort Canada Inc.):** Good evening, ministers, MLAs, honourable members of the Standing Committee on Social and Economic Development for the opportunity to present CentrePort Canada's support for Bill 13, the special planning areas amendment to The Planning Act.

As many of you here will know, when The CentrePort Canada Act was passed unanimously by the Legislature in October 2008, it created a non-share capital corporation called CentrePort Canada Incorporated to act as the master planner and business development facilitator for the development of the 20,000-acre tri-modal inland port situated in both the city of Winnipeg and the RM of Rosser. CentrePort was born out of a strong working relationship between the private and public sectors and has flourished thanks to strong ongoing commitments from governments. This has included significant investments in supporting infrastructure and establishing supporting policies, including the special planning areas amendment, to encourage and facilitate growth at the inland port.

As one of the main economic pillars of our province's future prosperity, CentrePort is a true differentiator for Manitoba, focused on attracting

economic investment and creating jobs not only today but for decades to come.

We strongly support the amendment as introduced, as it is designed to provide for fast-track development approvals within a strong planning framework of transparency that gives certainty about what kinds of development are allowed and expected in different parts of the footprint. Expedited and streamlined development approvals are expected to be a key addition to CentrePort's suite of single-window services for investors while also providing the broader community with an accountable process for land development approvals.

CentrePort has experienced significant industrial growth to date, particularly within the Rosser area, where more than 200 acres are under development by 40 new companies from a variety of industries. CentrePort anticipates not only that this strong growth rate will continue but it will continue to accelerate, bringing new companies and jobs to our province. In fact, we anticipate over the entire footprint within the next 10 years there will be up to 1,000 acres of land available for new industrial, commercial and residential projects covering both the RM of Rosser and the city of Winnipeg.

But current and expected growth rates hinge on CentrePort and its public partners continuing to build an encouraging investment environment. The objective of the special planning area for CentrePort is to clearly outline what kind of development is expected and allowed in a given area, providing transparency and planning certainty for business and the community while removing the ad hoc nature of approvals that tend to frustrate all involved.

Development delays significantly impact not only businesses seeking to locate at the inland port but also municipal and other governments. For example, if development approvals are delayed, not only do governments lose out on the new jobs and spinoff economic activity and revenues generated by new companies, but there's also a loss in anticipated tax revenues.

Now, CentrePort is not a business-as-usual project. It takes significant vision and commitment to develop a 20,000-acre master-planned community that provides for a live, work, play and learn approach to development. This approach is well established at the inland port, with the 40 new companies I mentioned, a new 600-acre residential project in precinct planning stages, the protection of Little Mountain Park, increased active transportation

opportunities and strong partnerships with secondary and post-secondary institutions. We need this unique and not-business-as-usual approach to planning and development approvals as well.

To this end, we encourage the timely passage and implementation of the special planning areas amendment to The Planning Act. Thank you.

\* (18:10)

**Madam Chairperson:** Thank you.

Do any of the committee members have questions?

**Mr. Ralph Eichler (Lakeside):** Thank you for your presentation, Diane; very well done. I have a question in regards to your estimate revenues where you say the—a quarter of land would normally bring in \$1,400 in tax, and then your estimates show that you receive approximately \$228,000 in annual revenue. How does that compare to the offset of the expenses to develop that land?

**Ms. Gray:** So these are actual numbers that the RM of Rosser has provided for unserviced but developed land currently within the CentrePort area. Clearly, with servicing and the addition of water and sewer services, there's not only higher taxation revenue, because they're able to add in an additional levy for that but also those companies are increasing—having the value of their land overall increased.

So I know that the RM of Rosser, with its engineering companies, have been doing financial modelling relative to providing not only the services for the current phases but building out in a way that is cost effective but also cost recoverable for their municipality.

**Mr. Eichler:** Another question in regards to your presentation: You talked about businesses that have made application to start a new company in that area. How many businesses have made application and lost due to the paper trail being too much red tape?

**Ms. Gray:** I am not aware of any businesses that have been lost due to so-called red tape, per se. What I am aware of is that there have been companies that have looked at CentrePort for a location but, because the services weren't in place, had to look elsewhere because the timeline for the new services did not meet their own expansion or development plans. So I couldn't give you a number on that. And, in fact, there's probably some that we're not even aware of because they didn't come through us or they were

aware through their real estate contact the status of the services.

A big step forward is going to be the provision of water and sewer within less than 12 months to phase 1 lands within the RM of Rosser. Within the city of Winnipeg, the—all of the developers are currently undertaking updated planning activity to prepare for services as they come down onto the city lands as well.

So what we're seeing now is a significant amount of private investment activity, preparing for—to take advantage of all of the work that's been done to date.

**Hon. Drew Caldwell (Minister of Municipal Government):** I'd just like to thank you, Ms. Gray, and to thank your team for the work that you do. I also want to acknowledge the very good work and partnership with the RM of Rosser, along with the City of Winnipeg, in facilitating this. And not—last but not least, I'd like to thank my colleagues in the Manitoba Legislature for recognizing the importance of this venture for the economic development and future prosperity of the province of Manitoba by making your institution a unanimous decision of the Legislature. So thank you very much for your presentation, and I'd like to thank my colleagues on all sides of the House for moving this forward. Thank you.

**Madam Chairperson:** Thank you.

Our next presenter is Frances Smee from the RM of Rosser.

This was a walk-in, so we appreciate you being here this evening. Thank you and you can proceed.

**Ms. Frances Smee (RM of Rosser):** Thank you, Madam Chair, members of the committee, I'd first of all like to start by saying that the municipality of Rosser supports the SPA in principle; we just have a concern that I want to bring forward to you this evening.

So Canada has a diverse and complex municipal system. Most provinces and territories have adjusted their municipal legislation to provide for more local autonomy. Manitoba enacted The Municipal Act in 1996, recognizing the expanding role of municipalities in the province. Manitoba legislation is intended to enable municipalities to exercise their discretion broadly by way of a wide range of permissive powers, The Municipal Act and The Planning Act.

These developments are in part the way Canadian and provincial governments have come to view the role of municipal institutions. The quality and education of professionals contracted and employed by municipalities and the extraordinary levels of public participation make it questionable whether the provinces need to approve bylaws or require municipalities to ask for new powers on an ad hoc basis.

In other words, in the words of Justice L'Heureux-Dubé, legislating and executing policy are often best carried out at a level of government—governance that is not only efficacious but also closest to the citizens affected and thus most responsive to their needs, to local distinctiveness and to population diversity.

The courts have additionally during the last decade declared that the law must respect the responsibility of elected municipal bodies to serve the people who elected them and exercise caution to avoid substituting the views of what is best for the citizens for those of municipal councils. The courts are willing to imply jurisdiction where powers are not expressly conferred. Chief Justice McLachlin of the Supreme Court of Canada has stated the matter this way: Whatever rules of construction are applied, they must not be used to usurp the legitimate role of municipal bodies as community representatives.

Future trends in Canada are to expand powers, responsibilities and duties for municipalities. There are financial constraints on municipalities where they are left with the effects of development without adequate powers or resources.

And I just want to refer to the act. Well, we'll wait for that for a moment.

It's critical that any regulation drafted be focused on the planning of the area and only on the planning that any such regulation be crafted carefully so as not to diminish the powers of the Municipality of Rosser under The Planning Act or Municipal Act or even reduce Rosser's ability to maintain control and provide services and infrastructure.

Currently, the most concerning aspect of the bill is with respect to development agreements. Several sections of the draft bill provided are directed at controlling the use of development agreements. With the role that any local government will play within the CentrePort area, it is critical to their council to be able to maintain some control over the development agreement.

The wording as it stands does not achieve this and minimizes a municipality's role. It confuses who is responsible for development agreements, and with this I'd just like to refer to section 12.13(1) of the bill, and it reads: "As a condition of amending a development plan by-law or zoning by-law, making a variance order or approving a conditional use in respect of a special planning area"—and we also think that subdivisions should be included in that wording—it continues on: "the minister may require the owner of the affected property to enter into a development agreement with the planning district or municipality in respect of the affected property and any contiguous land owned or leased by the owner."

Municipalities should be in control of the development agreements. The primary role needs to be with the municipality.

It goes on with section 12.13(2) which says: "Subject to the regulations, a special planning authority that hears an appeal concerning an application for a variance or conditional use may impose a requirement that a development agreement be entered into, or vary or revoke such a condition."

It's my understanding that the council's decision is final in conditional use or variance decisions according to The Planning Act.

We feel that at all times a development agreement should start with the municipality and be fully under their control because the municipality has the sole responsibility for providing services and infrastructure, and as an aside as of last night, the council of the RM of Rosser gave third reading to the zoning bylaw, the Rosser CentrePort area zoning bylaw, and has accepted the SIPD order to make development agreements mandatory so that is within the zoning bylaw.

And then further the next part of this reads: "When a development agreement is required to be entered into under this section, the board or council may require that the agreement deal with one or more of the matters set out in section 150."

\* (18:20)

So that just seems confusing. It just seems confusing as to where development agreements actually end up in here.

In light of our role as providing for developments in services and infrastructure, as well as responding to the citizens of the area, our request is that Bill 13 be sent back for review, taking into

account the legislative protection needed to secure this very important role for the municipality.

Thank you.

**Madam Chairperson:** Thank you for your presentation.

Do members of the committee have questions?

**Mr. Eichler:** Thank you for your presentation. In regards to the structure of the committee, the way it's outlined in Bill 13, do you feel that that gives the municipality enough authority the way it's established, or do you feel that needs to be reviewed as well?

**Floor Comment:** I think the general feeling of council is that the structure of the committee will work.

**Madam Chairperson:** Any other questions?

**Mr. Caldwell:** Thank you, Reeve. I'd like to thank you very much for appearing tonight and sharing the concerns with—you. I'll take under advisement what you've said, and I also want to commend the RM and your colleagues, both staff and elected officials, for the hard work that they've undertaken in the last number of years in really exercising a strong leadership role in developing something that's going to have benefits for this province for a century to come. So thank you for your hard work. Thank you.

**Madam Chairperson:** Thank you.

Our next presenter is Jim McLandress from the Winnipeg Airports Authority.

**Floor Comment:** I'm actually happy to be slid down to the end of the list, if that's all right.

**An Honourable Member:** I think you would be the—are already at the end of the list.

**Madam Chairperson:** Excuse me. Yes, we have three presenters, and you are the third presenter and you're a walk-in, and we're pleased to have you with us this evening.

**Mr. Jim McLandress (Winnipeg Airports Authority):** And I'm thrilled to be here, but I have nothing more to add, if I'm the end of the list. I'll pass on my opportunity to speak, but thank you for the time and attention you've given to this bill. Thanks very much.

**Madam Chairperson:** Thank you, Mr. McLandress.

Before we proceed to the next piece of legislation, I would like to take this opportunity to

introduce two new pages that we have with us this evening, and this is going to be their very first committee hearing, and I'm pleased to introduce to you the two new pages for the 2015-2016 legislative year, Megha Kaushal and Adam Gislason. Thank you very much for being with us.

#### **Bill 20—The Architects Amendment Act**

**Madam Chairperson:** We are now going to proceed to Bill 20, The Architects Amendment Act.

The first presenter that we have this evening on Bill 20 is Judy Pestrak from the Manitoba Association of Architects.

Do you have materials to distribute, Judy?

**Ms. Judy Pestrak (Manitoba Association of Architects):** I do not.

**Madam Chairperson:** Okay, well, no problem. We're sure you'll do just fine without them. Thank you very much. You may proceed.

**Ms. Pestrak:** Good evening, and thank you to the members of the committee for allowing me to speak in support of Bill 20, The Architects Amendment Act.

I'm Judy Pestrak, the long-time executive director of the Manitoba Association of Architects, and I'm here this evening speaking on behalf of our council and our 600-plus-member-strong association. Just as you have a process in consulting the public, so, too, do we in consulting our members. That's why I stand before you tonight with the assurance that our membership supports Bill 20 and the amendments under review this evening.

One of the areas addressed by the proposed amendments falls within a fundamental responsibility of each and every licensing body that's charged with regulating the practice of a profession, and that is the complaint and disciplinary process that seeks to address matters regarding the ethical and professional conduct of members, as well as any issues regarding competency to practise. Nearly 30 years ago, the membership of the Manitoba Association of Architects adopted provisions within its bylaws to consider a direction that might result in disciplinary action less severe than suspension or expulsion, as appropriate to the circumstances concerned, while continuing to serve the public interest.

The ability for an organization like ours to consider a broad range of options is common to most

modern-day professional legislation. In moving away from the former hard-handed approaches that tended to focus on penalizing certain behaviours and actions, we've taken a more responsive approach with a remedy-based focus, where appropriate, which allows us to address issues through education at either an individual or profession-wide level, and/or by directing that supportive measures be pursued as and where applicable.

Regrettably, while many professional associations across the country believe themselves to have even greater latitude on the disciplinary front, decisions out of the courts in recent years have proved to suggest otherwise. In disciplinary cases that have been appealed to the courts, decisions have been based on the laws as written and have been of the opinion that unless specific provisions are clearly set out within the statute itself, alternative measures and procedures are not acceptable and must be overturned. Importantly, once such a decision is issued by the courts, it's deemed to apply to all professional legislation, not simply the specific profession that was the subject of the disciplinary appeal.

For this reason, it's extremely important to us that The Architects Act be updated as recommended by the proposed amendments to specifically address our ability as a regulatory body to administer our complaint and discipline process in a reasonable and professional manner, including the clearly set-out ability for us to consider and impose a broader range of action.

I would like to thank the committee for allowing our association the opportunity to make our views known this evening, in support of the amendments outlined in Bill 20. On behalf of the Manitoba Association of Architects, I would urge you to support the amendments presented, which resulted from a very careful and thoughtful collaborative process with government and our members. It is a process of review that's been greatly appreciated, and we thank the minister, her deputy, staff and all concerned for their willingness to ensure our legislation is a true reflection of modern professional practices.

Thank you.

**Mr. Dennis Smook (La Verendrye):** Thank you for your presentation tonight, and it's great to see that you have your membership behind you in supporting this. So I'd just like to thank you for the presentation.



**Madam Chairperson:** Any further questions?

**Hon. Erna Braun (Minister of Labour and Immigration):** I just wanted to add my thank-you as well, that the work that you've done with your association and the assistance you've provided in making sure that we're doing it the right way. Thank you.

**Madam Chairperson:** Thank you.

We have a walk-in this evening, and it's Verne Reimer, private citizen.

If you have no materials to distribute, you're more than welcome to start. Thank you very much.

**Mr. Verne Reimer (Private Citizen):** Thank you.

Good evening, members of the committee. My name is Verne Reimer, and I'm an architect authorized to practise in the province of Manitoba. I'm also a current member of both the executive committee and council of the Manitoba Association of Architects, and I'm currently serving as the vice-president.

I—my history is a managing partner at GBR Architects, Stantec Architecture. I started my own firm in 2009. I have an office on River Avenue. I'm the principal of Verne Reimer Architecture.

I'm here in an individual capacity to support Bill 20, The Architects Amendment Act, and would like to speak briefly about the importance of mandatory continuing education, which is part of the proposed amendments to the act.

Nearly a quarter century ago, the MAA was the first architectural association in North America to adopt mandatory continuing education requirements. Our pioneering decision was based not in legislation, but on the desire of our members and the direction of our council to move beyond a simple mandatory reporting system to a more fulsome program that they deemed appropriate for licensed—a licensed profession operating in the best interests of the public—the general public. We've always been proud that we did this willingly, under the authority of our bylaws, given the objectives outlined within The Architects Act. Equally, we are proud that in the last decade or so, all of the provincial and territorial architectural associations in Canada have followed suit, implementing mandatory continuing education as a requirement for architects to maintain their licences.

While the MAA has never been challenged on this requirement, it is aware that more and more cases are being appealed to the courts by individual practitioners. In turn, the courts generally look for specific provisions and authority to be outlined within appropriate provincial legislation.

\* (18:30)

Tonight I ask each of you to support amendments outlined in Bill 20, as they give legislative clarity within The Architects Act in the area of mandatory continuing education, in the area that has long been supported by our membership. In line with our executive director, I also extend thanks to the provincial government for pushing forward with these important amendments, which we believe are critical to the sustainability of our profession. Thank you.

**Madam Chairperson:** Thank you for your presentation.

Questions?

**Mr. Smook:** Not a question, just a comment that I'm glad to see you appear here tonight, and education is an important thing with the way technology changes today, the way things are changing. You know, mandatory education to keep everybody updated is important. I'm glad to see that that's a part of your plans.

**Hon. Jon Gerrard (River Heights):** Yes, thank you very much for coming and for presenting. Perhaps you could give us just a little bit of an idea of what's involved with the mandatory continuing education in architecture. What does an architect have to do now or will have to do?

**Mr. Reimer:** What does an architect have to do? Well, you know, as with many professions, if you don't keep up with the knowledge base, it's very difficult to continue practising at a very high level. The architecture profession is very complex these days because of all the—architects just don't make pretty buildings; we also put buildings together in a very technical way. We have to have a really great understanding of building codes and building science, physics, chemistry. We work hand in hand with engineers on virtually every project. So it's—and given the legal environment and I think the business environment, we have to be on-step and at a—and practise at a very high level to keep our clients happy and to keep ourselves out of court and stuff like that.

The only way to do that is to have a rigorous continuing education program, and the programs are aligned across Canada. Because I'm a member of the Ontario association also, I-I'm on their program. But there-it's a--don't have the numbers right on the top of my head, though, but there's about 75 hours every two years that have to be used in either mandatory or voluntary pursuits of increasing your knowledge. And there-it's categorized in terms of--like, for instance, I sit on council here, so I can put about six of those hours or 12 of those hours in, of those 72, because I sit on council. But then I have to spend another six or 12 on compulsory education programs for building science, for instance. And then--so you can sort of pick and choose what you have to do or want to do, but it's--and sometimes it's a bit of struggle putting in the hours because there is a deadline and you may lose your licence if you don't put in the hours. But what I find is that it's always enlightening to go through the education because it makes me a better architect. It makes me a better practitioner; hopefully, it makes me a better human being.

**Madam Chairperson:** Thank you.

**Ms. Braun:** Thank you, Mr. Reimer, for coming this evening and sharing your support and also explaining the complexities of the profession you're in. Thank you.

**Madam Chairperson:** Thank you.

Our next presenter is Ralph Stern, private citizen, who was a walk-in this evening, and we're pleased to have you with us. You may proceed.

**Mr. Ralph Stern (Private Citizen):** Thank you to the Chair and to the members of the committee.

I want to speak this evening also in support of Bill 20, The Architects Amendment Act. My name is Ralph Stern. I'm an architect licensed to practise in Manitoba. I'm also an architect licensed to practise in the state of New York as well as an architect who has been licensed to practise for many years in Berlin, Germany. In all three locations, I've learned the importance of a vibrant and dedicated profession to developing a sense of identity, community and culture. I believe that strong professions serve not only professional interests but everyone's interests.

I'm also an architectural educator with almost 25 years of teaching experience in four countries, on two continents, in private and public institutions. For the fast five years, until last week, I've been the dean

of the faculty of architecture at the University of Manitoba. Strong professional programs and education serve the interests of not only our 'futurall'--future professionals but our future leaders and communities.

I've had the good fortune to have been a member of MAA council since 2011. On council, I've come to understand both the challenges and opportunities that face professionals in Manitoba today. As an educator concerned with retaining our best and brightest students in Manitoba, it seems clear that a strong and vibrant profession is the best means to do so. Therefore, tonight I ask you to help us update The Architects Act by passing the amendments before you. It will mean so very much to our students, the future professionals of the province of Manitoba. Thank you.

**Madam Chairperson:** Thank you for your presentation.

Comments, questions?

**Mr. Smook:** Yes, I'd like to thank you again for presenting tonight. It's very interesting to hear that somebody who works in other jurisdictions finds that what's happening in Manitoba is good, so.

**Mr. Gerrard:** Thank you for your presentation and for illustration of the importance of this bill.

I'm just curious. Will the University of Manitoba be very involved in providing continuing medical--or continuing architectural education courses?

**Mr. Stern:** We don't provide courses per se directly, but we do provide many courses that either help fulfill that function; so, for instance, courses that support topics around the issues of energy efficiency or sustainability or new materials. You may know we're working now with Manitoba Hydro on a project that is on the front lawn of the Russell building, dealing with energy--new materials and energy efficiency. So that's one area in which we open up, let's say, the possibility for education, the possibility for participation.

We also have a very, very, very extensive lecture series, both noontime lectures and evening lectures, that will also fulfill continuing education requirements. And, in those lectures, we bring in--because we are a faculty with four different professions, we bring in a variety of professionals to speak to professional issues, issues in terms of just the future of the professions, materials, construction issues and the like. And those can be used if

professionals attend those for continuing education credits, yes.

**Madam Chairperson:** Thank you.

**Ms. Braun:** Thank you very much for coming this evening, Mr. Stern, and thank you very much for training the architects of the future. Continue to make Manitoba and Winnipeg beautiful. Thank you.

**Madam Chairperson:** Thank you.

### **Bill 21—The Engineering and Geoscientific Professions Amendment Act**

**Madam Chairperson:** We will now proceed with Bill 21, The Engineering and Geoscientific Professions Amendment Act.

And our first presenter is David Grant, private citizen.

You may proceed, Mr. Grant. Thank you.

**Mr. David Grant (Private Citizen):** I guess, first I would give recognition to Ms. Allan and Ms. Braun. I remember discussing labour issues with both of you over the years. I should be getting closer to the mic, sorry.

My most important statement tonight, to this committee, is that this process is flawed—be generous and say that. This is not my first visit. I've been here over the years. When I spoke to Bill 2 almost two years ago, sponsored by Ms. Braun, I was the only presenter with ideas to make the bill better. People spoke in favour, generally, but there were no technical tweaks. Ms. Braun was so impressed with what I said she came to me afterwards, with her assistant, to say so. She promised that all these three ideas were good ideas and that she'd try to get them added to the bill. I was invited to see—to her office later—or suggested. I went away very happy.

\* (18:40)

Then I heard nothing from her office, and then the bill came out without my great ideas, and I was disappointed. And, I guess, basically, one of the things I had called for was—that bill was to deal with not killing any more flag girls in the highway, and one of my ideas was put buzz strips on the highway. We see them in the country sometimes on paved roads; there's buzz strips so you don't forget about that stop sign. I felt really strongly that we should have buzz strips before the construction zones, because a lot of what goes wrong there is because people aren't paying attention. And they could go

down an open highway and not pay too much attention and nobody gets hurt. But construction zones, you really got to wake them up.

Anyway, we had an incident, a very unfortunate incident this year. We had one in BC of a tow truck getting run into by a bus. Obviously, the bus wasn't paying attention; it was daylight. And then we had one in Winnipeg, in Manitoba, where a construction zone—mom slows down, the truck behind her doesn't slow down, crumples her truck, sets fire to it. And she was in really bad shape; she died a few months later.

And, ever since that happened, I keep wishing that I had tried harder. And I could respectfully suggest that the process could have tried harder, too, to incorporate good ideas into legislation.

One of my questions, and, again, speaking to John, he suggested that bills quite often get tweaked and improved at this stage. I haven't seen it, but I would suggest that public input maybe could be invited—technical public input could be invited at an earlier stage. I'm thinking, like, right after first reading, rather than giving praise or I'm scared of this bill, those kinds of general reaction things, if there's tech stuff, let's try and get it done earlier in the process. Just a little editorial comment on the future of legislation around here, and you've mostly been here for a very long time, and you're aware of—probably aware of why my idea wouldn't work.

Anyway, I am speaking as a private citizen. I consider myself a very generous person. I never learned to sit and watch sports, because I'm always too busy either learning something or out volunteering somewhere. I tend to spend—I retired recently, and I find that the volunteer stuff has exactly displaced all the time I used to spend at work. So now I'm still cutting back on the sleep to get more stuff done.

But one of the—and I donate my time, but I also donate money, where applicable, to causes I like. But I am not pleased with the idea of making somebody else do whatever you like to do, including donate money. And that brought me to the—probably the only aspect of Bill 21 that I'm not real happy with is a single word. In January 2013, our elected council on APEGM passed a motion, drafted by the CEO, calling for APEGM to allow donations to charity. And, generally, people don't mind that sort of thing; although, there are issues. Council was later reminded that there's a legal opinion that that stuff was unlawful and done—not done by regulators.

On the other hand, when this bill came out, the word charity seems to be gone. So the idea of donating to charity implies to registered charities, and it means a good thing. When you leave out the word, then just donation and gifts has a different connotation or could go a different way. So, really, I'm just suggesting that if only, because it's too late, Bill 21 were to use the word that was chosen by the elected assembly, which was charity, that would be really cool.

The other point I wanted to make, moving away from the current contents of Bill 21, that if this committee is serious about regulation and protection of the public, and this applies to Bill 19, 20, 21, perhaps it should think about—rethink the complaint process. The complaint process we have is—presents hoops to—or hurdles to jump over that are real easy for the architects in the room and the engineers in the room to do, and lawyers and so on. They may not be so easy with the average complainant. So somebody who's not versed in the ways of long words and long sentences, may do very badly when they try to lodge a complaint against their professional.

And just a general suggestion that in the next version of these three bills, some thought be given to a non-learned complaint process. Somebody says, I don't like that because of this, that may be enough for somebody in the organization to give some thought to that and say, yes, people complain about it all the time, are, oh, my goodness, we should handle this. So, you know, the layman input doesn't seem to be an option for the complaint process.

The other issue that I've noticed over the years, and I thought I'd mention it because it does apply to all these complaint processes, is they all require a professional's name. So, if you're—

**Madam Chairperson:** Mr. Grant, you have one minute left.

**Mr. Grant:** One minute? Okay. So, if one's complaining about a professional, and you don't have his name, but you know what he did, that doesn't do you any good. So, if the City of Winnipeg decides to hide the names of its lawyers and its engineers, nobody can ever complain about the shoddy work or the unethical work they've done. So that's another potential tweak and improvement for the regulation process for you. Thank you very much. Sorry I ran on.

**Madam Chairperson:** Thank you for your presentation.

Questions from committee members?

**Mr. Dennis Smook (La Verendrye):** Yes, I'd like to thank you for your presentation, and your ideas are very interesting. I guess it would be for—we have a few more presenters. It would be interesting to see what they have to say in respect to your comments. So I'm glad you presented and waiting for the rest of the presenters to present.

**Hon. Erna Braun (Minister of Labour and Immigration):** Thank you, Mr. Grant, for coming again, and thank you for sharing your perspectives.

**Hon. Jon Gerrard (River Heights):** Thank you very much for coming. Just one question, point of interest. After your ideas were not accepted, did you ever get any feedback as to why they were not accepted on the previous bill?

**Mr. Grant:** I didn't hear anything back. Actually, I ran into Ms. Braun socially in the middle of the winter, and we talked social things rather than complaining about old bills. But my efforts to contact her office over that 14-month period got me a few callbacks with no info, but no reason why and no schedule for improvement. So, as I say, I sort of gave up after six months. I could have been more aggressive. And I did want to make it clear to everybody that I'm not speaking out against Bill 21; I just sort of wish that word was in there, because as a councillor of the organization, there are ethical limits here. So thank you very much.

**Madam Chairperson:** Thank you for your presentation.

Our next speaker this evening is Grant Koropatnick, Association of Professional Engineers and Geoscientists of Manitoba.

You may proceed.

**Mr. Grant Koropatnick (Association of Professional Engineers and Geoscientists of Manitoba):** Good evening, everyone, Madam Chair, Minister Braun and the members of the Legislative Assembly and any staff that are here supporting tonight. My name is Grant Koropatnick, and I'm the CEO and registrar for the association which has been newly named Engineers Geoscientists Manitoba. But that's okay if you call us the association; we know what you mean.

We appreciate the opportunity to speak enthusiastic support for Bill 21. Over the last year, the association has had the opportunity to work with

the provincial government, various MLAs, government officials and staff to craft the legislation, which has resulted in Bill 21. Tonight, I want to touch upon the bill content, followed by the bill process and with—make some concluding remarks. Before I move into these areas, I would just like to tell the committee that all of the information presented here by myself and the other speakers and the letters that have come in to the committee will be noted and brought for discussion at our next council meeting, which takes place Thursday, September 17th.

With respect to the bill content, the purpose of the act change is to respond to three important needs for the public of Manitoba. The Association of Professional Engineers and Geoscientists met with various government officials from three political parties to discuss the content of this bill. The four key areas discussed were limited licence category, continuing professional development, charitable giving and then the section of the bill referring to some administrative provisions, or we call them administrative cleanups.

With respect to the limited licence category, this act amendment allows for individuals who specialize in a particular scope of engineering or geoscience to obtain a limited licence from engineers and geoscientists Manitoba. This is important because our neighbouring provinces and all of the provinces west to BC have this already in their legislation, and we do not. It is also important because it will allow many Manitobans to gain employment in their area of training.

\* (18:50)

With respect to continued professional development, this act amendment promotes continued professional development among our members by creating a higher level of accountability for them. This extra provision within the act amendment will ensure that our members are keeping competent and protecting the public of Manitoba.

With respect to the charitable giving part of the act amendment, this will create a provision for the association to give back to the community through financial gifts to registered charities in Manitoba. Our old act does not allow us the ability to give to charity, and we want to be generous to give to groups like CancerCare Manitoba, Heart and Stroke, diabetes, Winnipeg Harvest and Siloam Mission, to name a few. Our policy, which has already been passed by council, proposes to give 2 per cent of

revenue annually, and right now that's about \$75,000.

Lastly, the part of the act amendment, which refers to the administrative provisions or the cleanups, as we call it, these amendments will allow the association to implement Internet-based tools for our elections and the collection of fees, and these need to be made legal within our act. Other administrative cleanups include updated deadlines for member payment of dues and some minor wording changes.

The next topic I would like to mention is the process that the association followed for the development and submission of its act amendment proposal. Using advice from our director of government relations, Mr. Scott Sarna, and with advice from council, individual councillors, management and other stakeholders, the association followed a comprehensive, efficient and effective legislation process.

The following were the steps that we used. It began with initial dialogue with Minister Braun, her staff and other government officials early in the spring of 2014 and continued into the summer. Through this process we reached out to Manitoba—to the Manitoba Association of Architects for the purpose of working together on this entire bill process, including the architects' Bill 20 and our own Bill 21. We have felt their support and are pleased to support their bill as we move forward on our bill. It has also shown the good that can be accomplished when our two professions work together, and this is our pledge going forward into the future.

There are various other stakeholders that were involved too. For example, we included many CTTAM members on our limited licence task group. That's the Certified Technicians and Technologists Association of Manitoba, and they're represented here tonight, although not speaking. We're very pleased to say that they were central to crafting the limited licence provision in the act amendments, and we're thankful to them for that participation.

Without going through the list of stakeholders that participated, I would like you to know that we invited seven other professions to come to our meetings on our act proposal. We want to add thank you to everyone who has helped along the way.

The association produced the initial act amendment proposal with the guidance of our legal counsel and the legislative policy drafters of

government. Three public consultation sessions in January, February and March of last winter took place. Here members and public attended to discuss the contents of our act proposal. It was through these public consultation sessions that our membership, the public and various other professions and stakeholders had the opportunity to discuss the content of the act amendments that have come forward in Bill 21.

After concluding the public consultation sessions in the winter, further dialogue took place amongst the stakeholders, legal counsel and the provincial legislative drafters and MLAs to finalize Bill 21. Throughout this process, council was given information updates and the members received regular e-news on email, informing them of the status of this process for the act amendment changes. A big banner ad featuring the act amendment updates appears at the top of our website's home page. The association had open dialogue, transparency and effective communication with the stakeholders to finalize what we felt was an optimal act amendment and which the government presented as Bill 21 at first reading on May 11th.

The association feels that the act amendment procedure which was followed resulting in Bill 21 was comprehensive, transparent and thorough, allowing numerous opportunities for the various stakeholders to contribute to the act amendment. It appears that this process has been effective; however, the association remains open to improving its process for any future act amendment changes that it might consider.

In conclusion, the association wants to once again thank everyone that was involved in this process. We sincerely appreciate everyone's time and effort and look forward to Bill 21 going into its third reading in the near future. We invite any contact or questions from the public, and we look forward to continue working with all of you as MLAs, with Minister Braun and government officials and staff.

Once more, thank you for the opportunity to present tonight.

**Madam Chairperson:** Thank you for your presentation.

**Mr. Smook:** Thank you for your presentation. Just one question: According to what we've had here from presenters, there is a concern about the word charity in there. Now, is there a reason for that?

**Mr. Koropatnick:** I don't believe there should be any concern, because our charitable-giving policy specifically denotes that it is going to non-engineering, non-geoscience charities registered in Manitoba. It's clearly there in the minutes of our council meetings and passed by council. So, Mr. Smook, I don't understand the concern about charity.

**Mr. Gerrard:** Now, I—thank you very much for your presentation. I just want to give you a moment to see if you have any comments in response to the presentation that we heard just before yours, and we have some letters here from others, Alan Pollard, Roger Rempel, Bev Pike, about other aspects of the legislation and whether you have any comments with respect to their concerns.

**Mr. Koropatnick:** You know, because I don't have those written letters, I'm not really sure what the content of them is. So it's not really possible for me to comment on them. I did hear the concerns of the previous speaker, and I don't have any comments on what the speaker has said except to say that those comments have been noted and will be discussed at our council meeting next week. But, really, we want to speak enthusiastic support for the bill and, just a little comment about the charitable part. You know, my engineering and geoscience colleagues will forgive me for saying it this way, but sometimes engineers are called cheap, and, you know, I don't like that. But I only know one way to respond, and that's to be generous. And our council has passed this policy and we want to be generous to the community of Manitoba through this policy, and please support us in doing that.

**Madam Chairperson:** Thank you.

**Ms. Braun:** Thank you very much for coming this evening, Grant, and thank you so much for explaining the thoroughness with which you conducted getting the legislation ready for us. So thank you very much.

**Madam Chairperson:** Thank you.

Our next presenter is Vicki Poirier, private citizen. You may proceed.

**Ms. Vicki Poirier (Private Citizen):** So, hi there. I'm Vicki Poirier, or Ms. Poirier, if you want. APEGGM was created almost a century ago to protect the public by regulating the practice of engineering. Until Bill 21, that was its purpose. It does not seem ready to become a public relations company. But that seems to be its new direction under Bill 21.

The systems within APEGM seem not able to monitor, regulate, or report spending by the administration. Adding new powers to give away money with no limits on how much or to whom is of grave concern to some of those whose dues' monies may be diverted in this way.

From my position as a concerned member of the public, when a public agency seeks these powers, I always look to see if suitable reporting measures are in place so members of the public and the association itself has the ability to fully understand where these monies are directed. That reporting is a crucial component of transparency and proper disclosure to the sources of association revenue.

I ask you, why? Compulsory is a powerful word. It is the word needed to describe any program if non-compliance with that program can cost you your job. Bill 21 deletes this word. What purpose does it serve beyond deceiving Manitobans? Is that an intent with which this committee is truly comfortable?

\* (19:00)

The rules which APEGM has published on its website seem to contradict each other. They also suggest that this organization cannot function as originally intended. It seems that this government took the time to craft many small changes to the act in Bill 21. I am surprised that no one in government bothered to review any of these previous rules or to objectively assess the performance of its governance. The horrors that befell the government of Red River College recently were because no one paid attention to conformance to their rules. It is doubly troubling that no one bothered to look more carefully at APEGM before granting its CEO his wish list of changes. Who on this committee does not share responsibility for assuring Manitobans that such semi-public groups are governed properly? Who here, other than Dennis and Jon have actually taken the time to look into this matter?

It seems that APEGM once followed a normal set of rules. Remnants of those rules can still be found on the website. Any similar organization running on good rules with good people will run well. The members of the elected group and the employee group will support each other yet keep each other from going out of bounds.

In recent years, new policies were written. Many of these contradict convention and good management practices. Some of these policies were outrageous. While serving on the executive of a variety of

non-profits, I have found it important to look over their rules. APEGM has more rules than most groups I have studied. When I dug, I was surprised at what I found. There are holes in the governance upon which other organizations depend. Many important board oversight mechanisms have been bypassed or engineered out.

Under policy CE-4, I found this gem, No. 2: As long the CEO uses any reasonable interpretation of the council's ends and executive limitations policies, the CEO is authorized to establish all further policies or procedures, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the CEO shall have full force and authority as if decided by the council.

On top of this near limitless self-writing of his rules, there are other policies which forbid anyone from questioning any of these redefined decisions. It is easy to understand that this elected body is in as much danger as was the Red River College board during the Forsyth era. There were mistakes to learn from the case of the dysfunction of the RRCE board-slash-CEO relationship. Ignoring these issues can lead to larger problems in the future, and the RRCE CEO-slash-board dynamics is a vivid illustration of what damage to an institution can occur when the board loses the ability to control its employees and the CEO.

An appointed board or an elected council is expected to make sure the employees follow the rules. Any effort by the elected council to do its job is severely limited by these policies. Steps that might be considered normal elsewhere are forbidden. The effect of these policies is to reduce the opportunity for the elected representatives of the profession to provide oversight, leaving these issues to reside exclusively under the domain of the CEO. That looks wrong.

It seems that financial audits were once done by an outside company paid for and directed by the elected council as currently called for the Manitoba Auditor General's office. I find it scary that a person whose practices are to be scrutinized by the audit company would be the person directing the audit process. Do any of you see a kind of conflict in this?

Number 2—based on the—oh, policy GP-16-2, prevents the elected councillors from bringing forward new business. Here is what it says. This is from the APEGM website, No. 2: Based on the outline of the annual schedule, the council delegates to the president the authority to fill in the details of

the meeting content. The detailed agenda shall be prepared jointly by the council president and the CEO. Potential agenda items shall be carefully screened to ensure that they relate to the council's job description rather than simply reviewing staff activities.

Another rule on the APEGM website says meetings shall be run according to Robert's Rules, the gold standard of running a proper business meeting. This No. 2 paragraph conflicts with how Robert's says business should be done. If the CEO does not want to relinquish any of his power, he simply rejects any item of business that might do so. If the CEO can reject any item of council business, how can councillors do more than sit and watch? If a Red River College problem were developing, could a board run like this, notice or prevent it

Are any of you aware of other boards in Manitoba with rules like these? Is it possible that Crown corps and other boards are similar risk? Who checks up on these boards for Manitobans? If whoever does this checking missed two—missed these two examples, are there others? There's no sign that staff at APEGM have done anything like Forsyth did, but the old rules are weak. The changes in Bill 21 allow new powers to the CEO but offer no improvements to governance. How did we get here? Is it too late to fix this situation?

**Madam Chairperson:** Thank you, Ms. Poirier.

Questions, comments?

**Floor Comment:** Hey, wait. Do I still have more time? I got another paragraph.

**Madam Chairperson:** You have three minutes.

**Ms. Poirier:** Donations without a structure, without limits on the classes of recipients and without a link being made between regulation and the donation would be considered by many folks to be wrong at all levels. Bill 21 is wrong because it ignores the resolution of the elected council of APEGM. It sets out no proper process, and it ignores the reasons behind the fact that these have long been declared unjust and unlawful. When policies are introduced into the governance structure of the Crown corporation or regulatory entity which prevents the board of such entity from providing any form of conventional diligence and also effectively prevent anyone on this board from amending this body of policies, those on the board who notice have a problem, whether or not they realize the government,

in whose name this corporation or regular acts, also has a problem.

**Madam Chairperson:** Thank you.

**Mr. Smook:** Thank you very much for your presentation. It greatly contradicts everything else we've heard here tonight on the bill, but I would just like to thank you very much for your presentation.

**Ms. Braun:** Thank you, Ms. Poirier. Thank you very much for your perspective.

**Mr. Gerrard:** Yes, thank you for your presentation. I wonder, was there something in particular that got you looking at—*[interjection]*

**Madam Chairperson:** Ms. Poirier.

**Ms. Poirier:** Hi. The CEO is also the secretary, the auditor, the—he can spend without seeming to have anybody approve it. He can override and overrule everything. It's just so wrong; it boils me.

Remember, policy CE-4, No. 2: As long as the CEO uses any reasonable interpretation of the council's ends—this is on the website—and executive limitations policies, the CEO is authorized to establish all further policies or procedures, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the CEO shall be full force in authority, as if decided by the council.

And, when he gets an audit, the auditor reports to him; just the two of them. Like, how wrong is this? Oh, my God. He's a nice guy, charming, you know, but sore snakebites. Sorry.

**Madam Chairperson:** Thank you for your presentation.

#### **Bill 24—The Wildlife Amendment and Fisheries Amendment Act**

**Madam Chairperson:** We will now proceed to Bill 24, The Wildlife Amendment and Fisheries Amendment Act.

Our first and only presenter is Brian Strauman from the Manitoba Wildlife Federation.

Thank you, Mr. Strauman, and you're more than welcome to proceed.

**Mr. Brian Strauman (Manitoba Wildlife Federation):** Great, thank you, and I appreciate the opportunity to come out and speak tonight.

My name is Brian Strauman. I'm the president of the Manitoba Wildlife Federation, and we represent



14,000 anglers and hunters within the province of Manitoba.

We fully support Bill 24 for various reasons. It gives our minister the power to curtail licensing from individuals who are charged in offences in other provinces. It also gives support to our minister citing convictions for unpaid restitutions, for individuals who have—who may require a licence or go for another licence. What the bill also does, it puts heavy fines on individuals for the illegal harvest of fish and wildlife and the sell of game with—illegal sell of game within this province.

What the bill also does, it protects out conservation officers of this province. As we know, we have—we don't—we have a few conservation officers in this province; we need much—many more conservation officers in this province, and what the bill does, it safeguards them. It gives them tools to be able to seize certain items such as GPS's that are—cellphones that are critical in possible investigations for charges. And what it also does do, it lengthens the statute of limitations for officers where chargeable offences and investigation is required so that charge can be investigated and possibly convicted once it is.

What it also does, it allows—pardon me here—it allows e-licensing, which would make it much easier for hunters and anglers to acquire licences over the Internet in the province of Manitoba.

\* (19:10)

Basically, what the bill is doing, it's safeguarding our wildlife within this province and we have a critical issue with big game within this province. Our moose populations are down; we're seeing closures all over the province. We're going to see a closure now in area 29 and 29A, which is Turtle Mountain's area. We need to safeguard our wildlife and fish and I—and we strongly support it, because that's what this bill does. It gives us the tools. It gives the conservation officer the tools. It gives the minister the tools to help safeguard and be able to get sustained wildlife in this province and, hopefully, bring back our numbers within wildlife to respectable—thank you.

**Madam Chairperson:** Thank you very much.

Questions?

**Mr. Shannon Martin (Morris):** Mr. Strauman, thank you very much for your presentation. I'm sorry

I missed the beginning of it, but we have met previously and discussed, in part, this legislation.

You talked—I caught and you'd spoken before about the heavy fines that the government has brought in, the restitution bill that they announced earlier this year. And you talk about this legislation, well, I believe you used the word the tools to sustain out wildlife, and, obviously, which is all of our goals.

But do you see—what do you see as a larger factor when it comes to the sustainability of wildlife? Is it on the lack of fines or is it lack of the enforcement? Because the impression I have in dealing with hunters and fishers is that there is a significant cost now, with the restitution bill and other legislation to individuals who poach our wildlife, but there doesn't seem to be the adequate resources to actually enforce those rules. I'm wondering if you have a comment on that.

**Mr. Strauman:** Enforcement, is—will always be an issue, but for 2015, what I am pleased to announce is our 2015 night surveillance has been reinstated within the province of Manitoba. And that works; that's very significant in night hunting, to curtail night hunters within this province. But it—enforcement will always be an issue. We could have—I don't think we could ever have enough COs within this province, because poaching is on the rise, and it has been on the rise, and it continues to be on the rise within this province. And it's—it—and it puts all of us in this room in arm's way.

**Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship):** Yes, thank you, Mr. Strauman, for your presentation.

As one of those thousands of hunters and fishermen myself, I just want to assure you the high value that I place on our natural resources. And I want to acknowledge the good work that your organization and others such as the Manitoba Lodges and Outfitters Association or the Manitoba Trappers Association, all of these organizations, the role that they play in advising us, at the governmental level, in drafting legislation to see that the product we produce is the most effective. And I've had the pleasure of working with the Manitoba Wildlife Federation on a number of issues. I look back to the establishment of the Fish and Wildlife Enhancement Fund as a good case in point. The feedback that your organization provided in that regard was immeasurable. So, once again, thank you very much for your participation. It's much obliged.

**Madam Chairperson:** Thank you.

**Bill 31—The Registered Professional Planners Act**

**Madam Chairperson:** We will now call the presenter to Bill 31, The Registered Professional Planners Act, Valdene Lawson.

You may proceed. Thank you.

**Ms. Valdene Lawson (Manitoba Professional Planners Institute):** Thank you, Madam Chair.

Good evening, ministers, MLAs and honourable members of the standing committee. My name is Valdene Lawson, and I'm here to speak on behalf of the Manitoba Professional Planners Institute, MPPI. I am the chair of the MPPI Legislative Standards Committee and a past president of the association.

I am joined here today with committee member Lloyd Talbot. Other committee members David Palubeski, David Marsh and David Jopling, the president of MPPI, were not available to be here tonight.

MPPI is here to express its support for Bill 31, The Registered Professional Planners Act. We are pleased with the bill and are not requesting any changes be made. MPPI represents approximately 140 professional planners and about 40 planning students. There are similar provincial and territorial institutes and associations across Canada, seven in total, that regulate the planning profession in their respective geographic areas

MPPI collaborates with the Province and other partners, for example, the Manitoba Municipal Administrators' Association, the AMM, the City of Winnipeg and the University of Manitoba, to deliver the annual Manitoba Planning Conference, which has been well attended by municipal officials.

For your information, the bill will establish MPPI as the regulatory body for the profession in Manitoba, establish a governing council which includes public representatives, require the registration of members, and reserves the use of the RPP title to registered members only and create a process for complaints and discipline.

We have done our homework and have worked very closely with Minister Caldwell and his staff in the Municipal Government Department to prepare the draft bill. We concur with the bill as drafted.

The proposed legislation is similar to existing Manitoba legislation reserving title for other professions, for example, registered dieticians and

midwives, and follows the provincial template for professions. It's also similar to legislation for planners in other provinces. Manitoba is one of the last three provinces to establish right-to-title legislation for professional planners.

The legislation covers planners, and planners work in a variety of capacities: in the public sector, in provincial departments and municipal governments; in the private sector; for NGOs, universities and quasi-public agencies like planning districts, the Municipal Board, the Public Schools Finance Board, Manitoba Hydro and the like.

In order to be certified, planners have graduated with a degree in community planning from an accredited university planning program, successfully completed an internship with a qualified mentor, passed a professional examination administered by our national professional standards board and taken a course and passed exam on professional ethics.

The bill will reserve the title registered professional planner, RPP, for use by planners in Manitoba who are accredited members of MPPI. This does not mean that others cannot practise planning in Manitoba; it just means that they cannot call themselves an RPP. Also, it does not affect the ability of other professions to conduct planning as part of their work, like landscape architects or architects, engineers and surveyors. It's not a proposal for right-to-practise legislation, so it's not reserving an exclusive right to practise planning to planners only.

This bill, when passed, will ensure that qualified professionals are registered to practise in the province and will ensure a consistent level of professional practice and discipline. We believe that it is a change for the better and is good news for all parties in government, communities, Manitoba businesses and the planning profession. It will assist in retaining professional planners and recent grads from the University of Manitoba planning program in the province and attract planners from elsewhere. For example, we recently had an experience where a professional planner left for a job in Saskatchewan because the RPP title was not available here.

It will reinforce the public's confidence in planning our communities knowing that planning services are based on a minimum level of education, a national standard of professional practice and a code of ethics. Planners have a proven track record in serving the public interest and in ensuring our communities are well planned and anticipate growth

and development challenges. For example, there have been instances where non-planners have been practising planning and drafting development plans and zoning bylaws, and that has resulted in Manitoba municipalities experiencing legal challenges to their bylaws.

It will allow Manitoba planning firms to compete on a level playing field. For example, recently, we're aware of a firm that lost a planning project to their office in another province because there was no planners in the local office here that were RPPs.

\* (19:20)

It will allow Manitoba planners access to RPP like the majority of their counterparts across the country, bringing Manitoba into alignment with the rest of Canada. Only PEI and Newfoundland and Labrador do not have access to RPP or its equivalent.

In terms of consultation, we have consulted with key stakeholders and we have support from a long list, including the Association of Manitoba Municipalities, the cities of Winnipeg and Brandon, several planning districts, the Partnership of the Manitoba Capital Region and the other design professions, which include the architects, engineers, landscape architects, surveyors and interior designers. We don't anticipate any concerns or objections to the bill.

We have also heard that Bruce Henley, the mayor of West St. Paul, wished he could be here tonight but had to attend another meeting and wanted us to pass along the continued support of the RM of West St. Paul and the Red River Planning District.

In terms of our stakeholder consultation, I wanted to pass along a few highlights from the comments we received in the letters that they sent. For example, planners are critical to a number of municipal activities, and the AMM supports the RPP designation to protect the public interest. Good planning is essential for successful communities.

This comment was received from the Brandon area planning district, together with Red River Planning District, Portage la Prairie, RPGA, the partnership of the Manitoba Capitol Region and the City of Thompson planning district: We need to ensure for our own protection that the planning profession is not misrepresented by unqualified individuals and firms.

From the Canadian Institute of Planners the comment, if a professional association has its designation named in provincial legislation, it can be expected that more planning professionals in the province will seek certified standing. More uniform, consistent legislation is also an important aspect supporting labour mobility within Canada.

The Manitoba Association of Architects wholeheartedly agrees that control over the designation RPP by MPPI would not only serve the public interest well, but is perhaps long overdue.

From the landscape architects, planners make a unique and important contribution to the long-term impact of development and land use policies within Manitoba's communities while protecting the quality of life for all citizens. Ensuring that the public can have confidence in the work of planners is a significant benefit of title legislation.

And from the interior designers, a recognized title is essential in developing the trust of the community at large. There can be no doubt when hiring persons with a designation that they meet or exceed the standards in place for education, experience, national examination standards, liability insurance and continuous lifelong improvement through continuing education.

We believe that this legislation is consequential. The Planning Act requires development plans to be prepared by qualified professional planners but the term is undefined. We believe that this legislation would be complementary legislation to support The Planning Act in defining that term.

Planners are often asked by hearing tribunals, such as the Municipal Board, to provide their credentials and qualifications. The RPP designation would confirm this status and relieve the need or at least reduce the length of time required to qualify planners at the beginning of hearings.

There is a lot of work out there that needs to be done, and planners are available to do it. There are many existing development plans that are out of date. With amalgamation, the collaboration exhibited by the establishment of more planning districts, professional planning services are required in both urban and rural Manitoba. Land use planning and water management plans are mandatory. Small communities and planning districts are having an increasingly difficult time in being able to access qualified professional staff and this is having an impact on the Manitoba landscape.

Finally, this legislation is important at—as it is consistent with the intent of the Agreement on Internal Trade, which requests transparency, improved portability of expertise and accountability. RPP is the recognized brand across the country, and this legislation is part of the due diligence in helping to reduce barriers to export services and increase opportunities for economic competitiveness.

In closing, I refer you to the fact sheet that was handed out, that describes in more detail why we believe this legislation is important for Manitoba. And thank you for your attention to our presentation.

We'd also like to thank Minister Caldwell and his staff in the Municipal Government Department for their sage advice and assistance over the past several years during the development of this bill. We consider it an important milestone for Manitobans, our communities and the planning profession and look forward to its passage through the Legislature.

**Madam Chairperson:** Thank you very much.

**Mr. Ralph Eichler (Lakeside):** Thank you for your presentation. Nice to see you again.

A question for you in regards to the regulations; what type of cautions do you have for the minister in regards to the drafting of those, and what input do you see your organization have in drafting the regulations?

**Ms. Lawson:** I don't believe there are any regulations to be associated with the bill. We're comfortable with the language in the act and we've worked very closely with the department and we're satisfied that it meets all of our requirements.

**Hon. Drew Caldwell (Minister of Municipal Government):** Ms. Lawson, I very much appreciate the perseverance and hard work of your—you and your associates over the years on this. I can only claim the last six months in terms of my involvement with it, but I know that the organizations that you represent and the stakeholders that are supporting you have been very diligent and very patient and very hard-working in ensuring that this sort of legislation is being—ensuring that this sort of legislation will be passed by the province of Manitoba, and I want to thank you for that very much. And while I'm thanking, I'd also like to thank the members opposite again, who I know are supportive of planners in this province. You do such good work in every jurisdiction around Manitoba, and I think I can speak on behalf of all of us in the

Manitoba Legislature, we do appreciate it. Thank you.

**Madam Chairperson:** Thank you.

That concludes the list of presenters I have before me. Are there 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. Eichler:** Let's go in order of the bills as presented on the order paper.

**Madam Chairperson:** Thank you very much.

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 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 bills.

#### **Bill 10—The Municipal Amendment Act**

**Madam Chairperson:** Does the minister responsible for Bill 10 have an opening statement?

**Hon. Drew Caldwell (Minister of Municipal Government):** No, I'll waive that in the interest of time.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

**Mr. Ralph Eichler (Lakeside):** No, Madam Chair.

**Madam Chairperson:** Clause 1—pass.

Shall clause 2 pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Madam Chairperson:** Moved by the—Mr. Caldwell.

**Mr. Caldwell:** Madam Chair, I would move

*THAT Clause 2 of the Bill be amended by replacing the French version of the proposed clause 147.1(2)(a) with the following:*

a) d'une majorité qualifiée de ses membres, laquelle consiste de 50 % des voix plus deux;

*[inaudible]* Français anglo-manitobain.

**Madam Chairperson:** It has been moved by Minister Caldwell

*THAT Clause 2 of the Bill be amended by replacing the French version of the proposed clause 147–*

**An Honourable Member:** Dispense.

**Madam Chairperson:** Thank you.

The amendment is in order.

The floor is open for questions.

**Mr. Eichler:** Yes, Madam Chair, could the minister explain the purpose of the amendment and the impact it's going to have on the bill?

**Mr. Caldwell:** I can. It was inadvertently left out of the French language translation of the bill, so it's purely housekeeping.

**Mr. Eichler:** Upon whose advice is the amendment being brought forward?

**Mr. Caldwell:** Counsel.

**Mr. Eichler:** Was it council from the municipality or legal counsel from the department?

**Mr. Caldwell:** Legislative counsel.

\* (19:30)

**Madam Chairperson:** Shall the amendment pass? The question before the committee is as follows: Shall the amendment pass?

Amendment–pass; clause 2 as amended–pass; clause 3–pass; enacting clause–pass; title–pass. Bill as amended be reported.

**Bill 13–The Planning Amendment Act  
(Special Planning Areas)  
(Continued)**

**Madam Chairperson:** Does the minister responsible for Bill 13 have an opening statement?

**Hon. Drew Caldwell (Minister of Municipal Government):** No.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

**Mr. Ralph Eichler (Lakeside):** No.

**Madam Chairperson:** Clauses 1 and 2–pass; clause 3–pass; clauses 4 through 7–pass; enacting clause–pass; title–pass.

Shall the bill be reported?

**Some Honourable Members:** Agreed.

**An Honourable Member:** No.

**Madam Chairperson:** Mr. Eichler.

**Mr. Eichler:** Madam Chair, during the presentations we had a presentation from the reeve of Rosser. I would like to know the minister's view in regards to that presentation and what action may be taken to assure the committee that the information provided tonight will be dealt with prior to the bill being submitted to the House.

**Mr. Caldwell:** I appreciate the comments by the member. We will take under advisement the comments from the reeve. I'm not sure if I'm meeting with her right after this sitting tonight. My deputy is nodding I am. The—I may not be meeting up with her after the meeting tonight but perhaps I am. We've offered it up.

The—we will take under advisement what she has presented to us tonight. There is nothing prescriptive in the legislation, and I think that's part of what the confusion—she expressed in her comments about confusion. The passages of the legislation it referred to had the phrase may and not shall, so that may be where some of that confusion is arising from. We'll have a discussion with her about it.

**Madam Chairperson:** Bill be reported.

Thank you.

**Bill 20–The Architects Amendment Act  
(Continued)**

**Madam Chairperson:** Does the minister for Bill 20 have an opening statement?

**Hon. Erna Braun (Minister of Labour and Immigration):** I have a very brief one, yes, thank you, just a very quick statement.

This bill is based on proposed changes brought forth to the department by the Manitoba Association of Architects, and by modernizing several provisions of the act I think it's going to be quite helpful to the association and to its members.

And, again, I would like to thank the presenters—Ms. Pestrak's presentation tonight, her work with her

association in developing this bill and working with our department as well. So—and I'm looking forward to a continuing positive relationship with the architects.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

**Mr. Dennis Smook (La Verendrye):** No, I do not.

**Madam Chairperson:** Clauses 1 and 2—pass; clauses 3 through 5—pass; clauses 6 through 8—pass; clauses 9 and 10—pass; clause 11—pass; clauses 12 and 13—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 21—The Engineering and Geoscientific Professions Amendment Act**  
(Continued)

**Madam Chairperson:** Bill 21, does the minister responsible for Bill 21 have an opening statement?

**Hon. Erna Braun (Minister of Labour and Immigration):** Yes. This bill contains a number of changes to The Engineering and Geoscientific Professions Act that are based on proposals brought forward to the department by the Association of Professional Engineers and Geoscientists of Manitoba.

We've worked closely with the association in the development of this bill and I look forward to continuing to work with them going forward to support Manitoba's engineers and geoscientists.

And thank you to the presenters, particularly Mr. Koropatnick, who was very helpful in answering any of the questions the department had with respect to the bill.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

**Mr. Dennis Smook (La Verendrye):** I'd just like to thank all the presenters who presented here tonight. There were several of them who provided us with some views of the bills. I'd just like to thank them all for presenting.

**Madam Chairperson:** Thank you very much.

Clauses 1 and 2—pass; clause 3—pass; clauses 4 through 7—pass; clause 8—pass; clauses 9 and 10—pass; clauses 11 through 14—pass; clause 15—pass; clauses 16 and 17—pass; clauses 18 and 19—pass; clauses 20 through 24—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 24—The Wildlife Amendment and Fisheries Amendment Act**  
(Continued)

**Madam Chairperson:** Does the minister responsible for Bill 24 have an opening statement?

**Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship):** I have a lengthy opening statement, but I think I'll forgo that for the sake of brevity here. The committee's moving along so well and we can have a lengthy debate at third reading and passage when it comes to that.

I just want to thank Mr. Strauman for his contribution to this, as well as the other organizations that I'd made reference to earlier, the MLOA in particular, Manitoba Trappers Association and so forth.

So, with those brief remarks, Madam Chair, I conclude my opening remark.

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

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

**Mr. Ralph Eichler (Lakeside):** No, Madam Chair.

**Madam Chairperson:** Clauses 1 and 2—pass; clauses 3 through 9—pass; clause 10—pass; clauses 11 through 14—pass; clauses 15 through 19—pass; clause 20—pass; clauses 21 through 23—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 31—The Registered Professional Planners Act**  
(Continued)

**Madam Chairperson:** Does the minister responsible for Bill 31 have an opening statement?

**Hon. Drew Caldwell (Minister of Municipal Government):** Other than to thank the professional planners of Manitoba and those who are stakeholders, I'll forgo any other remarks.

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

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

**Mr. Ralph Eichler (Lakeside):** No, thank you.

\* (19:40)

**Madam Chairperson:** Thank you.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; clause 7—pass; clauses 8 and 9—pass; clause 10—pass; clauses 11 and 12—pass; clauses 13 and 14—pass;

clauses 15 through 17—pass; clauses 18 and 19—pass; clause 20—pass; clauses 21 and 22—pass; clauses 23 and 24—pass; clause 25—pass; clauses 26 through 29—pass; clauses 30 and 31—pass; clause 32—pass; clauses 33 and 34—pass; clauses 35 and 36—pass; clauses 37 and 38—pass; clause 39—pass; clause 40—pass; clause 41—pass; clauses 42 and 43—pass; clauses 44 through 46—pass; clauses 47 and 48—pass; clause 49—pass; clause 50—pass; clause 51—pass; clauses 52 and 53—pass; clauses 54 and 55—pass; clause 56—pass; clauses 57 through 60 pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 7:44, committee rise.

**COMMITTEE ROSE AT: 7:42 p.m.**

### WRITTEN SUBMISSIONS

Re: Bill 21

Dear Committee Members:

You have a lot of reading to do so I will keep these notes short.

My primary concern is the additional donation powers requested by the APEGM.

The entire issue of donations has been poorly communicated to members. The Act changes were communicated to members at 3 small sessions. One of the these sessions did not actually include the donation item so those that attended it were not made aware of it. APEGM has over 7000 members.

Even at those sessions, continued reference was made to charities but the proposed Act changes do not limit donations to charities. Members' money can be given to anyone for anything.

Similarly, the information on the APEGM website was late, limited and at times contradictory.

Members have never been informed as to who got what amount for what purpose and there is no indication they ever will be. It is too small an amount to rate a mention in the financial report.

Thus members have no real input into this use of their dues. The actual recipients are selected by APEGM staff. Donations could be made to causes that are in conflict with some members' beliefs with no input or recourse.

Over \$50,000 of members money has already been spent on donations without the authority to so do. The association is in effect asking your committee to

endorse this unlawful use of funds by adding expanded permission to make donations to the Act. In my opinion, this is not an "easier to ask forgiveness than get permission" occasion.

Because of this I strongly urge the committee to delete the addition of 6(d) of the Act. There is no urgency to that change. APEGM can already donate to many worthy causes through the existing APEGM Foundation.

If the committee is reluctant to dispense with the addition in its entirety, many of these issues could be resolved by adding the words "through the existing APEGM Foundation." to the end of the proposed new Section 6(d)

In closing, I also question the use of the word "intern" as the new term replacing member-in-training. While I agree that "in-traning" needs to go, I don't want to go from the frying pan into the fire. Internships have become associated with unpaid positions occupied by persons trying to get experience which is not the case here. Also Internship is associated with an existing program for engineering and computer science students and there may be some confusion between the two. Finally, the word Intern may have some negative association for those members who have Japanese ancestry.

I suggest the term "Engineer/Geoscientist-in-transition" be used. It is a more neutral and in many ways more appropriate word when one considers the number of professionals coming from foreign places seeking to get recognition of their education and experience that will also be in this program using that title.

Thank you for your time and I wish you well in your deliberations.

Alan Pollard

Re: Bill 21

The Association for Professional Engineers and Geoscientists of Manitoba (APGEM) exists to protect the public interest. APGEM's website clearly outlines its responsibilities to investigate complaints about professional misconduct and to allow appeals.

In my experience, APGEM currently rejects both complaints and appeals. This Act could be improved in order to restore public trust by enforcing APGEM's ethical responsibility.

**Background:**

In 2014 and 2015, APEGM was not receptive to handling my two complaints (attached). APGEM alleged it has no jurisdiction over professional engineering standards or the behaviour of individuals (attached), without providing evidence explaining this allegation.

Further, APBEM did not respond to my 2015 request for an appeal. This appeal, sent by registered mail in June, was signed for by someone other than President H. Procyshyn who was supposed to be the recipient. There has been no response to my legitimate request.

**Recommendations:**

Add amendments to this Act so that APGEM may:

- Strengthen its protection of the public;
- Ensure openness and transparency by requiring disclosure of engineers working on each project;
- Improve its requirements to respect public complaints and to allow appeals;
- Close the loopholes that it uses to prevent complaints and appeals.

APEGM must change their practices so that when the public comes forward with a problem, it is no longer swept under the rug. This could emphasise its accountability to Manitobans.

**Conclusion:**

Every time APEGM sends a concerned citizen away disappointed, APEGM has not done its job. Since the Manitoba Legislature is responsible for APGEM's conduct, both can improve their protection of ordinary citizens and their communities.

Bev Pike, Winnipeg

Re: Bill 21

Hello

May I suggest that you consider the name change from member in training to "Engineer under professional development" And "Geoscientist under professional development"

The recent undergraduates (engineers or geoscientists) who have entered the work force and

are being supervised by professional engineers and/professional geoscientists. After a period of time they will have four years of relevant engineering/geoscientist experience that has been adjudicated as such by professionals. They will have to pass the Professional Practice Exam which tests their knowledge of The Professional Engineer and Geoscientist Act, and other related materials.

I trust that you can see the natural flow of the 'titles' of from undergraduate to "Engineer under professional development" And "Geoscientist under professional development " to Professional Engineer and Professional Geoscientist.

Wishing you much success in your deliberations.

Cheers,

Donald Osman P.Eng. FEC, (Ret)

Re: Bill 21

I am writing in my capacity as a professional engineer and private citizen. I have actively volunteered to serve my profession since I graduated from the University of Manitoba's Faculty of Engineering in 1991. I served on the Board of Directors and as President of the Association of Consulting Engineering Companies (Manitoba) – ACEC MB, and have been an elected Councilor at APEGM for 5 years. I have worked in the field of environmental engineering since 1990, as an owner of a small Manitoba-based environmental firm and now as a managing associate for a Canadian-based international engineering firm.

I have received written warnings by the APEGM CEO and President to not speak as a Councilor of APEGM on the proposed Act changes, despite the fact that the elected board (Council) of the Association has not been allowed to vote to approve the wording developed by the CEO for our Professional Act, and I will respect that request. I was also cautioned by the APEGM CEO and President against expressing my voice as a private citizen on the issue of proposed Act changes, and in that separate written warning I was told that I may face censure for expressing my view on these Act changes, even in my capacity as a private citizen.

In Canada, my rights as a private citizen permit me to express my concern for a process that involves proposed changes to the Act regulating my profession, brought before you today in a legislative



process despite the fact that these changes before you today are missing a key element required by the profession. These proposed Act changes are missing a vote of support and approval from the elected Board that regulates the professions of engineering and geoscience. As an engineering professional, I expect that changes to the Act governing my profession will be, at minimum, reviewed and voted on for approval by the elected representatives of our profession, our APEGM Council.

The fact that APEGM Council was not given the opportunity to review and vote on the approval of the proposed Act changes seems to me, as a professional engineer and member of the profession, to be a departure from what would normally be appropriate for a self-regulating profession. This is not a “hired CEO-regulated profession”, it is a self-regulating profession by the engineering and geoscience professions themselves, so it follows that the membership elects representatives to regulate and function as stewards of the professions on their behalf, as well as to protect the interests of the public. For the elected body of the two professions to be bypassed in the approval of legislative changes to their own professional Act is not acceptable to me as a member of this profession. Given the CEO of APEGM is an employee of Council, it is disturbing to me as a professional engineer and APEGM member that the CEO, with only the concurrence of the President, would seek a process that omits the need for approval of changes to the Professional Act by the elected board responsible for the professions governed by that Act.

It is imperative that these proposed Act changes be discussed by the elected representatives for the professions. Prior to these changes being considered here today, approval should be sought by APEGM’s elected Council. At this point, that step has not been taken. As a citizen, I would expect that changes to the regulatory Act governing self-regulating professions would at minimum, include a vote by the elected representatives of those professions to ensure the professions are in agreement with the final wording of proposed changes to their governing Act and further, that the duty of the elected Council to protect the interests of the public is allowed to occur.

What is before you today is a submission from the President and CEO of APEGM, not the elected body of the professions regulated by this Act, because their submission was not passed by APEGM

Council. To remedy the exclusion of approval from the elected board representing the two professions regulated by these Act changes, the President and CEO should default to the standard process required by our professions in self-regulation. This process requires Act changes to be passed by the elected Council prior to the CEO and President submitting them for consideration in the legislature.

Accordingly, based on the foregoing significant concerns, I urge this body to direct the process of any proposed Act changes back to the elected board (APEGM Council) representing the professions, for Council deliberation and voted approval to satisfy Council’s role as elected representatives regulating the professions governed by this Act.

Respectfully,  
Roger G. Rempel, FEC. P. Eng., Concerned Citizen.

Re: Bill 31

To Whom it May Concern,

On behalf of the Association of Manitoba Municipalities (AMM), I am writing to provide some comments regarding The Registered Professional Planners Act.

As good planning is essential for sustainable community development and growth throughout Manitoba, the AMM supports the proposed legislation (Bill 31) to establish the Manitoba Professional Planners Institute (MPPI) as the profession's regulatory body as well as the use of the title Registered Professional Planner (RPP) by qualified professional planners. Planners are critical to a number of municipal activities, and the AMM welcomes the RPP designation in order to protect the public interest.

The AMM represents Manitoba's 137 municipalities, including the City of Winnipeg, and wishes to express its concern about potential higher financial costs involved for hiring RPPs while underscoring the importance of allowing municipalities to make the decision of whether to hire a RPP.

The AMM appreciates this opportunity to provide these comments.

Sincerely,  
Joe Masi  
Executive Director

Re: Bill 31

Dear Sirs/Madames:

On 12 December 2012, Council of The City of Winnipeg passed a resolution in regard to the proposed Registered Professional Planners Act as follows:

The City of Winnipeg supports the legislative initiative of the Province of Manitoba and the Manitoba Professional Planners Institute to reserve the title Registered Professional Planner (RPP) for use by certified members of the Manitoba Professional Planners Institute who meet all the qualifications and standards for membership at the national level.

The City of Winnipeg is committed to planning of the highest quality to bring the vision of

OurWinnipeg and its complementary Direction Strategies to life. Professional community planners provide a critical and highly trusted service to the citizens and the corporation of the City of Winnipeg. We are pleased with the Province's initiative in providing legislated title protection for qualified professional planners in Manitoba. We believe the proposed legislation will protect the public interest by ensuring that qualified professionals are practicing planning in Winnipeg and Manitoba.

Please accept this letter as a reiteration of support on behalf of The City of Winnipeg as we are unable to attend the Standing Committee meeting in person.

Yours truly,  
Braden Smith, MCIP  
Chief Planner

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>**