

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

Chairperson
Mr. Dennis Smook
Constituency of La Vérendrye

Vol. LXXVI No. 9 - 6 p.m., Wednesday, October 12, 2022

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ALTomARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne, Hon.	Lac du Bonnet	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
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GORDON, Audrey, Hon.	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
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JOHNSTON, Scott, Hon.	Assiniboia	PC
KHAN, Obby	Fort Whyte	PC
KINew, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan, Hon.	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
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MARTIN, Shannon	McPhillips	PC
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MORLEY-LECOMTE, Janice	Seine River	PC
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NAYLOR, Lisa	Wolseley	NDP
NESBITT, Greg, Hon.	Riding Mountain	PC
PEDERSEN, Blaine	Midland	PC
PIWNIUK, Doyle, Hon.	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
REYES, Jon, Hon.	Waverley	PC
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SANDHU, Mintu	The Maples	NDP
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WOWCHUK, Rick	Swan River	PC
<i>Vacant</i>	Kirkfield Park	

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

Wednesday, October 12, 2022

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Dennis Smook
(La Vérendrye)

VICE-CHAIRPERSON – Ms. Janice Morley-Lecomte
(Seine River)

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Ms. Clarke

*Ms. Morley-Lecomte, Messrs. Moses, Sandhu,
 Smook, Wishart*

APPEARING:

*Hon. Jon Gerrard, MLA for River Heights
 MLA Tom Lindsey, MLA for Flin Flon
 Mr. Len Isleifson, MLA for Brandon East*

PUBLIC PRESENTERS:

*Bill 233–The Engineering and Geoscientific
 Professions Amendment Act*

*Michael Gregoire, Engineers Geoscientists
 Manitoba*

MATTERS UNDER CONSIDERATION:

*Bill 233–The Engineering and Geoscientific
 Professions Amendment Act*

*Bill 237–The Drivers and Vehicles Amendment
 Act (Poppy Number Plates)*

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Clerk Assistant (Ms. Katerina Tefft): Good evening, will the Standing Committee on Social and Economic Development please come to order. Before the committee can proceed with the business before it, it must elect a Chairperson.

Are there any nominations?

Hon. Eileen Clarke (Minister of Municipal Relations): I would like to nominate MLA Smook.

Clerk Assistant: Mr. Smook has been nominated.

Are there any other nominations?

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

Mr. Chairperson: Before the committee can proceed—oh, sorry, on—our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Mr. Ian Wishart (Portage la Prairie): I nominate MLA Morley-Lecomte.

Mr. Chairperson: MLA Morley-Lecomte has been nominated.

Are there any other nominations?

Hearing no other nominations, Ms. Morley-Lecomte is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 233, The Engineering and Geoscientific Professionals Amendment Act; Bill 237, The Drivers and Vehicles Amendment Act (Poppy Number Plates).

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill, except by unanimous consent of the committee.

Public presentation guidelines: prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentation, with another five minutes allowed for questions from committee members.

Questions shall not exceed 30 seconds in length, with no time limit for the answers. Questions may be addressed to presenters in the following rotation: first, the minister sponsoring the bill; second, the member of the official opposition; and third, an independent member.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters list.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time

someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn the mics on and off.

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

Bill 233—The Engineering and Geoscientific Professions Amendment Act

Mr. Chairperson: We will start with Bill 233.

I will now call on Michael Gregoire, director of professional standards, Engineers Geoscientists Manitoba.

Mr. Gregoire, do you have any written material for the committee? Okay, the pages will hand that out, and you may proceed when you are ready to do so.

Michael Gregoire (Engineers Geoscientists Manitoba): Good evening, everyone—Chair, members of the Legislative Assembly and staff that are here supporting tonight. My name is Mike Gregoire, and I am the director of professional standards for Engineers Geoscientists Manitoba, and I'm here representing the association's interests.

Engineers Geoscientists Manitoba is pleased to stand before this committee to put on the record our excitement and support for Bill 233. For three years, the association has had the opportunity to work collaboratively with the provincial government, various MLAs, government officials and legislative staff, to develop the amendments before you this evening.

Tonight, I want to touch upon the content of Bill 233, the process we used to identify and enact changes to legislative policy and provide some concluding remarks.

The act changes put forth in Bill 233 allow the association to better regulate the professions of engineering and geoscience through improvements to appeals and registration, while simultaneously creating opportunities for our membership and protecting the public through enhanced investigations and notifications.

The primary amendments of the proposed bill can be broken down into three categories: simplifying administrative procedures and language, removing barriers to practice and increased transparency and protection of the public.

In simplifying administrative procedures and language, the association has restructured appeals to reduce the legal burden and timeframe of disciplinary

appeals, while ensuring a greater degree of care and due process. Disciplinary appeals will now be directed immediately to the Court of Appeal instead of being heard by council, the Court of King's Bench and the Court of Appeal.

This will reduce the legal costs for all parties, including the appellant and the judicial system. It will also provide a clear and definitive ruling. Furthermore, appeals related to the registration and investigation will now be heard by an appeal committee appointed by council, which will allow the appeals to be heard by individuals with specific training and experience in the area.

Registrations will also be streamlined by permitting the registrar to approve certificates of authorization and licences for out-of-jurisdiction applicants. These two registration categories, which are solely prescriptive in review and approval, follow standards set by council in the Manual of Admissions. The registrar conducts a thorough review of these applications following the standards and, in doing so, speeds up the registration process to permit individuals to begin work in the province.

With respect to removing barriers to practice, the association has introduced a correction to the registration requirements for temporary licensees who are licensed in an outside jurisdiction and who work and reside in Manitoba. Currently, those who apply for temporary licence must satisfy the condition that they reside outside of Manitoba. This clause blocks individuals who are registered in another jurisdiction and temporarily reside in Manitoba from obtaining a temporary licence and completing their work here.

Furthermore, members who hold a specified scope-of-practice licence will now be permitted to hold a certificate of authorization to operate a partnership, corporation or other legal entity offering engineering or geoscientific services. This will allow specified scope licensees to start their own businesses here in Manitoba, expanding operations and services available to the public.

By permitting these licensees to engage in the Manitoba business community, the association may enhance the registration and retention of specified scope licensees. These individuals are highly qualified and have satisfied strict requirements to obtain their licences.

The association is highly confident in the work these individuals complete for the province and will continue to hold them, like professional members, to

the highest standards of professionalism and responsibility while ensuring that they meet or exceed the knowledge and technical experience required to work competently in Manitoba.

Lastly, the association is increasing transparency and taking steps to better protect the public's interests through these amendments. Members of Engineers Geoscientists Manitoba who are non-compliant with professional development obligations may now have their names published for public disclosure. This allows the association to notify employers and the public of members who are not meeting the standards required of professional members.

In addition, the proposed amendments clarify to what extent the investigation committee can investigate other matters that arise because of a complaint and require the association to publish the names of members who have been referred to the discipline committee for a formal charge. These changes keep the public better informed of charges laid against members and provide further protection to the public by fully investigating complaints.

Altogether, these amendments permit the association to operate more efficiently, expand opportunities for our membership and align us with other provincial regulators. In drafting these amendments, the association followed a comprehensive and efficient process for enacting legislation that was guided by our professional standards department, government relations department and council.

Our efforts to introduce the changes before you today began in December of 2018 with initial dialogue with the minister of Growth, Enterprise and Trade. Over the following three years, we met with numerous government officials and stakeholders to ensure the bill before you best represented the amendments necessary to support the professions of engineering and geoscience. During this process, we reached out to members of the association and other stakeholder groups. We would like to thank everyone who has helped us along the way.

The association developed the initial act proposal and proceeded to draft a bill in 2019 that followed our consultations with stakeholders and drew upon guidance from legal counsel and legislative drafters. We held two separate engagement sessions with our general membership in January and February of 2019 to inform them of these changes and to seek their input.

* (18:10)

After concluding these public consultation sessions, further dialogue took place amongst the stakeholders, legal counsel, legislative drafters, the MLAs to finalize Bill 233. Throughout this process, Engineers Geoscientists Manitoba's council was given information updates and our membership received regular e-news by email, informing them of the status of the process for the act amendment changes.

The association had open, transparent dialogue and effective communication with all stakeholders to finalize where—what we feel are optimal amendments, and which was presented by Mr. Wishart as Bill 233 at first reading on April 21st, 2022. The association feels that the procedure followed in drafting Bill 233 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 suggestions for improving its process for any future act amendment changes that we might consider. In conclusion, the association wants to thank everyone that was involved in this process. We sincerely appreciate everyone's time and effort, and look forward to Bill 233 going to its third reading.

We invite any contact or questions from the public, and we look forward to working with all MLAs, government officials and staff in the future. Once more, thank you for the opportunity to present this evening.

Mr. Chairperson: Thank you for your presentation, Mr. Gregoire.

We will now move on to questions.

Mr. Ian Wishart (Portage la Prairie): Thank you, Mr. Gregoire, for your presentation this evening, and for your colleagues joining you today.

Would you care to outline a little bit more about removing the barriers and allowing other people to practice in a limited scope?

M. Gregoire: Yes, thank you. So specified scope-of-practice licensees have a narrow scope of practice. It's identified and prescribed where they can practice. In other provinces those specified scope-of-practice licensees are allowed to hold what's called a certificate of authorization, which allows their business entity to practice in those other provinces.

So one of the changes here will allow those types of certificates of authorization to be held by specified

scope-of-practice licensees in Manitoba. It's a mouthful, but, yes.

Mr. Jamie Moses (St. Vital): I really thank you and appreciate the words that you said today regarding the bill. It's—kind of outlines what changes you're proposing—are being proposed in this bill.

And so I'd like to hear a little bit more from you about the details about transparency and how this bill helps protect the public a little bit. And, you know, what challenges there were with, you know, the, you know, the profession in terms of maybe—and that this bill addresses—in terms of adding to public safety within the profession.

M. Gregoire: Yes, I can give you two clear examples on the transparency aspect. One is that, at present, the act requires that hearings, disciplinary hearings, are open to the public. But there's really no way for people to know about a hearing, to attend it and to find out what's going on. So one of the changes will require us to publish notifications about upcoming hearings and charges made against professional members.

One of the other changes relates to how investigation committees can finalize an investigation without going to hearing. So one option is to enter into a joint agreement with the member where they agree to a conviction and a set of penalties. So one of the changes in this bill will allow us to publish that outcome as well, to ensure that the public is aware of these joint agreements that have been made.

Hon. Jon Gerrard (River Heights): Yes, thank you for the presentation and the effort that you've put into this.

Just a little bit of, you know, clarification or better understanding of the registering people from other jurisdictions. Is this primarily because their expertise is needed for a particular project here? Does this reflect sometimes on immigrants coming here and being able to practice, if you've got somebody who comes, who registers, and then—

Mr. Chairperson: The Honourable Mr. Gerrard's time has expired, because we're allowing 30 seconds.

M. Gregoire: Yes, the reasons are various, and we have quite a few of our current members that were previously registered in another jurisdiction and then became registered here. Sometimes they stay where they were—they stay in another province, for example, and conduct work in the province. Sometimes they move here. Sometimes they are people who are new to the country, who previously got registered in

another jurisdiction and then are looking for registration here.

But it's a wide variety of reasons why somebody might get registered here after being registered in another jurisdiction.

Mr. Wishart: Thank you again for coming. And I did want to pass through you to your association: thanks for the amount of work you've had to put into developing this. I know it's a lot of work, so thank you very much for the legwork you've done on behalf of all Manitobans.

M. Gregoire: Thank you to everybody who's been involved. We really believe that it's created the best product possible. We're really happy with where this has landed. And all of that input and time, I think, has created a good product in the end.

Mr. Chairperson: Are there any further questions? Mr. Gregoire?

MLA Tom Lindsey (Flin Flon): Thank you for your presentation and you've heard my concerns previously at meetings we've had about this. My prime concern is limited scope may mean that engineers don't have all the technical abilities to fill all the positions going forward. And the other concern I have is by encouraging people with licences from other jurisdictions, it may mean that we can expect, as we've seen in some trades, that the bulk of the work now comes to people from—

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

Mr. Gregoire, there's a short amount of time left. You can answer that question, please.

M. Gregoire: Sure thing. I want to address the 'compency' thing, especially because it's true that specified scope-of-practice licensees don't follow the traditional academic background to create the foundation of their competency, but they are required to have an expanded amount of practical, hands-on experience before they become licensed.

And so we make sure that they do meet the same standards as our professional members. It's in a narrower scope, but we make sure that they still are adhering to the code of ethics, good character, all these other things that make for competent engineers and geoscientists.

Mr. Chairperson: We thank you for your presentation, Mr. Gregoire.

This concludes the list of presenters I have before me.

* * *

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

Mr. Wishart: Numerical order.

Mr. Chairperson: It has been moved that we go by the—finish these bills in numerical order. Is that agreed? [*Agreed*]

We shall proceed in numerical order.

Bill 233—The Engineering and Geoscientific Professions Amendment Act
(*Continued*)

Mr. Chairperson: Bill 233: Does the bill sponsor, the honourable member for Portage la Prairie, have an opening statement?

Mr. Ian Wishart (Portage la Prairie): Thank you very much again to the association for bringing this forward. I know it's been a long process going and I like to thank the opposition for being so co-operative in this process. This is a—not—doesn't happen very often that we get a technical bill that we deal with as private members. It has happened many times in the past and it's—so I appreciate the co-operation in the process and I think it's good news for all Manitobans.

Mr. Chairperson: We thank the member for that statement.

Does the member for the opposition have an opening statement? Mr. Moses—oh, sorry. Does the member from the official opposition critic have an opening statement?

Mr. Jamie Moses (St. Vital): I want to thank the geoscientists and engineer professionals for their work to bring forward this bill. It's very obvious that engineers and geoscientists play an integral role in the development of Manitoba as a province and the many industries, and they tackle really big challenges that we all face.

You know, they've taken it upon themselves to look at what ways to make their profession better to help, you know, ensure that there are more people coming to their industry, making sure that it's more available and at the same time helping to increase public safety.

And so we, you know, in looking at this, we see the bill, see the changes we're looking for and see how

it's helping to evolve the profession. So we just want to thank the presenter, thank all the people who worked behind the scenes to put this together and as they do this and fully engage in our democratic process in Manitoba, we say thank you.

* (18:20)

Mr. Chairperson: We thank Mr. Moses for that statement.

Does the Honourable Mr. Gerrard have a statement of any sort?

Hon. Jon Gerrard (River Heights): Just a thank-you to all those who contributed to making this a—advance in geoscientific and engineering professions in Manitoba.

Mr. Chairperson: Thank you for that statement, Mr.—Honourable Mr. Gerrard.

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

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clause 3—pass; clauses 4 through 7—pass; clause 8—pass; clauses 9 and 10—pass; clause 11—pass; clauses 12 and 13—pass; clauses 14 and 15—pass; clauses 16 through 19—pass; clause 20—pass; clauses 21 through 23—pass; clauses 24 through 28—pass; clauses 29 and 30—pass; clauses 31 through 33—pass; clause 34—pass; clauses 35 and 36—pass; clause 37—pass; clauses 38 and 39—pass; clauses 40 through 43—pass; clauses 44 through 46—pass; clauses 47 and 48—pass; enacting clause—pass; title—pass. Bill be reported.

That concludes Bill 233.

Bill 237—The Drivers and Vehicles Amendment Act (Poppy Number Plates)

Mr. Chairperson: We will now move on to Bill 237 clause-by-clause.

Does the bill sponsor, the honourable member for Brandon East, have an opening statement?

Mr. Len Isleifson (Brandon East): Really appreciate the opportunity to bring this to this committee tonight

and to the public. And I want to—there's so many people that I can thank when we put together a private member's bill like this, and I really try to initiate all my bills by reaching out into my local community.

So I do want to thank—and he doesn't want me to give his name, but he'll go by Deputy Dog, who is a retired RCMP officer in my constituency, who brought this forward to me a number of years ago and—you know, pre-COVID.

And working on it throughout there and then taking it one step 'forder'—'forther'—further, pardon me, to the Royal Canadian Legion Branch No. 3 in Brandon, and speaking with those folks and ensuring that, you know, the support was definitely there from them because they do own the rights to the poppy, and also with the ANAVETS in Brandon, you know, to ensure that I completed the circle around Brandon.

And again, I want to reach out and say thank you to all the military community, the base commanders at CFB Shilo, 17 Wing, 1 CAD and so forth. They've all changed and had changeovers in their leadership this year, so the previous leadership from those organizations.

And of course, the Dominion Command in Ottawa, as well, they put a lot of thought into this and to ensure that it really met the integrity of the intention of the plate for veterans by including retired RCMP members who, again, don't have the ability to go out and put a licence plate on their vehicle that says I was proud to be an RCMP officer, I was proud to be a police officer. So this fits in and allows them the opportunity to show their dignity, to show their pride in serving all of us in Manitoba by having a veterans plate.

And again, I thank the opposition and all parties for helping put this through the House with unanimous support. Really appreciate that, and it means a lot to the RCMP members and to all Legion members.

So again, I just want to end by—and I'm not sure what happened. I know Mrs. Linda Wakefield from the Royal Canadian Legion Branch No. 3 in Brandon, she's their second vice president.

They had an executive meeting last night and called me last night and this morning, and she did want to present here tonight. Everything was forwarded, so I'm not sure what happened. But I do want to recognize their effort to wanting to contribute their positive thoughts on tonight's as well.

Mr. Chairperson: We thank the member for his statement.

Does any other member wish to make an opening statement on Bill 237?

Mr. Mintu Sandhu (The Maples): This bill amends The Drivers and Vehicles Act to allow honourable serving or discharged members of the Canadian Forces and former members of the Royal Canadian Mounted Police force to have licence plates with a red poppy and the Canadian flag available to them.

The NDP believe that we have the responsibility to remind ourselves and all Manitobans of the important sacrifices that those who have served have made for our country. And we are committed to always supporting our veterans.

The military has played an important role past and present in Manitoba, and we continue to support and honour our veterans and current members of the Armed Forces.

We owe a tremendous debt of gratitude to our veterans for the sacrifices they have made defending Canada around the world in the war and peacekeeping missions.

Our veterans have fought for our rights, freedom, sometimes at the cost of their own lives. We all have a shared responsibility—government, schools and parents alike—to continuously remind ourselves and our children of their sacrifices.

This bill is one of the important ways that we can make sure veterans in Manitoba are honoured.

Thank you, Mr. Chair.

Mr. Chairperson: Does any other member wish to make an opening statement on Bill 237?

Hon. Jon Gerrard (River Heights): Yes. Very briefly, I think it is appropriate that we are recognizing the members of our Canadian Armed Forces, who contribute tremendously to Canada, both internally in response to various crises, as we've seen in the east coast recently and during COVID pandemic. And as well, to recognize former members of the Royal Canadian Mounted Police who served honourably and done their best to serve and protect Manitobans and Canadians.

So I think this is well deserving and Liberals are in full support.

Mr. Chairperson: We thank the member for his statement.

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

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; enacting clause—pass; title—pass. Bill be reported.

* (18:30)

The hour being 6:30, what is the will of the committee?

An Honourable Member: Committee rise.

Mr. Chairperson: The will of the committee is committee rise.

COMMITTEE ROSE AT: 6:30 p.m.

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