

THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on SOCIAL AND ECONOMIC DEVELOPMENT presents the following as its Third Report.

Meetings

Your Committee met on the following occasions:

- Monday May 26, 2008 at 4:00 p.m.
- Tuesday May 27, 2008 at 4:00 p.m.
- Wednesday May 28, 2008 at 6:00 p.m.
- Thursday June 6, 2008 at 10:00 a.m.

All meetings were held in Room 254 of the Legislative Building.

Matters under Consideration

- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative
- **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure)
- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre
- **Bill (No. 16)** – The Child Care Safety Charter (Community Child Care Standards Act Amended)/Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants)
- **Bill (No. 19)** – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools
- **Bill (No. 21)** – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre
- **Bill (No. 22)** – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs
- **Bill (No. 23)** – The International Labour Cooperation Agreements Implementation Act/Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail
- **Bill (No. 27)** – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique)
- **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée
- **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels
- **Bill (No. 33)** – The Salvation Army Grace General Hospital Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Salvation Army Grace General Hospital »
- **Bill (No. 34)** – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants)
- **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

Committee Membership

Committee Membership for the Monday May 26, 2008 meeting:

- Mr. ALTEMEYER
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Hon. Mr. STRUTHERS
- Mrs. TAILLIEU

Your Committee elected Mr. ALTEMEYER as the Vice-Chairperson.

Substitutions received during committee proceedings:

- Hon. Ms. MELNICK for Hon. Mr. STRUTHERS

Committee Membership for the May 27, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Mr. PEDERSEN
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Substitutions received during committee proceedings:

- Mrs. ROWAT for Mrs. STEFANSON

Committee Membership for the May 28, 2008 meeting:

- Mr. ALTEMEYER (*Vice-chairperson*)
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. DERKACH
- Hon. Mr. LEMIEUX
- Hon. Ms. MELNICK
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mrs. STEFANSON
- Mrs. TAILLIEU

Committee Membership for the June 6, 2008 meeting:

- Hon. Ms. ALLAN
- Ms. BRAUN (*Chairperson*)
- Mr. CULLEN
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Mr. MAGUIRE
- Mr. MARTINDALE
- Hon. Ms. OSWALD
- Hon. Mr. ROBINSON
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Your Committee elected Mr. MARTINDALE as the Vice-Chairperson.

Substitutions received during committee proceedings:

- Mr. DERKACH for Mrs. TAILLIEU
- Mrs. TAILLIEU for Mr. CULLEN

Public Presentations

Your Committee heard the following one presentation on Bill (No. 10) – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative:

Ken Waddell

Private Citizen

Your Committee heard the following one presentation on Bill (No. 13) – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure):

Chris Lorenc

Manitoba Heavy Construction Association

Your Committee heard the following sixteen presentations on Bill (No. 15) – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre:

Mark Nantais	Canadian Vehicle Manufacturers' Association
David Adams	Association of International Automobile Manufacturers of Canada
Gaile Whelan-Enns	Manitoba Wildlands
Nick Roberts	Manitoba Used Car Dealers' Association
Bruce Giesbrecht	Manitoba Motor Dealers Association
Colin Craig	Canadian Taxpayers Federation
Margaret Bernhardt-Lowdon	Manitoba Lung Association
Harvey Stevens	Resource Conservation Manitoba
Curtis Hull	Climate Change Connection
Kristal Bayes	Private Citizen
Trevor Gates	Private Citizen
Ken Waddell	Private Citizen
Howard Rubuck	Private Citizen
Andrew Basham	Green Party of Manitoba
David Enns	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following one presentation on Bill (No. 19) – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools:

Fred Curry	Private Citizen
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Your Committee heard the following one presentation on Bill (No. 21) – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre:

John Doyle	Manitoba Federation of Labour
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Your Committee heard the following three presentations on Bill (No. 22) – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs:

Ross Eastley	Canadian Migration Institute
John Ryan	Canadian Society of Immigration Consultants
Darrell Rankin	The Communist Party

Your Committee heard the following six presentations on Bill (No. 27) – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique):

Cliff Trinder	Private Citizen
Gene Nerbas	Assiniboine Valley Producers
Gaile Whelan-Enns	Manitoba Wildlands
Keith Perron	Private Citizen
Stanley Cochrane	Private Citizen
Antoine Hacault	Private Citizen

Your Committee heard the following twelve presentations on Bill (No. 31) – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée:

Gaile Whelan-Enns	Manitoba Wildlands
Blake Taylor	Private Citizen
Mimi Raglan	Private Citizen
Brian Bowman	Private Citizen
Elizabeth Fleming	Private Citizen
Colin Craig	Canadian Taxpayers Federation
Gloria Desorcy	Manitoba Branch of the Consumers Association of Canada
Trevor Gates	Private Citizen
Ken Waddell	Private Citizen
Christine Waddell	Private Citizen
Kelly deGroot	Private Citizen
Rick Negrych	Private Citizen

Your Committee heard the following seven presentations on Bill (No. 32) – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels:

Blake Taylor	Private Citizen
Mimi Raglan	Private Citizen
Charles Cruden	Private Citizen

Laurie Thompson
George Fraser
Gloria Desorcy
Pam Brown

Manitoba Institute for Patient Safety
Massage Therapy Association
Manitoba Branch of the Consumers Association of Canada
Private Citizen

Your Committee heard the following two presentations on Bill (No. 34) – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants):

Gordon Reimer Private Citizen
Ken Waddell Private Citizen

Your Committee heard the following one presentation on Bill (No. 36) – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale:

David Sanders Deloitte & Touche LLP Property Tax Services

Written Submissions

Your Committee received the following two written submissions on Bill (No. 13) – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure):

Ian Wishart President, Keystone Agricultural Producers
Geoff Sine Manitoba Trucking Association

Your Committee received the following one written submission on Bill (No. 15) – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre:

Gordon Forman National Association of Antique Automobiles Clubs of Canada Corporation

Your Committee received the following two written submissions on Bill (No. 31) – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée:

Valerie Price Executive Director, Manitoba Association for Rights and Liberties
Ruth Pryzner Private Citizen

Your Committee received the following one written submission on Bill (No. 32) – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels:

Stuart Murray St. Boniface Hospital and Research Foundation

Your Committee received the following two written submissions on **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale:

Ron Bell President, Association of Manitoba Municipalities
Antoine Hacault Private Citizen

Bills Considered and Reported

- **Bill (No. 13)** – The Highway Traffic Amendment Act (Damage to Infrastructure)/Loi modifiant le Code de la route (dommages causés à l'infrastructure)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 16)** – The Child Care Safety Charter (Community Child Care Standards Act Amended)/Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 19)** – The Liquor Control Amendment Act/Loi modifiant la Loi sur la réglementation des alcools

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 21)** – The Advisory Council on Workforce Development Act/Loi sur le Conseil consultatif du développement de la main-d'œuvre

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 22)** – The Worker Recruitment and Protection Act/Loi sur le recrutement et la protection des travailleurs

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 23)** – The International Labour Cooperation Agreements Implementation Act/Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 27)** – The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)/Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 31)** – The Freedom of Information and Protection of Privacy Amendment Act/Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée

Your Committee agreed to report this Bill without amendment on division.

- **Bill (No. 32)** – The Personal Health Information Amendment Act/Loi modifiant la Loi sur les renseignements médicaux personnels

Your Committee agreed to report this Bill, with the following amendments:

THAT the proposed clause 6(1), as set out in Clause 6(1) of the Bill, be replaced with the following:

Trustee to respond promptly

6(1) A trustee shall respond to a request as promptly as required in the circumstances but not later than

- (a) 24 hours after receiving it, if the trustee is a hospital and the information is about health care currently being provided to an in-patient;
- (b) 72 hours after receiving it, if the information is about health care the trustee is currently providing to a person who is not a hospital in-patient; and
- (c) 30 days after receiving it in any other case, unless the request is transferred to another trustee under section 8.

Information provided in 24 hours

6(1.1) In the circumstance mentioned in clause (1)(a) (hospital patient), the trustee is required only to make the information available for examination and need not, despite section 7, provide a copy or an explanation.

THAT the proposed clause 23(1.1), as set out in Clause 14(2) of the Bill, be replaced with the following:

Timely disclosure to family

23(1.1) When an immediate family member, or someone else with whom the patient or resident is known to have a close personal relationship, asks a trustee to disclose information under subsection (1), the trustee must disclose the information as soon as reasonably possible but not later than

- (a) 24 hours after the request is made, if the trustee is a hospital and the information is about health care currently being provided to an in-patient; or

(b) 72 hours after the request is made, in any other case;

as long as the requirements of subsection (1) are met.

THAT the proposed section 23.2, as set out in Clause 15 of the Bill, be replaced with the following:

Disclosure for fundraising

23.2(1) If a trustee is

(a) a hospital or personal care home; or

(b) a health care facility or health services agency designated in the regulations for the purpose of this section;

it may disclose to a charitable fundraising foundation with which it is affiliated the name and mailing address of an individual who has been a patient of the hospital, who is or has been a resident of the personal care home, or who is receiving or has received services from the facility or agency.

Conditions

23.2(2) The trustee may make a disclosure under subsection (1) only if

(a) the trustee has notified the individual in writing that the trustee might disclose personal health information about the individual to a charitable fundraising foundation, or has posted a notice to that effect where it is likely to come to the individual's attention;

(b) the notice is in a form that the individual can reasonably be expected to understand;

(c) the individual has been given a reasonable opportunity to object to the disclosure and has not done so; and

(d) the trustee and the foundation comply with any additional requirements specified in the regulations.

THAT the proposed clause 66(1)(i.1), as set out in Clause 29(c) of the Bill, be replaced with the following:

(i.1) for the purpose of section 23.2 (charitable fundraising),

(i) designating health care facilities and health services agencies, and

(ii) specifying additional requirements under clause (2)(d);

That the title is amended by adding "(2)" at the end.

- **Bill (No. 33)** – The Salvation Army Grace General Hospital Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation « The Salvation Army Grace General Hospital »

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 34)** – The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)/Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants)

Your Committee agreed to report this Bill, with the following amendments:

THAT the following be added after Clause 1(5) of the Bill:

1(6) The following is added after clause 4(1)(l):

(l.1) communicate to authorities the primary importance of a child's safety and security in the provision of child and family services and monitor the oversight provided by authorities of agencies in this regard;

THAT the following be added after Clause 2(2) of the Bill:

2(3) *The following is added after clause 24(e):*

(f) communicating to authorities the primary importance of a child's safety and security in the provision of child and family services and monitoring the oversight provided by authorities of agencies in this regard.

- **Bill (No. 36)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 9 of the Bill be amended

(a) in the proposed subclause 15.1(3)(b), by striking out "property" and substituting "matter or matters agreed to"; and

(b) by replacing the proposed subsection 15.1(7) with the following:

Amendment and correction process saved

15.1(7) Nothing in this section affects the power to amend or correct

(a) an assessment roll under section 13 or 14; or

(b) a tax roll under section 300 or 326 of *The Municipal Act* or section 340 or 341 of *The City of Winnipeg Charter*.

Bills Considered and Not Reported

- **Bill (No. 10)** – The Legislative Library Act/Loi sur la Bibliothèque de l'Assemblée législative
- **Bill (No. 15)** – The Climate Change and Emissions Reductions Act/Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre

Submitted by,

Ms. BRAUN, Chairperson
June 6, 2008