

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

Chairperson
Mr. Dave Gaudreau
Constituency of St. Norbert

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Fortieth Legislature

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

Wednesday, October 28, 2015

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Dave Gaudreau
(St. Norbert)

VICE-CHAIRPERSON – Mr. Ted Marcelino
(Tyndall Park)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

*Hon. Ms. Blady, Hon. Messrs. Chomiak,
 Kostyshyn, Lemieux, Mackintosh*

*Messrs. Gaudreau, Goertzen, Helwer,
 Marcelino, Piwniuk, Schuler*

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

Bill 27–The Veterinary Medical Amendment Act

Ms. Doraine Washniak, private citizen

*Ms. Roxane Neufeld, Manitoba Veterinary
 Medical Association*

*Ms. Cindy Sontag, Manitoba Animal Health
 Technologists Association*

Ms. Melanie Browning, private citizen

*Ms. Trish Lobaton, Registered Veterinary
 Technologists and Technicians of Canada*

Ms. Suzanne Davidson, private citizen

Mr. Michael Sheridan, private citizen

Bill 19–The Legal Profession Amendment Act

Ms. Kris Dangerfield, Law Society of Manitoba

WRITTEN SUBMISSIONS:

Bill 27–The Veterinary Medical Amendment Act

James A. Broughton, private citizen

MATTERS UNDER CONSIDERATION:

Bill 19–The Legal Profession Amendment Act

Bill 27–The Veterinary Medical Amendment Act

Bill 37–The Radiation Protection Act

Bill 38–The Intimate Image Protection Act

*Bill 41–The Statutes Correction and Minor
 Amendments Act, 2015*

Bill 45–The Elections Amendment Act

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Clerk Assistant (Mr. Andrea Signorelli): 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, we must elect a new Chairperson.

Are there any nominations for this position?

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Development): I nominate Mr. Dave Gaudreau.

Clerk Assistant: Mr. Dave Gaudreau has been nominated.

Are there any other nominations?

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

Mr. Chairperson: Our second item of business is to elect a Vice-Chairperson.

Are there any nominations?

Mr. Doyle Piwniuk (Arthur-Virden): I would like to nominate Mr. Marcelino.

Mr. Chairperson: Mr. Marcelino has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Marcelino is elected Vice-Chairperson.

This meeting has been called to get to consider the following bills: Bill 19, the legal professional amendment act; Bill 27, The Veterinary Medical Amendment Act; Bill 37, The Radiation Protection Act; Bill 38, The Intimate Image Protection Act; Bill 41, The Statutes Correction and Minor Amendments Act, 2015; Bill 45, The Elections Amendment Act.

How late does the committee wish to sit this evening?

Mr. Kelvin Goertzen (Steinbach): Until the work of the committee is complete, Mr. Chairperson.

Mr. Chairperson: Until the work of the committee is complete, is that agreed? *[Agreed]*

We have a number of presenters registered to speak tonight, as noted on the list before you of presenters. On the topic of determining the order of public presentations, I will note that we do have an— one out-of-town presenter in attendance this evening marked with an asterisk on the list.

With this in consideration, what order does the committee wish to proceed in hearing presentations?

Mr. Goertzen: Out-of-town presenter first and then sequentially as listed.

Mr. Chairperson: Is that agreed, out-of-town presenters first? *[Agreed]*

We have someone else registered, Kris Dangerfield from the Law Society of Manitoba. You can add that to your list, please, for Bill 19.

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

First of all, if there's anyone else in the audience who would like to make a presentation this evening, please register with the staff at the entrance of the room. Also, for the information of all presenters, while written versions of the presentation are not required, if you're going to accompany your presentation with written materials, we ask you to provide 20 copies. If you need help with photocopying, please ask the staff.

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

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

Prior to proceeding with public presentations, I would also like to advise members of the public regarding the process for speaking in committee. The proceedings of our meeting 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 name, and

this is a signal for the Hansard people behind me to turn on and off the mics and record this.

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

Bill 27—The Veterinary Medical Amendment Act

Mr. Chairperson: I will now call on Doraine Washniak, private citizen. *[interjection]* We've already passed the motion that you can come, so why don't you come up, and you have a little extra time to get home.

Ms. Doraine Washniak (Private Citizen): Do I get to do that a second time?

Mr. Chairperson: No. Do you have any written materials for the committee?

Ms. Washniak: I do not.

Mr. Chairperson: Okay. Please proceed when you're ready.

Ms. Washniak: Good evening, gentlemen. I guess all the MLAs that are women are at the event that's happening. So, anyways, I thank you for giving me this opportunity to speak to you tonight. I am here to speak on the present—on the amendments to The Veterinary Medical Act.

Wow, it's—I would say that from us as a small association formerly known, or I guess currently known as the Manitoba Animal Health Technologists Association and simply venturing to ask the question of whether or not we could use the term veterinary, we have leaped from just changing one word in our name to a tremendous change in our association, given what's being proposed by this Veterinary Medical Act.

So I don't—there are two things that I would draw to your attention that I would ask for you to consider. And that is under the definitions. You have suggested that the animal health technologist be removed and that veterinary technologist replace that, and I'm asking that on a national level, we do have technicians as well who come to our province to practice here. Red River College does graduate animal health technologists to date. And I realize that they are supposed to be interchangeable, that is, veterinary technologist and animal health technologist. However, there's something missing in this to allow the term technician to be in place in this current act. Whether that actually will prohibit technologists—or technicians from coming to practice

here, I don't know. I guess that would have to be something that you would have to consider.

The second section that I draw your attention to is section 17, specifically, 17(3) and 17(4), which I am very much opposed to. I—my concern is that 17(3) speaks to an individual who is registered with what would be the Manitoba Veterinary Medical Association is the only individual who can use the term veterinary technologist. The section 17(4) again speaks to the fact that only those who are registered with the MVMA will be entitled to use that acronym, the VT, veterinary technologist, or AHT as is the case now.

My opposition to that is that not all graduates write the exam which would be part and parcel of becoming registered with the MVMA, and so, subsequently, it's my opinion that these sections will be exclusionary and not inclusive of those who wish to—who may not pass the exam and subsequently go into other areas of the profession, whether it be pharmaceutical sales, medical equipment sales. There's a number of diverse other areas where technologists and technicians can be employed. So I am very concerned, and my suggestion to you would be to sincerely consider to put an individual who is not necessarily—doesn't have to be registered with the MVMA because our association is a mixture of both registered and non-registered technologists at this time.

*(18:10)

You exclude someone like myself who would retire after 40 years of being a technologist and not be able to use that acronym ever again because I am retired and non-registered with the MVMA. And I don't think our association wants to exclude people like myself or others who may not pass the exam for whatever reason, or choose not to write the exam, which would probably be part and parcel of becoming a registered technologist with the association, the MVMA.

That is all I have to say.

Mr. Chairperson: Thank you for your presentation.

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): Well, first of all, let me just say thank you very much for coming out this evening and raising these points. We'll certainly look into that.

And, I'm not sure if you're aware of this process but, to the best of my understanding, we're the only

province in Canada that allows people to come and give presentations like you are doing this evening to a committee like this. We may be one of two. But, I've always known us to be the only one and—but I can stand—I may stand corrected. But, it gives you and others the opportunity to come before a committee before legislation is actually passed and have your input.

So it's a great process because even though we did a fair bit of consultation with different organizations and my department did, we don't get to everyone, and that's why this venue is important, to allow people to have their say whether they be representing an organization or representing themselves belonging to an organization or just wanting to make a comment.

So I just want to say, thank you so much for coming forward this evening and making your points of view. I appreciate it very, very much.

Floor Comment: May I speak to that?

Mr. Chairperson: Yes, please proceed.

Ms. Washniak: It's only as good as if you listen. Sorry. I feel success. I appreciate that we have this opportunity, you know, when you're—when you have this opportunity you just hope people will listen and take sincerely what we bring to you. So, thank you.

Mr. Lemieux: Well, I would just like to say, we do. I mean, that's why we're here. We're showing interest and we respect your points of view.

It doesn't mean that we always agree with everyone who presents. Sometimes we have to agree to disagree but your point of view is always respected, and always will be, I hope.

Mr. Ron Schuler (St. Paul): I'd like to thank you very much for coming to committee today, Doraine, all the way from Cooks Creek and appreciate your presentation and your input and—was your association consulted when this bill was being drafted?

Ms. Washniak: I think our board has been very involved from the get-go.

Being outside of the board and not being—I think our body of people, like, our membership has been somewhat out of the loop of what's been happening. So, I appreciate the need for negotiations to be somewhat kept inside or within containment. What I have been very disappointed in is the ability to share

with the broad membership what the implications of this act are going to be, good or bad.

Does that answer your question?

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Development): Thank you so much.

And, being the Minister of Agriculture, I just want to thank you for your presentation and the importance of the title is whether the animal health technologists or the technologists of the world—vet techs. We do appreciate because, definitely, first and foremost, regardless of the title, it's the importance of, you know, maintaining—looking after animals, companion animals but large livestock as well, and the importance of—serves the agriculture industry and a lot of perspective. And, much like Mr. Lemieux indicated, we take your suggestions and definitely we will continue to try and find an opportunity to explore the options as you indicated today. Thank you.

Mr. Chairperson: Thank you very much for your presentation.

Bill 19—The Legal Profession Amendment Act

Mr. Chairperson: Now we're going to proceed through the bills as they're listed, so the first presenter we have for Bill 19 is Kris Dangerfield.

Minister Mackintosh, would you like to come and take the chair?

Do you have any written material for the committee?

Ms. Kris Dangerfield (Law Society of Manitoba): No, I do not.

Mr. Chairperson: Okay, please proceed when you're ready.

Ms. Dangerfield: Good evening, gentlemen, and thank you very much for giving me the opportunity to be here to address Bill 19, the act to amend The Legal Profession Act.

I'm here as the chief executive officer of the Law Society of Manitoba and I'm speaking on behalf of all the benchers of the Law Society who regulate the legal profession in this province. As many as you—of you will know, and I know there are some lawyers around this table, the mandate of the Law Society, under The Legal Profession Act is to regulate the legal profession and to do so in the public interest to

ensure that legal services are delivered competently and with independence and integrity.

And so I'm here on behalf of the Law Society to speak in favour of Bill 19. This legislation will enhance the ability of the Law Society to regulate lawyers in the province of Manitoba and to do so in the public interest, and it does so in several ways. Firstly, enables—it enables us to regulate law firms as opposed to individual law firms. And that is really a significant change, and it will provide us with tools in our toolbox to ensure that lawyers are able to deliver legal services to the public in a way that is competent. And so, that is a significant difference from our current legislation.

It also will permit the Law Society to regulate lawyers in a way that will allow them to be innovative in the way that they deliver services, so that it will allow them to partner not only with lawyers, but with non-lawyers and to provide services in new and different ways. And that will go a long way, I would suggest to you, in addressing the access to justice problems which we are dealing with in this province and across Canada.

And finally, Bill 19 will provide the Law Society with a new governance model in terms of how we regulate lawyers in the province. Currently, benchers are elected to govern the profession, that is, practising lawyers in the province. As well, there are independent public representatives who are appointed to sit at the bencher table and make decisions, make policy decisions with respect to how we will regulate lawyers and how we will protect the public interest.

This new legislation will allow for the appointment of additional public representatives as well as additional practising lawyers. And that will permit us to ensure that the manner in which we regulate lawyers in this province is transparent, and will also ensure that there is diversity around the table, that it will be much more reflective of the population. And so, that will be a substantial enhancement to the way in which we are currently regulating the legal profession.

So I'm here really to speak in favour of the legislation and to congratulate Minister Mackintosh for putting this forward and the government for putting this forward, because it really places the regulator in Manitoba in a position that—we will be regulating lawyers in Manitoba in a way that is at the forefront of the regulation of the legal profession in Canada. So I applaud you for putting this forward.

Subject to any questions you may have, that's really all I intended to say this evening.

Mr. Chairperson: Thank you for your presentation.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Well, thank you very much and if you could pass it on to the Law Society, thank you for your leadership and your advice and work on the ground on this and the progressive views of the benchers of Manitoba.

Mr. Kelvin Goertzen (Steinbach): Thank you for the presentation this evening.

The portion of the bill that allows for the name of a person who's under investigation or in other words, there's a complaint that's been lodged, to be made public before there's a finding. Is that something that, in the past, that you've found that potential clients need to know that in advance or—what is it about that particular portion of the legislation that you support?

Ms. Dangerfield: What the legislation will do is permit us to make public the name of a member once they have been charged with professional misconduct. So we receive complaints about the conduct of members. Some of those may be substantive complaints, some of them may be frivolous. The mere fact of a complaint is not something that would be made public.

But, once we have conducted an investigation and have determined that there's sufficient merit upon which we should proceed with charges, then in that instance we would be in a position to publicize the member's name, put it on our website, for example, disclose to inquiring members of the public who are looking to retain a lawyer to provide them with services. We can let them know that, in fact, there are some issues that they should be aware of before they make that determination that they're going to retain a particular solicitor.

Mr. Chairperson: Thank you very much for your presentation.

* (18:20)

Bill 27—The Veterinary Medical Amendment Act
(Continued)

Mr. Chairperson: I now call on Dr. Roxane Neufeld for Bill 27, the veterinary medical—she's from the Veterinary Medical Association.

Do you have any materials for the committee?

Ms. Roxane Neufeld (Manitoba Veterinary Medical Association): No, I don't.

Mr. Chairperson: Please proceed when you're ready.

Ms. Neufeld: All right.

Good evening, committee members. Thank you for this opportunity to speak to the proposed amendments to The Veterinary Medical Act. I am here to represent the Manitoba Veterinary Medical Association and am the current president of the MVMA. I also practise as a mixed-animal veterinarian in Dauphin.

The MVMA council is supportive of the proposed amendments and would like to see the bill passed by the Manitoba Legislature. On behalf of the council, I would like to take this opportunity to speak to some specific amendments to the act.

It appears that one of the key drivers for opening The Veterinary Medical Act was the desire to insert a specific section regarding the requirement to establish a bylaw about veterinary fee disclosure. The MVMA is not in opposition to this amendment but questions its necessity. The MVMA felt it had the appropriate legislation and regulations to address fee concerns. With this amendment to the act along with the related MVMA regulations, there will be the establishment of clear expectations and guidelines for our members and their clinics to follow when providing veterinary services. Further, it will clearly outline to the public and owners of animals in Manitoba what they should expect regarding the disclosure of fees when engaging a clinic for veterinary services. Finally, with clear expectations and guidelines, it will enable the public to better understand when they can lodge a complaint to the MVMA regarding inappropriate fee disclosure and, as well, allow the MVMA to respond, investigate and resolve these complaints.

During the development of the fee-disclosure section, the MVMA was appreciative that through consultation this section was developed in a way that protects the public and provides clear direction on the government's concern regarding veterinary fee disclosure while allowing the MVMA the flexibility to develop regulations that are workable in veterinary clinics. After the amended act receives royal assent, the MVMA will begin to work on drafting fee-disclosure bylaws and also supporting and educating our members to help them meet these expectations.

The MVMA feels it is important for this committee, as well as the public at large, to know concerns and/or complaints in Manitoba regarding fee disclosure is very low. A detailed disclosure of fees through quotations is a current practice of most veterinary clinics in Manitoba. Clear and transparent disclosure of fees for service prior to provision of veterinary services has been and will continue to be an expectation of the MVMA for its members.

The MVMA is concerned that when fee regulations come into effect, clinics may provide higher, broader quotations, as veterinarians may change their current quotation to allow for all potential relevant treatments to be included in the quotation. These higher, broader quotations could result in an animal owner choosing not to treat their animal because the high end of the quotation is beyond their reach. Education of our members and the public by the MVMA will be important to support clear communication about providing transparent and reasonable quotations as well as how to work together when costs present a barrier to treatment.

A positive addition to the act for the veterinary profession in Manitoba is the amendment that will allow veterinarians to establish professional corporations. Veterinarians are one of the last professions in Manitoba to be allowed this privilege, and it is an amendment that MVMA made a formal request for in 2010. It is reassuring to see this amendment is included in the amended act.

I would also like to address changes to the MVMA council composition. The MVMA supports and welcomes the animal health technologist members as well as public members to the governing council of the MVMA. These additional council members will not only increase the transparency and accountability of the MVMA council, they will also bring new perspectives and ideas to the leaders of the veterinary profession. This will further support the MVMA goals to protect animals and the public as well as enhance the veterinary profession.

The amended act has many positive amendments for animal health technologists. It will allow animal health technologists to change their professional designation to veterinary technologists, the title used across Canada. It also provides technologists increased authority of the veterinary profession through voting seats on the MVMA council and voting rights for technologist members of the MVMA. The MVMA considers these changes both

positive and forward-thinking and in the recognition of animal health technologists and their inclusion in the veterinary profession as a whole.

The MVMA congratulates the Manitoba Animal Health Technologist Association, or MAHTA, and their board for their hard work in bringing these amendments forward.

Further, on behalf of the MVMA council, I want to say we support these amendments and look forward to technologists having a greater and direct impact on the veterinary profession through their involvement with the MVMA.

The MVMA is aware there may be some concern about its activities with regards to animal health technologists and how those activities may impact MAHTA as an organization. The MVMA believes that MAHTA has an important role to play in support of the technologist profession in Manitoba. This includes focusing on and advocating for matters that only affect technologists versus the whole veterinary profession. While the MVMA will need to focus on regulating the veterinary profession, protecting the public, and enhancing the profession as a whole, MAHTA can concentrate on activities that improve the technologists' profession.

MAHTA has requested that the MVMA sign a memorandum of understanding to clarify the rules of each organization in regards to animal health technologists. The MVMA did respond to some of the concerns in the memorandum, but could not sign the full document at this time.

The MVMA is currently working through a significant review of its functions and responsibilities, especially in relation to required regulations regarding the amended act, as well as regulating animal health technologists.

This means that some decisions may have to wait until the MVMA is certain of the amendments to the act and how they will impact our organization, its regulations, and our members. Once the MVMA gets their house in order, we look forward to partnering with MAHTA on matters of mutual interest and defining our roles.

Before I close, there is an administrative concern regarding the implementation of the new MVMA council structure. Within the amended act it states that the new council must be in place by February 1st, 2016. The MVMA would respectfully ask that this be changed to a minimum of six months after royal assent to allow the MVMA time to

develop the required bylaws and policies for the nominations and election process for the MVMA council.

Once these regulations are in place, the MVMA will immediately begin the process to fill the technologist positions, adhering these new regulations. Should there be a concern there are no technologist positions on the MVMA council during the period between when the act receives royal assent and the completion to regulation, nominations and elections, it should be noted that the MVMA has asked MAHTA to nominate two technologists to hold these seats in the interim.

Thank you again for the opportunity to speak tonight and address amendments to The Veterinary Medical Act. I'm available to respond to any questions you may have.

Mr. Chairperson: Thank you for your presentation.

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): Well, thank you, Dr. Neufeld, for giving us your presentation and we appreciate your comments and we'll certainly reflect on them and bring some of those forward and see if there is some room to be flexible on what you're asking for.

Mr. Ron Schuler (St. Paul): Thank you very much for coming to committee and we appreciate your comments, and we'll certainly take those into consideration as the bill moves forward through the process. Thanks for being here.

Hon. Jon Gerrard (River Heights): Thank you for coming and providing a good explanation of the position of the Manitoba veterinary medicine association.

I have a question, in a sense, in two parts: One is did the government approach you about this bill, or did you approach the government; and, second, you say your association is not sure about the necessity for the regulations of disclosing fees.

Can you expand on that a little bit, Dr. Neufeld?

Ms. Neufeld: Sure. It was the government who proposed the bill. It was not the MVMA. The majority of clinics would already follow, I think, a very good business practice in always providing a quote beforehand and being up-front about veterinary fees. Understand, even from—when we had—when we were present for the press conference, that 99.9 per cent of vet clinics are already doing what they need to do, and so there may be a few that

don't provide quotes or are not clear, but the majority of us certainly are, and it's only good business sense.

* (18:30)

So we believe we can actually fulfill the mandate just through bylaws in our association that we didn't necessarily need it in the act, but if it's going to be in the act, we will support that and we will do whatever we can to make sure that that is followed through with.

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Development): Good evening, Roxane, and hopefully your three-hour drive was safe and a return back to Dauphin will also be the same.

Yes, a very good point, and I know that as we talk about the animal technologist or animal health technicians, and coming from the rural landscape, and I think the job descriptions are very appropriate and always they work with the Manitoba veterinarian society is that opportunity does exist to use technologists or the animal health people that exist today.

I think today's discussion is more to have clarity of understanding of responsibilities and the education level, as you alluded to, but also the fee schedule is kind of a misnomer that's always been around. We just need to clarify that. But I appreciate your comment, and I think towards the agriculture practices and the companion animals, it's great to see that the technologists and the animal units are being looked after.

So thank you for being your professional career and what you do and for the betterment of agriculture and companion animals. Thank you for being here today.

Mr. Chairperson: Thank you very much for your presentation.

I will now call on Cindy Sontag.

And do you have written materials for the committee? Okay, perfect, and while they're handing them out, you can proceed when you're ready.

Ms. Cindy Sontag (Manitoba Animal Health Technologists Association): Hello, my name is Cindy Sontag, and I'm the current president-elect of the Manitoba Animal Health Technologists Association, which I'll refer to as MAHTA.

MAHTA is a non-for-profit association, incorporated under the Manitoba Corporations Act

since 1982. Members of MAHTA follow our constitution, which is laid out in bylaws and policies which have been voted in by members. We have an elected volunteer board of directors and an AGM. We are a fully functioning, financially sound, independent association representing 425 members. We have board members that sit on the national board of veterinary technologists and a reciprocating, non-voting position on the Manitoba Veterinary Medical Association, which I'll refer to as the MVMA.

MAHTA has been actively managing the registration of our members for the last 10 years. We now understand that this administrative duty was done outside the rules of The Veterinary Medical Act. We do ask for your consideration to continue this responsibility.

MAHTA wishes to recognize and show gratitude to Keir Johnson, senior project manager, Priorities and Planning Committee of Cabinet. During the initial drafting phase of the amendments of this act, Keir recognized the role of animal health technologists and MAHTA to the profession as a whole. MAHTA would like to recognize the following positive changes within the act which modernize the act so it reflects current common practices.

First, updating title animal health—updating title from animal health technologist, referred to as HTs, to veterinary technologist, referred to as VTs. This reflects the trend that is common—which is the common title of techs throughout Canada.

Secondly, title protection of techs. Third, adding tech representatives with voting rights to the MVMA council. Four, ensuring techs have voting rights on MVMA bylaws that affect techs. Fifth, MVMA bylaws governing the relationship with MAHTA in reference to section 7(1)(w.2) of the act. And lastly, removing the clause, during their employment by members, which was previously in the act, which restricted the responsibilities and duties of technologists.

During the early phase of this process, it was suggested to MAHTA by Keir Johnson that we prepare a memorandum of understanding to identify the roles and the relationship between MAHTA and the MVMA prior to this bill being passed. Certain MAHTA and MVMA board members and staff met to identify what key areas need to be addressed within this MOU. Areas of concern or requiring

further investigation were added collaboratively. MAHTA then had a formal MOU prepared.

Some areas mentioned in the MOU are, and I will summarize: technologists are required to be members of both MAHTA and the MVMA; that MAHTA and the MVMA jointly establish an ad hoc committee for the purpose of identifying and assisting with the actions needed to successfully comply with the changes of the act; technologist positions on council—wishing to initially have two MAHTA-appointed tech members; bylaw amendments that both—pardon me—that both associations work collaboratively to amend bylaws; and the addition of veterinary technologists as a member class; the registration process of technologists; sharing of information; providing the MVMA with MAHTA membership information; communication with tech members that all governance-related issue to technologists shall be communicated to MAHTA in addition to tech members; that MAHTA shall remain responsible for advertising all employment opportunities and communicating all additional information relating to joint ventures. This MOU is included in your package.

The MVMA offered a response, which is also included, but was not able to address our concerns or commit to the MOU. They also indicated that their council was undergoing a comprehensive review of the organization. I will not go into great detail of the correspondence between our two associations but they are included. However, I would like to discuss our current situation.

MAHTA still supports the objective of the MOU. Our associations—our association wishes to have clarity on the roles and responsibilities of each association as it pertains to the regulation and management of technologist members. MAHTA wants to ensure that the MVMA identifies technologists as members within their bylaws immediately upon royal assent to ensure that techs are eligible to vote on all bylaws that may affect them directly or indirectly, as soon as possible.

It is our hope that our two associations could have had resolution and agreement on areas of the MOU. Perhaps, if we had more time, we could have achieved this and we could present a more unified front before you today. Unfortunately, we still have—we are still uncertain of many details. Of greatest importance to MAHTA is communication to our

members and retaining all member services for our technologist members.

It's our position that the MVMA's only change of responsibility is that of regulation. We understand the importance of this. It's our position that the MVMA's only communication with tech members is on governing issues. We have not been given any confirmation of this, and this is of great concern to our association and our members. Our members believe in and voted on MAHTA's constitution. They agree with our functions and responsibilities as an association and as a board of directors. We want to ensure that the MVMA does not take on these responsibilities.

The MVMA has informed us that they are currently developing an implementation plan, which I'm—I will quote—will define the actions and timelines regarding all matters related to the expected amendments to the Manitoba veterinary act and regulation of animal health technologists.

The MVMA has not been transparent with MAHTA as to the details of this plan, nor have they consulted us or technologists, regardless of the direct impact this will have on MAHTA and technologists in Manitoba.

* (18:40)

During this process of preparing and speaking to the MOU, another document was brought to MAHTA's attention. The office of MAFRD wrote MAHTA advising of a request for access to records regarding The Veterinary Medical Act. These records were from 1999 when the act was previously amended. This letter from the minister of Agriculture's office dated June 8th, 1999, identifies areas of concern that were brought forth by MAHTA at that time. We understand that the MVMA council and staff have changed since that time, but many of these areas of concerns are still relevant today. This document is also found in your package.

I will agree that this document is now 16 years old and may, perhaps, appear irrelevant. However, the concern for MAHTA is that this information was passed on from MVMA staff—pardon me, wasn't passed on from MVMA staff to their council as we are aware. This, as a result, was another indication of lack of transparency with concerns pertaining to technologists. Given the current lack of transparency, the time constraints and the lack of current resolution between our two associations, MAHTA has concerns with the direction and future of the role of MAHTA.

Our association is still hopeful to work together with the MVMA to find clarity on these areas that so—that are so important to our association.

Given the finality of this act once the bill is passed, MAHTA requests today special consideration. It's our request that an additional amendment to the act—to the current act—which will emulate that of respecting disclosure of pricing. We request that bylaws affecting technologists directly and indirectly be provided to the minister before finalizing.

In addition, I'd like to make a couple of points which may be relevant. One, I'm going to talk quick because I know my time's—

Mr. Chairperson: Actually, sorry. It is 10 minutes. But what we can do is ask leave for it to be presented. Mr. Goertzen?

Mr. Kelvin Goertzen (Steinbach): Well, I mean, I can tell that she's nearly done. I would just ask leave for her to just finish her presentation orally, and—

Mr. Chairperson: Agreed? *[Agreed]*

Please proceed, Ms. Sontag.

Ms. Sontag: Thank you. Firstly, I'd like to make a point. In previous years, there were different people sitting on the MVMA and MAHTA council and board, and there were discussions of a unified superassociation. Technologist members of MAHTA did not respond well to this direction of our association. Our current board wants to ensure that our members are appropriately represented today while advocating for the MOU and throughout this entire process. It is also our fear that the MVMA may have jurisdiction to continue in this direction without MAHTA's consent, considering technologists are now clearly defined as MVMA members.

Secondly, our communication when the—with the government has been very inconsistent over the past couple of months. We feel that Keir Johnson was a great asset to how technologists were appropriately represented within the amendments of the act. During the latest process of trying to find resolution within the details of the MOU, we have had very little support and/or communication from government. This is likely as a result of changing of staffing positions within the MAFRD office, but until yesterday afternoon, we weren't given the opportunity to speak to our situation and concerns. We feel this may have added to lack of resolution

as, in the past, Keir gave us great direction and suggested suggestions to assist our staff and volunteers to identify tools to come to certain agreements.

Lastly, I'd like to thank all government officials and staff who have been involved in this process and who have taken the time to listen and consider the advocacy of technologists and their role in veterinary medicine. It is MAHTA's hope that with the reassurance of the minister's review of bylaws affecting techs directly and indirectly that MAHTA can continue as an association representing technologists and that MAHTA and the MVMA can reach resolution on implementing the changes set forth by the newly amended act. It is also MAHTA's hope to work together with the MVMA on all issues and concerns that affect veterinary medicine in the future. Thank you.

Mr. Chairperson: Thank you for your presentation.

Minister Lemieux?

Mr. Lemieux: I just want to thank you very much and—well, certainly, for taking the time out of your busy day to make a few comments and recommendations. And I know that Keir was extremely helpful to me personally but also to government as a whole with regard to looking at making amendments to this act, and we appreciate your comments in thanking him, and we'll pass that on to him when we have a chance to see him.

Thank you very much for making your comments tonight.

Mr. Schuler: Thank you very much for your presentation. And as is sometimes the case, that when there's two organizations, there are issues that come between them. You put in here that it is our request, and this is on page 3, it is our request that an additional amendment be added to the current act which will emulate that of respect—respecting the disclosure of pricing. We also request that bylaws affecting technologists, directly and indirectly be provided to the minister before finalizing.

Have you passed this on to the minister and the department, and has there been any feedback on this request?

Ms. Sontag: I believe there was a conversation just as of yesterday over the telephone, just to be made aware that this was going to be our recommendation today. That's the extent of it, though.

Mr. Schuler: Okay. Well, thank you very much for this presentation, and we appreciate—you've certainly spent a lot of time putting this together, and it's very well documented and very well written. So thank you very much.

Mr. Gerrard: Thank you, Cindy, for coming and presenting and outlining your concerns.

It is a little troubling when you write that the government has—communication with the government has been very inconsistent over the last couple of months and that there—you've had very little support under communication with the government. Hopefully out of the discussion tonight will come some positive developments that can ease your concerns. Certainly, you and your association play a pretty important role in the health of animals in this province, and you deserve to be listened to.

Mr. Kostyshyn: Thank you so much for being here today, Cindy, and of the communication timeline—was somewhat in the transition of staff being bottom of. Appreciate your comment, and we do have that conversation, we continue to work with your organization.

Let me be very clear that MAHTA is well respected as the importance of animal care, and as we get into the communication hub working with Manitoba veterinarian associations, we definitely see the strong goals to determine first and foremost because both sides have a common interest to look after animal care and *[inaudible]* and whatever else.

And it was my pleasure to sign a proclamation last week designating the proclamation of the animal health MAFRD individual. So it was my pleasure, and I want to congratulate your organizations for the great work you do, and I look forward to positive results in the future of working together in the communication hub with the Manitoba veterinary associations, so thank you for being here today, much appreciated.

Mr. Chairperson: Thank you very much for your presentation.

We'll now call Melanie Browning.

You have written materials for the committee? Okay. While they're handing them out, you can feel free to proceed at any time.

Ms. Melanie Browning (Private Citizen): Good evening. My name is Melanie Browning, and, as a proud registered animal health technologist, I wanted to come before you to describe the

veterinary technologist or animal health technologist profession.

Many people do not understand what vet techs do or that they even exist for that matter. I thought it was important that you understand my profession while you're reviewing this bill. I often describe my profession to the public as a nurse who works with veterinarians. In some aspects, this is an accurate description. Vet techs take blood, give medication and ensure patients receive the best possible care.

This description also completely sells the profession short. In truth, the average vet tech works as an anesthesiologist, X-ray technician, dental hygienist, laboratory technologist, groomer, surgical assistant, kennel cleaner, emotional therapist for owners and pets, receptionist, nutritional counsellor and so much more. You may be even more surprised to know that most vet techs do many of these jobs in the average day. Vet techs are an integral part of the veterinary team. They're often doing tasks such as running lab tests, taking X-rays or drawing blood which in turn frees up the veterinarian to do other work.

*(18:50)

Our provincial association, Manitoba Animal Health Technologists Association, or MAHTA, works hard to help educate the public on the vet tech profession. In fact, this year MAHTA approached the Manitoba Minister of Agriculture, Food and Rural Development, Ron Kostyshyn, who proclaimed October 11th to 17th as Veterinary Technologist Week in Manitoba. I've attached the proclamation in the handouts.

Vet techs graduate from a two-year accredited program offered at many community colleges. These programs are quite intense and cover a large range of information, from bookkeeping to parasitology. I entered the vet tech program as a university graduate with a B.Sc. and I was shocked to see how fast-paced and difficult the program actually was.

Applicants to the program must meet grade requirements and have a certain amount of volunteer hours in the veterinary field. This program accepts applicants on a first-come, first-served basis, and only accepts 25 to 30 students per year. This causes the program to have a long waiting list. Once a student has finished all their coursework in the program, which takes approximately a year and a half, they do practicums at local clinics. After students have graduated with a diploma of animal

health technology, they become a temporary member of MAHTA and they are required to write the veterinary technician national exam. Once they have passed this nationally recognized exam, they are able to become an active member of MAHTA, which allows them, in turn, to work in veterinary practice.

Despite working so hard to become vet techs, the sad truth is vet techs don't stay in the profession very long. We become vet techs because we love animals, and many techs do not make much money compared to other professions. In Manitoba, a tech who has worked for three to 10 years in the profession is making, on average, \$19.50 an hour.

Compassion fatigue is also a real threat to the veterinary industry. Many techs leave the profession due to grief, stress, and trauma involved in working in veterinary medicine. Most people who work in the veterinary industry are passionate about animals, and having to deal with euthanasia, animal abuse and sick animals takes its toll.

Another issue with my profession is that the majority of vet techs are women and we, myself included at the moment, leave to have and raise children. Going back after having children becomes a balancing act of our salary, time available and child-care costs.

Vet techs do not all work in veterinary clinics. You will find vets working—or, sorry, techs working in zoos, research, animal shelters, wildlife rehabilitation centres, diagnostic laboratories and for the government, such as Manitoba Agriculture, Food, and Rural Development and the Canadian Food Inspection Agency. They also work as animal protection officers, instructors, pet insurance representatives, clinical managers, pet food representatives, behaviourists, animal feed specialists and pharmaceutical representatives. I am pleased to see that the amendments have been made to the bill to include all vet techs practising veterinary medicine, not just vet techs who are working for veterinarians.

Not only do vet techs work in a variety of jobs, many of them are able to specialize in a field. I, myself, am specialized in laboratory animal medicine. The process to become specialized is difficult and can take up to five years to complete, including case studies, exams and continuing education requirements. I, personally, have worked in many different fields as a veterinary technologist. I have worked in research, where I managed the health and welfare of research animals and animals

used for teaching purposes at the University of Saskatchewan. I've worked in education, teaching not only vet tech students at Saskatchewan Polytechnic, but veterinary students at the Western College of Veterinary Medicine. I've worked in private practice, taking on whatever role is required of me so that we could help as many of our patients as possible. I've worked with many different species of animals, ranging from mice to cows. You may think that I'm an exceptional tech, but I can assure you there are many more like me who are vet techs because we truly love animals and we are willing to sacrifice a high pay to be in the profession we love.

There are many great amendments to this bill for vet techs: the change from animal health technologist to veterinary technologist, title protection, continuation of the MVMA's relationship with MAHTA and the two voting seats for vet techs on the MVMA council. These changes will help our profession continue to grow and improve over time.

I do, however, have some concerns with the transition of tech membership and their voting rights to the MVMA. A bylaw must be created with regards to tech membership and their voting rights. Before techs have voting rights—now I've lost my thing because I got all excited about that—there we go—it is for this reason that I would suggest to the—government review bylaws pertaining to vet techs until the vet tech membership is able to vote on all bylaws that will apply to them.

I look forward to the future of veterinary medicine in Manitoba, and would like to thank you all for the hard work while reviewing this bill. Thank you.

Mr. Chairperson: Thank you for your presentation.

Mr. Lemieux: Thank you very much for appearing, and I, for one, am one of those Manitoba citizens that have owned pets all my life, but I certainly didn't realize the role that you play, and the kind of diverse career that it is. It's quite amazing, and you can see how a veterinarian would—and could not do without that kind of assistance, there's no doubt about it.

So thank you so much for coming this evening and educating most of us. Some know more of what you do than I, but I appreciate you coming out.

Mr. Schuler: Thank you very much for spending your evening here in front of committee and I think the committee is starting to get a pattern in a lot of the presentation, that there is a little bit of concern between what happens between the two

organizations. And certainly we will—again, we're just the Conservative opposition and we don't write legislation, nor do we have an ability to amend it. That is something the government has to agree to. But we'll certainly speak to the minister and the government about this concern and what can be done to allay some of the concerns, and we appreciate that you're here to raise this with us.

Thank you.

Mr. Gerrard: Thank you for coming and presenting and filling us in on the role of vet techs. That's great.

One of the questions I had as a result of your presentation relates to how the voting will happen on bylaws that apply to vet techs. Will all members of the MVMA vote on such bylaws or will it just—*[interjection]*

Mr. Chairperson: Ms. Browning:

Ms. Browning: Sorry.

Mr. Chairperson: I know; it's a weird process. So, Ms. Browning, go ahead.

Mr. Browning: Currently, as it is, there are bylaws pertaining to animal health technologists in the MVMA's bylaws, and the vets vote on that at their AGM, as they would. Going forward into the future, with techs becoming members of the MVMA, the way I've understood is techs will be only voting on, like, technologist matters. However, I'm unsure if vets will be voting on that as well, so it could be just the tech members or it could be the whole membership voting on them.

Mr. Kostyshyn: Hi, Melinda. Thank you for being here today and it definitely was my pleasure to sign the proclamation in recognizing your profession and, last but not least, the opportunity of a new moving forward of a partnership as we see the importance of vet technologists and also the Manitoba veterinarian association.

At the end of the day, it's similar to human health doctors and nurse practitioners of the world and the nurses—registered nurses, and I see this kind of the same model as we move forward in a positive manner, and I look forward to further dialogue as the two groups get together and work on this new model. So thank you for being here, Melanie. Much appreciated.

Mr. Chairperson: Thank you very much for your presentation.

We've just received a written submission on Bill 27 from Dr. James A. Broughton, and the material is being distributed now.

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

I will now call on Trish Lobaton.

Did I get it right? Do you have written materials for the committee?

Ms. Trish Lobaton (Registered Veterinary Technologists and Technicians of Canada): Yes.

Mr. Chairperson: Okay. While they're handing them out you can feel free to proceed. Did I get your last name right?

Ms. Lobaton: Pretty close—pretty close; that's good.

Mr. Chairperson: Okay. Proceed when you're ready.

Ms. Lobaton: Okay, so good evening. My name is Trish Lobaton. I'm a registered animal health technologist and am currently the president of the Manitoba Animal Health Technologists Association. I'll be speaking on behalf of the Registered Veterinary Technicians and Technologists of Canada, also known as RVTTC, so this is the Canadian tech board.

The RVTTC and the MAHTA, along with five other provincial HT/VT associations, have been working together to support one another in maintaining standards for HTs and VTs on national and international levels. The RVTTC is made up of two appointed representatives from every association, an HT/VT who is on the CVMA Board and a veterinarian from the CVMA Board on the RVTTC board. They speak once every six weeks to update one another on the current events happening with every association. This time allows this group of individuals to find ways on how to better support their membership and build the profession.

* (19:00)

A letter was sent to the MAHTA on October 16th of this year, which I will read out loud for you. This letter is presented as a supportive piece by RVTTC on the current standings the MAHTA is currently facing in regards to changes to the board, its members and The Veterinary Medical Act:

To Whom It May Concern:

The Registered Veterinary Technologists and Technicians of Canada is a non-for-profit organization uniting provincial veterinary technician and technologist associations. Founded in 1989 as the Canadian Association of Animal Health Technologists and Technicians, RVTTC was asked with promoting the veterinary technology profession, establishing and maintaining national standards of membership and becoming a resource regarding national and international issues.

Since its inception 26 years ago, RVTTC has grown to encompass six provincial veterinary technician technologist associations and over 6,000 individual registered veterinary technicians and technologists. RVTTC unites, advances and strengthens the RVT profession across Canada, striving for animal health-care excellence nationwide.

As legislative change regarding veterinary medicine moves forward in the province of Manitoba, it is our hope that concerns regarding the future of RVT will be addressed. While the proposed legislative changes garners some positive actions, such as the title protection and title change of AHT to that of RVT, there also exists cause for concern regarding other aspects of the document.

As proposed, the current document allows one profession, that of veterinarian, to regulate another profession, that of veterinary technology. While both professions often work alongside one another within veterinary medicine, they are, in fact, distinct and unique from one another.

It is our opinion that by having the MVMA govern RVTs in Manitoba, a potential conflict of interest emerges. Such conflicts can be managed by continuing to have the MAHTA remain an integral part of the registration process of RVTs. This registration process already exists and has been in place and functioning well for several years.

In addition to having the registration of RVTs delegated to MAHTA, it is the recommendation of RVTTC that RVT representatives hold positions on both the MVMA board of directors, as well as all committees involving the veterinary technology profession. Positions on committees that affect RVTs, such as bylaws, complaints, discipline, and fitness to practise must remain impartial, and doing so can only be achieved by ensuring RVT representation.

It is also our recommendation that the MVMA grant seats to RVT on council prior to deciding on and enacting any bylaw changes affecting RVTs.

In summary, RVTTC would like to stress the importance of having separate veterinary and veterinary technology entities representing the veterinary sector as a whole. Separate entities working together as professional partners will help achieve the momentum in veterinary medicine the public expects and the animal health-care excellence our patients deserve.

So that was signed by the president of the national—of the Canadian tech board.

And so, lastly, the RVTTC supports the MAHTA in their request to maintain registration of their members, to update our profession's title to veterinary technologist, have voting positions on the MVMA council, as well as technologists having the ability to vote on MVMA bylaws that directly and indirectly affect their position. Thank you.

Mr. Chairperson: Thank you for your presentation.

Mr. Lemieux: I just wanted to say thank you, again, with the others, for taking the time out of your busy day to come and present and put your views forward. Thank you so much.

Mr. Schuler: Thank you very much, and I think this committee should be mildly concerned that we seem to be having one presentation after another come forward and indicate that there is a problem with the legislation. There are two organizations that are being affected, and one of them feels that the upper hand is going to be given to another organization.

And I think it's fair to say, here at this committee, that it seems to be there wasn't proper consultation done on behalf of the minister and his department, because there's no reason for organizations to come forward at committee—and it's just one after the other—express their concern with what's taking place.

And other than the Minister of Agriculture doing his cheerleading act, we've really never gotten anything from government where they intend to go with this. I mean, there's clearly a problem. There's two organizations that there seems to be a problem with, and I am perturbed with that because legislation isn't supposed to pick winners, nor is it supposed to pick sides. Certainly, that's not something we're interested in on the opposition benches. And the government has all kinds of public

servants that they can delegate to go and reach out to organizations and speak to them.

And, again, it—your presentation makes it sound like that wasn't done or certainly wasn't done in a fulsome fashion. And all's that I can say to you and the other presenters, I am very concerned that this does not seem to be a piece of legislation that has been vetted properly through all these different organizations, and I'm disappointed to hear that.

I don't suspect, certainly not from the Cabinet cheerleader and the minister in charge, that there is going to be any change. I suspect there won't be. I am—*[interjection]* Excuse me; did a member say—

Mr. Chairperson: Yes. Mr. Schuler—Mr. Schuler. We're all honourable members here and just a caution, please.

Mr. Schuler: Yes, and there was nothing dishonourable said, Mr. Chair. And if the minister—the Government House Leader (Mr. Chomiak) wants to say something, he'll get a chance to. And I would encourage him to put something on the record.

But there seems to be a problem here, and maybe he should concern himself with what's going on here at committee. There's a reason why people are coming forward and making these kinds of professions—these kinds of presentations, and they're professionals, and they have a right to be heard, and committee members have a right to be concerned. And we need more than platitudes from ministers of the Crown to come to committee and just give platitudes, if that's okay with the member for Kildonan (Mr. Chomiak), if that's okay with him. Meantime, I'd like to continue.

Very concerning to committee that this is happening. This shouldn't happen, and it shouldn't happen at committee if a government was doing its job, which clearly they haven't done. And that perturbs me, that this piece of legislation is here in front of us and we're hearing this kind of a conversation. And perhaps the minister in charge could take some time and reflect on the legislation and that he's actually listened to what's being said. Perhaps he would like to take this opportunity and reflect on it. We certainly would like to hear the minister say something about the concerns that have come forward.

Thank you for your presentation.

Mr. Chairperson: Mr. Gerrard, very quick.

Mr. Gerrard: Thank you very much for coming to present. Now, you represent the veterinary technologists from across Canada, and I suspect you would have some knowledge of what is happening in other provinces in terms of legislation which would be comparable. Can you tell us a little bit about how this proposed legislation would compare with legislation in other provinces?

Ms. Lobaton: In other provinces, there are—they are already spoken of as RVTs. So Manitoba is last to change their title to RVT. The other thing is that there are a few provinces that have joint associations, and they've been working together very well over the last few years to involve their tech associations in decision making. Most of the tech boards are separate from their veterinary boards, but I'm not entirely sure, because a few medical acts have been opened over the years, what their medical acts read.

Our current medical act, and this is how it all started, was we wanted to change our title, so we looked into the medical act. And then the medical act said that we were actually doing it incorrectly and that the MVMA should have been regulating us this entire time. So, over the last 10 years, we've been regulating ourselves, not knowing that we were doing it incorrectly and illegally. And so now that we're in this position, we definitely don't want to lose our identity, because we've been functioning on our own this whole time. So now that we are changing to have the MVMA regulate us, it concerns that we're going to lose all of our hard work that we've tried to get our profession to the public to allow them to see who we are and not just that person standing next to a veterinarian. It's a lot more than that.

And we—that's one of the main things is that we just don't want to lose—almost become clouded under this umbrella of the MVMA and just be a MVMA member. We should be Manitoba Animal Health Technologists Association, not the MVMA. But that's just my thoughts.

* (19:10)

Mr. Chairperson: Thank you very much for your presentation.

Ms. Lobaton: Thank you.

Mr. Chairperson: I will now call on Dr. Suzanne Davidson.

An Honourable Member: Excuse me, Mr. Chair.

Mr. Chairperson: Mr. Schuler.

Mr. Schuler: I was wondering if the minister wanted to address the concerns of the various presenters. I mean, he didn't take the opportunity to, and I certainly think the presenters and certainly committee would like to hear if the minister was going to contribute something to the discussion.

Mr. Chairperson: We'll proceed through presentations as normal, and then at the end the minister can make a statement or not, if he chooses to, during clause by clause.

Thank you very much for your presentation.

I will call Dr. Suzanne Davidson now, please.

Do you have any materials for the committee?

Ms. Suzanne Davidson (Private Citizen): Yes, I have some documents, but there's not copies yet.

Mr. Chairperson: Okay, perfect. While they're handing them out, you can feel free to—do you need copies made? Is that—

Ms. Davidson: Sure.

Mr. Chairperson: Okay, they'll make copies, and you can proceed with your presentation.

Ms. Davidson: Okay.

Good evening, committee members. Thank you for the opportunity to speak tonight.

I am here this evening as both a member of the Manitoba Veterinary Medical Association as well as its vice-president. I currently practise as a companion animal veterinarian in Portage la Prairie.

As vice-president I've had the opportunity to participate in the work that the association is doing regarding both the areas of the proposed amendments to The Veterinary Medical Act as well as the regulation of animal health technologists. It has given me a clear understanding of how these activities will affect the MVMA and the veterinary profession. Dr. Roxane Neufeld, the MVMA president, spoke earlier this evening regarding the proposed amendments to the act and the MVMA's support of these amendments. I would like to address concerns regarding the regulation of animal health technologists as well as the MVMA relationship with its technologist members and the Manitoba Animal Health Technologists Association or MAHTA because it's a lot of words to say. So I'll just refer to that as MAHTA now.

In 2014, after a legal review of The Veterinary Medical Act and the MVMA responsibilities

regarding the regulation of animal health technologists, the MVMA recognized that a previous council had wrongfully delegated to MAHTA the responsibility for regulation of animal health technologists. It did not delegate all areas of technologists regulation, but the registration and credentialing process. The MVMA has been working to correct this inappropriate delegation by bringing this duty back into its mandate. Concurrently, the MVMA learned that The Veterinary Medical Act was to be opened. Anticipating amendments to the act could impact the position and regulation of technologists within the MVMA, council waited to learn more about the upcoming change. It made sense to wait and see what the impacts may be before developing regulations that may require change.

After the MVMA received a copy of the proposed amendments to the act, it began identifying all areas where the MVMA may be required to change or update its current practices and regulations to support the new proposed legislation. The MVMA council is developing an implementation plan to ensure that the MVMA completes all necessary activities related to the act amendments as well as regulation of the animal health technologists. Once the plan is complete and approved, the MVMA will begin consulting with and including stakeholders in the activities.

The MVMA's concerned that we are being perceived as closing doors on certain stakeholders, specifically the animal health technologists and MAHTA. This is not true. The MVMA wants to have its plan in place before starting work on any items related to act amendments, new regulations and the regulation of animal health technologists. Dr. Neufeld mentioned that MAHTA has requested the MVMA to sign a memorandum of understanding. Further, she identified that the MVMA council was uncomfortable signing this memorandum at this time, as the MVMA has not finished its plan. This plan will outline many of the concerns MAHTA has brought forward. Again, once a plan is complete, consultation with MAHTA regarding the roles and responsibilities of each association can begin.

We understand and can sympathize with MAHTA in their concern about what its role will be, especially as it will no longer be responsible for the registration and credentialing of technologists. Further uncertainty may be caused by the concern that as technologists become voting members of the MVMA and hold positions on the MVMA council, the connection to the MVMA increases

and potentially, connection with MAHTA would be reduced. The MVMA does not see it this way. The MVMA believes that MAHTA has an important role in the support of the technologist profession, one which the MVMA cannot fill. This includes focusing on and advocating for matters that only affect technologists versus the whole veterinary profession. The MVMA will continue to support MAHTA and its objectives, but must balance this support with the obligations of the MVMA and support to all its members, including technologists

Each association must determine what its objectives are and the best way to support their members. The MVMA acknowledges that there may have been times when the MVMA did not fulfill its directives regarding animal health technologists. Most of these directives were identified when The Veterinary Medical Act was amended in 1999. The current council and staff were not aware of these directives and feels it's unfair to hold the current council and staff accountable for items they were not aware of.

It is the MVMA council's position that rather than look back and lay blame, the MVMA should address these issues now. With positions on the MVMA council and a membership category that includes voting rights, technologists will have a direct voice and impact matters before the MVMA.

The MVMA council is confident, with these changes, technologists' concerns will not be lost again. The MVMA council feels that the relationship between the MVMA and MAHTA is stronger than ever. Over the past few years, the MVMA and MAHTA have collaborated on many initiatives in support of technologist members. We currently partner and collaborate on providing top-notch continuing educations for technologists and veterinarians at our annual provincial conference. This provides a source of revenue to support MAHTA initiatives as well.

MVMA and MAHTA have jointly launched a member assistance program through Homewood Health. MVMA and MAHTA currently attend board meetings for each association in an effort to be transparent of our respective goals and directives. The MVMA council values the contribution the technologist representatives bring to MVMA council meetings and look forward to the input on matters affecting the veterinary profession.

For the past 10 years, the MVMA has provided to MAHTA rent-free office space and access to

related amenities. The MVMA council has indicated that it will continue to provide this space, as is feasible.

Animal health technologists are in a unique position of having a voice in two organizations: one that protects the public and promotes the veterinary profession as a whole and another that is focused on promotion and service for technologists exclusively. The MVMA believe this presents technologists with a great opportunity.

It's a very challenging and exciting time for both organizations as we face changes to our mandates, functions and responsibilities. As a self-regulating professional body, the MVMA will need to focus on regulating the veterinary profession, protecting the public and enhancing the profession as a whole.

We sincerely hope that MAHTA will seize this opportunity to become a leader for issues affecting animal health technologists in Manitoba.

Before I close, I just have a couple of previous-comments for previous questions. Bringing techs in as members and providing voting rights is a priority to the MVMA. It's easier with the amended act, but the MVMA commits to having this done by June 2016 and in consultation with technologists and MAHTA.

And also, regarding the question of what members vote, the amended act—on bylaws. So the amended act directs the MVMA council to determine what membership categories will vote on MVMA bylaws. With a council mixed of vets, techs and public members, we are confident that all appropriate members will vote on a bylaw that affects them. And there are joint associations that are technologists and veterinarians in the country, and we have spoken to them as well, and there are sometimes, initially, growing pains as associations learn to collaborate in this manner, so.

Mr. Chairperson: Thank you for your presentation.

Mr. Lemieux: Well, thank you very much for taking the time this evening; we appreciate it very much, and for clarifying some of the roles with regard to MVMA and MAHTA and so on, and the respect that you have and have shown that way. And all the presenters tonight have shown great respect for each other.

As you mention, it's not the first time two organizations come together in wanting to make that large organization much better than what it is today.

And that has been always the approach, and we do appreciate your respectful presentation as well as all the others. And I know everyone wants to come together and, what I've heard, to make a much larger system that we have even better. And Canadians and Manitobans expect this, because not only do they have the love of their pets and want their pets well taken care of, but also with regard to agriculture and all that means for what the veterinarians and also what the techs do every day to help farmers in the agribusiness.

* (19:20)

So I just want to say thank you very much for your presentation and all those before you, showing a great deal of respect for each other, wanting to make your organizations much, much better going forward.

Mr. Schuler: Thank you very much for coming out and making your presentation. We always appreciate hearing individuals bring forward the position of their association and concerns. And, certainly, as not position, we have concerns with the way the government has handled this; our concern isn't the way associations do their business.

In fact, having spent, as of late, a lot of money at our local clinic—we lost our family pet, which was very unfortunate, but he certainly brought a lot of joy and pleasure into the house. So, when it was time to take care of him, he got very good care and was well treated. The decision was that he had lived his full life, and, certainly, all of those that we approached in the clinic did so with amazing love and care and what was best for the—our family—our family member, I should say. He's a cat. He was one of those—he adopted us and allowed us to live in our house, which was really nice of him.

And, you know, we really respect what you guys do as an organization and the different organizations are—our issue is with the way the government has handled this legislation, so thanks for being here.

Mr. Gerrard: Thank you for coming in, and thank you for the work you do with animals.

Just help me understand some aspect of this. What we're hearing is that, for 10 years, under direction from the MVMA, MAHTA has been registering and credentialing people who are practising in veterinary technology in Manitoba. And it would seem to me that there are two options: that one option would be to move back so that MVMA is now doing the registering and the credentials; and the other would be to change the law so that

MAHTA would be able to do the registering and credentials. So, I mean, and I'm not sure that one is necessarily more desirable than the other. Why are we just—why aren't we talking about both options?

Ms. Davidson: Well, the way the act is at the moment, I guess it stipulates that we shouldn't have given away that, I guess, function to, basically, to the technologists association. For them to register and—that was, actually, always our—we were supposed to do that. And so the way that the act's written at the moment, we're just following the way the act is written, so we understand that we have to take that function back.

Mr. Gerrard: Just a quick follow-up.

I mean, would it not be just as easy, or maybe more convenient, to continue the practice and change the act so that MAHTA members can register and credential their own veterinary techs?

Ms. Davidson: I guess I can't speak to that, because that's not my position to change, you know, the regulations. That's up to government, correct?

Mr. Kostyshyn: Thank you, Suzanne, for being here. And I think the comments that have been expressed by your earlier present, and I think, first and foremost, this is a collaboration between two organizations that work hand-in-glove at the best of times. And there are—a review, maybe, going back to 1999 when this was kind of—the ball was dropped, and moving this back into the united opportunity—the technologists, the Manitoba veterinarian society work for the betterment of animal care and the rural practices. And the opportunity is before us; regardless of what somebody else may think that wants to get some political grandstanding out of this, this is strictly an opportunity of a new organization working for the betterment of companion animals and for the betterment of health—animal health initiatives. And we look forward to the meetings that are going to take place and a collaborative—a mission between the technologists and the veterinarians that represent what we have today for the province of Manitoba.

So thank you for being here. It's much appreciated.

Mr. Chairperson: Thank you very much for your presentation.

I will now call on Dr. Michael Sheridan.

Dr. Michael Sheridan, do you have any written materials for the committee? No? Please proceed when you're ready.

Mr. Michael Sheridan (Private Citizen): Good evening, committee members, and thank you very much for this opportunity.

My name's Mike Sheridan and I'm coming to you as a private veterinarian, a private citizen, actually, a large animal practitioner for 10 years and then in that evil pig industry for another 25 as a swine specialist veterinarian. I'm also a sitting member on council for a few more months and I'm also the liaison with the MAHTA—between the MVMA and the MAHTA board of directors. And at this point in time I think it's really important that one of the messages that talked about a super organization, that's not on the table.

We are looking at our duties in MVMA, and MAHTA has their issues, their duties, and the discussions moving forward have kind of Ping-Ponged back and forth, but at no time was it decided that we would take over MAHTA.

Over the last two years, as I said, I've been the MAHTA—or the MVMA representative on the MAHTA board and it's been very interesting. Dr. Davidson mentioned about where we are as our profession, the MVMA, in developing policy, et cetera. We've just had a review of what we want to be when we grow up through a strategic focusing session. And so we've—we're in the position right now where we can start to see forward. We're starting to build.

The request for the name change triggered, as we've heard several people say, triggered our lawyer detecting that this error had been made. And so I think that is—that was going on before we were told about the bill or the act opening. And then with the act opening it's just been hard charging to try and figure out where it's going, what's being said and Dr. Neufeld talked to those points earlier.

I've enjoyed my time working with MAHTA. As I mentioned, we're in the process of getting things organized. MAHTA was already there when I first got there. They had bylaws. They had a whole host of things and they've worked extremely hard to get where they are. And I just want to let you know that we respect that and I hope, moving forward, that some of their work that's gone on in the past will help facilitate our transition that may be coming up here.

We've had, as I said, an MVMA rep on board for a couple of years and we've also had the MAHTA represented on our board for at least two—I can think of three or four people—so with a similar transition probably about two, a little over two years, and that's been very refreshing. As someone who likes to talk about the 10th council member, or whatever it is, some of those things come naturally to myself. And so having a MAHTA rep there and listening to their concerns and having been with them listening to concerns has been very, very good I think for the MVMA. And so when we heard that there was going to be MAHTA members or vet tech members on our board, I can only see that is a positive thing, especially given that they have a voice, whereas now they are just a presence, as a visitor, as am I.

When Ms. Brown got up and talked about all of the things that animal health technicians did in a day I got pretty exhausted listening to that list, and there is no question. The two—our profession and the veterinary technologist profession are hand in glove, as I think someone mentioned. And we, you know—whatever is going on with respect to some of the friction that I think we've heard here tonight, being on the inside you think, no, it's growing pains; two associations coming together. We, you know, we purposely have not signed the MOU because of where we are, not because of who they are. And I think that's very, very important that you understand that.

* (19:30)

I think I've covered most of my key points on that other than to say that we really—hopefully in three or four years from now we'll look back on the amalgamation, the changing of the act and we'll have probably grown to the point where we really know what our respective duties will be rather than where we are now with thinking, are we going to go this way, could we go that way, we might go this way.

So hopefully—I just see an upside to all of it. So I just want to say those points for you tonight, and I'll take questions if you have any.

Mr. Lemieux: Thank you, Michael—Dr. Sheridan. Much appreciated for your comments, I think that as the last presenter, as I have it, I think that summarizes it very well, quite frankly.

Thank you for your time and thank you very much for your comments.

Mr. Schuler: Thank you very much for coming to committee. I'm sure there are a lot of other things

you could have done tonight. *[interjection]* No? Well, we'll let you know about all the other committees that are going to sit, and we appreciate the fact that you're here tonight, and thank you for your comments.

Mr. Gerrard: Thank you for coming, thank you for the clarification that we're not talking about the kind of super-organization that the ministers seem to be referring to. I think it's exciting that the MVMA and MAHTA are looking at working closely together, and in that respect, clarifying the responsibilities of each.

Can you explain to me why, in rewriting the legislation, we would not look at making the changes so that in the joint organization MAHTA would be responsible for their own registration and credentialing and you would be working together on forward-thinking options?

Mr. Sheridan: Until tonight it hadn't crossed my mind, honestly. Is—we were focused on having to resume our responsibilities and spent early days talking about how we could do that most correctly from a legal point of view, liability point of view and time sensitivity. And so really then the act opening came out of the blue, and it was sort of like, oh, okay, so to be honest with you, I never thought about it. Don't know if they can do that.

There were one—the one—doctor—the one area, and this is Mike Sheridan personally talking, if you look back at the old act, veterinary technologists are able to do their work because they are, certainly in clinic, they're under the guidance of a licensed veterinarian. Pure and simple. If they don't do that, then they're practising vet medicine and become legally exposed.

So we're really—our—to me, it never went that way because in my mind—because I'm thinking, okay, if we have to do this, this is our duty. Then I was more interested in how long it would take. Can we leave it a year or two if we have a paper trail that we're acting? And I was assured by our registrar and lawyer that we could. So that's kind of where—I don't know if I've answered your question, but I kind of went down that path, like in my own mind.

Mr. Kostyshyn: Thank you, Dr. Michael. It's a pleasure seeing you. I think it was about eight years ago that we crossed paths on the veterinarian task force report, right? And I appreciate your comments and the positivity of moving forward in what we used to do 10, 15 years ago, and the amalgamation or

the partnership in sharing responsibilities, and sitting around the table with the technologists and the veterinarians for the betterment in the common sense approach and for the betterment for animal husbandry, animal care regardless what faction we come from, companion animals or large animal practices.

This is an opportunity. And, without this happening, there's no way that wasn't going to happen sooner than later. It was not the government's directive to be pushy; it was a matter of finding new, innovative ideas from the technologists and from the Manitoban veterinarian society for the betterment of everybody in the province of Manitoba.

Plus, I look very forward to the opportunity of the round-of the veterinarian task force that's going around, coming back with a draft report of somewhat, I think, having some very positive opportunities as the subject we're talking about tonight, for the betterment of poorer practices, even in geographic areas that have problems maintaining veterinarians in the future.

So thank you for your comments, much appreciated.

Mr. Chairperson: Thank you very much for your presentation.

This concludes the list of presenters I have before me.

Are there any other persons in attendance who wish to make a presentation tonight? No?

Seeing none, that concludes public presentations.

* * *

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

Mr. Kelvin Goertzen (Steinbach): As listed on the matters of consideration that have been provided to the committee members.

Mr. Chairperson: Okay. Is that agreed? *[Agreed]*

Okay, during the clause—the consideration of the 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, I will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members

may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

We will now proceed with the clause-by-clause consideration of the bills.

Bill 19—The Legal Profession Amendment Act

(Continued)

Mr. Chairperson: Does the minister for Bill 19 have an opening statement?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): No.

Mr. Chairperson: No. We thank the minister.

Does the official opposition have an opening statement?

Mr. Kelvin Goertzen (Steinbach): No.

Mr. Chairperson: We thank the member.

Clauses 1 and 2—pass; clauses 3 and 4—pass; clause 5—pass; clauses 6 and 7—pass; clauses 8 through 10—pass; clauses 11 and 12—pass; clauses 13 through 17—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 27—The Veterinary Medical Amendment Act

(Continued)

Mr. Chairperson: We'll now move on to Bill 27.

All right. Does the minister responsible for Bill 27 have an opening statement?

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): Just a quick comment just to thank all the presenters, and we really appreciate you taking the time tonight. And we are going to be bringing an amendment forward a little later, and I know it's something that we'll all agree upon. So I just want to thank everyone for your presentations this evening. Thank you.

Mr. Chairperson: We thank the minister.

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

Mr. Ron Schuler (St. Paul): Again, first of all, we appreciate all the presenters that came out. And committee is a great opportunity for the public and for organizations to come forward and express if they support a piece of legislation or if they have various concerns or if they have concerns in the way the process was handled.

And, in the time that I've been here, certainly, this reminds me of a few other pieces of legislation:

one was the architects and engineers, where we came to committee and found out that the two organizations hadn't been properly consulted; and, in one case, hadn't been consulted at all, in the case of the architects and engineers. And that's not what this process is supposed to be about.

* (19:40)

Government has a lot of staff and levers at its disposal and can take the time to meet with various organizations to ensure that the legislation coming forward is not causing concern for one group or the other. Like I stated, this isn't about picking winners or losers; this is supposed to be what's best for the industry. And I'm concerned that we have two organizations coming forward, and we appreciate that there were some that were trying to bridge the two and try to be more of a mediation voice, and others that were expressing deep concerns.

And this is where, this is, sort of, the last stop. This is the last opportunity you have to express it. I would have hoped that you would have had that opportunity to express that concern earlier on in the process. I don't know what the amendment is. We have not seen the amendment—just found out that there was going to be one now.

It is the government's priority, and it's their prerogative, to put the legislation through. Other than myself as critic and my colleagues, we're allowed to put a few words on the record indicating we're concerned with the way the process was handled, and, other than that, there's really not a lot that we can do.

But, again, I want to say that the way that this process was handled causes me grave concern in that—I'm always hopeful that committee isn't the place where organizations come and start doing some of their hard 'negotiating'—negotiations. And that was almost the sense we got here at committee, that it was at committee where negotiations between the two organizations were taking place, and I would rather that wasn't the case.

But that is a failing on behalf of this government, so we certainly would like to see what the amendment's going to be. But we have—coming out of committee, great reservations on this piece of legislation when it comes to the two organizations and the fact that they were not brought together in any kind of unanimity.

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

We will now proceed by clause by clause.

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 and 6—pass; clause 7—pass; clause 8—pass; clause 9—pass; clauses 10 through 12—pass; clauses 13 through 17—pass; clause 18—pass; clause 19—pass; clauses 20 through 22—pass; clauses 23 through 27—pass; clauses 28 through 32—pass; clause 33—pass; clauses 34 through 36—pass; clauses 37 through 39—pass.

Shall clauses 40 through 42 pass?

An Honourable Member: No.

Mr. Chairperson: Clause 40—pass; clause 41—pass.

Clause 42 pass?

An Honourable Member: No.

Mr. Chairperson: No? Does the minister have an amendment?

Mr. Lemieux: I do.

Mr. Chairperson: Please proceed.

Mr. Lemieux: I move

THAT Clause 42(2) of the Bill be amended

(a) in the section heading, by striking out "February 1, 2016" and substituting "section 7"; and

(b) in the section, by striking out "on February 1, 2016" and substituting "six months after the day this Act receives royal assent".

Mr. Chairperson: It has been moved by Minister Lemieux

THAT Clause 42(2) of the Bill be amended—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense? Dispense.

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

Mr. Lemieux: Well, I'd like to just bring forward the amendment as I read out by, and suggested by Dr. Roxane Neufeld, president of MVMA. This amendment would allow the MVMA and MAHTA to constitute their new board six months following proclamation rather than specifically on February 1st. It will provide more flexibility to fully constitute the new board, which includes representatives from the public and MAHTA. While it'll allow for a longer period of time to bring the board together, the MVMA has signalled that it will

temporarily bring forward MAHTA representatives to serve on the current board while the new board is being developed, and I look forward to the passing of this amendment.

Mr. Kelvin Goertzen (Steinbach): This amendment is about time, Mr. Chairperson, and I think when it comes to legislation where there are two groups who are divided and don't agree on how something should proceed, time is an important thing, and I think we have the opportunity as legislators that we are sitting, in terms of the House, for a couple of more weeks, and there'll be a short break and then we are sitting again into December, and I think, for the first time in 50 years, we'll be sitting in February, which I know everyone is excited about, but what it will do is give an opportunity, if there needs to be more time, so that this bill can be—have more consultation between the two different groups.

Certainly, as the Opposition House Leader, we'd be more than willing to ensure that this bill perhaps gets extended and held into a new session that might happen in—later on, or in February, so that the minister can do the consultation work that he failed to do prior to the bill reaching this stage. It's not our job to help the minister do his job, but we're gracious and we're willing to help him do his job, and if he wants to meet with the groups that are at odds and not in unity on this particular issue, we're willing to grant him time just like this particular amendment grants time, Mr. Speaker, as well.

So we make that as an offer as an opposition. My friend and colleague from St. Paul acknowledges a limited amount of things that the opposition can do, but one of the things we can do is provide the government more time to consider this bill and to consider the concerns that were brought forward by organizations representing members and we are more than willing to allow him to do that and perhaps have this discussion in the warmth of the February season, Mr. Speaker.

Hon. Dave Chomiak (Minister of Mineral Resources): Mr. Chairperson, it is—I do welcome the suggestion by the House leader for the opposition. One of the purposes of this committee is to have the opportunity to hear voices and to reflect some of those opinions, and I've been sitting around this table for decades and have found this the most—well, one of the most useful forms available in order to—and it's one of the few places in North America where people have the opportunity to present and for legislators to respond, and I think this is a reasonable—it's a

reasonable request, and I think that—I think it's appropriate that we listen to what the public has to say, listen to what people involved in the field have to say in terms of refining legislation.

As Health minister for a period of time, I know how difficult these issues can be in terms of organizations. The end game for all of us, the goal for all of us, is to do what's right for the public of Manitoba, and that means giving and taking. That means listening, and that means reflecting that.

So I think it's appropriate that we do an amendment and I think it's appropriate that we do it at this committee so that it reflects some of the viewpoints we heard today. Again, it's not our role to direct everything. It's either our role to try to work together in the spirit that the Manitobans want us to do, and I think this amendment reflects that and I appreciate the fact that the House leader for the opposition understands that, and I think we can move forward having a better bill as a result of committee hearings tonight. Thank you.

Mr. Chairperson: Thank you.

Seeing no further debate on this, is the committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: Amendment—pass; clause 42 as amended—pass; enacting clause—pass; title—pass.

Shall the bill be reported—shall the bill be reported as amended—sorry.

An Honourable Member: No.

Mr. Chairperson: I hear a no.

* (19:50)

Mr. Goertzen: Mr. Chairperson, we've already expressed our concerns that the bill does not meet the unified concerns of the organizations that are impacted. We believe that that's, from what we've heard tonight, the result of a lack of consultation on the bill. It doesn't mean it's a bill that is a bad bill. It doesn't mean it's a bill that can't find its way into legislation. But I think it's a bill that needs a bit more time, and I suspect that if the minister responsible for the bill would bring in his staff and bring in the organizations that are impacted and those who presented tonight and sat down over a table similar to this, but not in such a formal setting, and work through some of these issues, that they could probably come to a common ground. And at least it's

worth a try, because clearly that effort hasn't been made to date.

So I think that there's obviously an opportunity now for the government to do the work they should have done before in the spirit of co-operation, and we want to give them that opportunity, so we are objecting to the bill, not on the basis of his intent or necessarily of its entire substance, but because we would prefer a government that would ensure that all groups are properly consulted and a reasonable effort be made to ensure that two groups not be in division but would be able to agree on this bill, Mr. Chairperson.

Voice Vote

Mr. Chairperson: The question is all those in favour of the bill being reported as amended, please say aye.

Some Honourable Members: Aye.

Mr. Chairperson: All those opposed to the bill as amended, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Ayes have it.

Recorded Vote

Mr. Goertzen: A recorded vote, Mr. Chairperson.

Mr. Chairperson: Recorded vote being requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 4.

Mr. Chairperson: The Ayes have it.

The amendment is accordingly passed—the bill as amended is accordingly passed.

So the bill should be reported as amended.

Bill 37—The Radiation Protection Act

Mr. Chairperson: Does the minister responsible for Bill 37 have an opening statement?

Hon. Sharon Blady (Minister of Health): Yes, I do.

Bill 37, The Radiation Protection Act will modernize our regulatory framework for ionizing radiation equipment including X-ray equipment, CT scanners and PET scanners to make sure that these needed tests are delivered as safely as possible and to ensure that the use of this equipment continues to provide high-quality results.

Currently, this equipment is regulated under The Public Health Act. This bill will establish a new act

for this purpose, similar to other jurisdictions in Canada.

As new technologies continue to be developed into the future, the act will provide radiation protection officials with additional tools to continue their important work. In developing this legislation, we consulted with representatives of Diagnostic Services Manitoba, the Winnipeg Regional Health Authority, the Manitoba Quality Assurance Program, CancerCare Manitoba, the Manitoba Dental Association and the Manitoba Chiropractors' Association.

I'm also very pleased to have Dr. Daniel Rickey here this evening. Dr. Rickey is an imaging physicist with CancerCare Manitoba and is quite familiar with the technical aspects of this new legislation.

The details of what the bill accomplishes have already been provided on the record, so I will not go into great detail again this time. I will say that I am very proud that Bill 37 builds on our government's strong record of improving safety for both patients and front-line workers in Manitoba health care, and I'm very pleased to be discussing it again today during Patient Safety Week.

I would also like to take this opportunity to once again thank all of those dedicated health professionals who are making our lives better as patients and families every day, and I'm happy that this legislation will make their workplaces even safer, and I look forward to having it passed. Thank you, Mr. Chair.

Mr. Chairperson: I thank the minister.

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

Mr. Kelvin Goertzen (Steinbach): Yes, just briefly, Mr. Speaker, I want to echo some of the comments from the minister.

And we certainly appreciate the work of not only technicians but all of those who are involved in our health-care system. The health-care system is made up of equipment but it's primarily made up of individuals who are caring, who are professional, who do the best work that they can every day, sometimes under trying circumstances.

I acknowledge that it is Patient Safety Week, Mr. Chairperson, but we also know that there have been many instances where safety has been difficult for patients, whether it's in ERs or whether it's in taxicabs as they're leaving ERs, but we are glad

that those issues are the issues of a system, of a government that implements a system. But the professionals, the workers in our health-care system, and I say this both from personal experience and from experience of my family, and I think all members of this committee would have similar experiences, they're top-notch.

They are absolutely not only dedicated but, as importantly, they're caring, Mr. Speaker, and we appreciate all of those who are working within our health-care system, and look forward to perhaps having the opportunity to bring them a better system within which to work.

Mr. Chairperson: I thank the member.

Clause 1–pass; clause 2–pass; clauses 3 and 4–pass; clauses 5 through 7–pass; clauses 8 and 9–pass; clauses 10 and 11–pass; clause 12–pass; clause 13–pass; clauses 14 and 15–pass; clause 16–pass; clauses 17 and 18–pass; clause 19 and 20–pass; clause 21–pass; clauses 22 and 23–pass; clauses 24 through 26–pass; clause 27–pass; clauses 28 and 29–pass; clauses 30 and 31–pass; clause 32 through 34–pass; clause 35–pass; clause 36 and 37–pass; clauses 38 through 40–pass; clause 41–pass; clause 42 and 43–pass; clauses 44 through 47–pass; clauses 48 and 49–pass; clauses 50 through 53–pass; clause 54–pass; clause 55–pass; clause 56 through 59–pass; clause 60–pass; clause 61 through 63–pass; table of contents–pass; enacting clause–pass; title–pass. Bill be reported.

Bill 38–The Intimate Image Protection Act

Mr. Chairperson: We're going to move on to Bill 38.

Does the minister for Bill 38 have an opening statement? No, we thank the minister.

Does the critic for the Official Opposition have an opening statement?

Mr. Kelvin Goertzen (Steinbach): Only briefly, I put extensive comments on the record at second reading, and, if time allows, I'll put some on the record at third reading. We certainly agree with the intention of this bill, and hope that the unauthorized distribution of intimate images is something that will be reduced and hopefully not done at all in Manitoba, because we know the damage they can cause to individuals and the tragic consequences that can come as a result of that.

So, with that, we're willing to proceed with the passage of this bill.

* (20:00)

Mr. Chairperson: We thank the member.

Clause 1–pass; clause 2–pass; clauses 3 and 4–pass; clause 5–pass; clauses 6 through 8–pass; clauses 9 through 13–pass; clauses 14 through 17–pass; clauses 18 and 19–pass; table of contents–pass; enacting clause–pass; title–pass. Bill be reported.

Bill 41–The Statutes Correction and Minor Amendments Act, 2015

Mr. Chairperson: We'll move on to Bill 41.

Does the minister responsible for Bill 41 have an opening statement?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Yes, I do. Well, we have a new procedure in the House on second reading with the Q & A session, and so I think we're all learning how that's going to work for the public good.

But there were a couple of questions from the member for River Heights (Mr. Gerrard) that I took as notice and I said I'd get back to him tonight. I didn't bring my notes from my office, so that's the first lesson that I learned in terms of the Q & A session. But I think it's a good change to the rules. I think it's good for accountability, it's good for an exchange of information and ideas.

And with that in mind, I just wanted to therefore be accountable tonight to the member for River Heights. But he was asking why the Farm Practices Protection Board had—the act had a section removed; it was repealed. And I just wanted to advise the member that the functions of the board were transferred to the Manitoba Farm Industry Board. That's—and that's a board that's established under The Family Farm Protection Act. So, in other words, it's not a disappearance of the functions. It's just that there's a different board that has been doing that for the last couple of years.

The other question from the member was, even though the staggered appointments are set out in the bill for several statutory boards, he asked whether that the staggered appointments were going to be extended to non-statutory boards, and the answer is yes. That was the obligation of the government, I think, that really followed from the Auditor General's review of agencies, boards and commissions. So the answer is yes.

Mr. Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement? No. We thank the member.

Clause 1—pass; clauses 2 through 4—pass; clauses 5 and 6—pass; clause 7—pass; clause 8—pass; clause 9—pass; clauses 10 through 12—pass; clauses 13 through 16—pass; clauses 17 through 21—pass; clauses 22 through 25—pass; clauses 26 through 28—pass; clauses 29 through 31—pass; clauses 32 through 35—pass; clauses 36 through 39—pass; clause 40—pass; clause 41—pass; clauses 42 through 44—pass; clauses 45 and 46—pass; clause 47—pass; clause 48—pass; clause 49—pass; clause 50—pass; clause 51—pass; clauses 52 through 54—pass; clauses 55 and 56—pass; clauses 57 through 59—pass; clause 60—pass; clause 61—pass; clause 62—pass; clause 63—pass; clauses 64 and 65—pass; clause 66—pass; clause 67—pass; table of contents—pass.

Shall the enacting clause pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Mr. Chairperson: Mr. Goertzen.

Mr. Kelvin Goertzen (Steinbach): So I've been doing this now for 12 years and you never know how many more times you're going to be able to do it, and this bill comes forward annually and never seems to get any smaller. I'm just interested in the process how this happens. Is it—it's not an active sort of search for minor corrections; I am assuming, is that happens each and every year. Is it something where individual departments see issues in bills, they put them aside and then they provide them to the Justice Minister office because you're sort of responsible and you collate these? And, in addition to that, what's the definition of what is a minor amendment or what should otherwise be maybe done is a amendment to an act separately?

Mr. Mackintosh: Well, as the member may recall, there used to be the statute law amendments act, and it really dealt with errors basically and renumbering issues and sometimes there were translation issues. Over the years it was recognized that sometimes there are minor amendments that really aren't policy shifts but are little changes that really don't deserve a bill on their own, and so the regime has changed. And so it's a bit broader than it used to be. That's why the bills are larger now than they used to be.

This really has been the ambit of Legislative Counsel, however, and, you know, different departments will relay to their Legislative Counsel

assigned to them little issues that arise from time to time. Sometimes it's an issue, for example; it comes from an Auditor General report and has a cross-departmental application. So we've relied on Leg. Counsel to bring these together throughout the year, and sometimes ministers will find changes as well that don't really amount to policy shift. I think I had one this year on legal aid. So I think that describes the process.

Perhaps, if the member would like a better briefing from Leg. Counsel, we'd be prepared to sit down and go through that. But that's how it is, and I for one don't see what's in the bill usually until later partway through a session and Leg. Counsel comes in and they do a breakdown for each act that is being changed, and we have a look at it. So it's—I think it's not a very interesting bill, let's put it that way.

Mr. Goertzen: I wasn't trying to spark any interest in it either. I was more interested in the process of it, and I don't know that a briefing is necessary, although if I find gaps in my calendar I might take you up on that, but at this point we'll just proceed as it is. [*interjection*]

Mr. Chairperson: Mr. Mackintosh.

Mr. Mackintosh: Perhaps we can put it this way and assure the member that there is no electoral strategy lurking in this bill.

Mr. Goertzen: Yes, given recent events, I'm certain there's no strategy at play in the government these days. So I'm willing to proceed with this.

Mr. Chairperson: Enacting clause—pass; title—pass. Bill be reported.

Bill 45—The Elections Amendment Act

Mr. Chairperson: Does the minister responsible for Bill 45 have an opening statement?

Hon. Dave Chomiak (Minister of Mineral Resources): Yes, I think it's appropriate that again I want to thank the members for—we went through the question-and-answer process for this bill. In this case, because the Chief Electoral Officer is a nonpartisan official, it was a bit awkward to answer questions in that regard. We had forwarded the bill to the opposition, and I—they—I think it was a useful process for them to have advanced knowledge of the bill. Notwithstanding that, I wanted to read into the record, if it's okay for members, of the comments

that I received as answers to the questions from the members opposite.

And, with respect to the categories of gender, I'm advised by the Chief Electoral Officer, who is in attendance, that there will be three categories: male, female and other. And she also wants to note this is a self-declaration, and no proof will be required to support the category declared.

With regard to the enumeration material and education, I'm advised: We'll be including this information in our enumeration material as well as in our training to election officials. We will also include the information in our advertising campaign and on our website. Information will also be provided through media releases.

The issue of the mandatory nature of birthdate and gender and its mandatory or non-mandatory status is answered as: Enumerators will be trained to request the information, but if the elector declines to provide date of birth and gender information, they will still be enumerated. The same will go for voters who are sworn on—during election day. We need to remember that the more complete information received, the better foundation we are preparing for a permanent register.

* (20:10)

With respect to the cross-referencing of information and the federal election, I am advised, quote, currently we do have an information sharing agreement with Elections Canada, but we can't use Elections Canada information for the election in 2016 since Manitoba's Elections Act states that the list has to be prepared through enumeration. Going forward with the permanent register, we will have data matching with Elections Canada information. Also note that the six-month residency rule is only applicable provincially, so our list is not the same as the federal list.

Enumeration is more likely to provide a current and accurate voters list, as it is direct information collected from voters but our staff—by our staff—pardon me, I will repeat that again. Enumeration is more likely to provide a current and accurate voters list, as it is direct information collected from voters by our staff, virtually, in real time. On the other hand, a permanent registry creates reliance on a third-party data source as—one of which is Elections Canada, and on the voter to provide timely updates. So a permanent registry may be more complete, but

its currency and accuracy is dependent on the quality of the third-party data.

With respect to, again, to the sharing of information, I want to point out that the Chief Electoral Officer said, quote, Elections Canada currently has date of birth and gender information which they can share with us if we provide them with the same information. We will acquire a legislation to collect and share this information with Elections Canada.

Finally, gender information is one of the attributes for data matching. It can be helpful for unisex names like Jamie [*phonetic*], Chris [*phonetic*], Pat [*phonetic*], et cetera, with the same date of birth. Also, collection of gender information is consistent with other jurisdictions who have a permanent register.

That—the comments I received from the Chief Electoral Officer, I thank her and members of the Legislature for this opportunity to move forward on this, and those are my comments.

Mr. Kelvin Goertzen (Steinbach): I thank the minister for that.

I think, you know, as the rules have changed fairly significantly in our Legislature, we're learning, as the process goes. I think this is a good example of the value of some of the changes that we're—brought forward. Some of those questions that were answered, and I thank the Chief Electoral Officer for answering them. Some of them were asked by the member for River Heights (Mr. Gerrard). Some of them were asked by me. I appreciate getting those responses. I think this was the right way to do it. It certainly helps us with information at an earlier stage than we might otherwise receive it or sometimes not receive it at all. So I think that that's been good.

The providing of this bill, in advance, by the minister, I think, was also in keeping with the spirit of some of the changes, and we appreciated that. As well, Mr. Chairperson, just as a point of clarification, if I'm allowed to put this to the minister, I think in his comment he indicated that there would need to be legislation to allow us to share information—this is the comment from the CEO—need to be further legislation to allow us to share information with the federal government from our list. Is—did I understand that correctly?

Mr. Chomiak: I believe that this bill will permit us to do that.

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

Do we have leave for the member for River Heights (Mr. Gerrard)—Agreed? [*Agreed*] Okay, Mr. Gerrard.

Hon. Jon Gerrard (River Heights): I just want to thank both ministers for their answers to the questions and thank them for providing those in a timely fashion.

Mr. Chomiak: Thank you, Mr. Chairperson, I stand corrected. I stand corrected a lot.

And the—this does not—we will require further information with respect to the permanent voters list, which will be in a subsequent bill, in subsequent legislation going forward. So, again, I thank the Leg. Counsel and Chief Electoral Officer for this information, and I pass it on to the committee. And I thank the member for the question.

Mr. Chairperson: Clauses 1 through 3—pass; clauses 4 through 6—pass; clauses 7 through 9—pass; clauses 10 through 13—pass; clauses 14 and 15—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 8:15, what is the will of committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 8:15 p.m.

WRITTEN SUBMISSIONS

Re: Bill 27

Dear Committee Members,

I would like to thank you for giving me the opportunity to express my questions and concerns regarding Bill 27 to you. I would have liked to have been able to be making my presentation in person but unfortunately I have a commitment involving my children on Wednesday evenings.

Let me start by stating that I have been a veterinarian for over 30 years and have spent the past 28 years providing care to the pet owning public of Winnipeg. I can say that I am very proud to be a member of the veterinary community and go to work every single day and make a positive contribution to the lives of my patients and their owners.

Let me also say that as a consumer, I do support any initiative on the part of government to strengthen

consumer protection legislation where it is obvious such protection is needed.

As a Past President of the Manitoba Veterinary Medical Association, the questions we always would ask before enacting a new By-Law or "rule" were, how much of a problem is this? Will a new By-law or "rule" deal with this problem effectively? And how will we police and enforce this new By-Law or "rule?" That said I would like to point out to the members of this committee that in this instance, when we ask ourselves the first 2 questions, this is not the case. Just yesterday when during Second Reading of Bill 27 when Minister Lemieux was asked by Dr. Gerrard to give specific examples of what initiated this bill, Minister Lemieux could not. In fact Minister Lemieux's answer indicated that according to the Consumer Protection Office, "that many our veterinarians in the province of Manitoba, whether they're dealing with farm animals or whether they're dealing with pets, are very open and up-front and there's a lot of clarity with regard to their billing practices..."

Dr. Gerrard, "I would ask the minister if he would explain what—was there a specific instance or a specific problem which initiated this bill."

Minister Lemieux, "Not so much that there's been huge amounts of complaints. In fact, we're very pleased to hear through the Consumer Protection Office that many our veterinarians in the province of Manitoba, whether they're dealing with farm animals or whether they're dealing with pets, are very open and up-front and there's a lot of clarity with regard to their billing practices where they will let the consumer know what they think the initial cost would be, and if that changes, they will often get hold of the individual, the owner or farmer or individual that may have livestock or the pet and let them know that there will be an increase in cost."

I respectfully ask the committee, if according to this government's own office billing complaints against veterinarians are no more prevalent than they are against let us say, chiropractors, dentists, lawyers, plumbers, electricians, or paving companies for that matter, why this government is bringing in consumer protection legislation aimed directly at veterinarians and not these other groups.

Every day I present bills to clients for services provided to their pets. While the clients may sometimes find these bills to be what they would consider "high", I would like to think they are rarely if ever "surprised". I think the same can be said for

the vast majority of my colleagues. I am not saying there are not instances where owners have been "surprised" by a bill much larger than expected. I would say these situations are, in reality, very rare. In fact most veterinarians including myself will be more than happy to sit down with such a client and discuss their concerns, discount fees or waive them completely to make sure we are within the costs expected by the owner. Again the lack of complaints to the Consumer Protection Office demonstrates that the current system is working just fine. Is government oversight of a process that is working well in 99% of the cases necessary?

There can be situations where during the investigation of a problem something is uncovered that dramatically affects not only the course of treatment but the cost. Veterinary medicine like human medicine is not black and white but varying shades of grey. In cases such as these, every effort is made to contact the owner and discuss the new developments. But while we are waiting to get approval of a new, updated estimate from the owner the animal will suffer or die. Are we as veterinarians who took an oath to relieve animal suffering to sit back and do nothing or absorb the cost of the treatment ourselves? Unfortunately there are often times when the owner cannot be reached and we as the veterinarian must make what we feel is the best choice for the patient. What about situations where the owner is away and their pet is being boarded or cared for by a friend or relative? In these situations, which do happen, the owners are often not immediately available to approve an estimate. Now, with this new legislation in place, we as health care providers will have our hands tied and be faced with either proceeding with a necessary but potentially expensive treatment at the risk not being able to bill the client for it or letting the animal suffer further or even die.

I know when we start talking about financial aspects of our practices the easy response it that we should not be so concerned about the money and only about the patient. To that I say that as small business owners we must be concerned about getting paid. We have responsibilities to our employees and suppliers, we have responsibilities to those who depend on us for their financial support such as our spouses and children. We became veterinarians because from a very young age, we loved animals

and wanted to make their lives better. We should not have to apologize because we also happen to need to earn a living from our chosen profession.

I would like to add that in my opinion, costs to owners will increase as veterinary hospitals such as mine will now need to allow more time and staff for the preparation of mandatory estimates. As private small business people we will have no choice but to pass on the cost of these inefficiencies to the consumer.

This legislation will add to the difficulties recruiting veterinarians to Manitoba. Manitoba has and continues to suffer from a severe shortage of veterinarians especially in rural communities. Currently MANFRI is holding public consultations in rural communities and much of this is focusing on the shortage of veterinarians in rural areas. Rather than doing what they can to attract veterinarians and allowing the free market to control fees to owners, the NDP does the exact opposite. This legislation will prevent many, including home grown Manitobans, from coming here to practice. Why would I as a practitioner come to a place where if a client decides I happened to charge them a bit more than I estimated, in order to save their animal, I could end up getting in trouble for doing nothing but my job? Our days are already complicated enough, why come somewhere with another complication?

In closing I would like to state that my concern is that this legislation first of all paints our profession as being dishonest and requiring government oversight. Secondly it does not allow for situations where a patient's treatment plan changes dramatically and we cannot contact the owner to approve any new fees, leaving the patient to suffer or worse, because this legislation effectively ties our hands before proceeding without an owner's consent.

I thank the committee for listening to my concerns with Bill 27 and respectfully ask that this committee reflect on these comments in terms of is Bill 27 really necessary and a number of the problems it will potentially create.

Thank you,

Respectfully submitted,
Dr. James A. Broughton

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