

**Third Session – Forty-First Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Social and Economic Development**

*Chairperson*  
*Mr. Dennis Smook*  
*Constituency of La Verendrye*

**Vol. LXXI No. 3 - 6 p.m., Wednesday, May 9, 2018**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT**

**Wednesday, May 9, 2018**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Dennis Smook  
(La Verendrye)**

**VICE-CHAIRPERSON – Mr. Andrew Micklefield  
(Rossmere)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Messrs. Eichler, Gerrard, Wharton*

*Messrs. Allum, Lagassé, Lindsey, Ms. Marcelino, Messrs. Martin, Michaleski, Micklefield, Smook*

**PUBLIC PRESENTERS:**

*Mr. Chris Goertzen, Association of Manitoba Municipalities*

*Ms. Kim MacAulay, Manitoba Community Newspapers Association*

*Mr. Chris Lorenc, Manitoba Heavy Construction Association*

*Mr. Charles Chappell, private citizen*

*Mr. Ken Waddell, private citizen*

*Ms. Christine Waddell, private citizen*

*Ms. Jill Verwey, Keystone Agricultural Producers*

*Mr. Brent Wright, private citizen*

*Mr. Mark Buss, Clipper Publishing*

*Mr. John Kendle, Canstar Community News*

*Mr. Jim Mihaly, Brandon Sun*

*Mr. Jay Struth, The Killarney Guide*

**WRITTEN SUBMISSIONS:**

*Don Piett and Brenda Piett, Southeast Journal  
Harold Froese and Cory Rybuck, Manitoba Egg Farmers*

*Nancy Johnson, Melita New Era*

*John Fefchak, private citizen*

*Lynn Taylor, Thompson Citizen*

*Gail Halldorson, private citizen*

*Darryl Holyk, Minnedosa Tribune*

*Andrea Geary, private citizen*

*Shirley Hiebert, private citizen*

*Sheldon Birnie, private citizen*

*Betty Turner, private citizen*

*Darren Ridgley, private citizen*

*Ligia Braidotti, The Times*

*Wilma J. Struth, private citizen*

*Brian Gilroy, Swan Valley Star and Times*

**MATTERS UNDER CONSIDERATION:**

*Bill 19–The Planning Amendment Act  
(Improving Efficiency in Planning)*

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

Our first item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Hon. Ralph Eichler (Minister of Agriculture):** I nominate Andrew Micklefield.

**Mr. Chairperson:** Andrew Micklefield has been nominated. Are there any other nominations?

Hearing no other nominations, Andrew Micklefield is elected Vice-Chairperson.

This meeting has been called to consider Bill 19, The Planning Amendment Act (Improving Efficiency in Planning). I would like to remind the committee that the Standing Committee on Social and Economic Development will meet again on Monday, May 14th, and Tuesday, May 15th, at 6 p.m., to continue consideration of Bill 19.

As per our—as per an agreement between the House leaders, a set number of presenters were scheduled to present at tonight's committee meeting, so we will hear from 19 of the presenters registered to speak on Bill 19. And you have a list of those presenters before you. Presenters will be called in the order that they registered and appear on the list.

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

leaders, the committee will agree to sit past midnight if that is necessary to hear all scheduled presenters.

Written submissions. A number of written submissions on Bill 19 have been received and distributed for the committee's consideration. A list of the individuals providing these submissions has also been distributed to committee members. To save the Chair having to read these names out, does the committee agree that the list of individuals providing submissions appear in Hansard? *[Agreed]*

*Don Piett and Brenda Piett, Southeast Journal; Harold Froese and Cory Rybuck, Manitoba Egg Farmers; Nancy Johnson, Melita Era; John Fefchak; Lynn Taylor, Thompson Citizen; Gail Halldorson; Darryl Holyk, Minnedosa Tribune; Andrea Geary; Shirley Hiebert; Sheldon Birnie; Betty Turner; Darren Ridgley; Ligia Braidotti, Times Newspaper; Wilma J. Struth; Brian Gilroy, Swan Valley Star and Times*

And does the committee further agree to have these submissions appear in the Hansard transcript of the meeting? *[Agreed]*

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

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

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

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

I would like to advise members of the public who are observing the committee meeting to please not disturb the committee proceedings by applauding or commenting from the audience. Taking of photographs are not permitted from the public gallery as well as any audio-video recordings. And please ensure that your phones are in the silent mode.

Speaking in committee: Prior to proceeding with public presentations, I would like to advise members

of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for Hansard recorder to turn the mics on and off.

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

### **Bill 19—The Planning Amendment Act (Improving Efficiency in Planning)**

**Mr. Chairperson:** I will now call on Chris Goertzen.

Mr. Goertzen, do you have any written materials for distribution to the committee?

**Mr. Chris Goertzen (Association of Manitoba Municipalities):** Yes, we do.

**Mr. Chairperson:** As soon as the staff distributes them to the committee, you may proceed with your presentation.

Okay, Mr. Goertzen, you may proceed.

**Mr. Chris Goertzen:** All right. On behalf of the Association of Manitoba Municipalities, I would like to thank you for the opportunity to present—or the—present municipal priorities and concerns related to Bill 19, The Planning Amendment Act.

I'll begin my presentation today by providing a brief overview of AMM, then discuss specific sections of Bill 19 and offer recommendations regarding the various proposed amendments.

AMM was formed in 1999 as a result of a merger between the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities. Our organization is independent and non-partisan, and our mission is to identify and address the needs and concerns of our members in order to achieve strong and effective municipal government. Our membership consists of 137 municipalities, which also includes the city of Winnipeg.

In regards to the proposed amendments related to the zoning bylaws, AMM supports the increasing of the objector threshold to 25 eligible persons at 50—or 50 per cent of the total number of owners of property located within 100 metres of the affected property. Currently, one person can object to the adoption or amendments of a zoning bylaw,

and this individual may or may not even live in our municipality.

Moreover, if a local council receives a second objection following the initial public hearing, it must refer the objection to the planning district board, or, if the municipality is not part of a planning district, to the Municipal Board. If a second objection is received in respect to a district-wide zoning bylaw, the objection must also be referred to the Municipal Board again.

As you can imagine, one individual can significantly delay the zoning process and development of land and buildings within a municipality. The increasing of the threshold to 25 people is a very positive and long overdue change.

In addition, AMM supports the increasing of the variance of a zoning bylaw—of our zoning bylaws that can be approved by a designated municipal employee from not more than 10 per cent to the not more than 15 per cent.

In regards to livestock operations, AMM supports the amendment to no longer require large-scale livestock operations to be designated as conditional use in zoning bylaws. Municipalities can determine this based on local conditions and the needs of their community.

\*(18:10)

As you may be aware, several communities around Manitoba are currently interested in expanding hog barn operations and removing the 300-animal unit threshold should—and this removing of that threshold should provide municipalities more flexibility and greater ability to capitalize on growth and economic development opportunities. For example, Manitoba Pork processing company HyLife has just completed a 106-\$176-million expansion and modernization of the Neepawa processing plant, while the Municipality of Killarney-Turtle Mountain is also pursuing a multi-million dollar expansion opportunities as well.

Reducing red tape in this regard is certainly welcome since Manitoba pork industry contributes over \$1.7 billion to the provincial economy annually while over 13,000 Manitobans rely on the pork industry for jobs directly.

However, as you also are all aware, the provincial government has committed to providing municipalities with more say and autonomy in their

affairs. We believe municipalities are mature, responsible governments accountable first and foremost to the citizens and the electorate.

Bill 19 proposes to allow applicants to appeal a rejection of a conditional use application or the imposition of conditional use on an approval directly to the municipality—Municipal Board. This process is also proposed for aggregate quarry operations. AMM does not support those proposed amendments since the option to directly appeal to the Municipal Board undermines the decisions of local councils who know their communities best. This is not fair say. In fact, these amendments should be removed from the bill.

The bill also requires municipalities to provide a 60-day notice to the minister regarding a hearing on an application to approve an aggregate conditional use. This time frame provides the opportunity for an interdepartmental technical review of the proposal and to provide a report to the local council on the application.

It is essential that technical reviews be completed in a reasonable and standardized time frame to ensure local councils are fully equipped to assess the aggregate conditional use application. In fact, the Pits and Quarries Advisory Committee consisting of municipal and industry stakeholders, namely, the Manitoba Heavy Construction Association, as well as provincial government representatives, reached consensus on this issue and has jointly recommended modelling the technical review process when a new or existing aggregate operation requires a conditional use hearing.

Lastly, in regards to advertising municipal notices, AMM recognizes the vital and invaluable role—valuable work of local community newspapers. Based on recent media reports, we will welcome the provincial government's decision to not enact sections of the bill that would eliminate mandatory newspaper notices as per the comments made by Minister Cox.

We encourage our members to communicate public notices and council decisions to the residents through community newsletters, social media, as well as advertising in their local newspaper.

In closing, thank you for the opportunity to provide these comments, and if there are any questions, I'd be happy to answer any of them.

**Mr. Chairperson:** Thank you for your presentation, Mr. Goertzen.

Do members of the committee have questions for the presenter?

**Mr. James Allum (Fort Garry-Riverview):** Mayor Goertzen, it's always good to see you at committee, both in your capacity as mayor of Steinbach as well as president of the AMM, so welcome here tonight.

This bill jumbles together lots of moving pieces, some of which you're on record here as supporting, some of which you're on record as not supporting, and others which you are willing to live with so long as the government doesn't actually enact the public notices provision of the bill.

Wouldn't it be better for the government to withdraw the bill in its entirety, go back to the drawing board, and start over again?

**Mr. Chris Goertzen:** I think there's a lot of positive elements in this bill that specifically do give municipalities a fair say when it comes to decision-making, and in that way we certainly see this bill as moving forward, certainly pieces of it, moving forward in a positive way for municipalities, so we would like to see pieces of this—certainly a majority of what's going on here enacted.

**Mr. Allum:** I thank you for that, although I'm not sure that I quite understand the logic of that if there are parts that you oppose, parts that you are willing to live with, and other parts that you support. It seems to me it would make more sense for the minister, government members here are listening to you today to sort of say, well, I think we need to go back to the drawing board here and get this right for the provisions that seem to have public support and just simply withdraw the bill so that other parts don't have support.

I want to ask you, one of the changes has to deal with increasing the threshold from one to 25 people. How often can you expect 25 people in any of the municipalities associated with AMM to actually oppose the restriction? *[interjection]*

**Mr. Chairperson:** Mr. Goertzen.

**Mr. Chris Goertzen:** Sorry, thank you. The provision states that it's 25 people or 50 per cent of the people who have been notified, and so that can mean less than 25. But, certainly, I have been at many a public hearing myself, where there's been many, many, many more than 25 people. And so, obviously councils have to make decisions, tough decisions when they have people in front of this, and it's important that municipal councils have a fair say

and aren't impeded by only one or two individuals but certainly listen to the public, but, at the same time, balance that with the reality of growth.

**Hon. Jeff Wharton (Minister of Municipal Relations):** Thank you, Mr. Goertzen, for coming and presenting tonight, and certainly appreciate the hard work you do, not only with the AMM as president but also as a mayor in Steinbach and, of course, a head of council. And, of course, we respect—we one hundred per cent respect the hard work that councils do as—at your level of government. Being a former councillor myself, I can appreciate the grassroots-level of work that you need to, and I commend you and your organization for that. So thank you.

Just a question on, what was AMM's working relationship in developing this bill, in general, as far as your consultations with—through the process? *[interjection]*

**Mr. Chairperson:** Mr. Goertzen.

**Mr. Chris Goertzen:** Sorry. Certainly, what I think, AMM can certainly say that we have been having ongoing discussion with the department for quite a number of months. We've certainly identified ways that we can find efficiencies; some of them are actually, as part of this bill, such as the change in the number of objectors. We've had a good working relationship and, obviously, every one of our wishes is not in this bill but certainly some of them are. And we think that that's appropriate. *[interjection]*

**Mr. Chairperson:** Just a minute, here. I am watching this. I am keeping note of who's having their hands up. If you wish to argue, that'll be fine. But I am watching what's going on. Mr. Eichler had his hand up before you did. I am watching both sides. When you're facing that way, you can't see anybody else.

So, please. I'm the Chair; I will do as what is proper to do.

The Honourable Mr. Eichler.

**Hon. Ralph Eichler (Minister of Agriculture):** We know that the livestock operation's a large part of Manitoba's rural economy. Would you care to elaborate and show at the committee what a normal barn for tax dollars and economic growth would provide for municipalities in rural Manitoba?

**Mr. Chris Goertzen:** All right. Well, it's good to see you have dialogue just like we do at our council meetings, here. The reality is, is livestock industry is

significant, not only in rural Manitoba but in urban Manitoba as well. As the mayor of the third largest city, I can attest to the incredible value that the agricultural industry, whether it's hog industry, cattle industry, poultry and others, has the effect—the positive effect it has on municipalities, not only with tax dollars but with jobs that are available for our citizens. And the jobs—the secondary jobs that come with it and the—and so, certainly, we can attest to—if there's growth in agricultural industry, it's good, not only for rural Manitoba but all of Manitoba.

**Mr. Chairperson:** We thank you for your answers. The five minutes for question period has expired.

We will now call on the next presenter.

Thank you, Mr. Goertzen.

The next presenter is Kim MacAulay for the Manitoba Community Newspapers Association. Kim MacAulay?

You have written materials for presentation, Ms. MacAulay?

**Ms. Kim MacAulay (Manitoba Community Newspapers Association):** Yes.

**Mr. Chairperson:** Okay, when—once the materials have been distributed, you're free to proceed with your presentation.

Yes, everybody has their copies. You may proceed, Ms. MacAulay.

\* (18:20)

**Ms. MacAulay:** Perfect. Good evening, everyone. My name is Kim MacAulay. I am the chairperson of the Manitoba Community Newspapers Association, and I speak to you this—I'm speaking to you this evening on behalf of Manitoba's community newspapers and in respect to clause 25 of Bill 19, the removal of the requirement to publish public notices in newspapers.

The Manitoba Community Newspapers Association would like to formally acknowledge and express its appreciation of this government's position of not proclaiming clause 25 of Bill 19 until Internet connectivity in the North is improved.

However, we do feel connectivity in the North is only part of the issue with this particular clause. Of equal concern is the assumption that providing public access to information online is somehow adequate notice. The MCNA adamantly maintains that public access to information is not the same as providing

public notice. The argument has been made that notice will still be given, as requirements will now be to post such information on government websites. MCNA does not believe posting information on a government website to be sufficient notice. Even if every Manitoban had reliable, high-speed Internet, under these new rules, they may still be denied proper notice of significant changes or activities that will affect their daily lives because they did not know when and where to look for it. If our residents have to bear the responsibility of seeking out information they do not even know exists, how can they possibly be considered to have received proper notice?

Some may dismiss our argument as self-serving since Manitoba newspapers can earn revenue publishing public notices as we do. There's no denying that we do receive revenue from such advertisements, and that is a service we do and always have provided, not unlike any other fee-for-service industry employed by every level of government. But that argument cannot be made without acknowledging the role our industry plays in the democratic process.

The legislated requirement to publish public notices in newspapers was created by our elected forefathers to ensure open, transparent and accountable governing. It was made law, as it is a fundamental component of our democracy. That has not changed. The Internet is not a fundamental component of our democracy, and certainly not government-controlled websites—at least not yet and not for the foreseeable future.

Self-serving or not, it is the firm belief of the Manitoba Community Newspapers Association that clause 25 of Bill 19 will prove detrimental to all Manitobans, whether that be by way of a less-informed public, a divisiveness between elected officials and their constituents, or perhaps ultimately through the loss of community newspapers, the very ties that bind our communities and provide us with our sense of identity.

Having such wording on the books, proclaimed or not, is a formal decay—is to formally decay the value and significance of community newspapers. Such a public discounting of the role we play within our communities will resonate through our entire society. The message this sends, that our own government is so drastically minimizing the value of community newspapers, will be immensely harmful to our industry and ultimately our democracy.

Yet this action sits entirely juxtaposed to the reality that newspapers are often the first option utilized by elected officials who have an important message to share, most recently when Premier Pallister wrote to every newspaper in Manitoba with his personal response to the Manitoba Hydro board resignations.

Our residents—all of them, including our municipally elected officials—look to our newspapers, just as you do, to keep them informed of activities within their communities and within their council chambers. They have been doing so for over 100 years in some cases—135 years in one case in particular. That has also not changed.

I have taken the liberty of providing copies of a very recent readership study conducted by TOTEM Research—it's in your package there—which shows 79.6 per cent of Manitobans living in communities with populations less than 50,000 received a printed community newspaper every week in their house, while 79.2 per cent of respondents stated they personally read or looked into that printed newspaper. Those results remain virtually unchanged since the last similar study was conducted in 2005.

Of even greater significance may be the revelation that printed newspapers are, by far, the preferred source for information about local government programs and initiatives, leading all other forms of media, including websites and social media, radio and television by over 100 per cent. That information is also in the survey data.

Another reason our residents have relied on our printed product for over a century is because they know they can trust what they read. Once a paper is printed, it is the official record of the day. We are the recorders of history. Our papers provide irrefutable evidence of such things like public notice postings.

What rules are being enacted with this legislation for posting online? How can residents be assured the public information in question was posted, unaltered, for the required 27-day period? How will one be able to provide proof of posting after the fact?

In a digital world, things can go awry, things can be altered, things can be relocated or inadvertently obscured. Newspapers provide indisputable proof of posting, proof the information was not altered, proof the information was delivered to Manitobans in a format and structure entirely suited for the purpose.

High-speed Internet connection or not, there will be Manitobans—where will Manitobans be expected to find public postings online? There are municipalities in Manitoba that have websites with over 400 Google-indexed pages. Manitoba's first municipality, the RM of Springfield, has 419 Google-indexed pages. That is a lot of hay in which to place a needle.

Aspects of this bill also alter procedural time frames, tightening deadlines at the same time. It may be more difficult for citizens to know what is happening; is a recipe for disaster, and one that will fall squarely at the feet of our municipal officials and their staff.

This government has emphatically stated its rationale for changing mandatory public notice requirements is to enhance communication. Replacing one requirement with another is not enhancement.

Mr. Wharton, you have also stated that this is part of the red tape reduction strategy. We at MCNA find it hard to conceive that providing proper public notice via community newspapers is considered excessive red tape that needs to be eliminated.

Or, you may be referring to the off-loading of responsibility to determine the best method of communicating with residents onto our municipally elected officials. But we have heard, as I know you have, from several municipal councils who do not agree with clause 25. They have expressed concern over the potential backlash—backlash, I'm sorry, they may receive should residents feel they were not afforded due notice.

You don't have to take my word for it. I have also included copies of letters of support and resolutions passed by various municipal councils, including a resolution of support for our amendment passed by the North Eastman Municipal Forum, which represents 9 municipalities, the Sunrise School Division and Community Futures Winnipeg River. Those are all in your package as well.

The changes this clause will bring about diminishes our municipal officials' ability to defend themselves against accusations of obscuring important information, regardless of whether they intended to do so or not. A duly informed public should not be left up to chance. Government's obligation to inform and notify its citizens of important changes and initiatives should not be optional.



The Manitoba Community Newspapers Association is not against progress. We are not against hog barns or new condominiums. We are rural folk, many of us born and raised on livestock and grain farms, some who choose to live in condominiums now, and some who are still on the farm.

We are simply trying to ensure the process of informing Manitobans and their right to be part of that process through adequate consultation is sustained, even through this new digital age. Clause 25 is a step in the wrong direction, at least in this point in history.

If your government does in fact wish to enhance communication as it has been repeatedly stated, please consider amending these bills to maintain the current requirement to publish notices in newspapers, and add the requirement to post such information online as well. That is true enhancement of communication, and that is the only way to ensure open, transparent and accountable government.

Thank you very much for your time.

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

**Mr. Allum:** Ms. MacAulay, welcome to committee tonight. Thank you for your presentation.

We recognize that the way the bill is now, and the government's commitment to say, well, they're not going to proclaim the bill. That can be done with the stroke of a pen.

Of course, I think we all understand that, and we find both in this bill and in Bill 8 that transparency, accountability, democracy, itself, is treated as, kind of, red tape.

Was the MCNA consulted prior to the development of this bill, and have you had a chance to speak with the government since then, and what has been the reaction to the observations and objections that your organization has made?

\* (18:30)

**Ms. MacAulay:** There was no prior consultation whatsoever. We knew nothing of this until it hit the floor—first reading. Since then, we have had several meetings. We've had a meeting with Mr. Wharton, a meeting with Minister Cox. Very productive, but, I mean, we are, as I said, very pleased that the government has recognized that maybe this is moving a bit quick, and they need to slow down somewhat on it.

But we still maintain having the wording on the books that can be enacted at any time is foreboding, to say the least.

**Mr. Wharton:** Thank you, Ms. MacAulay, again, for coming tonight. As I mentioned to you when I saw you this evening, this is a great part of our democratic process, and I really appreciate you taking the time, of course, to express your concerns.

And, again, thank you for the meeting that we had just approximately two weeks ago; appreciate that and your input at that time.

You mentioned in your preamble that the RMs were concerned about potential backlash they may receive by not being able to publish in local newspapers. Does Bill 19 actually take away that right for them not-to publish in public newspapers? *[interjection]*

**Mr. Chairperson:** Ms. MacAuley.

**Ms. MacAuley:** Sorry.

No, it certainly doesn't. It makes it optional, which is our concern.

**Mr. Allum:** So the organization has suggested that the bill should be amended. And I think you've probably provided wording about what the amendment could actually look like. But from our perspective—and I said this to Mayor Goertzen a moment ago, that the bill itself consists of such a jumble of different parts, and they're all moving parts. We think, and I'm asking you, whether it wouldn't be better for the government to simply withdraw the bill and start over.

**Ms. MacAuley:** Well, I would never argue against that, necessarily, if—being a part of the process from the beginning would obviously be more preferable to us, but there are a lot of aspects of the bills that I am not speaking on this evening and I don't feel qualified to speak on.

**Mr. Allum:** And therein lies the dilemma that we have with—and this happened in last session with a bill, that omnibus bill that contained many moving parts, and it's—kind of suggests, you know, we're going to—the government's not prepared to be transparent and accountable about what they're doing, but they throw these things together.

And so I think, from our point of view, there are many elements that need to be rethought. And maybe the best thing to do would be for the minister to sit down with MCNA and get the kind of advice that

they should have had to begin with. Would you agree with that? *[interjection]*

**Mr. Chairperson:** Ms. MacAuley.

**Ms. MacAuley:** Sorry.

We would very much welcome the opportunity to be a part of the process from the beginning, absolutely.

**Mr. Allum:** I just wanted to thank you again for coming tonight. Thank you so much.

**Mr. Chairperson:** Thank you very much for your presentation, Ms. MacAuley, and we will now move on to the next presenter.

The next presenter is Chris Lorenc from the Manitoba Heavy Construction Association.

Mr. Lorenc, you have written material as well?

**Mr. Chris Lorenc (Manitoba Heavy Construction Association):** Yes, I do.

**Mr. Chairperson:** As soon as they get distributed, you may proceed with your presentation.

I think you may proceed now, Mr. Lorenc.

**Mr. Lorenc:** Good evening, Mr. Chairman, ministers, members of the committee. I'm pleased to be here this evening to present on behalf of the Manitoba Heavy Construction Association, which has worked constructively for many, many years to improve the protection of Manitoba's finite, valuable aggregate resources, to protect access to the rich deposits of gravel, sand and rock that are absolutely fundamental to the construction of virtually all infrastructure, whether that be roads, highways or buildings in our communities right across this province.

This engagement has included, most recently, working as part of a collaborative provincial advisory committee composed of provincial and municipal officials and industry representatives. That committee emerged from MHCA suggestions.

The core intent was to propose changes to legislation regulation and process to support clear, evidenced-based consideration of applications to municipalities for establishing pits and quarries, many of which are found in the Capital Region. Its mandate was also to consider review of the quarry rehabilitation program and the standards for quarry rehabilitation; the levy amount aggregate producers pay to fully fund the rehabilitation of spent quarries; review the fees that aggregate producers pay to

municipalities to transport and also to extract aggregates that are within their jurisdictions; an ongoing volunteer advisory committee of provincial, municipal and industry stakeholders to advise the minister going forward on these and related matters—this committee would be at no cost to government.

The heavy construction industry recognizes that pits and quarries are intensively intrusive on—into the landscape, that they require careful and environmentally responsible development that is sensitive to local concerns. Often they are located near or alongside communities.

But it was also clear to all members of the noted advisory group that access to our province's rich aggregate resources in close proximity to where most of public infrastructure projects are located must be protected. Pushing such pits and quarries farther from the Capital Region will have profound effects on our environment. Driving huge tonnages of gravel for greater distances will dramatically increase both greenhouse gas emissions and associated transportation costs.

In addition, the cost of commercial, residential and core infrastructure budgets, including highways, many of which are publicly funded, will increase with no accompanying value added.

Bill 19 makes amendments to The Planning Act that go some distance to bringing into better balance and perspective the concerns weighed now by rural municipalities, the affected communities and proponents when reviewing applications to establish pits and quarries in zones designated to protect aggregate resources.

The industry, while seeing that there was more progress that can be done, is comforted by the fact that Bill 19 does provide for some improvement.

While Bill 19 does not require municipal development plans to follow provincial land use legislation, regulation and land use policies, there is an understood and relied upon commitment to assert provincial interest in reviewing municipal development plans and, in particular, to be vigilant to protect access to and extraction of aggregates as a matter of provincial priority.

We read and understand the provisions of the existing Planning Act to provide the minister with full authority to reject or alter proposed development plan bylaws, if the minister's of the view that proposed policy and mapping in the bylaw do not satisfactorily reflect the applicable provincial land

use policies for the geographic area proposed to be covered by any such development plan bylaw.

We rely on representations that the Province considers the protection of aggregate deposits as a key provincial interest and that it will ensure that development bylaws being prepared in areas where unmined aggregate resources exist, both map and protect those resources during its reviews of proposed municipal development plans.

And we assume, unless otherwise advised, that we are correct in relying on the above assessments and representations.

Reading the March 19 release and the accompanying technical presentation, the Technical Review Committee reports—TRC reports—will now be required upon any conditional use application to establish a quarry operation. This obligation flows from the operation of section 169 and does not require any further explicit legislative language.

We understand the change proposed under Bill 19 would build in a requirement that the Province undertake a technical review of an aggregate proposal and provide the municipality with a TRC report on the proposal.

The TRC review will take place each time a conditional use application to establish a quarry is put forward, and this will ensure an evidence-based approach to support municipalities and the communities in decision making. This is not optional.

\* (18:40)

The department intentionally avoided prescribing the technical review process and product in the legislation to avoid creating an overly regulated process that is difficult to change without further legislative or regulatory amendments. And, again, we assume, unless advised otherwise tonight that we are correct, and relying on that understanding and assessment in representations.

With respect to the rights to appeal, those are created in section 118. That section states that an applicant may appeal when a council rejects an application for a conditional use for a quarry or when council imposes conditions on the approval of a conditional use to establish an aggregate quarry. We understand it is now the government's intention to proclaim—we hope it is the government's intention to proclaim the appeal provisions at the same time that the bill itself is proclaimed. This is absolutely

fundamental—fundamental to ensuring structure, responsibility and accountability to an evidence-based process.

If our assessments are accurate and correct, then we are very happy, indeed, to celebrate really good progress towards ensuring a transparent, open, accountable and evidence-based framework within which councils, the public and industry participate in considering applications and making decisions with a clearly spelled-out resource and recourse to appeal.

We do thank you for the opportunity of presenting and would be very pleased to take questions.

**Mr. Chairperson:** Thank you very much for your presentation, Mr. Lorenc.

**Mr. Wharton:** Thank you, Mr. Lorenc, for coming out tonight and, again, taking part in this democratic process.

And, as maybe some of my colleagues don't know around the table, Mr. Lorenc and I go back about 22 years, when I was on municipal council, and Mr. Lorenc helped us in some of our road issues in our local community. And it was the start of a relationship that we've continued on for many years. So, thank you.

And, I guess, too—as well, I'd also like to comment, too, that we've had a number of consultations. And, as a matter of fact, I recall three meetings in a week and a half. So we appreciate the time and effort it took for you to come out, too, and address your concerns.

As you know, our government has inherited a mess from the previous government, and we're doing the hard work to move forward with some of those issues in bending the curve. Provided all environmental and zoning obligations are met, what would be an additional aggregate quarry mean in the Capital Region to the City of Winnipeg as far as road renewal? *[interjection]*

**Mr. Chairperson:** Mr. Lorenc.

**Mr. Lorenc:** I should know better.

Minister, thank you for the question. I think what should be apparent based on clear evidence and clear history that there are literally tens of millions of dollars of lost investment because we have not had the clarity of, nor fact or evidence-based decision

making procedures upon which the public could assess the merits of an application, upon which the council could assess the merits of an application, and upon which a proponent could make an application.

There are many instances within the Capital Region where applications for pits and quarries have simply been denied for the sake of having the right to deny, as distinct from considering them openly and based on evidence. And when you consider that, in some instances, those pits over a period of about 15 years in transportation costs alone would save costs to budget in excess of \$15 million, you can see why having structure, why having appeal provisions, why having hearings which are evidence-based, upon which people can sink their teeth into and come to rational conclusions—as distinct from, you know, I heard that or did you know this—without any evidence—why this bill and why its provisions are so very important to the economy, to job creation, to investment and to revenues, not just to municipalities but the provincial government, as well.

**Mr. Allum:** Mr. Lorenc, welcome, and thank you for coming tonight.

You've been around politics for a long time. Elected official yourself and playing a very important role with MHCA. And I think I'm going to run out of time really quickly. I know that your organization, despite what the minister just said, has had some indigestion with their infrastructure program over the last couple of years.

But I'm wondering if you have any observations about the public notice as part of this bill, and whether you regard that as a particularly open and a transparent form of government, given your long history in politics in the province.

And I also have to ask you, if you could just quickly do this for me as well, to tell us where does the public fit in on the appeal process.

**Mr. Lorenc:** Well, Mr. Allum, you make me feel so old. I mean, I've been around, but I don't think for that many decades. I'm really not schooled today, nor did I anticipate being asked questions about provisions that, honestly, I haven't studied, so I'd rather not comment on that.

And your second question was on the role of public in appeals? Well, again, I think that as long as the process is one that is evidence-based, which promotes the notion that people in responsible positions make decisions responsibly, the entire system becomes stronger and better.

And the entire notion of sharing information upon which there is public discourse, which is informed, improves. And I think the change to The Planning Act and the representations made in terms of due diligence are so very important to a far more productive process than currently exists.

**Mr. Chairperson:** Mr. Allum, you do have about half a minute.

**Mr. Allum:** Okay, well, you can see our—Mr. Lorenc, our dilemma that the bill contains a variety of things we might persuaded by your particular argument. But there are other groups here, who, by the way, weren't consulted, MCNA, prior to this provision of the bill. You can see our dilemma in how we're supposed to do it. At a minimum, wouldn't it be better to separate these parts out? Have your element of the bill that you support as one stand-alone bill? Wouldn't that have been a better process for the government to undertake?

**Mr. Chairperson:** My apologies, but times for questions has expired. *[interjection]*

Mr. Lorenc, now you can say no. Thank you.

**Mr. Lorenc:** Oh, sorry.

**Mr. Chairperson:** For the benefit of the presenters and the questioners, what I'll do, when there's a minute left in either presentation or questions, I will wave this. So, if there's only about 15 seconds left, I mean, I'll give the question seven or eight seconds, enough time for the presenter to answer, so that'll be fair for everybody.

If that's all right with everybody? *[Agreed]*  
Thank you.

Mr. Lorenc, sorry, I have to call you back for a second, because I didn't recognize you, so your answer to the question is not on record. So, Mr. Lorenc.

**Mr. Lorenc:** Yes. In answer to the question, the answer is no. Perfection is the enemy of better. What we have before us is better.

**Mr. Chairperson:** Thank you, Mr. Lorenc.

I will now call on the next presenter, Charles Chappell. And, if I'm not pronouncing your name properly, please correct me.

**Mr. Charles Chappell (Private Citizen):** I anglicize it a bit, Mr. Chairman. Chappell will do.

**Mr. Chairperson:** Chappell. Okay, you have some written presentation for the committee?

When the—once it's distributed you are free to start your presentation.

**Mr. Chappell:** I'm here with my—

**Mr. Chairperson:** Just hang on for a second, we'll wait 'til everybody has their copy.

Okay, Mr. Chappell, you may now proceed.

**Mr. Chappell:** Mr. Chairman, I'm here with my client, Colleen Munro from Hugh Munro Construction Ltd., and I'm appearing in as an individual capacity before the committee. I'm a practising lawyer. Over the past approximate 50 years, and I practise in the area of municipal law and planning law.

I strongly support the proposed legislation under Bill 19, particularly division 3, which is the appeal section we're talking about, Mr. Chairman.

\* (18:50)

And it's with some interest that I hear the objection that Mr. Goertzen made on behalf of the AMM, saying, these are local concerns, leave them with the local authorities. With the greatest respect, I disagree. And I think this is a perfect example of a balanced piece of legislation. Having said that, I'll now explain why, Mr. Chairman. I've acted on behalf of municipalities, applicants and objectors on many occasions with respect to conditional-use approvals under The Planning Act and prior legislation. The present provisions of The Planning Act provide as follows in section 106(1): The council can reject the application or approve the application if the conditional use proposed in the application meets three criteria. The first: it's compatible with the general nature of the surrounding area. Secondly, it will not be detrimental to the health or general welfare of the people living or working in the surrounding area or negatively affect other properties or potential developments in the surrounding area. And, lastly, thirdly, is generally consistent with the applicable provisions of the development plan bylaw, the zoning bylaw and any secondary plan bylaw.

This places the onus on the hearing body that, prior to the conditional use being approved, it must be found to be compatible to the general nature of the surrounding area. This is a very, very difficult onus for the board or council to make in a finding where the constituents are opposed to the applicant. In fact, the members of the public opposed to the approval are most often the very same electors who vote council into office. Notwithstanding any

provincial concern, the local concern often prevails because of local objections.

With respect, I do not feel that this is in the provincial economic interest or a proper way to deal with conditional uses. It causes significant distress in the community because of the perceived, and perhaps unfounded, detrimental impacts of the land use. In the past, it's been my experience that NIMBY, not in my backyard, prevails over provincial concern.

I would bring to the committee's attention the provisions of section 33 of The Municipal Board Act, which provides as follows: "Where a local authority deems that the interests of the public in the territory over which the local authority exercises power, or in a considerable part thereof, are sufficiently concerned, it may, when authorized by resolution, become a complainant or intervenant in any matter within the jurisdiction of the board, and, for that purpose, the local authority may take any steps and incur any expense and take any proceedings necessary to submit the question in dispute to the decision of the board, and, if necessary, may become a party to any appeal therefrom."

This permits municipalities or local authorities to intervene in any matter appearing before the Municipal Board. Now, the local concern is addressed, and you're also addressing the provincial concern, Mr. Chairman, when you grant the appeal provisions. Hear the parties out; have an evidentiary record.

In my respectful opinion, this section permits the local council to participate with their constituents to bring forward local concerns with any application. As a result, all parties can be heard by a neutral hearing body. That is the Municipal Board.

I was also involved in the Lilyfield Quarry application with the RM of Rosser, which led in part to the legislation now being proposed. In addition, I can advise that I support the endeavours of the Manitoba Heavy Construction Association with respect to Bill 19.

The proposed legislation under Bill 19—and I'm talking about division 3, Mr. Chairman—applies to both the aggregate industry and the livestock industry, and both are significant provincial concerns, economic concerns. For the above reasons, and with all due respect to local council and hearing bodies, these two categories of provincial concern

should have access to appeal scrutiny. The decision of the municipal board of Manitoba, like all other Municipal Board decisions, will be well reasoned and based on evidence presented at the appeal and serve both the provincial and the local interest.

The terms and conditions of granting the conditional use are part of any approval process by way of appeal. For that reason, Mr. Chairman, I suggest to you most strongly that it is a very balanced approach to the appeal provisions for those two interests—very balanced.

Thank you, Sir.

**Mr. Chairperson:** Thank you very much for your presentation, Mr. Chappell.

**Mr. Allum:** Mr. Chappell, thank you for coming tonight.

Again, I—we've had three organizations appear before us tonight. The AMM supports some provisions of the bill but not others. MCNA supports a provision—does not wish to comment on most of the bill, but doesn't support one provision of the bill. MHCA supports elements of the bill, doesn't want to talk about any else—other parts of the bill.

You can see, as an official opposition, we're left in an impossible position here, because there are—is not consistent consensus about the entirety of the bill in and of itself as a whole.

I'm asking you, as a lawyer and as a citizen of the—of this province, whether you regard that as an appropriate and proper way to govern.

**Mr. Chappell:** Yes, I do, Mr. Chairman, in this respect.

I've limited my comments to division 3—just the appeal position. And, with the greatest respect to this government and the previous governments, this is an issue that's long been overdue for—to provide an appeal mechanism. Long overdue. And we've—we haven't done it for 20 years.

**Mr. Eichler:** Not really a question, but I just—on to thank you for your presentation and coming here tonight.

**Mr. Allum:** So let's—if you could just help us to understand this appeal provision properly.

An applicant who doesn't succeed at the municipal level can take it to the Municipal Board. Can a—but a citizen who is not happy with the bill—

or, under—the decision made by municipal council, under this legislation, cannot take it to the Municipal Board.

Am I correct in that assessment?

**Mr. Chappell:** No. My understanding is, under this legislation, anyone can take it to the Municipal Board, whether it be the applicant or an objector. There's an appeal provision provided.

It should be balanced. An objector has his viewpoint; an applicant has their viewpoint. And they both go forward to the municipal board for a hearing.

**Mr. Allum:** Okay, so we have a different understanding of the bill, and I appreciate that.

I would think, as a citizen of Manitoba—and you're talking about one small element of it—that you would bring your considerable expertise to understanding legislation as a lawyer, writ large, and would find and support our view that would be better for the government to withdraw the bill and to carve it up into the pieces that have public consensus and those that don't, and leave them back at the drawing board.

Wouldn't that be a more appropriate way to govern?

**Mr. Chappell:** Mr. Chairman, that's something I can't comment on. I have enough trouble just getting an understanding of whatever legislation is passed at the process. And that's why I get turfed out in court all the time.

**Mr. Allum:** Thank you very much for coming tonight. Much appreciation for your answers.

**Mr. Chairperson:** We thank you very much for your presentation, Mr. Chappell.

And we will now move on to the next presenter, presenter No. 5, Ken Waddell.

Do you have any written presentation for the committee, Mr. Waddell?

**Mr. Ken Waddell (Private Citizen):** No, I do not.

**Mr. Chairperson:** Then you may—oh. Are you having your wife present as well?

**Mr. Waddell:** I would if you so permit, because we basically don't want to make a second trip to Winnipeg next week, and our presentations are short.

She does have a copy—copies of her presentation.

**Mr. Chairperson:** Is there agreement from the committee to allow them both to share the 10 minutes? *[Agreed]*

So should we—we'll do—bring her up as well. And we can get her stuff presented, then you can present yours, or she can present hers—whichever would work fine for you. We'll give you the total 10 minutes—and.

\* (19:00)

**Mr. Chairperson:** Okay, Mrs. Waddell. You may proceed.

**Ms. Christine Waddell (Private Citizen):** Thank you for your indulgence and for the opportunity to speak, Mr. Chair, members of the committee and all present.

First, I applaud our government in all their effort to bring efficiency and fiscal soundness to all levels of government decision making. Secondly, the fact that many are protesting and complaining means your diligence, although not always appreciated, is being noticed and must be having effect.

Now my reason for appearing tonight: as the owner of two commercial buildings in Neepawa, two homes in Neepawa and one commercial building in Rivers, Manitoba, I am well aware of the extreme pressure that communities are under when it comes to development and regulations that are part of our planning districts.

At present, notices of changes in zoning and conditional use of properties is sent to those who have property in close location where these changes are proposed. And notice is given so that the general public are aware of these changes through the municipal website and also by notices to the local newspapers.

However, with the proposed changes, the general public would not realize a development or change is happening in the community until the local government has passed the motion given in council, or they hear about it in the local coffee shops, where accuracy of information may be compromised, and murmuring and complaints, although seemingly innocuous, can grow and affect the goodwill that our esteemed members of the legislature have worked so diligently to earn.

I am aware that it has been suggested that this Bill 19 be passed as written but that section 25 not be enacted. This would appear to be deceptive and

unparliamentary. Why pass a bill and section and not enact it? Our Westminster system allows for amendment. Please amend the bill to retain the public notice through local publications.

Please prove you are a government that not only hears but one that listens and responds. Please act on your integrity, and for those who form the majority of the House, prove that democracy can still be responsive and effective. There is no shame in making amendments to allow for more open communication.

Please prove you are here to serve the people of Manitoba.

**Mr. Chairperson:** Thank you for your presentation, Mrs. Waddell.

We'll now allow Mr. Waddell to make his, and then we'll have the question period, where the committee will be able to ask either or of you.

Please proceed, Mr. Waddell.

**Mr. Waddell:** Thank you, Mr. Chairman, members of the committee. My name is Ken Waddell. I'm a publisher of the Neepawa Banner and Press. Been 30 years in the newspaper business, and I've been writing for over 50 years. Been involved in public life, business and politics at various levels since I was a teenager in the 1960s.

Overall, Bill 19 is a good bill, as it provides for a number of things that have been requested by municipal governments, by businesses and by the AMM. As I served twice as mayor of Neepawa, I have a special appreciation for what AMM does for our province.

There is, however, a fatal flaw in Bill 19, and that is section 25, that eliminates the requirement for notice of planning district changes to be posted in the local newspapers.

I agree that the planning district should put their changes on their website, but when you think about it, websites have their limitations: (1) some people don't have access to the internet; (2) some people don't use the Internet; (3) websites are like a silo of information. People don't go to the website to find information that they don't know exists.

On the other hand, 80 per cent of Manitobans read their local paper every week, looking for all kinds of information and news. I doubt that 1 per cent of people regularly check their planning districts website.

Notices on the website can easily be subject to dispute, as proving the notice was there for a set period of time is almost impossible to prove, unlike the printed page of a newspaper.

Disputes about notice will generate expensive and embarrassing litigation that will actually hamper development, and the net result of section 25 is that valuable information may never get in to the people who need to know and who deserve to know before a decision is taken.

If a planning district is to follow its mandate of transparency and proper notice, the newspaper is the way to go. Our two family-owned newspapers go to 8,200 homes and 2,000 homes, respectively. They cover every home in the planning districts. A public notice cannot be truly a notice if it is not out there in full view so it can be noticed, be read, be discussed ahead of time so an informed decision can be made.

I want to briefly address the cost aspect, first from a newspaper point of view. Neepawa area planning district last year spent about \$2,000 with our newspaper. In a good year, we make 10 per cent profit, so that \$2,000 worth of gross income made us about \$200 profit.

So it isn't about the money from the newspaper point of view; it's about informing the public about decisions that may affect their lifestyle, their livelihood and their property values.

It's not about the money at the planning district either, as most often the costs are billed back to the developers, and that's the way it should be.

Please pass our suggested amendment, and, when I say suggested, I am president of Manitoba Community Newspapers Association, and we were very ably represented by Kim MacAulay, our chairman tonight. But the proposed amendment, we ask that you pass it.

The government has offered to hold off enacting section 25. That is simply not satisfactory, as that move allows the section to become law without discussion or notice.

Thank you for your time.

**Mr. Chairperson:** Thank you for your presentation, Mr. Waddell.

**Mr. Wharton:** Thank you, Mr. and Mrs. Waddell, for coming out tonight as well. And I guess this is directed to you, Mr. Waddell and, again, thank you for your time serving as mayor of Neepawa. I, too,

served on council and deputy mayor, and I appreciate the time and effort it takes to do that, and, again, of course, in the private sector as well. So you definitely have your plate full, and keep up that hard work.

Given your unique experience, of course, as a publisher and a mayor, during your time as councillor—as mayor, was there ever any point or time or—given an opportunity, your municipality would have hidden or obscured any information pertinent to your ratepayers?

**Mr. Waddell:** No, of course not, but they are also—were under the requirement, obviously, to publish all notices in the paper. That said, my integrity would have not allowed anything to be hidden from—by council from the public, as long as I was in the chair and as long as I was publisher. But the legislation is there for the protection of the public.

**Mr. Allum:** Mr. and Mrs. Waddell, thank you both for coming today. You—Mr. Waddell, you talked about your career dating back many years. I know that you have been a member of the government party for—or have been associated with the government party. The minister just indicated that you and he have a very long-standing relationship going back a couple of decades or more. And so I'm wondering whether the minister actually called you up at any one point and said, Ken, this is the minister calling. Would you—did he give you any prior notice that this was happening? Any previous consultation?

**Mr. Waddell:** No, sir. He did not.

**Mr. Allum:** Thank you. And, then, Mrs. Waddell, you described—I thought it was an ingenious way of putting it, that this stuff gets talked about in the local coffee shop and sometimes accuracy isn't quite there, as rumour mills begin to fly around, and I thought that was a very effective characterization of what could happen in the absence of simply having the requirement to publish the notices in newspapers where there can be no dispute.

Would it be your contention that it would be satisfactory simply to amend it, or would you prefer that they withdraw it and start over?

**Ms. Waddell:** Mr. Chair and Mr. Allum, that is a parliamentary question that there are powers that are much more experienced and fundamentally educated in the process of how much amendment—my personal concern was that this was being left in to tear—there has been a tremendous amount of work going into this bill, and we recognize—we recognize—that it is



not necessarily the members of the House that write all these paragraphs and sections and words. You have staff that do these things, and you are dependent on their integrity and their ability, and I would ask that you go back and look—if there is—if it is within the Westminster system, within our parliamentary system to amend this section.

\* (19:10)

I know that is—what you're working towards is to set it aside and start again. And I have to—I think it was our gentleman from the—from construction that said that—well, my expression is done is better than perfect, perfect is the enemy of progress and whatever it takes. But don't be afraid—don't feel your integrity will be compromised by listening.

I have stood in front of this—a committee in this room. I have stood in front of a committee down the hall and I applaud all of you in this room because I realize this is the first night of your meetings. However, I can remember seeing a large number of the people present at the committees that I spoke before, several years ago. And they were not listening, let alone hearing. And I applaud the fact that the members present tonight appear to be not only listening, but hearing. And I applaud you for that—

**Mr. Chairperson:** Thank you for your response, Mrs. Waddell, but the time for questions has expired.

We thank you very much for your presentations and your answers to the questions.

We will now call on the next presenter, Jill Werwey [*phonetic*], Keystone Agricultural Producers. I hope I'm pronouncing your name correctly. If I'm not, please correct me.

**Ms. Jill Verwey (Keystone Agricultural Producers):** Your pronunciation was almost correct, but I'm used to every pronunciation, so I'll let you off the hook.

**Mr. Chairperson:** Werwey? [*phonetic*]

**Ms. Verwey:** Verwey.

**Mr. Chairperson:** Verwey.

**Ms. Verwey:** Yes. Good—

**Mr. Chairperson:** Okay, Ms. Verwey, you may proceed as soon as the rest of this—your presentation is distributed.

You may proceed, Ms. Verwey.

**Ms. Verwey:** Good evening, honourable members of the legislature assembly, ladies and gentlemen.

My name is Jill Verwey, and I am vice-president of the keystone 'agpocultural' producers, commonly known as KAP. I farm alongside my husband and his three brothers and their families in Portage la Prairie, where we have grain, oilseeds, beef and we also operate a dairy.

KAP is Manitoba's general farm policy organization, representing and promoting the interest of thousands of agricultural producers in Manitoba. Our membership consists of farmers and commodity groups throughout the province, who set our organization's policy through a grassroots governance structure. On behalf of KAP, I would like to share our organization's position and support for Bill 19, The Planning Amendment Act.

In Manitoba, agriculture is a key economic driver. According to Statistics Canada, farmers generate more than 5 and one half billion dollars in farm cash receipts, or 4.5 per cent of Manitoba's GDP each year. When considering the additional and 'connick'-'conceck'—connected contributions of the sector creates, agriculture represents more than 10 per cent of all economic activity in our province.

The provincial government acknowledged the importance of agriculture in Manitoba in both the 2018 Manitoba budget address and the 2018 Speech from the Throne. The government is committed to growing the livestock industry while protecting the environment. Reducing red tape and increasing efficiency through legislation like Bill 19 will greatly contribute to the farmers' ability to grow food and grow the provincial economy.

KAP is supportive of removal of the 300 animal unit conditional use threshold for livestock approvals under The Planning Act. It is our contention that this number was 'arbitrarily' placed in legislation and was never based on sound science and does not reflect current farming practices.

Our industry's perspective is that the conditional use thresholds should be elevated to allow for small- and medium-size operations to develop and expand their operations. Manitoba Pork Council, MPC, has presented information to the province outlining their strategy for 'substainly' increasing hog 'produshion' in Manitoba. They have recommended raising the conditional use threshold to 600 animal units, noting that all livestock operation expansions

would still have to meet all setbacks, manure- and nutrient-management regulations and all other 'revetalent' laws and bylaws.

Increasing conditional use thresholds could play a significant role in local development then—it would ease the process of expansion of smaller producers who would be better served to grow their operations.

If municipalities could make conditional use thresholds too low, it would be a disincentive for local producers to diversify their operations and for independent farmers to expand. Municipalities and general public must be made aware that any expansion of livestock operations can only be achieved if the spread acres, which are the acres that farmers can apply manure nutrients to grow a crop, are available.

The number of acres available for manure spreading is already a barrier for many producers to expand their operations. Municipalities do not need to create more impediments for local producers to expand or grow. KAP recommends that the government of Manitoba provide technical resources for municipalities to help them understand issues specific to the livestock production, like nutrient management, so that they make informed decisions around conditional use thresholds.

We understand that the 300-animal-unit threshold is embedded in municipal bylaws throughout the province and that public meetings will have to be held as per the transitional provisions within the bill. We have some concerns that forcing such a process will create a situation wherein municipalities would be reluctant to argue for an increase in their conditional use, animal-unit thresholds. Government is requesting that municipalities review these thresholds, but there is no requirement to raise it. It is quite conceivable that municipalities will opt for the least controversial action, which would be to maintain the status quo, which, of course, would not enable growth in the livestock industry, and farmers would still face the same challenges.

Bill 19 also proposed to allow for a 15 per cent expansion in farm buildings, which conform to applicable zoning bylaws without the need for renewal—renewed approval. We are supportive of this proposed change, in that the 15 per cent allowable increase would provide the means for a farmer to be consistent with modern environmental and animal welfare practices.

Farmers may need to be 'incentivized' to expand their existing infrastructure if they can do it with minimum regulatory burdens to overcome—again, noting that all farmers still must meet the nutrient-management regulatory requirements.

KAP is supportive of the concept of the appeals process for applicants whose applications are denied or whose have conditions imposed at a municipal level. The current system, within which there are no appeals mechanism, is problematic for farmers in that they have no recourse. The municipal councils may make decisions based on misinformation and lack of background knowledge.

We understand that the intention of using the Municipal Board to hear appeals is to ensure that decisions are based on evidence and sound science, which parallels KAP's policy on land use decisions.

We do have some concerns, however, that the appeals process will add to the length of time and cost to producers to go through the application process, and, ultimately, they still may have their applications denied. We also have some concerns around the proposed changes of notification requirements.

Government is proposing that the notice of a hearing be posted on the municipal websites without the requirement that the information be—also be published in a newspaper. We feel that this is insufficient. The system should be developed to ensure that every farmer and rural residents who should be made aware of potential hearings has access or the means of notification.

Some of the issues highlighted by those opposed to the bill surround the potential environmental impact on expanded livestock operations that they might have. KAP encourages the government to deliver messaging that is consistent with our own and our commodity association's, with emphasis placed on the fact that, regardless of proposed changes under Bill 19, Manitoba farmers are still required to meet all environmental regulations outlined in the nutrient management act, The Environment Act and the Livestock Manure and Mortalities Management Regulation.

\* (19:20)

Manitoba farmers must submit annual manure-management plans to the Department of Sustainable Development. These plans contain information on manure nutrient content, storage, field application and spreading. Farmers are also required to complete

annual soil testing and manure analysis and share their records with the government of Manitoba.

There are also restrictions on the place when—where they may apply manure to their fields, and where farmers—when they can apply the manure. These procedures will remain unchanged when Bill 19 passes, and the public should be made aware of this.

As well, the Technical Review Committee process will remain unchanged. Once the conditional use threshold is met, farmers will be required to complete site assessments, water monitoring analysis reports, manure storage permits, and develop manure management plans. Farmers will still follow rigorous requirements to ensure that their operations are sustainable, and that they comply with all regulations.

We encourage government to reassure the public that farmers in Manitoba are doing their part to ensure the sustainability of the industry and to protect the environment.

In conclusion, we are in support of the efforts put forward by reducing red tape for livestock expansions. We encourage the government to continue working to grow the livestock sector for the benefit of all Manitobans.

**Mr. Chairperson:** Thank you for your presentation, Mrs. Verwey.

**Mr. Eichler:** Thank you for your presentation. I know you're trying to get a crop in, and I'm sure the cow probably got milked without you being there tonight, but I want to thank you for that.

You talked a lot about managing manure, and according to the way the legislation's currently written, we—you've made it very clear that we're not changing any of those. Do you feel that they're too strict at this point in time?

**Ms. Verwey:** Which regulations are you—are—specifically referring to?

**Mr. Eichler:** The manure management regulations.

**Floor Comment:** Well, personally, I guess, we have to fill out those—

**Mr. Chairperson:** Ms. Verwey. I guess I'm not paying attention.

**Ms. Verwey:** I think, from KAP's standpoint, is to ensure the public that we have regulations in place, and that farmers are doing their best in looking after

the environment, and to, I guess, portray that, and that this, by expanding or changing bill—with Bill 19, that none of that is going to change.

**Mr. Allum:** Ms. Verwey, thank you for coming, and for your presentation. And listen, we have no doubt that farmers, for—in their own self-interest, are interested in environmental protection, let alone for all of our community interest. So I wanted to put that on the table and assure you of that.

Having said that, your presentation says that the 300-animal was—limit was arbitrary, never based on sound science. Can you provide the scientific evidence that tells us that 600 is better?

**Ms. Verwey:** I guess—I'm not here really to—I don't have that specific information. I'm just dealing particular with the issues that are specific. So I don't have what number that would be.

**Hon. Jon Gerrard (River Heights):** Two points perhaps you can help me with or clarify. One is, how many spread acres would be required for 600-animal units? And second, currently, I think about 80 per cent of the hog wastes are injected as opposed to being spread on the surface.

Would you support all new or expanded operations having to inject their manure as a positive environmental approach?

**Ms. Verwey:** Unfortunately, I guess, I'm only here to make comments on the particular issues that I had that are specific to our KAP policy at this point.

**Mr. Allum:** Okay, so let me see if I can try and get one here that helps you along here and helps our dialogue a little bit.

As you've heard from other organizations, M—AMM appears to have been consulted about parts of the bill they like, MHCA appears to be—have been consulted about parts of the bill they like.

I'm assuming KAP was also consulted prior to the bill being proposed, yet MCNA, the Manitoba Community Newspapers Association, was not consulted prior to this bill being proposed and put forward in the Legislature.

You said you're in support of red tape elimination, and yet we've heard submissions from members of the MCNA saying that this provision of the bill is—we shouldn't treat democracy and public notices and public information as red tape.

Would you agree with that contention?

**Ms. Verwey:** I guess I'm not here to, I guess, comment on the process of the government—only here to give, I guess, our organization's support and perceptive—perspective to this bill.

**Mr. Wharton:** Thank you, Mrs. Verwey, for your presentation tonight and taking the time out. As the—Minister Eichler mentioned, I'm sure you're busy with many other aspects of your life, and certainly it's—we're looking forward to a good growing season if we get a little bit of rain.

Just in respect to the member opposite asking about the 600-animal unit, I think I can set the record straight saying that there is no mention, in Bill 19, about a 600-animal unit. The threshold would be set by—be set by municipalities in fair say.

**Ms. Verwey:** That was my understanding too. That it's up to the municipalities.

**Mr. Chairperson:** We thank you very much for your presentation, but our five minutes allotted for questions is expired. So we thank you very much, and I will now call on the next presenter.

Brent Wright? Is Brent Wright in the room?

Mr. Wright, do you have any written material for distribution?

**Mr. Brent Wright (Private Citizen):** Yes, I do.

**Mr. Chairperson:** Okay, once they have been distributed, we will allow you to do your presentation.

### Point of Order

**Mr. Chairperson:** Mr. Allum, on a point of order.

**Mr. Allum:** I'd—just for clarification, Mr. Wright is identified here as being from the University of Winnipeg Students' Association, and his submission seems to show him being from Dauphin. Not that that couldn't put him on the U of W students' association, but is—just asking for clarification.

**Mr. Chairperson:** According to what the Clerk is informing me, there was a mistake in that, and Mr. Wright is presenting as a private citizen.

\* \* \*

**Mr. Chairperson:** Mr. Wright, you may proceed with your presentation.

**Mr. Wright:** I'm Brent Wright, from Dauphin, Manitoba.

I come here today as a concerned citizen of Manitoba, as well as an individual with over 38 years' experience in the newspaper industry. This is—experience has included 24 years on the advertising and promotion side of the business. I work with six different publications out of five locations in Dauphin, Roblin, Russell, Swan River and The Pas, and this experience has given me some insight into how people receive and accept information.

If there is one thing I've learned in those 38 years, it is that community newspapers are a trusted source of information. As the newspaper goes, if you do not have your credibility, you have nothing. And that is why people regularly turn to their local paper when they want to know what is really happening.

Removing public notice from newspapers will hinder public awareness and be a detriment to our society. Websites and the Internet are in a continual state of change, and what is there today may or may not be there tomorrow. Information can come and go from the Internet, but that—but information that is published in a newspaper is there to be referred to later and can be verified at any time. If there does happen to be incorrect information in a newspaper, it can be corrected. And, again, that correction can be verified. On the Internet, the incorrect information can simply be pulled down and it is gone.

\*(19:30)

Posting on websites cannot be verified as to when the posting was done or for how long and, in many cases, by whom. Not all Manitobans have access to computers and Internet due to many factors, such as low income. This is often combined with mobility issues, so going to a public accessible computers may not be an option either.

I would suggest that very few people would use the Internet to check if any development plans are happening in their community. If proper public notice is given through local community newspapers and posting in public places, as well as municipal websites, based on that proper public notice, citizens will then determine if the particular public notice is of concern to them, and at this point, they can possibly go to the Internet or contact local representatives to learn more on the issue at hand. Just making information available to the public does not equal public notice.

If they do not know that the information is there, something—if they do not know there is something to look for, they won't look for it.

Placing public notice on a website in conjunction with published and posted public notice will result in well-informed public. This will be an enhancement to public notice. Websites can then be used as a tool. They are there to provide valuable background information regarding an issue, again resulting in more information to the public.

I understand there is cost concerns involved as well, but in many cases the developer may—has to pay the involved fees. Further to this, what is the cost of an informed public? At what point do citizens lose confidence in elected officials and the process in place? Soon they start to question what is actually happening or what is being hidden. On any given issue a lack of information causes ignorance and ignorance creates dissention.

I respectfully suggest that there be an amendment to Bill 19 to leave the requirement to publish public notice and add in a requirement to post on appropriate websites. Just not enacting clause 25 leaves the door open for it to be enacted further down the road and I believe this would not be in the best interests of our democratic society.

Respectfully, Brent Wright.

**Mr. Chairperson:** Thank you for your presentation, Mr. Wright.

**Mr. Allum:** Thank you, Mr. Wright, for coming today. I was kind of hoping you were with the University of Winnipeg Students' Association. Both my colleague and I from Flin Flon were thinking there was hope for us for a life after politics after all if you were.

You're from Dauphin. Have you had a chance to talk to your MLA about this particular matter and what kind—if so, have you had a—what was the nature of that conversation and did he give—he or she give you any indication that they would consider the amendment?

**Mr. Wright:** I did have a conversation with my local MLA earlier on in—several weeks back. Mr. Michaleski had informed me that he wasn't fully up to speed with the bill, although he was more familiar with Bill 19 than he was with Bill 8. At the time I had spoke to him about both bills and the publication clause in both of those bills. He indicated

to me that he would—the bills would probably pass, but that's—we're—he wasn't steadfast on that, I guess.

**Mr. Wharton:** Thank you, Mr. Wright, for coming down from Dauphin today.

And I just had a question for you as well. You made light, of course, if there wasn't any newspaper publication on a land development, that the public would not be informed, is that correct?

**Floor Comment:** I'm sorry?

**Mr. Chairperson:** Mr.—oh, Mr. Wharton, could you—

**Mr. Wharton:** You had mentioned in your presentation that you were concerned that if a public notice wasn't put in the newspaper that the public would not be informed, because they wouldn't default to a website? *[interjection]*

**Mr. Chairperson:** Mr. Wright.

**Mr. Wright:** I'm sorry. I don't believe they would. I've had numerous conversations with acquaintances of mine, long-term friends—some farmers, railroaders, quite a cross-section of people—and they all recognize that I work for the newspaper. I've readily admitted that there is some minor financial considerations on this issue. But I asked them, as citizens, what they thought of the process and it being eliminated from public notice. And, to put it quite bluntly, most of them replied there isn't a chance in Hades I'm going to a website to look for a public notice.

**Mr. Gerrard:** Thank you for your presentation. Yes, a number of us are trying to figure out how, if a public notice was put up on a municipal site, whether it's in Dauphin area or in Winnipeg or somewhere else—I use the Internet a lot, but I've never gone to a public site to look for a notice of some public meeting. So, without prior awareness that such a meeting might be happening—so I'm puzzled about why people would even consider relying on the Internet.

**Mr. Wright:** I would respond to that—like, on my own personal experience, I use the Internet. I use it as a tool to research stuff that I probably already have a pretty good idea what it is I'm trying to know and what I'm trying to learn. I don't get up in the morning, flip—hit the power switch on the laptop and say, gee, I wonder what I'll search today? No, I go there with a purpose. And, if people are not going to

go to a website just on the off chance that there may be something there of interest—it—I don't believe it's human nature for people to function like that.

**Mr. Chairperson:** The honourable Mr. Wharton, and you have one half minute.

**Mr. Wharton:** I'll be quick, then. I've never been to Haiti, Mr. Wright, but I'm sure it'd be a nice place to visit. But I can tell you that, in the bill, there's no changing the fact that properties under development will have to be posted at site, and, of course, any affected properties would have to be notified, too, within 100 metres. So, just for point, at this point, of course, I'm just clarifying that there will be public notices however the committee decides to move forward at a later date. But there still is opportunity for public notice outside of websites.

**Mr. Chairperson:** The time has expired. I'll allow Mr. Wright to 10 seconds to respond to that.

**Mr. Wright:** All I can say is I truly do believe, as a citizen of this democratic country, that removing this is a mistake. I think it is counterproductive.

**Mr. Chairperson:** Thank you very much for your presentation, Mr. Wright.

We will now move on to the next presenter, Mark Buss, Clipper Publishing.

Mr. Buss, do you have any written presentation for the committee?

**Mr. Mark Buss (Clipper Publishing):** I did, but I've had to make some revisions to it. So it's being recorded, so, hopefully, that will suffice.

**Mr. Chairperson:** Absolutely. You may proceed with your presentation, Mr. Buss.

**Mr. Buss:** Good evening, and thank you for the opportunity to speak tonight in regards to Bill 19, The Planning Amendment Act, and, more specifically, the need to amend section 25 of that bill.

\* (19:40)

My name is Mark Buss. I am the vice-president of Clipper Publishing, based out of Beausejour, and the editor of both the Clipper Weekly newspaper and the Lac du Bonnet Clipper. We serve the North Eastman region in its entirety from Highway 1 in the south to Powerview-Pine Falls in the North and from Birds Hill park and Highway 59 in the west all the way east to the Ontario boarder, publishing more than 13,000 copies and covering 10 municipalities along the way.

We do have an active website and a Facebook page, both of those created to enhance our coverage of news, local politics, sports and community events in North Eastman. I use the word enhance here in its proper context—to intensify, increase or further improve the quality, value or extent of—as enhancing something is to provide an added value to whatever the base subject or product is.

Section 25 states: "Notice of a hearing is not required to be published in a newspaper or posted in any location if the notice (a) is posted on a publicly accessible website of the applicable planning district or municipality and (b) remains posted on the website throughout the 27-day period before the hearing."

Despite the claims from the provincial government that section 25 of Bill 19 enhances service by removing the mandatory notice requirement from community newspapers, it is simply not the case. What section 25 does is—in its current form is to replace one form of mandatory notice, in a tried and tested format involving community newspapers, with another form of mandatory notice that is at this time not as effective regardless of how good the Internet connection is or isn't in some areas in the province.

In April, the Province announced the expansion of the national public alerting system, Alert Ready. So compatible wireless devices such as cellphones and smart phones in Manitoba could receive emergency alert messages. The Province stated that, at the time, the government of Manitoba has been preparing to expand the emergency public alerting system to the wireless world, enhancing the effectiveness to rapidly warn citizens of imminent or unfolding threats to life or safety if they are in the geographic broadcast area.

Up to that point, Canada's existing Alert Ready system warned the public of emergency or disaster events via radio, cable, satellite TV broadcasters and web feeds. Unlike section 25 of Bill 19, however, none of those existing alert options were taken out of service or replaced, meaning that it, indeed, is an enhancement of service, and it was added on to what had already existed.

By removing the requirement of mandatory public notices in local newspapers, Minister Wharton has stated the move will let municipalities decide how best to communicate to their community. But what if the government in question does not want their business known? The public would like to

presume that every elected official will act fairly and in the best interest of the constituents, just as the public would like to presume that newspapers will act fairly and provide unbiased coverage. Unfortunately, we all know of instances, especially in today's world of personal agendas and special interest groups, where this hasn't been the case.

A municipal council and a community newspaper may occasionally find themselves at odds for a variety of reasons. Should that be the case, and a council decides to forego utilizing its local newspaper as a result of whatever bad blood may be between them, would not be in the best interest of residents.

For me, the May 7th resolution from the North Eastman Municipal Forum that was presented here earlier today by Ms. MacAulay exemplifies this. Of the nine municipalities in attendance, only one voted against supporting the resolution, saying they had a new website and they felt posting their notifications there would be sufficient in their view.

For those unaware, the council in question has taken great lengths to combat *The Clipper* following our—a four-year term where they have found themselves in conflict with local volunteer groups, community and recreation organizations, business owners, the arts community, churches and their municipal neighbours, all of which was reported in our publication without fear or favour, which is our responsibility.

Feeling they were not getting a fair shake, the council, in 2016, created a new website, got onto Facebook and Twitter and hired a communications consultant to the tune of over \$142,000 over a four-year term so they could, as one councillor said, have good news stories written about them.

Two years later, their Facebook page has just over 330 followers, and from numbers provided by the administrator, they have 40 people following them—following the community on Twitter. *The Clipper*, by comparison, goes to every mailbox in the area and has an 80 per cent readership, according to the last surveys done.

While all other municipalities in our coverage area have had their share of negative and positive stories written about them in *The Clipper*, as per the situation, those municipalities wholeheartedly agree that mandatory notice should remain in community newspapers, as they are the essential form of communication in those communities. If

section 25 is not amended, it begs the question: Is this a situation of the provincial government looking to punish Manitoba's print news industry for doing its job?

My final comments on this issue are of a personal nature. I became politically aware at the knee of my father. He was well known in the provincial and federal circles as an ardent PC supporter and campaign worker.

And, as a child, I spent many hours bouncing around the countryside in a truck, as he put up signs for successful candidates, like Jake Epp, and unsuccessful provincial candidates, like John Vogsburg Trainer [*phonetic*], and others. As a teenager, I went door to door handing out pamphlets for Darren Praznik, who eventually turned the NDP stronghold of Lac du Bonnet into a blue riding. He did so by listening to people and taking their concerns to heart, eventually winning over those who initially opposed him as someone who was willing to provide good government, regardless of the political stripe.

At the age of 91, my father is, thankfully, still very sharp, and we often discuss politics and the day's events. The actions of the Manitoba PC Party of today regarding bills 8 and 19 are disheartening for him, however, as he is a firm believer in the public's right to information and to know what their elected officials are doing. As he often has said, those who hold public office often forget it is the public they serve.

The requirement to publish notice through independent media is the best way to ensure the interests of residents are protected and upheld at all times, regardless of dispute or personal preference. Denying our citizens that basic assurance does not serve the best interests of Manitobans.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Buss.

**Mr. Wharton:** Thank you, Mr. Buss, for coming out tonight and, again, taking part in this democratic process.

And, to your point about, you know, obviously, local governments—being a former councillor, I can appreciate your comments, but, you know, there is accountability, as the former government—the NDP found in 2016. They were held accountable for their actions of 17 years by getting booted out of office.

So, certainly, municipal governments have to, obviously, be very aware that they have to act in the best interests of their communities. To that point, when do you feel, Mr. Buss, that we—I personally read online—my local papers, you know, and, certainly, on the record, the express weekly, the spectator, the journal, the record, a number of papers that we have in our community, which certainly we enjoy reading. I read them online every week when they come out on Wednesdays and Thursdays.

When do you see the industry maybe moving even more towards that in as far as years, in your opinion?

**Mr. Buss:** I can't really say in regards to that.

I know—I think there certainly has been a lot of discussion in regards to that issue, about the Internet, really, you know, taking over the industry. But, I mean, I know—it's—for me, it's very similar to the situation where books, how many years ago—20 years ago, everybody said there's not going to be any books anymore.

Everyone's got a Kindle and, you know—and I have a friend who owns a publishing industry down in the United States, and he's said 97 per cent of his work still is with printed books.

So the argument that, you know, it's going to swallow it up—not in my lifetime, so.

**Mr. Allum:** Thank you, Mr. Buss, for coming tonight, and for your very good presentation.

It's been mentioned a few times tonight that—and it's been certainly mentioned in our discussions with government that, really, the newspaper industry, writ large, is acting out of their own self-interest; they're only interested in the money.

Could you tell us just what this is worth to you, so that we can put that particular critique of—aside and get on with actually defending democracy in our communities across Manitoba? *[interjection]*

**Mr. Chairperson:** Mr. Buss.

**Mr. Buss:** I'm sorry.

**Mr. Chairperson:** You may now proceed.

**Mr. Buss:** I think you used the word democracy, and I think that that is a word that is—a lot of people take for granted.

You know, I'm—my family came to Manitoba at the turn of the 20th century to get away from, you

know, bad situations in Europe, like a lot of folks around here.

But I think, over time, I think a lot of people have—they've taken that for granted, and they don't quite understand what that—what words like that mean.

But freedom of the press, democracy and those sorts of things, but—I don't know. It's tough to say, I'm sorry.

**Mr. Gerrard:** You've obviously talked to quite a number of people in your area about this issue. People scan online newspapers or articles of interest, but I don't know of people who regularly go to municipal websites looking for information on hearings that are coming up.

\* (19:50)

I mean, have you found such people around that would search municipal websites? Yes.

**Mr. Buss:** Usually for us, I mean, again, in regards to this topic, we've had a number of people, you know, everybody comes in to pick up the paper Wednesday, Thursday. They come in the office and just the—traction is probably the wrong word, but I mean the amount of people that have come into the office and have broached this topic and said I saw what you had in the paper, whether that's online or not, and they're concerned. A lot of people are concerned, so it's—but in regards to the amount of people that go online, I can't really say, so.

**Mr. Chairperson:** Seeing as no further questions, thank you very much for your presentation, Mr. Buss.

We will call the next presenter, Traci Klimchuk. Traci Klimchuk? Is Traci Klimchuk in the room?

We will move Traci Klimchuk to the bottom of the list. We will move on to the next presenter, John Kendle. John Kendle?

Do you have a written presentation for the committee?

**Mr. John Kendle (Canstar Community News):** No, I do not.

**Mr. Chairperson:** Then you may proceed with your presentation, Mr. Kendle.

**Mr. Kendle:** Thank you, Mr. Chairman, and thank you for the opportunity, members of the committee, to speak here tonight.



My name is John Kendle. I am the managing editor of Canstar Community News, which is the publisher of six community newspapers in Winnipeg and area. We publish 202,000 copies of weekly community newspapers that—every Wednesday. They are The Headliner, The Herald, The Lance, The Metro, The Sou'wester and The Times and, indeed, looking at the faces around the table I recognize several of our columnists, and thank you for your submissions to our papers.

A brief statement: On Saturday, April 14th, at the Manitoba Community Newspapers Association's 99th annual dinner, Cathy Cox, the provincial Minister of Sport, Culture and Heritage—I believe she's here this evening; she was here this evening—assured publishers and staff of the province's 48 community newspapers that public notices required of provincial and municipal governments will remain in newspapers.

Despite clauses in Bill 8 and Bill 19, which we are discussing here tonight, which strike requirements that notices be placed in newspapers, Minister Cox said that the government of Manitoba will pass the bills in their current form but will not proclaim into law the sections that pertain to public notices.

While I'm sure that Minister Cox meant well, I would submit respectfully that she did not go far enough.

The notion of passing something but not proclaiming it into law does not sit well. In fact, to do so would, indeed, enable this government or a future government to proclaim the non-proclaimed clauses at any time, without consultation.

If the government truly wants to change the meaning of bills 8 and 19 as they are written, then it should do so.

In the case of Bill 19, which is the bill discussed this evening, I'm here to encourage this committee to amend section 25 of the bill. As it is written, section 25 of Bill 19 proposes that the requirement to advertise public notices in a local newspaper be changed to simply posting notice on a municipality's or planning department's website for 27 days prior to any public hearing.

I would like this committee to amend Bill 19 so that it maintains the current requirement to place municipal public notices in newspapers and so that it adds the requirement to also post them on a municipality's or planning department's website.

With 30 years' experience in the newspaper business—sorry—14 of those with community weeklies, I can emphatically and confidently state that the province's community newspapers are and will remain the surest way of informing the public on the activities and business of provincial and municipal governments.

More than 400,000 copies of Manitoba's community newspapers are printed each week. A readership study which has been referred to by other presenters conducted in March, 2018 by TOTEM Research showed that readership of those newspapers is close to 80 per cent in the province.

Can you honestly say that you believe that that many people will actually go to a municipality's website to determine whether or not there is going to be a public hearing? I can't.

I think that making municipal notices required only online as proposed not only assumes that people will actively seek them out, which is highly unlikely, it ignores those Manitobans with poor or no Internet service.

I would also like to point out that when the Minister for Municipal Relations, Jeff Wharton, called for second reading of Bill 19 in the Manitoba Legislative Assembly on April 19th, he was asked by several opposition MLAs how the government would deal with the public notice requirement. According to Hansard, Minister Wharton stated, and I quote: The government will seek to amend the bill to ensure newspaper notice requirements is preserved.

I would like to ask Minister Wharton to keep his word. I would like this committee to consider amending section 25 of Bill 19. Thank you.

**Mr. Chairperson:** Thank you.

**Mr. Allum:** Thank you, Mr. Kendle. Thank you for your presentation and coming here tonight. I asked Mr. Buss the same question. It's been suggested to us, in our discussions with our friends across the table and others, that this is really about the money for the industry in Manitoba.

So could you put on record what this is actually worth to you, and whether that's the primary consideration at work here, from the industry's point of view, or if there's another principle at stake? *[interjection]*

**Mr. Chairperson:** Mr. Kendle.

**Mr. Kendle:** Sorry. I swore I wouldn't do that either.

According to information that was provided to the chairperson of the Manitoba Community Newspapers Association, Kim MacAuley, who was a previous presenter, by government services, in 2017, \$103,000 was spent on advertising public notices in the 48 community newspapers in the province. It's not a significant amount of money.

**Mr. Wharton:** Thank you, Mr. Kendle, for coming out tonight. I appreciate the time you took to present to the committee.

Mr. Wright had come up earlier and mentioned that this could have an effect on his business financially, and being a small-business owner myself for 30 years, I can appreciate the challenges that not only all small businesses—newspaper business as well, will go through during times of challenges and times of change, and as we evolve in our day-to-day businesses.

What percentage do you feel would be affected or is affected by the mandatory advertising by municipalities currently in your business?

**Mr. Kendle:** Well, as I just mentioned, \$103,000 worth of public notice advertising across 48 newspapers works out to—what? Two thousand dollars per paper? It's not a significant percentage whatsoever.

**Mr. Allum:** You mentioned the announcement made by a different minister, in relation, I guess, to Bill 8, but happening at a banquet for your—the MCNA. I saw that, heard about it, thought—immediately tweeted out, congratulated you folks, Free Press, for your advocacy in turning the government around on this issue, only to find out that in fact, this isn't quite exactly as—they weren't withdrawing, they were simply not going to enact.

Is that an acceptable position, from your point of view? *[interjection]*

**Mr. Chairperson:** You have to wait a second, Mr. Kendle, 'til I recognize you.

**Mr. Kendle:** Of course. As I stated, it would be preferable to me and preferable, probably, to all the newspaper publishers in the province, that section 25 of Bill 19 be amended so that the requirement to publish public notices in newspapers be maintained.

**Mr. Gerrard:** You make a very strong point about the—passing this bill, and—but not proclaiming that section. It doesn't make a lot of sense, to me, to do that, and you certainly would leave, sort of a

sword of Damocles hanging over democracy in this province if you were to do that.

So I just want to give you one more chance to emphasize why that's so critical, in terms of this province, to get rid of this clause, instead of just promising not to proclaim it.

**Mr. Kendle:** I can't understand why, if the government has stated that it does not wish to enact the language which pertains to public notice, that it would simply do away with the language all together. Do what you're going to say to do.

\* (20:00)

**Mr. Andrew Micklefield (Rossmere):** I just want to make a comment on this whole thing of not proclaiming certain sections of the bill. I know that I've come across this more than once in other bills that I've had the pleasure of examining and finding out that it's not—certainly not unheard of to find sections of bills that are not proclaimed. So, in case there's a feeling that this is some—this would be sort of a, you know, an anomaly, or, how could they do this; these things happen not infrequently, and this is a standard mechanism to get this kind of result, often in response to public consultation, so.

**Mr. Chairperson:** Mr. Micklefield, we have—time has expired, but I'll allow Mr. Kendle to answer whatever he may have answered for 10 seconds.

**Mr. Kendle:** I didn't actually hear a question, but—

**Mr. Chairperson:** Well, in that case, we thank you very much for your presentation, and we will move on to the next presenter.

We will now call on Candice McLaughlan. Is Candice McLaughlan in the room?

Seeing as Candice McLaughlan is not in the room, she will be moved to the bottom of the list and called once everybody else has been called.

We will now call on Shawna Andrew. Shawna Andrew?

Shawna Andrew is not in the room. Shawna Andrew will be moved to the bottom of the list and called once we have completed the list.

The next person on the list is Jim Mihaly, Mihaly? If you could correct my pronunciation.

**Mr. Jim Mihaly (Brandon Sun):** Mihaly. Very close. Mihaly, yes. Thank you.

**Mr. Chairperson:** Do you have a written submission for the committee?

**Mr. Mihaly:** No, I don't, Mr. Chair.

**Mr. Chairperson:** Then you may proceed with your presentation, Mr. Mihaly.

**Mr. Mihaly:** Thank you.

**Mr. Chairperson:** –haly.

**Mr. Mihaly:** Mihaly.

**Mr. Chairperson:** –haly.

**Mr. Mihaly:** Thank you for providing me the opportunity to speak with regard—regarding Bill 19, The Planning Amendment Act. Specifically, I would like to address section 25, which deals with public notice of planning changes under the act.

My name is Jim Mihaly, and I'm publisher of the Brandon Sun, Westman This Week, and Carberry News Express. I've been in the industry full time for 30-plus years and was nine years old when my parents started on newspapers in northern Alberta. They are still in the family and ARE in operation today.

When I was younger, one of my jobs was to deliver the newsstands at the—for—to the businesses. I was always impressed with the number of people waiting to pick up the paper. That hasn't changed, and when you—when the paper is late, we hear about it.

Newspapers serve an important role. They provide a sense of community and reflect that in our news coverage. Government should be transparent with the people they work for known as the taxpayer. It's important to remember that. Flying under the radar by not publishing key public notices will only frustrate the taxpayer that much more.

Here are a few points you should know regarding the importance and the role of a newspaper—plays in southwestern Manitoba. First, it is well read, and I must brag about this, that the readership is on the rise. The Sun has probably served Brandon and the Westman area since 1882, and I haven't been there with the full time, so it's a portion of that.

When print and digital are combined, 83 per cent of adults in Brandon said they read the Sun weekly. The 83 per cent are referred to, or 39,000, does not include a substantial rural readership. Ninety-four per cent of our weekday print readers are exclusive to the Sun. Thirty-five per cent of our weekly digital

readers are hard-to-reach millennials. It's all about local content and keeping readers engaged with the product. We have a newsroom of 18 people. As long as we continue to provide local news, we will continue to be relevant and continue to grow our readership. It's all about presentation and making the product attractive to read and accessibility.

Proposing to post notices via government websites exclusively will see less readership as a product that's not widely available and is not conducive to a structured and clear design. Plus, newspapers are trusted, impartial and credible sources for Manitoba residents. Revenue lost for newspapers will provide fewer jobs and fewer journalists, as an example, who will build content to sustain readership. We've always—we've already observed a decline in the past two years relative to provincial government advertising in newspapers in this province, and more cutbacks will cause financial loss in this industry, indirectly or directly. Some use social media as a tool, which it is, but it should be—complement traditional media, not replace it

We focus on local coverage. Along with closely listening to what our readers and advertisers want, we have conducted two readership surveys in the last year and commissioned a focus group which operate at arm's-length of the newspaper. The focus group included 15 individuals from 20 years of age to 65-plus who were readers and non-readers alike.

They were tasked to let us know the good, the bad and, well, the ugly, relative to our product. We heard and implemented some suggestions relative to those conclusions, and to a person, the paper served an important and vital role in the community.

You may also want to consider the Brandon Sun, as an example, is the best read newspaper in Canada with 79 per cent of adults reading the print edition each week. Compare this daily paper in centres such as Regina, 45 per cent; Medicine Hat, 56 per cent; and Lethbridge, 52 per cent. Southwest Manitoba is no longer served by local television, and then—and there are minimal new sources in the area. We are the primary source of news and notices.

Corporate Canada continues to recognize the reach and relevance of our product. Giants like Bell, TELUS, GM and CN continue to utilize us to convey their message. I could go on, but I think you get the point.

In conclusion, I suggest to this committee that Bill 19 be amended to preserve the requirement to

publish proposed planning changes in newspapers. It is fine also have these proposals posted on municipal websites, but they only—but that only is not an effective way of informing the public about matters that may want to be aware of.

Thank you for providing the time and listening to the various presentations this evening. Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Mihaly.

**Mr. Wharton:** Thank you for coming out, Mr. Mihaly. I appreciate the time you took this evening. And thank you for your social media updates. I follow the Brandon Sun on social media, so it's interesting when I get that social media message come through. It's kind of interesting to keep on top of what's going on in Brandon, so I appreciate that work as well.

Readership online—do you track readership online currently at the Brandon Sun? *[interjection]*

**Mr. Chairperson:** Mr. Mihaly.

**Mr. Mihaly:** Yes—I promised myself I wouldn't do that either—but, yes. Yes, we do.

**Mr. Allum:** Mr. Mihaly, thank you so much for coming tonight, and I assume you've come from Brandon, so I appreciate you making the trip down here.

You have two government MLAs in Brandon, so I want to ask you, were you consulted by government on this particular provision of the bill? And, secondly, have you had the chance to talk to your local MLAs and what their response has been to your objections about the provision in the bill. *[interjection]*

**Mr. Chairperson:** Mr. Mihaly.

**Mr. Mihaly:** There again, twice, and I'll do it on the third time.

Actually, not directly in terms of the government in your first part. The second part, we have a coffee at our community newspaper—at the newspaper every Wednesday and that conversation came up, and we do have our MLAs attend to it.

**Mr. Gerrard:** It seems to me that putting notices in municipal websites where few people are going to see them is a stupid move because it's a recipe for problems because people will just get upset when they find out after the fact that something's

happening that they thought they should have known about and wanted to protest about.

Do you want to comment?

**Mr. Chairperson:** Mr. Mihaly.

**Mr. Mihaly:** I waited, thank you.

Actually, you need a platform in terms of, you know, even social media or websites. You need a platform to build, to launch people onto that, and that would be a newspaper, so, and basically they need to find out that information that's there, but through your newspaper, they—if they, so willing, they can go to that website and learn more if they so wish, but they need a platform.

**Mr. Wharton:** Back to my first question, just to follow up, Mr. Haly *[phonetic]*. So, in readership online, what—the percentage you're tracking, what percentage of readership do you have online currently?

\* (20:10)

**Mr. Mihaly:** Actually, percentage-wise, that, you know, we've got, I would say, about 15, 20 per cent, 15 per cent, in that area. We're audited, so our online and our print is audited, as well as our free distribution weekly newspaper as well, so.

**Mr. Allum:** The other part that's been quite contentious was, as I mentioned earlier, and has been stated quite a few times tonight, was the contention by the government that they were simply not going to enact or proclaim these provisions of the bill.

Is that an acceptable procedure from your point of view?

**Mr. Mihaly:** Clearly, through my presentation, that we're saying, just to—as I suggested in my presentation was that that's a portion that we're concerned about, there's—definitely.

**Mr. Wharton:** Mr. Haly *[phonetic]*, in your opinion, and of course, you're pretty aware of clause 25, does this take away the ability for RMs to continue to post notices online—or, in the paper?

**Mr. Mihaly:** I would say—suggest it does, yes.

**Mr. Wharton:** So further to that then, Mr. Haly *[phonetic]*, what would stop the local municipalities, in their view, not to post in your local papers?

**Mr. Mihaly:** What would stop them?

**An Honourable Member:** Yes.

**Mr. Mihaly:** This legislation.

**Mr. Wharton:** Can you explain that further?

**Mr. Mihaly:** Suggesting that they no longer have to post them in their local newspaper. That would be a suggestion of that municipality not to—if given the option not to do it.

**Mr. Wharton:** So it is safe to say that we do respect the local municipal governments in our province. We respect the fact that they are elected by their local constituents. Certainly, they would be—they would obviously feel obligated to make sure they get the best message out to their community. Would that be correct?

**Mr. Mihaly:** I would hope so.

**Mr. Chairperson:** Time for questions has expired. We will now move on.

We thank you very much for your presentation, Mr. Mihaly, and we will move on to the next presenter.

Darwin Miller. Is Darwin Miller in the room?

Darwin Miller will be moved to the bottom of the list, and called once the rest of the presenters have been called.

We will now call on Ryan Nesbitt. Would Ryan Nesbitt be in the room?

Ryan Nesbitt is not in the room. He will be moved to the bottom of the list, and called once the rest of the presenters have been called.

Curtis Strut *[phonetic]*. Would Curtis Strut *[phonetic]* be in the room?

Curtis Strut *[phonetic]* is not in the room. He will be moved to the bottom of the list and called once the rest of the presenters have been called.

Is Jay Strut *[phonetic]* in the room?

Do you have written presentation for the committee?

**Mr. Jay Struth (The Killarney Guide):** I do. It's very brief, but.

**Mr. Chairperson:** As soon as it gets distributed to the committee, we will ask you to proceed.

Mr. Strut *[phonetic]*, you may proceed with your presentation.

**Mr. Struth:** Thank you, Mr. Chair, committee members.

My name is Jay Struth, and I am the editor of the Killarney Guide in Killarney, Manitoba. I am here to state my opposition to the proposed changes to public notices in Bill 19, and to ask that you consider an amendment to section 25 of Bill 19 to maintain the current requirement to publish mandatory public notices in newspapers.

If this government's actual goal is to enhance communication, as it states, then they're totally missing the mark. Manitoba's community newspapers are read by 80 per cent of Manitobans living in rural communities. And across all community sizes, printed newspapers are the preferred source for information about issues important to the community, including local government programs and initiatives.

If the government wishes to enhance communication then, yes, by all means, add the website component to public notices. However, removing the newspaper component will quite obviously not enhance communication, but negatively affect the public's ability to be informed.

Thanks for your time.

**Mr. Chairperson:** We thank you for your presentation.

**Mr. Allum:** Thank you, Mr. Struth, for coming here tonight and for such a succinct and to-the-point presentation. I can see you're in the newspaper industry. I was once a editor of a community newspaper myself, and I was the editor and the reporter and the photographer and the layout. And so you're right. So you're pointing at yourself. I can tell you in that circumstance, my own—the editor was often very upset with the guy doing the photography and the writing, so I thank you for coming down.

One of the things it seems clear to us tonight in listening to the presentations as well as to the minister's reaction is that he was quoted as saying that he would amend the bill, but it doesn't sound like that's actually going to happen. Would you like to leave here tonight with an answer to that question?

**Mr. Struth:** Yes, I would. What's the point of leaving that wording in there? I don't understand that. I don't understand why that wording was put in to begin with. It doesn't—it will not enhance communication at all. I don't understand.

**Mr. Gerrard:** Welcome here to the Legislature. I know you do a fine job of raising local issues,

including issues around Killarney Lake, so thank you for that.

The point you make I think is a very good one, of the importance of awareness as a result of what's put in community newspapers. You probably provide some examples from your time in—with the community newspapers in Killarney where this has been important in terms of getting improvements in the community.

**Mr. Struth:** Yes, we've had plenty of government interest in our lake, for example. You know, you've been a part of that in the past. Everything we put in the newspaper, including public notices, we expand on what's put in as far as public notices. We explain it to people. It helps for open, accountable governments, and, honestly, it takes pressure off local governments because otherwise people are, why didn't you tell us that? Why didn't you explain that? It's hugely important.

**Mr. Wharton:** Thank you, Mr. Struth, for coming out tonight. Appreciate the time, again, that you took to come and share your comments and concerns.

Contrary to what the member opposite had mentioned about us not considering an amendment to the bill, quite frankly, I think I'm able to speak for myself when I—and—when I tell you that we are here to listen and learn, and that's why this process, this democratic process, is put in place. I know the members opposite have a tough time with that insofar as communicating and being able to understand the—how important this process is. So I do appreciate the time you took this evening, and I certainly look forward to commenting and working further with you later.

**Mr. Allum:** I think it's important for us to understand what the financial impact would be on you. Mr. Kendle indicated that it wasn't a significant amount. Is there a financial impact for you, or is it the democratic principle that's at stake here?

**Mr. Struth:** It's certainly the democratic principle. As I said, these notices are important part of papers because we take them, we expand on them. We do stories on them. The financial impact isn't significant, but I will say if you give municipalities the opportunity not to put public notices in, they will choose not to put public notices in, in a lot of cases.

**Mr. Wharton:** Mr. Struth, why do you feel that they wouldn't feel obligated to put public notices so that

their public can be aware of what's going on in their municipality?

**Mr. Struth:** I think, for the most part, they might try, but they'll justify it with money or the fact that they feel their website will be sufficient, and a lot of times governments try to put their best foot forward. Like, it's been mentioned by other people, sometimes there's conflicts and then there could be—it's a very real possibility they could try to penalize the local paper and, in extension, the local readership because there's a conflict. It's just not a good idea.

**Mr. Chairperson:** The honourable Mr. Wharton, and there's about 15 seconds left.

**Mr. Wharton:** Okay, no, then I'll just close by saying again, thank you, Mr. Struth. I appreciate your comments tonight and, again, look forward to talking to you further.

**Mr. Chairperson:** Thank you for your presentation, Mr. Struth.

We will now call on the next presenter, Wendy Johnston. Is Wendy Johnston in the room?

Wendy Johnston will be moved to the bottom of the list.

We will now call on Jen Kuhn. Would Jen Kuhn be in the list—in the room?

Seeing as that Jen Kuhn is not in the room, she will be moved to the bottom of the list.

\* (20:20)

**Mr. Allum:** A point of clarification, Mr. Chair.

So the folks who didn't appear before us tonight, even though they were on the list—they go to the bottom of the biggest list because this will carry on—of course tonight, and on Monday and Tuesday? Is that the understanding? Or are those folks dropped off entirely?

**Mr. Chairperson:** I will read on to the record what the House leaders have agreed to. It's item 5.

If a presenter does not appear in their assigned presentation slot, they would be removed from the list. Though if they arrived at a subsequent meeting wanting to speak, they could re-register, the committee could agree to hear from them last, followed by any walk-ins. And that would be provided the timing be before the—midnight.

**Mr. Allum:** Thank you for the clarification, Mr. Chair.

**Mr. Chairperson:** Okay, we will go and call on the presenters who have not been here tonight for the second time.

Traci Klimchuk? Traci Klimchuk is not here, we—she will be removed from the list.

Candice McLauchlan? Candice McLauchlan is not here, she will be removed from the list.

Shawna Andrew? Shawna Andrew is not here, she will be moved—removed from the list.

Ryan Nesbitt? Ryan Nesbitt—yes? Oh, sorry—Darwin Miller. Darwin Miller is not here, Darwin Miller will be removed from the list. Ryan Nesbitt will be removed from the list.

Curtis Strut? Is not here. Curtis will be removed from the list.

Wendy Johnston? Is not here, she will be removed from the list.

Jen Kuhn? Is not here. Jen will be removed from the list.

That concludes public presentations for this evening. Before we rise, it would be appreciated if members would leave behind the copies of the bill so they may be collected and reused at the next meeting. Yes?

**Mr. Eichler:** Yes, just before committee rises, I do have a point I would like to make for information for those that are still here.

We have one of the most open, transparent committee systems in the country, and I would encourage those that wanted to present that couldn't be here tonight to certainly re-register because we want to hear from all members of—on this bill.

So I wanted that to be—put it on record.

**Mr. Chairperson:** Thank you very much, Mr. Eichler, for your comment.

The hour being 8:22, committee rise.

**COMMITTEE ROSE AT: 8:22 p.m.**

#### WRITTEN SUBMISSIONS

Re: Bill 19

Greetings

My name is Don Piett and I am part owner and editor of the Southeast Journal in Emerson. We are a weekly newspaper with a circulation of 3500 in the areas of Morris, Emerson-Franklin, and Montcalm.

To deal with the elephant in the room, yes, we make money by putting Public Notices in our newspaper and we do not want to lose this revenue stream. I am not going to apologize for this, as I feel we provide a useful service and a fee for service is a longstanding tradition most governments use regularly.

As I understand it, the purpose of the Public Notices are so the citizens of a given Municipality, Rural or Urban, are notified of upcoming actions and meetings by their local government. We are talking about things like road closures, changes in zoning, and many other day to day aspects of life. These are put in local newspapers as one of the surest ways that people will be informed about these events. This was the purpose for this article in the first place.

The idea that times have changed so much that this is no longer required is quite simply, wrong. Requiring a notice to be placed on a municipality or Planning Commissions website for 27 days meets a requirement of access (although limited), but not notification as a citizen must know to go and look for it.

The other assumption in the proposed change is that everyone has equal access to Municipality websites and facebook pages. This may be relatively true in large centre like Winnipeg where high speed internet is readily available, although I could argue that even there, access is limited by income. But out here in the sticks, many areas have only dial up internet or perhaps wireless services which charge high fees for data usage. Some places in southeastern and other parts of the province don't even have cell service. Citizens living in these areas will not have access to the Municipal websites to look for these notices.

There is an axiom that the government that affects people most is the government closest to the people. This is the local municipal government that looks after local roads, water and sewer, zoning, and many other matters of local infrastructure and government. If notification of the public meetings on these matters is lost, so is a significant amount of power for the local citizen. Before I can attend a meeting or call my councillor, I must know that something is happening.

Our technology is an old one, printed word on paper, but it is also effective. Our community newspapers are distributed by Canada Post to all mailboxes in our area. You don't need a computer, or a cell phone to use our technology, all you need is a post office box.

I encourage you to leave the requirement of public notification through local newspapers intact.

Thank you for your consideration

Don & Brenda Piett  
Southeast Journal

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Re: Bill 19

MEF Comments to Bill 19 The Planning Amendment Act (Improving Efficiency in Planning)

Thank you for the opportunity to present Manitoba Egg Farmers' thoughts on the proposed changes to the Planning Amendment Act. MEF applauds the ongoing efforts to streamline Acts and Regulations that reflect past experiences, current knowledge, and future goals.

MEF promotes healthy living, animal care, food safety, community involvement and environmental sustainability through our policies and actions. MEF strives to enable our 170 egg and pullet farmers to practice the highest standards of animal care, food safety and environmental sustainability through training and support.

In a general sense, MEF is supportive of the proposed amendments and envisioned process improvements. Of particular interest to our farmers are the following:

- The Amendment that existing farm buildings that conform to the applicable zoning by-law can be replaced, altered or expanded without the need for renewed approval. This amendment is critical as older facilities are replaced/expanded with modern equipment that address food safety, animal care, and environmental requirements. MEF appreciates the provision that would allow use of an existing permitted building while the replacement building is being constructed.
- MEF supports the removal of the conditional use designation for large-scale livestock operations in zoning by-laws and the mandatory review within one year of any by-law that provides a conditional use designation.
- MEF supports the inclusion of a formal appeal process for conditional use applicants who have been rejected or who have had conditions imposed upon them.

- MEF supports the increased flexibility envisioned by increasing the variance approval of a zoning by-law to 15% from not more than 10%.

In closing, MEF's farmers support efforts to achieve growth and development for all of agriculture while providing a fair say for the municipalities and local communities holding direct stakes in those future opportunities.

Harold Froese  
Chairman

Cory Rybuck  
General Manager

Manitoba Egg Farmers

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Re: Bill 19

I am writing today to express my deep concern about what is happening in Manitoba, as the government proposes to pass Bills 8 & 19.

If successfully passed, these Bills would remove the requirement for municipal and provincial governments to publish notices in a newspaper, which notifies the public of important events and actions. In its place these notices would be posted on a municipal website for 27 days prior to a hearing.

What the government fails to recognize is that making valuable information accessible online is not the same as notifying the public that information exists. Access is NOT public notice.

Has the government considered those Manitobans with inferior or zero internet access?

For those Manitobans who do have access to adequate internet, how will they know where and when to look for notices?

Manitoba's community newspapers publish more than 400,000 copies each week. The surest way to inform the public of provincial and municipal government activities and business is to advertise those notices in a community newspaper.

It is the right of citizens to know and the obligation of government to notify those citizens of government activities that affect their daily lives. Any reduction or elimination of notices to the public through our newspapers will deprive residents of access to important and vital information.



Governments claim to be transparent, however this change would be viewed as government being less transparent, even uncommunicative.

It is my belief the only way to deal with this is to amend the sections that deal with public notices in Bills 8 & 19, or withdraw the Bills altogether.

Yours respectfully,

Nancy Johnson  
 Publisher  
 Melita New Era

Re: Bill 19

This is my submission for the committee hearings on Bill 19,

The Planning Amendment Act. Social & economic development ...scheduled for May 9th.

A lesson from the Past.

As a boy and 1st generation Canadian in the 1940's, I grew up on a farm in Manitoba. We grew grain and raised farm animals, including hogs from 4 or 5 brood sows. One very important lesson that I remember yet, was Dad keeping a record of what fields had received hog manure and ensuring that manure from hogs was not applied to that same area for at least two years.

This one lesson from the past reminds me that the farmers in those days did not rely on scientists and government to protect, support them, and take care of the water sources and environment; for that was their responsibility. Farmers, back then, knew better. They knew that the aim of education is the knowledge, not of facts, but of values. Imagine what they accomplished, all with no regulations, no inspections, no enforcement, no pollution, no environment studies, no complaints of reeking stink, and no politics! Those farmers were truly, "stewards of the land" for what they did was sustainable and not a tax burden to the public purse. They had respect for the environment and water. And most important perhaps, they had respect for their neighbours.

Science never bases its conclusions on a lack of evidence, but rather on observable phenomena. To say that because there is no evidence for certain issues brought to the forefront by concerned citizens;

ie: water and environmental matters for instance, and then come to a conclusion that there is no threat, is simply conjecture, it is not science. Ask yourself this! Can important questions be addressed objectively when one has such high stakes in continuing the work? I doubt it.

I have great respect for science, but science is only as good as the scientists, who are not bias and being rewarded, under the influence of the hog industry.

It seems our present Manitoba government and some others in the media have no idea of what has been happening and taking place over the past 20 years when it comes to the protection of our waters and especially Lake Winnipeg. (much like the proverbial ostrich with his head buried in the sand) Yet, they are quite agreeable to lock-step and support an Industry that has earned a reputation of Pigs, Poop, Pollution, Politics and Profit and to hell with the rural people, animal stewardship, water and environment. What is equally disturbing and yes, hypocritical, is the fact that Bill 46 was unanimously adopted, by all members of the Manitoba legislature and The Save Lake Winnipeg Act was established in 2011.

Bill 46 contained 3 actions for keeping phosphorus out of Lake Winnipeg: a crackdown on hog manure, upgrades for Winnipeg's sewage system and protection for Manitoba wetlands.

As The Canadian Charter of Rights & Freedoms so clearly states:

"Protecting and enjoying our heritage and environment-Every citizen has a role to play in avoiding waste and pollution while protecting Canada's natural, cultural and architectural heritage for future generations."

In closing, I wish to remind you of the solemn words of the presiding judge in the Tainted Blood Inquiry which Justice Horace Krever stated over two decades ago.

"The relationship between a regulator and the regulated must never become one in which the regulator loses sight of the principle that it only regulates in the public interest and not in the interest of the regulated."

Thank You

John Fefchak

Re: Bill 19

This letter is with regard to the pending change to legislation which will eliminate the wording for public notices to be placed in newspapers and, I respectfully request that it be distributed to the members of the committees considering Bill 8 and Bill 19.

I have viewed the video from the Mb. Community Newspaper Associations annual dinner wherein Minister Cox assured publishers and their staff that public notices required of provincial and municipal governments would remain in newspapers. Subsequent to this announcement I am sure you could hear the collective sigh of relief throughout the Province none the least coming from my office.

Our paper(s) are not a member of the MCNA but our concerns with this change to the legislation are mirrored by them.

The papers published here in Thompson service not only the City of Thompson proper but twenty-one (21) communities in Northern Manitoba. The papers are distributed free of charge to the readers in these communities and, as you may be aware, most of the outlying communities we service do not currently have internet service. Therefore any reduction or elimination of notices to the public through our newspapers will deprive these residents of appropriate access to vital information.

Prior to joining the paper here, I was employed by the City holding various positions and the last fifteen years of my municipal career was in the position of City Manager. During my tenure with the City I saw several changes being instituted that changed the method of notification or eliminated the requirement for notification to the general public. One in particular was under the Planning Act that at one time required notification via registered mail of all the properties within a certain radius be notified if a variation order was being contemplated. The current rules only require that there be a notice posted on the subject property. To this day I still hear concerns from Citizens about the lack of formal notification when these hearings are taking place. Too often I hear that government claims to be "transparent" but some of these changes are viewed as government being more and more "secretive".

Our papers are distributed every Wednesday and Friday and we have a regular number of clients who visit our offices to pick up the paper each week. As well there are several establishments who

immediately phone the office if our papers are late arriving for their customers. When we survey the outlying communities we are informed that the papers are all read by their residents and they are very concerned that we may not send them any longer. This, to me, indicates that there is a real need to continue producing a printed copy of the paper as well as look to enhancing the availability of having this information on-line. We do have our own website and are constantly looking at ways of attracting viewers to this site and being compatible with our customer web sites.

I have heard comments during this process that the "papers" are only concerned with loss of revenues. You bet we are but more importantly we are concerned that this move could adversely affect the ongoing operations of community newspapers such as ours. The closure of our operations not only would mean jobs being lost, in a City that is already seeing major cut backs from Vale but it would affect the printing company we use in Winnipeg and the transportation services we use to get the papers weekly from Winnipeg to Thompson and then on to the outlying communities.

I am concerned if the bills are passed in their current format with the sections pertaining to public notices not be proclaimed into law is confusing to say the least and leaves the door wide open for misinterpretation on what the rules actually are. I believe the proper way to deal with this is to amend the sections that deal with public notices or withdraw the bills.

Respectfully,

Lynn Taylor  
 Publisher  
 Thompson Citizen

Re: Bill 19

Thank you for giving us a chance to oppose this change. I appreciate it.

I do not want the government to end the practice of requiring municipal councils to provide public notices in newspapers for the following reasons:

1. I read my newspapers leisurely while sipping a cup or tea, or a glass of wine. I always check the public announcements. Most of the time they don't affect me, but if they do I'll read the whole thing.

2. When the local websites are listed on my email, I don't always go to the site. I'm often busy when I'm on the internet and I delete a lot of sites to get to my 'work'--answering emails, sending emails, writing articles etc.

3. I value the 3 free newspapers we have here in Gimli. I want a little bit of my tax money to go towards helping them stay in business.

4. My friend does not have a computer. How would she find out?

Gail Halldorson

Re: Bill 19

Good afternoon,

Please accept this written submission regarding proposed amendments to Bill 19.

To The Standing Committee on Social and Economic Development,

This year, The Minnedosa Tribune is celebrating its 135th anniversary. Publishing weekly since March 1883, The Tribune is the oldest weekly newspaper in the Canadian West.

We are proud to continue the tradition of reporting local news and happenings to our 1,853 paid subscribers each week and look forward to continuing this tradition in the years ahead. However, each year, the challenge to keep our doors open as a sustainable business gets harder as we battle online advertising. Paid advertising is not only our greatest source of revenue, it also determines the number of pages our newspaper is each week. While some community newspapers have been forced to decrease their size to a 12 or 8 page publication, The Minnedosa Tribune remains a minimum 16 pages. There have been some weeks in which we only had enough advertising revenue to cover printing and postage costs of a 12 page publication but for those few weeks we took a loss in hopes of better revenue weeks ahead. It is our grave concern that should Bill 19 remove public notices from community newspapers, our revenue stream will suffer and as a result The Tribune will have to decrease to a 12 or 8 page newspaper.

With fewer pages, we will have less space to cover local news and our faithful subscribers will suffer the lack of knowledge as to what is happening in their

own community. We regularly print Municipal Council reports as well as columns, editorials and Letters to the Editor from our provincial and federal government officials. These are printed free of charge and in return, we appreciate the government advertising we receive, although the dollar amount of government advertising has certainly decreased from what it was some years ago.

If community newspapers are deemed valuable in getting government news releases, columns and letters out to the public we certainly hope our government sees and understands the value in buying advertising space in community newspapers to keep Manitobans informed at all times.

It has been proven time and time again that there is still a very strong need for community newspapers and that there are still many people who do not have or use the internet.

Earlier this year, our office received a phone call from a subscriber in the nearby community of Sandy Lake who was very angry and disappointed that the Minnedosa Regional Library had not advertised their annual art show in The Tribune. As a result of this she and four of her friends, who looked forward to this day trip to Minnedosa, missed out. We explained to her that sadly, our local library board had chosen to do free online advertising this year to which she replied that her and her friends do not own computers and have no access to the internet. They rely on their local community newspaper to keep them informed on what is happening in the area.

We hear stories like this all the time and continue to promote the fact that by only advertising online, a whole group of people are being left "in the dark" about what is happening in their community, region, province or country.

The Minnedosa Tribune is proud to be in business for 135 years and looks forward to publishing long into the future. As paid advertising is our greatest source of revenue, we ask that the Provincial Government continues to publish mandatory public notices in newspapers. Without the support of paid advertisers, such as the Manitoba Government, the future of this historic weekly newspaper is uncertain.

Thank you for your time and consideration.

Darryl Holyk  
Minnedosa Tribune

Re: Bill 19

I am writing to voice my concern over Bill 19 - the Planning Amendment Act that would relieve the provincial and municipal governments of the requirement to post public notices about government activities in local newspapers.

I work for Canstar Community News and am the sole reporter for The Headliner weekly newspaper. It covers the RMs of Rosser, Headingley, Macdonald, St. Francois Xavier and Cartier and the City of Portage la Prairie.

During the month of April, the municipal councils placed ads in The Headliner to inform the public of the dates and times for their annual financial plan public meetings; two zoning hearings, two official notices regarding weed control, a notice relating to nominations for the 2018 municipal election, and a provincial notice inviting residents to share their views on the proposed expansion of a local dairy herd.

Inadequate internet service is an issue that many of the rural municipalities face. In fact, the municipal councils that I cover are all contributing \$2,000 each to the Winnipeg Metropolitan Region's fibre optic study, as they realize that many of their residents are now underserved in terms of internet access. This means that they might not be able to go online on a regular basis to check the municipal site or Manitoba Gazette to see if there are any upcoming meetings or hearing in their areas.

As well, residents simply might not have the spare time required to be regularly seeking out current postings on their municipal site or the Manitoba Gazette. By continuing to use local newspapers as the main delivery method for such notices, people are likely to read about issues that relate directly to them and their families.

I am asking that an amendment be made to Clause 25 of Bill 19 which maintains the current requirement to publish mandatory public notice in newspapers and adds the requirement to also post the information on a municipality's or planning district's public website, should one exist.

Sincerely,

Andrea Geary

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Re: Bill 19

I am unsure from the ad whether these emails is where I direct my objections to ending public notice of proposed municipal changes to aggregate mining, intensive livestock operations etc? What's the alternative? I don't think that the RM of Ste Anne does public notices of changes to ILOs etc or any kind of notice for that matter.

How are residents to learn of these changes? Or does the RM Council just go ahead and do what they like? This is what the RM of Ste Anne seems to do often anyway and no one can do anything about it since taking them to court costs 20000.00 at min and not everything qualifies for the Municipal Board, the opinions of which the RM can disregard. I am already living under a feudal system.

Shirley Hiebert

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Re: Bill 19

My name is Sheldon Birnie. I am a reporter for The Herald, a Canstar Community News paper serving northeast Winnipeg. I would like to register my opposition Bill 19--The Planning Amendment Act (Improving Efficiency in Planning).

I do not believe that the changes are beneficial to Manitobans. Public access to information is not sufficient public notice. I believe that this legislation sends a message that our government no longer values community newspapers as a means of serving public notice, yet newspapers are often their first options when they want to reach Manitobans with their regular columns or when they have an important message to share.

As a reporter, I hear from readers all the time about how they didn't know about an event, or a decision by community committee, or whatever, was taking place until they happened across it in the pages of The Herald, despite much of this information being available somewhere online. Our residents look to their newspapers for information about their communities; as they have been doing so over 100 years in The Herald's case.

Personally, as a working parent, I don't have time to go digging online to see what the government is up to. However, I do have time to flip through the local paper with my breakfast. Taking public notices out of the newspaper won't save the government a significant amount of money, but I believe it will deprive hard working but otherwise engaged citizens

of vital information about their communities.

I would suggest that the government amend Clause 25 of Bill 19 to maintain the current requirement to publish mandatory public notices in newspapers and add requirements to post the information on a municipality's or planning district's public website, should one exist. What, I wonder, is the harm in publishing this information as far and wide as possible?

Thank you for your time and consideration on this matter.

Sincerely,

Sheldon Birnie

Re: Bill 19

I am writing to you because I am greatly concerned how the proposed amendment to Bill 19 Section 25 will affect Manitobans, my community and myself.

How can the proposed change possibly be called "enhanced communication"!

1. Public access to information is not sufficient public notice.

2. Even if every Manitoban had reliable, high-speed internet, under these new rules, we will still not receive proper notice of significant changes or activities that will affect our daily lives.

Proper notice will never take place if Manitobans are expected to seek out information they don't know even exists! We would either never know...or find out about it too late.

If that were to happen, it would take away our voice, our rights to speak out about a notice that directly affects us, such as a proposed hog barn.

3. What are the rules for posting online? How can one be assured it was posted unaltered for the required 27 days? How will one be able to find proof of posting after the fact?

Newspapers can provide indisputable proof of posting, proof the information was not altered, proof the information was delivered to Manitobans in hard copy print.

4. Where will Manitobans be expected to find public notice postings online? There are municipalities that have websites with hundreds of Google indexed pages. Where do we begin to look?

We own property in two different municipalities. We subscribe to both "The Guide" and the "Southern Manitoba Review" papers so we can keep in touch with what notices concern us directly and how and when our local governments are putting things forward.

5. I have always looked in my newspaper first for information about my community! It is where our residents, my friends and neighbours express their concerns about issues, in favor or against.

6. I worry about the jobs that may be lost because of potential revenue loss to our local newspapers.

7. Why is it, when there is an important message to bring to the people from government representatives, they chose to put it in the paper! They don't want Manitobans to miss it! They know we read the paper!

8. Is the reasoning for the amendment that perhaps the government wants control or less hassle to put through some issues in hopes that many will not even know about it until it is too late!

I stand with many other Manitobans and strongly support that an amendment be made to Clause 25 of Bill 19 which:

1. Maintains the current requirement to publish mandatory public notice in newspapers.

2. Adds the requirement to also post the information on a municipality's or planning district's public website should one exist.

That would be "enhanced" communication.

I look forward to your reply.

Sincerely,

Betty Turner

Re: Bill 19

To whom it may concern,

I am writing to this committee to register my objections to the amendments to Bill 19, that municipalities no longer be required to post notices of their activities in the pages of local newspapers.

Community newspapers are vital sources of information for communities across Manitoba, great and small. In many cases, residents of those communities have been accustomed to finding

information about their local governments in the pages of those papers for a century or more.

Bill 19 proposes that such notices, once no longer required to be posted in local publications, would be posted to the websites of the appropriate municipalities and planning districts instead. Many areas of the province have poor internet access, and many municipalities maintain websites which are not user-friendly. While some of these issues could theoretically be fixed, it is a fact that for the present, removing the requirement of notices in local newspapers makes the process of finding such information far more cumbersome than it is currently.

An uninformed public is ill-equipped to respond to the challenges of the present, or the future. A recent study by AdWest Marketing shows that a vast majority of residents prefer to obtain information through their local newspaper. These publications are well-established and widely trusted sources of information.

In financial terms, the removal of the requirement to post notices in local newspapers will result in a loss in revenue for publications across the province. As local newspapers are also local businesses, this will have a negative effect on communities overall. Community newspapers do not just report the news, they also support the community via employment opportunities, as well as sponsorships for a host of local events and institutions.

Presumably, a government's role is to serve its people, and to do so in a spirit of transparency and accountability. I submit that, in order to be open and accountable, a government should post notice of its activities in places where its constituents will actually see the information. Taking that information out of local newspapers, and placing it where residents either don't or can't look for it, seems like an obvious attempt to render government activity less visible to the public.

I strongly urge the Standing Committee on Social and Economic Development to reject the amendment to Bill 19. I join in the call issued by my fellow community journalists that the requirement to post notices in local newspapers remain, and that there also be a requirement to post the information online, should a website for the local municipality exist.

Regards,

Darren Ridgley

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Re: Bill 19

To whom it may concern,

I come to express my desire that Bill 19 be amended.

A study conducted by AdWest Marketing Inc. highlighting the differences between the urban and rural population in Manitoba and Saskatchewan on how geography impacts media access, usage and engagement, concluded that the majority of citizens of all community sizes prefer printed newspaper as their source for gathering relevant information regarding community issues. The same result applied to gathering information on local government program and initiatives. In addition, 79 per cent of respondents indicated they trust advertising in printed community newspapers compared with only 25 per cent who trust advertisement in social media.

There's still mistrust when it comes to online media due to the lack of information control. The internet is free for everyone to put whatever information they'd like without being held accountable for it.

A government must always be transparent and accessible to those it serves. This is called democracy. That's always the promise every politician makes before being elected. Citizens exercise their right to vote based on each and every member of the legislature's promises to make their province of living a better place. However, when politicians are put in charge, they are not only serving those who voted for them, they are serving all citizens.

If a majority of the population in Manitoba still gets their information from a printed newspaper, how can a government assume that without any notice, citizens will suddenly start looking for public notices online? Some municipalities have websites with over 400 Google indexed pages — Manitoba's first municipality, the RM of Springfield, has 419 Google indexed pages. It is not fair to make people go through over 400 pages to find information that should be a priority.

When a government stops being transparent and accessible to its population, it has the freedom to do whatever it wants without letting whom they serve to know. Putting information online that is difficult to access is not being democratic. Instead, it's taking away the right to access information from many citizens. Did we forget that most of our population is elderly and that they don't usually know how to work a computer, let alone the internet?

Even if every Manitoban had reliable, high-speed internet, under these new rules, they will still not receive proper notice of significant changes or activities that will affect their daily lives. Proper notice will never take place if Manitobans are expected to seek out information they don't even know exists.

What are the rules for posting online? How can one be assured it was published, unaltered for the required 27 days? How will one be able to provide proof of posting after the fact? There are so many glitches with the internet today. Information goes missing without an explanation all the time. People accidentally delete things or forget to post information. How will a government be held accountable for that? If data goes missing, is the government merely going to blame the internet?

Newspapers provide indisputable proof of posting, evidence the information was not altered, and proof the information was delivered to Manitobans.

Newspapers are the first thing politicians seek when they need to promote their good deeds within the community—Premier Pallister recently wrote to every newspaper in Manitoba with his personal response to the Manitoba Hydro Board resignations—but this bill sends the message that our government no longer values newspapers as a means to deliver public notice.

If the government wants to enhance communication, it shouldn't be taking information out of a media that is extremely important in the community; instead, it should be looking for additional places to publish information, whatever it may cost, to reach more and more people.

In conclusion, I hope the Manitoba government realizes the importance of being transparent and maintains the current requirement to publish mandatory public notice in newspapers, and adds the requirement to also post the information on a municipality's or planning district's public website should one exist.

Sincerely,

Ligia Braidotti  
The Times

Re: Bill 19

I wish to add my statement of "great concern" due to the Manitoba Government's proposed ending of the requirement of Public Notices being placed into our communities' newspapers. Whether the printed

Public Notice is of a change to Municipal policy or by-law or is of a change to Government policy or by-law—the problem for the public remains the same.

The public needs to be "informed" in a highly read newspaper notice—rather than be forced to go looking on who knows what Web sites, at who knows what intervals—to find what changes are being considered for their areas.

I do not spend hours per week searching Web sites to find what information may affect my life and that of my family or neighbours.

This is not an issue to be posted to a Web site, where you can expect to have issues go unnoticed.

The Government of Manitoba needs to listen to your tax payers, your voters, your citizens to learn that we want to preserve our need to be informed!

Yours truly,  
Wilma J. Struth

Re: Bill 19

\*Public access does not mean public notice. Expecting citizens to frequent a government website to see if there's any notices, hearings, etc. is very unrealistic at this time. No matter what percentage has access to internet (and we all know that it is not even close to being every Manitoba adult), this is a big step backwards in informing the public of highly important notifications that may affect them.

\*Even in my own world of excellent internet access, the last thing I have time for is to scour a government website searching for notices that may or may not affect me.

\*Weekly community newspapers are still the backbone of many communities. Our readership is still very strong and despite what you might read with daily newspapers in the world struggling, that is not even close to the case in rural Manitoba. The constant feedback we receive from the public regarding information in our particular newspapers is astronomical.

\*If you feel we're a good enough vehicle to request press releases, government related columns, etc. then I have a hard time understanding why you think public notices on a government website can be effective enough. This simply opens up suspicion of a government with something to hide.

Brian Gilroy  
General Manager  
The Swan Valley Star and Times

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

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