

ASSOCIATION OF MANITOBA MUNICIPALITIES POSITION PAPER

MINISTER OF LEGISLATIVE AND PUBLIC AFFAIRS | KELVIN GOERTZEN |

MARCH 31, 2021



ASSOCIATION OF
MANITOBA
MUNICIPALITIES

The AMM appreciates the opportunity to meet with Minister Kelvin Goertzen and representatives of Manitoba Legislative and Public Affairs.

The AMM encourages the Province to consider municipal concerns as well as the effects of funding decisions on local communities throughout the budget process.

This document outlines the AMM's position and recommendations on a number of important municipal issues relevant to the Legislative and Public Affairs portfolio.

PRIORITY ITEMS:

**FREEDOM OF
INFORMATION
AND PROTECTION
OF PRIVACY ACT
(FIPPA)**

**RED TAPE
REDUCTION**

PARTNERS IN GROWTH

The AMM looks forward to working with the Province of Manitoba to strengthen provincial-municipal growth and partnership opportunities.

Priority Item #1

Freedom of Information and Protection of Privacy Act (FIPPA)

The AMM recommends the government:

✓ ***Implement a modest application fee for multiple or concurrent requests to reflect staff time, copying and legal costs incurred by the municipalities.***

- In May 2017, the AMM made a formal submission to the provincial government's review of the *Freedom of Information and Protection of Privacy Act (FIPPA)*.
- As the last review of FIPPA was undertaken in 2004, the AMM welcomed this consultation process as municipalities have responded to a significant increase of FIPPA requests in recent years, which has led to increased staff time, copying, computer charges, and legal costs.
- Search and preparation fees have remained constant since FIPPA was proclaimed in 1998 despite the considerable human and financial resources required to locate requested records, prepare and redact documents, and make copies.
- Given the added administrative and financial burdens faced by municipalities, the AMM urges the Province of Manitoba to examine the current fee structure of providing FIPPA services, particularly since there is no limit to the number of requests an individual or organization may make at one time or during the year.

Priority Item #2

Red Tape Reduction

The AMM recommends the government:

✓ ***Identify existing red tape and continue to streamline provincial processes to mitigate costs facing municipalities.***

- The AMM appreciated the Province of Manitoba establishing the Red Tape Reduction Task Force to identify excess regulation and red tape, especially since red tape hinders municipality's ability to deliver public services efficiently.
- In 2017, the AMM made a comprehensive written submission to the Red Tape Reduction Task Force, which included 20 targeted recommendations to address red tape and excess regulation.
- These recommendations were formulated based on our review of more than 75 submissions from municipalities across Manitoba identifying numerous red tape barriers and inefficiencies in various provincial government processes.
- Moreover, the AMM Executive also made a formal presentation to the Red Tape Reduction Task Force's transportation and land development sub-committees.
- Overall, approximately 90 per cent of Manitoba municipalities encounter provincial red tape on a regular basis resulting in added financial or staff resources and delays when dealing with provincial Acts, regulations, license requirements, and permit applications.
- With the ongoing pandemic it is vital that municipalities receive clear, efficient, and effective processes in order to grow and sustain local communities.
- Therefore, the AMM would appreciate receiving an update on the provincial plan to further reduce red-tape.

Appendix – AMM Active Resolutions

AMM Resolution #44-2016

Topic: FIPPA

Sponsor(s): Rural Municipality of De Salaberry

Department(s): Manitoba Legislative and Public Affairs

WHEREAS The Freedom of Information and Protection of Privacy Act (CCSM, C.F. 175) Regulation 64/98 was registered on April 17, 1998; and

WHEREAS AMM Resolution #28-2010 requested amendments, including a review of and clarification of fees and chargeable times; and

WHEREAS the response from the former Minister of Culture, Heritage and Tourism in February 2011 indicated a comprehensive review would be undertaken within five years and will involve public representations;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to conduct a comprehensive review of The Freedom of Information and Protection of Privacy Act in consultation with the AMM and all municipalities, including a review of and clarification of fees and chargeable times.



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