

## **TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:**

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

### **Meetings:**

Your Committee met on the following occasions:

- Monday, June 5, 2006 at 9:00 a.m.
- Monday, June 5, 2006 at 6:00 p.m.

All meetings were held in Room 255 of the Legislative Building.

### **Matters under Consideration:**

- **Bill (No. 11)** – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver
- **Bill (No. 12)** – The Highways and Transportation Amendment Act/Loi modifiant la Loi sur la voirie et le transport
- **Bill (No. 14)** – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau
- **Bill (No. 24)** – The Consumer Protection Amendment Act (Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement)
- **Bill (No. 27)** – The Tobacco Damages and Health Care Costs Recovery Act/Loi sur le recouvrement du montant des dommages et du coût des soins de santé imputables au tabac
- **Bill (No. 35)** – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques
- **Bill (No. 300)** – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba

### **Committee Membership:**

Committee Membership for the meeting on Monday, June 5, 2006 at 9:00 a.m.:

- Hon. Mr. ASHTON
- Hon. Mr. BJORNSON
- Ms. BRICK (*Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Hon. Mr. LEMIEUX
- Mr. MARTINDALE
- Mrs. MITCHELSON
- Mr. PENNER
- Hon. Mr. SELINGER
- Mrs. STEFANSON

At the meeting on Monday, June 5, 2006 at 9:00 a.m. your Committee elected Mr. MARTINDALE as the Vice-Chairperson.

Substitutions received during committee proceedings on Monday, June 5, 2006 at 9:00 a.m.:

- Mr. DYCK for Mrs. STEFANSON

Committee Membership for the meeting on Monday, June 5, 2006 at 6:00 p.m.:

- Hon. Mr. ASHTON
- Hon. Mr. BJORNSON
- Ms. BRICK (*Chairperson*)
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Hon. Mr. LEMIEUX
- Mr. MARTINDALE (*Vice-Chairperson*)
- Mrs. MITCHELSON
- Hon. Mr. SELINGER
- Mrs. STEFANSON
- Mrs. TAILLIEU

Substitutions received during committee proceedings on Monday, June 5, 2006 at 6:00 p.m:

- Mr. PENNER for Mrs. TAILLIEU
- Hon. Mr. SALE for Hon. Mr. CHOMIAK

#### **Motions:**

Your Committee agreed to the following motion during committee proceedings on Monday, June 5, 2006 at 6:00 p.m:

- *THAT THIS COMMITTEE RECOMMENDS THAT THE FEES PAID WITH RESPECT TO BILL (No. 300) – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba, BE REFUNDED, LESS THE COST OF PRINTING.*

#### **Public Presentations:**

Your Committee heard five presentations on **Bill (No. 11)** – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver, from the following individuals and organizations:

Ian Wishart	Keystone Agricultural Producers
Gloria Desorczy	Manitoba Branch of the Consumers Association of Canada
Tom Simms	Community Education Development Association
Jennifer Lukovich	Private Citizen
Rt. Hon. Ed Schreyer	Private Citizen

Your Committee heard two presentations on **Bill (No. 12)** – The Highways and Transportation Amendment Act/Loi modifiant la Loi sur la voirie et le transport, from the following individual and organization:

Doug Chorney	Keystone Agricultural Producers
Diane Rybak	Private Citizen

Your Committee heard eight presentations on **Bill (No. 14)** – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau, from the following individuals and organizations:

Greg Bruce	Ducks Unlimited Canada
Doug Dobrowski	Association of Manitoba Municipalities
Jake Buhler	Manitoba Conservation Districts Association
Ian Wishart	Keystone Agricultural Producers
Roland Chaput	Private Citizen
Richard Gregoire	Private Citizen
L. Lacoste	Private Citizen
James Wade	Dairy Farmers of Manitoba

Your Committee heard one presentation on **Bill (No. 35)** – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques, from the following organization:

Brian Ardern	President, Manitoba Teachers Society
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Your Committee heard one presentation on **Bill (No. 300)** – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba, from the following individual:

Len Evans	Private Citizen
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#### **Written Submissions:**

Your Committee received one written submission on **Bill (No. 11)** – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver, from the following organization:

Sara Anghel	Direct Energy
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Your Committee received two written submissions on **Bill (No. 35)** – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques, from the following organizations:

Joyce Bateman	Board Chair, Winnipeg School Division
Hilda Froese	Garden Valley School Division

## **Bills Considered and Reported:**

**Bill (No. 11)** – The Winter Heating Cost Control Act/Loi sur la limitation des frais de chauffage en hiver

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

Your committee voted to defeat Clause 3 of the Bill.

*THAT Clause 7(1) of the Bill be amended by striking out "STABILIZATION AND AFFORDABLE ENERGY FUND" where it occurs in the centred heading before the Clause and in the Clause, and by substituting "AFFORDABLE ENERGY FUND", with any necessary grammatical changes.*

*THAT Clause 7(2) of the Bill be replaced with the following:*

### **Purpose of the fund**

**7(2)** The purpose of the fund is to provide support for programs and services that

- (a) encourage energy efficiency and conservation;
- (b) encourage the use of alternative energy sources, including earth energy;
- (c) facilitate research and development of alternative energy sources and innovative energy technologies.

### **Energy efficiency and conservation programs and services**

**7(2.1)** The programs and services for energy efficiency and conservation referred to in clause (2)(a) must be designed and delivered to ensure

- (a) that people living in rural or northern Manitoba, those with low incomes and seniors have access to those programs and services; and
- (b) that Manitoba Hydro's residential customers have access to comparable programs and services, regardless of the energy source they use to heat their homes.

*THAT Clause 7(3) of the Bill be amended by striking out "in the 2005-06 fiscal year and".*

*THAT Clause 10 of the Bill be replaced with the following:*

### **Coming into force**

**10** This Act comes into force on a day to be fixed by proclamation.

**Bill (No. 12)** – The Highways and Transportation Amendment Act/Loi modifiant la Loi sur la voirie et le transport

Your Committee agreed to report this Bill without amendment.

**Bill (No. 14)** – The Water Rights Amendment Act/Loi modifiant la Loi sur les droits d'utilisation de l'eau

Your Committee agreed to report this Bill without amendment.

**Bill (No. 24)** – The Consumer Protection Amendment Act (Government Cheque Cashing Fees)/Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement)

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

*THAT Clause 2 of the Bill be amended in the proposed section 165 by adding the following definition:*

**"local government body"** means

- (a) a municipality;
- (b) a local government district;
- (c) a community or incorporated community under *The Northern Affairs Act*; or
- (d) a school division or school district established under *The Public Schools Act*;

designated as a local government body in the regulations. («organisme d'administration locale»)

*THAT the definition "government cheque" in the proposed section 165, as set out in Clause 2 of the Bill, be amended by striking out "or" at the end of clause (b), adding "or" at the end of clause (c) and adding the following after clause (c):*

(d) a local government body.

*THAT Clause 2 of the Bill be amended by adding the following after the proposed clause 168(1)(b):*

(b.1) designating any of the following as a local government body for the purpose of this Part:

(i) a municipality,

(ii) a local government district,

(iii) a community or incorporated community under The Northern Affairs Act, or

(iv) a school division or school district established under The Public Schools Act;

*THAT the proposed subsection 169(11), as set out in Clause 2 of the Bill, be replaced with the following:*

**Application of Public Utilities Board Act**

**169(11)** Part I of *The Public Utilities Board Act* applies, with necessary changes, to the making of an order under this section as if the powers and duties of the board under this section were assigned to the board under that Part, except for the following provisions:

(a) section 33 (power of board on complaints);

(b) section 34 (power to appoint counsel) as it relates to the fees and expenses of the person appointed;

(c) subsection 51(2) (time for service of order);

(d) section 52 (enforcement of order);

(e) section 56 (order as to costs) as it relates to the costs of an intervener;

(f) section 57 (fees).

**Bill (No. 27)** – The Tobacco Damages and Health Care Costs Recovery Act/Loi sur le recouvrement du montant des dommages et du coût des soins de santé imputables au tabac

Your Committee agreed to report this Bill without amendment.

**Bill (No. 35)** – The Public Schools Finance Board Amendment and The Public Schools Amendment Act/Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques

Your Committee agreed to report this Bill without amendment.

**Bill (No. 300)** – The Association of Former Manitoba MLAs Act/Loi sur l'Association des ex-députés de l'Assemblée législative du Manitoba

Your Committee agreed to report this Bill without amendment.

Submitted by,

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Ms. Marilyn BRICK, Chairperson  
June 5, 2006