



Third Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Privileges and Elections

Chairperson

Ms. Nancy Allan

Constituency of St. Vital



Vol. LII No. 5 - 7 p.m., Thursday, August 8, 2002

ISSN 0713-9543

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Thursday, August 8, 2002

TIME – 7 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Nancy Allan (St. Vital)

VICE-CHAIRPERSON – Mr. Jim Maloway (Elmwood)

ATTENDANCE - 9 – QUORUM - 5

Members of the Committee present:

Hon. Mr. Selinger

Mses. Allan, Asper, Messrs. Hawranik, Laurendeau, Maloway, Rondeau, Schellenberg, Struthers

MATTERS UNDER CONSIDERATION:

The Report and Recommendations of the Judicial Compensation Committee dated April 19, 2002

* * *

Mr. Clerk Assistant (Rick Yarish): Good evening. Will the Standing Committee on Privileges and Elections please come to order? Our first order of business is the election of a Chairperson. Are there nominations?

Mr. Stan Struthers (Dauphin-Roblin): I nominate the Member for St. Vital (Ms. Allan).

Mr. Clerk Assistant: Ms. Allan has been nominated. Are there further nominations? Seeing none, Ms. Allan is appointed Chairperson.

Madam Chairperson: Our next order of business is the election of a Vice-Chairperson.

Mr. Struthers: I nominate the Member for Elmwood (Mr. Maloway).

Madam Chairperson: Mr. Maloway has been nominated. Are there any further nominations? Seeing none, Mr. Maloway is appointed Vice-Chairperson.

This meeting has been called to continue consideration of the report and recommendations of the Judicial Compensation Committee dated April 19, 2002.

Before we get started, are there any suggestions from the committee as to how long we should sit this evening?

Mr. Jim Rondeau (Assiniboia): Till the work of the committee has been completed.

Madam Chairperson: Till the work is completed. Thank you, Mr. Rondeau.

The last time we met to consider this report, on June 19, 2002, the committee heard statements from the honourable Minister of Finance (Mr. Selinger) and the honourable Member for Fort Garry (Mrs. Smith). We also heard presentations on the report from Mr. Robb Tonn of the Provincial Judges Association of Manitoba and Mr. Richard Buchwald of the Manitoba Bar Association.

I would like to remind the committee that a motion from a member of the committee will be required in order to adopt or reject some of the recommendations in the report. Does the honourable minister wish to make any opening remarks this evening?

Hon. Greg Selinger (Minister of Finance): No.

Madam Chairperson: We thank you. Does the Official Opposition critic wish to make any opening remarks?

Mr. Marcel Laurendeau (St. Norbert): No.

Madam Chairperson: We thank you. Are there any questions on the report?

Some Honourable Members: No.

Madam Chairperson: No questions. If there are no further questions or comments, is it the will of the committee to report to the House that we have completed our consideration of this matter? *[Agreed]*

Report is approved? *[Agreed]*

Mr. Laurendeau: Madam Chair, I would recommend that we recess for 15 minutes for our Clerk to be able to go out and have a sandwich. He has been very hard at work all day, and he has not had a break all day. I think we are abusing this young lad, and I think we should take 15 minutes so that he has an opportunity to go grab a sandwich while we gather our thoughts.

Madam Chairperson: Is there agreement to have a recess for 15 minutes? *[Agreed]*

The committee recessed at 7:47 p.m.

The committee resumed at 7:58 p.m.

Madam Chairperson: Could the committee come to order, please. We stated that we had completed our consideration of the matter of the report, and I would like to have leave to revert back to discussion on the report. *[Agreed]*

Mr. Selinger: I move

THAT the Standing Committee on Privileges and Elections adopt the proposal outlined in Schedule A and recommend the same to the Legislative Assembly of Manitoba.

That Schedule A would read as follows, and I am going to go a little faster. Your tape is on? *[interjection]* Okay.

1. That effective April 1, 1999, salaries for the Provincial Court Judges and Masters

be increased to \$122,000 per annum; that effective April 1, 2000, salaries be increased to \$133,000 per annum, and that effective April 1, 2001, salaries be further increased to \$144,000 per annum.

2. That effective April 1, 1999, salaries for Associate Chief Judges and the Senior Master be increased to \$125,000 per annum; that effective April 1, 2000 salaries be increased to \$136,000 per annum; and that effective April 1, 2001 salaries be further increased to \$147,000 per annum.
3. That effective April 1, 1999, the salary for the Chief Judge be increased \$132,000 per annum; that effective April 1, 2000 that salary be increased to \$143,000 per annum; and that effective April 1, 2001 that salary be further increased to \$154,000 per annum.
4. That effective April 1, 1999, the discount be eliminated on the 2/3rd spousal pension benefit for Judges and Masters with a spouse and on the 10-year guaranteed pension option for Judges and Masters without a spouse.
5. That effective April 1, 1999, and applying to any Judge and Master who has retired on or after that date, the best three (3) years average earnings be used as the base for the calculation of the best salary period for pension accrual.
6. That the Province pay 75% of the Judge's legal costs and fees up to a maximum aggregate payment by the province of \$30,000 for the Judicial Compensation Committee process.
7. That the Province pay 75% of the Masters legal costs and fees up to a maximum aggregate payment by the province of \$7,500 for the Judicial Compensation Committee process.

* (20:00)

8. That existing Judges and Masters be entitled to the existing severance pay benefit upon retirement in the amount which they would have been entitled to

receive if they had retired on the day before the date the Judicial Compensation Committee recommendations are implemented. The severance pay benefit will not be available for those Judges and Masters appointed after the date the Judicial Compensation Committee recommendations are implemented. The existing severance pay benefit upon retirement provides for one (1) week's pay per year of service to a maximum of twenty-three 23 weeks.

9. That unless otherwise stated, all changes shall be effective on the date of approval by the Legislative Assembly of Manitoba.

Madam Chairperson: It has been moved by Mr. Selinger—

Some Honourable Members: Dispense.

Madam Chairperson: The motion is in order. Is it the will of the committee to adopt the motion? *[Agreed]*

If there are no further questions or comments, is it the will of the committee to report to the House that we have completed our consideration of this matter? *[Agreed]*

The hour being 8:02, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 8:02 p.m.