

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

Chairperson
Mr. Tom Nevakshonoff
Constituency of Interlake

Vol. LXIV No. 1 - 6 p.m., Monday, June 4, 2012

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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

Monday, June 4, 2012

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Tom Nevakshonoff
(Interlake)**

**VICE-CHAIRPERSON – Mr. Clarence Pettersen
(Flin Flon)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Messrs. Bjornson, Chomiak, Hon. Ms. Marcelino, Hon. Mr. Rondeau

Mrs. Driedger, Mr. Marcelino, Mrs. Mitchelson, Messrs. Nevakshonoff, Pettersen, Smook, Wishart

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

Mr. Cliff Cullen, MLA for Spruce Woods

PUBLIC PRESENTERS:

Bill 17–The Non-Smokers Health Protection Amendment Act

Mr. Will Cooke, Canadian Cancer Society

Mr. Ronald Guse, Manitoba Pharmaceutical Association

Mr. Murray Gibson, MANTRA – Manitoba Tobacco Reduction Alliance

Bill 28–The Residential Tenancies Amendment Act

Ms. Marianne Cerilli, West Central Women's Resource Centre

Mr. Gordon McIntyre, Winnipeg Rental Network

WRITTEN SUBMISSIONS:

Bill 26–The International Interests in Mobile Equipment Act (Aircraft Equipment)

Mr. Josh Weinstein, Manitoba Bar Association

MATTERS UNDER CONSIDERATION:

Bill 12–The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)

Bill 13–The Renewable Energy Jobs Act

Bill 16–The Consumer Protection Amendment Act (Improved Enforcement and Administration)

Bill 17–The Non-Smokers Health Protection Amendment Act

Bill 26–The International Interests in Mobile Equipment Act (Aircraft Equipment)

Bill 28–The Residential Tenancies Amendment Act

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Clerk Assistant (Mr. Andrea Signorelli): Good evening. Will the Standing Committee on Social and Economic Development please come to order.

Before the committee can proceed with the business before it, it must elect a new Chairperson. Are there any nominations for this position?

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): I'd like to nominate Mr. Nevakshonoff for Chair and Mr. Pettersen Vice-Chair. Oh, just one at a time?

Clerk Assistant: Mr. Nevakshonoff has been nominated. Are there any other nominations?

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

Mr. Chairperson: Okay, our next item of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Bjornson: I'd like to nominate Mr. Pettersen, Flin Flon, for Vice-Chair.

Mr. Chairperson: Mr. Pettersen. Are there any other nominations?

Hearing no other nominations, Mr. Pettersen is duly elected Vice-Chairperson. Congratulations.

This meeting has been called to consider the following bills: Bill 12, The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs); Bill 13, The Renewable Energy Jobs Act; Bill 16, The Consumer Protection Amendment Act (Improved Enforcement and Administration); Bill 17, The Non-Smokers Health Protection Amendment

Act; Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment); Bill 28, The Residential Tenancies Amendment Act.

How does the committee wish to sit this evening?

Some Honourable Members: 'Til it's done.

Mr. Chairperson: It's been proposed that we follow the order of these bills.

Mr. Bjornson: Actually, Mr. Chair, I'd like to suggest that we do indeed go until all bills have been heard, but, given the fact that Bill 13 is the only bill under Innovation, Energy and Mines and bills 12, 16, 17, 26 and 28 all fall under the Minister of Healthy Living and Consumer Affairs, if we could, upon hearing the—conclusion of hearing the presentations, proceed with first Bill 13 and then proceeding with 12, 16, 17, 26 and 28 so that the staff can address Bill 13 for Innovation, Energy and Mines and then proceed from there on.

Mr. Chairperson: Okay, so you're suggesting that we start with the public presentations of Bill 13—

An Honourable Member: For all bills.

Mr. Chairperson: Okay, so it's been proposed that we go through public hearings in order, and then when it comes to discussion of the bills, we would begin with Bill 13 and then go to Bill 12, then 16, 17, 28, and conclude with Bill 26. Is that correct? *[Agreed]*

How long does the committee wish to sit this evening?

Mr. Bjornson: Until conclusion of the bills.

Mr. Chairperson: Sit until we conclude all matters? Is that agreeable? *[Agreed]*

We have a small number of presenters registered to speak tonight as noted on the list of presenters.

On the topic of determining the order of public presentations, I will note that we have some out-of-town presenters in attendance marked with an asterisk on the list. With this consideration in mind, in what order does the committee wish to hear the presentations?

Mr. Bjornson: Please commence with the out-of-town presenters first.

Mr. Chairperson: Is that agreeable to all? *[Agreed]*

Before we proceed with presentations, we do have a number of other items and points of information to consider. First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance to the room.

Also, 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 photocopying, please speak with our staff.

As well, I would like to inform presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members.

Also, in accordance with our rules, 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.

Written submissions: A written submission from Josh Weinstein, Manitoba Bar Association, on Bill 26, has been received and distributed to committee members. Does the committee agree to have the submission appear in the *Hansard* 'transkript' of this meeting? *[Agreed]*

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 have to say the person's name. This is the signal for the *Hansard* recorder to turn microphones on and off.

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

Bill 12—The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)

Mr. Chairperson: We will begin on Bill 12, The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs). Presenter Anton Wagenhoffer, private citizen. Is Mr. Anton Wagenhoffer present? Well, Mr. Wagenhoffer's—right—will drop to the bottom of the list and be called a second time.

**Bill 17—The Non-Smokers Health Protection
Amendment Act**

Mr. Chairperson: Okay, Bill 17, the Non-Smokers Health Protection Amendment Act. Mr. Will Cooke, Canadian Cancer Society.

Good evening, Mr. Cooke. Do you have any written materials for the committee?

Mr. Will Cooke (Canadian Cancer Society): No, just a speech.

Mr. Chairperson: Okay, you may proceed.

Mr. Cooke: The Canadian Cancer Society would like to join with the Manitoba Pharmaceutical Association and the Manitoba Tobacco Reduction Alliance and others, to support Bill 17, The Amendment to the Non-Smokers Health Protection Act, banning tobacco sales in pharmacies, health-care facilities and vending machines.

Cigarettes are a uniquely dangerous and addictive product. They are one of the only products that are lethal when used properly. Working at the Canadian Cancer Society, I'm reminded of the deadly consequences of cigarette smoke every day. Smoking is the leading cause of preventable cancer deaths. They're responsible for 30 per cent of all cancer deaths, including 85 per cent of lung cancer. And lung cancer is the No. 1 cancer killer. This year alone, 900 new cases of lung cancer will be diagnosed in this province and 880 Manitobans will lose their battle with this disease.

As elected members of the Legislature, you too know the impact of smoking. It shows up in the provincial health-care budget every year. The 2010 Krueger report found that smoking costs Manitoba an estimated \$240 million in direct health-care costs. As many of you are aware, Manitoba is one of the last provinces to introduce legislation to ban cigarette sales in pharmacies. Ontario first banned pharmacy sales of tobacco in 1994. Soon other provinces began to follow suit, and now in 2012 Manitoba and British Columbia are the only provinces in Canada where tobacco sales in pharmacies remain legal.

* (18:10)

This bill is a welcome and necessary step in the process to denormalize tobacco use in this province. It will eliminate the inherent contradiction that a lethal product, cigarettes, are being sold in stores where people go to buy medications and products to improve their health. People who visit their pharmacist to fill a prescription for Champix or pick

up a supply of nicotine gum will no longer be faced with the temptation of purchasing cigarettes while there.

Tobacco is already sold in thousands of locations throughout Manitoba. Right now a tobacco licence in Manitoba is available at no cost and there are virtually no restrictions on where it can be sold. Eliminating pharmacies from selling this product is one more way elected officials can help Manitobans lead healthier lives.

We at the Canadian Cancer Society support this important piece of legislation. This year 6,100 Manitobans will receive a cancer diagnosis. Every day eight Manitobans will die from the disease. We ask that all members of the Legislature think about the pain that cancer causes to families in communities throughout Manitoba every day. We urge you to support this legislation. Thank you.

Mr. Chairperson: Thank you, for your—sir. Now we have five minutes for question and answers from the committee, so I open the floor to questions. The Honourable Minister Rondeau.

An Honourable Member: Oh, Myrna can go first.

Mrs. Myrna Driedger (Charleswood): And I thank the minister for allowing me to go first.

Just a question, and thank you very much for your presentation, and on this side of the table, we just want to indicate that we're supportive of the legislation, and just want to ask you if your—if the information I have is the same information you're using, and that is the number of smokers in Manitoba has not gone down since 2002. Would that be an accurate view of smoking in Manitoba?
[interjection]

Mr. Chairperson: Sir, I have to recognize you before you answer: Mr. Cooke.

Mr. Cooke: Thank you, Myrna, for that question. That sounds correct. The percentage of smokers has gone down, but when we're talking actual numbers, due to population increases, the actual numbers of smokers is not much of a decrease. Murray may have some more information on that, as well, but the percentages have gone down somewhat, but the smoking numbers, because of population, haven't gone down actually that much.

Mrs. Driedger: Do you have any sense of why youth smoking is still above the national average? What is it—what more do we need to do to get kids to stop smoking?

Mr. Cooke: Yes. The recent youth smoking survey just came out this past week and it actually showed some very encouraging numbers. It showed that youth smoking was down and it was going down consistently over the course of the last three surveys. And that's great news. So, really, on a national standpoint, according to that survey, we're doing quite well, and I think the province has done some very good things. I think the Review and Rate program, the SWAT teams, the Create and Rate, the mass media campaigns, have all been effective and, you know, education campaigns in general have driven down youth smoking.

And so we think that's a really positive sign. But where we see smoking still is very high is among young adults 19 to 24, and we still overall have one of the highest rates of smoking in Canada. Actually, the highest one was Saskatchewan and Nova Scotia. So there's still a lot of work to be done, but among youth things are looking really good.

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): I'd like to thank you very, very much for your presentation. I'd like to thank you for your assistance on lots of these and your support of things like Create and Rate. I've heard some very positive things from schools about that. I think it's actually getting the kids to give the message, and just wondered what you thought about the new Create and Rate program.

Mr. Cooke: Yes, well, I think it's a very good program. I think when you put the messaging in the hands of youth, they're going to come up with some creative and new ideas, and I—although I have not seen the videos that have resulted from there, have—are they available yet?

An Honourable Member: Yes.

Mr. Cooke: I'm—you know, I think that, along with Review and Rate, and many other things, are really making an impact, and I think the province deserves some credit that youth smoking has gone down.

Mr. Rondeau: Thank you very much, and thank you for your help.

And they are on the website. They've been very positively accepted, and I hear some very positive things in the school because, again, it's the youth giving the message to youth. So that is what seemed to be very successful. So thank you for your help and your guidance on those areas.

Mr. Cooke: Thank you. That's it.

Mr. Chairperson: Seeing no further questions, I thank you for your presentation, sir.

Now call Mr. Ronald Guse or Gusé—Guse—Manitoba Pharmaceutical Association.

Do you have any written materials for the committee, sir?

Mr. Ronald Guse (Manitoba Pharmaceutical Association): Yes, I do. Thank you.

Mr. Chairperson: Are you ready, sir? You may proceed.

Mr. Guse: My name is Ronald Guse. I'm the registrar with the Manitoba Pharmaceutical Association. The Manitoba Pharmaceutical Association is the licencing and regulatory body for the professional pharmacy practice in the province and MPK first began its role in public protection in 1878. On behalf of the Manitoba Pharmaceutical Association, I'm very pleased to speak in favour of the overall concept of Bill 17, The Non-Smokers Health Protection Amendment Act.

In 2002 the council of Manitoba Pharmaceutical Association passed a motion that stated: The association is of the opinion that sale tobacco products is contrary to public health and should not be for sale in pharmacies. In addition, the association is also supportive of any legislative action to prohibit the sale of tobacco sales from pharmacies in the province of Manitoba. Council also strongly encouraged—recommends, sorry—to government that the cost of smoking-cessation programs and products be covered by Manitoba Health when provided by pharmacists. Council reaffirmed this policy and advised the Minister of Health (Ms. Oswald) on June 15, 2009.

In Canada, Manitoba is one of the few remaining provinces that does not have the legislation to prevent the sale of tobacco products from licenced pharmacies. In 1990 the Manitoba Pharmaceutical Association passed a policy to encourage pharmacies to stop selling tobacco products. This volunteer policy resulted in 90 per cent compliance by pharmacists who were in a position to make the decision to move tobacco sales from the pharmacies where they work.

The Manitoba Pharmaceutical Association is on record with the Manitoba tobacco—or, sorry—on record with the 'manitobacco' reduction alliance and the ministry of healthy living, youth and seniors in

support of the legislative removal of tobacco sales from pharmacies.

Any tobacco-use reduction strategy that adds additional restrictions to the access in order to encourage the discontinuance of smoking needs to have corresponding support measures for those that will stop smoking tobacco products as a result of the restrictions. Indeed, part of the motion of the MPhA council many years ago identified this need and it is still pertinent today.

Pharmacists are strategically positioned to speak to patients about their use of tobacco products. Part of the patient profile information gathered at the pharmacy includes questions whether the patient smokes tobacco. The importance of this question is not only to create the opportunity to identify the negative health impacts on the patient, but also is key for the pharmacist to assess the metabolic impact on tobacco smoking. Nicotine and tobacco may either have a synergistic or a counteractive effect on medication taken by the patient resulting in the alteration of the prescribed medication, an example, nicotine causes cutaneous vasal constriction which can result in a decrease in the absorption of insulin for diabetic patients. The chemicals found in tobacco also trigger induction of liver enzymes which can increase metabolism and decrease the effect of certain drugs, such as warfarin.

*(18:20)

This important question about tobacco use provides pharmacists with an in to begin a smoking cessation discussion. Pharmacists throughout Manitoba offer the QUIT program, among others, to help patients stop smoking. In 2006, Manitoba pharmacies have been utilizing this resource made available by the Canadian pharmaceutical association. The QUIT program stands for quit using and inhaling tobacco, and is an online training course that provides pharmacists with additional knowledge, skills, and training needed to introduce a smoking cessation program in their pharmacy. It's a widely peer reviewed—it has been peer reviewed by addiction management experts and pharmacists alike. The QUIT program also addresses intervention, addiction, pharmacol therapy, and patient counselling in relation to smoking cessation. CPhA offers many online resources to support pharmacists, including a tool kit, an online QUIT pharmacy locator for the public, and a forum to learn and share ideas with fellow participating pharmacists.

With the proper tools, knowledge, and support, the pharmacist can play a key role in their patients' successful smoking cessation. Community pharmacy smoking cessation programs are designed to 'provine' pharmacists with the most up-to-date and effective information for the benefit of the patients they serve. Pharmacists are most—are the most successful health-care provider available to the public. The conversation can begin without an appointment, and then follow up with a program designed specifically for the patient that includes continual follow-up. Pharmacists currently play a role in smoking cessation from a population health standpoint. In support of this role, a number of third-party insurance providers recognize the value of these professional services and agree to reimburse pharmacists for these patient-care services.

Many of the smoking cessation programs include non-prescription medication, and these products are readily available at the pharmacy. However, as the pharmacy profession 'prefare'—prepares for the proclamation of the December 2006 pharmaceutical act, the draft regulations will allow pharmacists throughout the province to prescribe a prescription-only smoking cessation medication. This prescription-only medication is now covered through the provincial Pharmacare program, which will be a great asset for those assessed to need the medication but lack the necessary resources to access the medication. We encourage the 'governtive' to continue to make the proclamation of the December 2006 pharmaceutical act a priority.

In closing, Manitoba Pharmaceutical Association is supportive of the efforts of the government of Manitoba to cease the sale of tobacco products from pharmacies, and strongly encourage all efforts to make smoking cessation programs more readily available to those in need. Thank you very much.

Mr. Chairperson: Thank you, Mr. Guse.

The floor is now open.

Mrs. Driedger: Thank you, Mr. Guse, for your presentation. A couple of questions. Regarding Champix, is it a totally safe drug to give?

Mr. Guse: Well, my pharmacology has left me some days ago, but certainly the products on the market are reviewed and approved by Health Canada. All medications have their concerns and dangers; certainly, when they're used improperly. Champix has been proven to be safe in smoking cessation and when used properly.

Mrs. Driedger: Is the proclamation of The Pharmaceutical Act tied up with the proclamation of the registered health professionals act?

Mr. Chairperson: Mr. Guse.

Mr. Guse: Sorry. It's a free-standing, self-standing piece of legislation, and because it was passed in 2006, we've been working since that time to get our regulations prepared. And we have some challenges with that, but we've been working hard to get those regulations in order so that legislation can be proclaimed.

Mrs. Driedger: And I—just a final question on that: When do you expect that that might happen?

Mr. Guse: Well, sometime soon is what we all hope for. Again, I just—I had a meeting this afternoon with the legislative drafting people on Broadway, and we're working our way through the regulations that we drafted. And, as you will well know that we now—once we get to that final document, we'll have to go back to the members and have them approve them once again, and then forward them back to the minister. It's a separate and unique process pharmacists have in the province.

Mr. Rondeau: Thank you, and I'll talk about Bill 17.

I'd like to thank you very much for your support. I'd also like to say thank you very, very much for your proactive action back in 2002 by bringing everyone together and focusing on health. And I would like to encourage you to meet with me in the near future, to see where our next steps are, if you have the chance this summer once you recover from whatever you're—whatever ails you. Is that all right?

Mr. Guse: I would enjoy that very much, Mr. Rondeau. Thank you.

Mr. Rondeau: The other thing is is that if there's other areas in healthy living—I know that you've been focusing a lot on healthy living as far as lifestyles, as far as activity, other things. I know that the call—the profession is really looking at how to drive the whole healthy-living agenda, in addition to the non-smoking. And, if you could just say one or two areas where we could work, that would be absolutely fabulous.

Mr. Guse: Well, I know my time is limited, so some of the high points is—are currently working with our colleagues in the College of Physicians and Surgeons and College of Registered Nurses to position the pharmacists to do—bring that information and

expertise to those practitioners and help benefit patient care and patient safety in that regard.

We're quite involved with the development of Bill 14, around the medication management drug review committee, to name that.

We've been actively involved with developing a program for training pharmacists with 'maitnoyance'—methadone maintenance therapy.

Currently, with The Pharmaceutical Act, one of the challenges we have is the certification of pharmacy technicians, which will bring this a higher level of education and training to those supportive personnel that practice in community and hospital pharmacy, to name a few.

Hon. Jon Gerrard (River Heights): Look forward to when pharmacists will be able to prescribe the prescription-only medication.

I gather—I thought that the regulations had actually been voted on and approved by the Pharmacists Association.

Mr. Guse: Yes they have.

Again, with our process, which is different in—from the balance of the health-care professions, it's the members that have the approval authority of the regulations, not the council.

And the members did prove a draft—or a regulations policy document in October, 2010. We've been working with the legislative unit to craft the words in a manner in which it would be similar or supportive of the other legislation in the province. We are now working with the legislative drafting unit to come to those words as well. But once we finish that process, because it's the members that approve the regulations before they come here, we will have to take that document, again, back to the members and have them consider it and, hopefully, approve it once again.

Mr. Chairperson: Seeing no further questions, sir, I thank you for your presentation.

I now call Mr. Murray Gibson of the Manitoba Tobacco Reduction Alliance.

Good evening, Mr. Gibson. Do you have some written materials?

Mr. Murray Gibson (MANTRA – Manitoba Tobacco Reduction Alliance): No, just some notes.

Mr. Chairperson: You do not. Okay, you may proceed.

Mr. Gibson: Mr. Chairman, members of the standing committee, first of all, let me say thank you for the opportunity we have to come and affirm our support for this most important bill.

We believe the legislation, and I—when I say we, I'm referring to MANTRA, the Manitoba Tobacco Reduction Alliance—believe it is important, and I'll just give you three quick reasons: Number one, is because it addresses a long-standing contradiction; that being, the sale of tobacco in locations where the health of the public is being promoted and where health professions are employed, it sends a very contradictory message.

Secondly, it recognizes that to effectively address the gravest health impacts and the addictive nature of tobacco use, we must also address the supply side. Think about it for a moment, and most of the efforts have been on the other side of marketing, which is the demand side. We have been trying to reduce the demand side. We must also balance that with efforts on the supply side. We cannot have tobacco being sold on every street corner and hope to reduce it, strictly from the demand side.

Thirdly, it demonstrates that the uncontrolled sale of tobacco products through mediums such as vending machines is unacceptable and contradicts the efforts of departments, even though—such as those are responsible for the enforcement of tobacco sales to minors. There is no effective way of controlling that and they shouldn't be allowed.

*(18:30)

We also believe the introduction of the legislation also creates some very important opportunities. It is, first of all, I believe, an opportunity for government departments to work together. It should demonstrate that tobacco reduction is everybody's business. I can't tell you how many years ago I came to a similar committee meeting and I repeated that phrase: Tobacco reduction is everybody's business. It cannot just be the business of Health. It cannot just be the business of Healthy Living. It's everybody's business. So, you—if you have a department that is licensing this product, there must be a connection between that licensing and the aims and goals of Healthy Living. It cannot be that we have licences just indiscriminately given out and then expect Healthy Living to pick up the end results. So government departments must work together.

There's also a tremendous opportunity to enhance tobacco cessation efforts. When the question was asked here tonight about the results that we have today and whether tobacco reduction has been effectively addressed in terms of the numbers, I would have to point out to you that most of the legislation to this point has its primary purpose in protection. The Non-Smokers Health Protection Act, the goal primarily was to protect non-smokers. It was not aimed, first of all, to reduce tobacco use, and so you must make that distinction.

Recently, a—in the United States, they did a little projection. They looked at in the year 2000—this was before 2000—they said what would happen if in the year 2000 we could prevent every young person from starting smoking, and they looked at the morbidity rates; how many people would die? Do you know what's interesting—and I'm going to come back and comment on that—the morbidity rates would not significantly change for at least 35 years. Why is that? Because you have all these people already smoking and so the only effective way to get—and that's a great long-term strategy—the only effective way to do something in the immediate future about the \$526 million that it costs our province annually for tobacco smoking is to—in their mind—was to effectively double our tobacco reduction efforts every six years and then we would see a significant decline in the mortality rates. So we need to significantly work at that side of it.

Over the past four years, I've had the privilege—and that might be a dubious word there—of going from one end of this province to the other, working with workplaces, working with health-care facilities, working with community groups, working with individual communities, both First Nation and non-First Nation groups, talking about tobacco cessation, and it revealed some very important things. One of the things I do want to say is, and I'm going to make this absolutely clear, I think we have a tremendous opportunity—why?—because 75 per cent of the people who smoke want to quit. Contrary to what many people believe, I have seen that happen, just by meeting people. People would like to quit. Oh, not everyone wants to say I'm going to quit right today. It may be a few weeks from now.

I was recently at the ball game during the middle of the day, yes, with a group of young people called SWAT, who work in this province, and it was young people's day there. They invited kids from all over the city to come to that ball game, and we were there, encouraging—yes?

Mr. Chairperson: Sir, you have to speak into the microphone.

Mr. Gibson: Oh, sorry. We were there encouraging young people not to start in the first place and it was tremendous to see. I also had adults and some of them probably teachers coming up and saying: I would like to quit. I had several people say to me: June 1st, I'm going to quit.

There's a real desire out there and we need to make that possible and probable for as many people as possible. A key element in our efforts as we have travelled around the province has been the pharmacist. We have invited them into all of our presentations. They are readily accessible to the community. You do not have to say, go and get an appointment and wait two weeks or three weeks to talk to someone about this. We say go down to the pharmacy. About 40 per cent, as I understand it, of our pharmacists are quit trained. They are especially trained. That's far greater than the number of physicians who have training in this province.

So they are there. They are available to prescribe—not to prescribe but to offer information on non-prescription and prescription medications.

This legislation will place the pharmacist as a key resource in smoking initiatives in our communities without feeling compromised. Three-quarters of the smoking population, as I said, want to quit. We need to turn this piece of legislation into the start of something even better. I would urge you as legislators to support just in one aspect, support the pharmacists in any action that they may take either now or in the future to effectively work in our communities to reduce smoking and the terrible price that every smoker and non-smoker alike pays.

Thank you.

Mr. Chairperson: Thank you, Mr. Gibson.

Open the floor to questions.

Mr. Rondeau: Thank you very much, Mr. Gibson.

I'd like to thank you, your passion and energy hasn't changed since 2003 when we started this journey with the health protection act. So I'd like to thank you.

I just wanted to know, when you're out in the community talking to people about quitting and all the rest, besides working with the pharmacists which is a plan we're doing, what other steps should we be taking out in the community?

Mr. Gibson: There are three things that we need to address: smoking—

Mr. Chairperson: Please speak into the microphone, Mr. Gibson.

Mr. Gibson: Oh, sorry again. Three things we need to address, smoking is a social thing. Look how many people you see getting together outside their buildings, and they're there and have the common thing that they smoke. It's become part of their social gathering and we need to be able to address it in a social sense. So legislation and policy changes and so on, things that effect what happens in a social milieu are very important.

It's also a physiological thing and that's where things like prescription medications and nicotine replacement therapy play a very important role.

But it's also a psychological thing and so we need people who are there to help and support. Think about it, if you smoke a package of cigarettes a day, 200 times a day your hands goes like this and nobody tells you to do it. It just happens. It's a pattern that's built into your brain.

And so we need to address all three of those things and, as I mentioned the pharmacists, who are trained as well to offer counselling, can offer remedies for the physiological part of it. But we, collectively, all of us have a responsible—responsibility for what happens in our social milieu and so things like this legislation are important.

Mr. Rondeau: The other question I have were—Create and Rate was the brand-new thing, and you're in touch with the communities, you're in touch with the kids and all this. I'd like to—it was supposed to get the kids giving the message along with SWAT. I want your honest feedback on the two programs, please.

Mr. Gibson: I'm supportive and MANTRA itself has gone on record as supporting both of those programs. I support Review and Rate because it gives young people and opportunity to say, what is it that we—what is the message we want to hear?

And I'll tell you what it is. The graphic—the more graphic the better. They want it straight on. I went in with a very graphic display at the baseball game. It was mainly about chew tobacco and they come up, one after—and, oh, that's gross. But they pay attention to it, and so Review and Rate has particularly captured them where other messages would maybe not have done that.

In terms of the SWAT team, I was with two university students who are a part of the STEP program who were graduates of the SWAT team and are continuing that on—and I'm hoping will continue it into our universities and bring about some changes there. But they were there and they were doing some great work with their demonstrations and also in talking to young people. We need mentorship programs and I would say this no more—the most important aspect where we need that is within our First Nations communities. We need some role models who are willing to step forward. You have communities like Norway House which we often see as a prime example of some very good things, telling me on an anecdotal basis that they believe 70 per cent of their population smokes. We need people on the ground who are equipped to meet that head on in their community. And by the way, SWAT is now going into and are making arrangements to go into some of our First Nations communities.

Mr. Gerrard: I just want to say thank you for your efforts over many years and improving the health of people in Manitoba.

You've commented about the situation in communities like Norway House, and just wondered if you had any additional recommendations, in that respect.

Mr. Gibson: My recommendation would be that we really need to spend some concentrated, quality time with a few key individuals. We need champions there. It's not enough for us to go in, do our visit and leave again. We need to build sustainability and champions on the ground and that's the only way it's going to work because it needs to come from First Nations people as well.

* (18:40)

Mrs. Driedger: Thank you, Mr. Gibson, for all the years that you've been putting into this effort and, indeed, I think it is MANTRA's involvement here in Manitoba that is helping to see us move forward. I guess you'd probably wish and I wish it, too, that things would move a little bit faster than what they do, but I guess there is some movement going forward.

I want to let you know that we support this legislation. I guess it's a little disappointing to hear that it's only BC and Manitoba that are still, you know, where we are, but I'm glad we're at least getting there now. And I, too, just want to echo your comments that pharmacists are a very valuable group

out there and I'm, you know, I believe that they are a valuable resource and we can better utilize our pharmacists a lot more than what we have and use them to full scope and practice. And this is certainly one of the areas that I think could make a very, very big difference.

So, just a comment, you know, and thank you for your work in this area because I do believe MANTRA's certainly a driving force in this.

Mr. Gibson: Thank you.

Mr. Chairperson: Final word to you, Mrs. Driedger—or Mr. Gibson.

Mr. Gibson: I was just going to say I haven't lost a lot of hair over this, but I have gone grey doing it. So, you know, my wife has a little motto up in her shop, and it's about a pelican trying to swallow a fish and someone's got his hands around its throat; it says, I never give up. So thank you for allowing me to be here and to not give up.

Mr. Chairperson: Thank you for your presentation.

Bill 28—The Residential Tenancies Amendment Act

Mr. Chairperson: Now, move on to Bill 28, The Residential Tenancies Amendment Act. I call Ms. Marianne Cerilli of the West Central Women's Resource Centre. Hello, Marianne. Long time no see.

Marianne, do you have—Mrs.—Ms. Cerilli, do you have any written materials for the committee?

Ms. Marianne Cerilli (West Central Women's Resource Centre): I don't. I'm just going to speak to you for 10 minutes, approximately.

Mr. Chairperson: Okay, you may proceed.

Ms. Cerilli: I welcome the chance to speak to the amendment to The Residential Tenancies Act. I think this is the second amendment in a little while and the second time, though, that the community really was not aware that the amendments were coming. So we really want to encourage you to work with the many organizations that are supporting tenants and working with landlords and trying to address the crisis that we have in our rental housing sector.

I just want to explain a little bit about what I've been doing for the last six years at the West Central Women's Resource Centre. I run a program for women in housing crisis, women and their families. We work with approximately 200 women a year and we help them with eviction prevention. We help

them find housing. We help them get repairs in their housing and we help them move from the streets or shelter into housing, and I can tell you that it's getting more and more difficult to do that. And while I think the amendments that we're looking at tonight are supportable, there's nothing objectionable about these amendments. The thing is we have to do a lot more in a lot of these areas that the amendments cover.

So I'm surprised there are no landlords here tonight or property owners that are speaking to the bill because the amendment that's going to require forms to be used to terminate a tenancy, I think, are going to throw a few smaller landlords for a loop. I think that there will be some smaller landlords who aren't used to this that are going to find that they're probably going to have some difficulty with evicting some tenants because they're not using proper forms and they'll have to go back and probably take a bit longer to do that. And we realize that in some cases, you know, there are tenants that aren't keeping up their end of the bargain in a tenancy. So we just want to flag that.

I should say, as well, as part of my role I also chair the steering committee for the Winnipeg Rental Network, and we're going to hear another presentation from them shortly, and our network does try and work with both landlords and tenants in the interests of both.

Waiving the filing fees and putting that in legislation that there is the ability to waive filing fees for people to go through the residential tenancies process, that's a good move. The majority of people that we work with are struggling, and we now have employment and income assistance will reimburse fees so—but we often have to make sure that that happens—similarly with waiving, the ability to waive late payment fees.

One of the things that the bill does that's really a positive thing is to start regulating the service packages that some tenants get. So, being able to have a lease to include that service package, whether it's meals or programming, that's a very positive thing. We know that there needs to be some standards, and they need to be some guarantee that when someone signs a lease and there's an inclusive—inclusion of having all sorts of things, whether it's access to a recreation room or a common room or meal program, that those things are actually going to be delivered to some kind of a standard, and that if there's changes in those programs, that people are

going to see a reduction in their rent. So that's all positive.

The other thing that we really support is clarifying the termination of tenants with school-aged children. This is something that often is confusing for landlords, and for tenants and we're glad to see that this is being kept in place.

Mr. Vice-Chairperson in the Chair

You know, a number of times we've had to take women and their children to shelters during the school year because this provision isn't well understood; it's not followed. Tenants often don't know how to make sure that they are going to be able to stay in their housing until the end of the school year. So that's a positive thing.

The other area that we have some question—the one provision—is where you're changing the requirement for a tenant to object to the regular rent increase that's based on the rent control guideline. And I understand that there may be some tenants that just routinely object to those regular yearly rent increases, and it's reasonable that they would have to give an explanation. And I think often those explanations will be the landlord isn't keeping up the property and that's why they're objecting to the rent increase, and they'll simply be redirected to make a complaint and then have to go for a repair order.

And while I think that it's reasonable to do this, at the same time what I want to talk about now is the increase in the amounts of rents that are being charged, and how this one thing is going to, I think, allow even more rents to be increased without repair requirements, because I think now a lot of tenants will—it takes a lot of work for tenants to go to the—through the residential tenancies process and having this step where they have to do more paperwork and explain the objection, you know, we want to encourage tenants to make sure that what they're paying for is a safe, secure home. And I'm just concerned that this seems to be suggesting that, you know, the tenants may not have the right really to complain about a rent increase. And we just want to make sure that it's clear to tenants that they do have the right to object, even when it's a rent increase that's the regular rent control guideline amount.

The last point that I want to make is related to the requirement for tenants to get the right of first refusal. We know that there's a lot of renovation and condo conversion going on. We're losing a lot of our affordable rental stock. So this is a really important

provision, to make sure that tenants, when they are being asked to move out because there's a major renovation, that they're told what the rents are going to be projected when the renovation is complete, so they can decide at that front end if they want to try and exercise the right of first refusal and keep that unit or if they can decide at that time that they're going move.

And I like the provisions in there that have some teeth. There's a penalty so that if the landlord doesn't accurately project the rent that there's going to be some compensation for the tenant. So that's a very good provision.

In terms of the bottom line, though, people can't make money off of housing people who are poor and that's really what this is about, is we're trying to regulate a market that has become very slanted towards the landlords. It's definitely a landlords' market out there. Tenants are having a very hard time finding affordable housing and one of the things is that employment and income assistance is a big part of the problem, and I'm pleased to see the new minister is here.

*(18:50)

You know, I was looking at how much wages have gone up under this government for minimum wages and for other professionals. So minimum wages have gone, since 1999, from \$6 to \$10 this year, which is great. That's a 60 per cent increase. If the employment and income assistance rate for rent had gone up that amount, people would be receiving \$475 as an individual for rent. Do you know what they're getting now? It's still only \$285 a month.

So what we're seeing is there's over 97,000 people in Manitoba who are earning \$10 an hour or less for their rent—or for their income, and there has to be a more—more effort to not only work at the rent control side, but also at increasing the incomes for people who are at the lowest end of our earning scale. So, the average rent has gone up 42 per cent since 2006 and 30 per cent of Manitobans can't afford housing in our province. And you have to earn over \$30,000 a year to be able to afford rent, so people that are earning \$10,000 a year or less, the rent they can afford to pay is \$250 a month; that's the 30 per cent of their income. You will not find housing anymore for \$250 a month. You won't find a rooming house. Rooming houses with just a bedroom and use of a kitchen and a bathroom are now \$400 a month.

So we haven't allowed the cost of the—of wages and incomes for pensioners and others who are on a fixed income, to keep up with that cost of living. And so, we need to have more shelter subsidy programs, but we also really need to look at those employment and income assistance rates.

Mr. Vice-Chairperson: I'm sorry. Excuse me, Ms. Cerilli, your 10 minutes is up. I was wondering if the committee will allow her to continue.

Ms. Cerilli: I'll just wrap up with one more thing.

So what I'm also wanting—what I really wanted to come and make a presentation on the bill tonight is because, while you're opening up The Residential Tenancies Act for these amendments, I would really urge you to look at one thing that's completely unregulated that's happening.

So, because the vacancy rate is so low and competition for apartments is so high, what landlords and property managers are doing is they're charging an application fee. That's a fee that people have to pay just when they're filling in an application to rent an apartment. And what's happening is people on fixed income don't have access to a chequing account and can't make multiple cheques on multiple apartments to try and secure a unit. And it's becoming—it's competitive as buying a house, really, these days, to get an apartment. So currently, The Residential Tenancies Act only deals with tenancies that are in place—so once a lease is signed or someone is actually living and paying for a unit. That whole period of the application process is completely unregulated and there's a lot of discrimination that's happening for lower income renters, particularly those on social assistance, who are—have—are completely not being able to apply for apartments, because they can't come up with that upfront cheque to put with their application.

So thanks very much for your attention and I'll answer any questions if you have any.

Mr. Vice-Chairperson: Yes, thank you, Ms. Cerilli, for your presentation, and now we'll take questions from the floor.

Mr. Rondeau: Thank you very much, Ms. Cerilli. It's a pleasure to hear your advocacy in this issue.

Just as a new minister of residential tenancy, can you elaborate in—a little bit about what you'd like to see on this application fee, and what you'd think would be reasonable in a process.

Ms. Cerilli: I think that the act needs to be expanded, so it would be moving into a new area, so that there is—it would be considered that there is a contract that's being entered into when there is an application. So there needs to be a new section in the act that deals with the application for tenancy, and you need to make sure that people aren't being discriminated against based on their source of income or their social condition.

I understand the government's also been looking at changing the Human Rights Code, which is where you have to go with these issues. If you feel like, as a person on social assistance, you're not being treated fairly in the application process, you have to make an appeal to the Human Rights Commission. So I think we need to bring that under The Residential Tenancies Act.

Mr. Rondeau: Do you have any other suggestions on how we might make it? Because we do have this difficulty with, specifically, people who have chequing accounts who can't afford two deposits, who can't afford to compete for this, and we're aware of that. Do you have any suggestions in that area where people are putting two damage deposits down, or being pushed to do that?

Ms. Cerilli: As I understand it now, there is—that a landlord or property manager can't cash the cheque unless that tenant gets the unit. However, landlords won't look at an application if there's not a cheque attached to it. So that's the issue.

So, while those cheques may not be cashed, people on social assistance can't get multiple cheques, and they have to have a rent form with each application. So—and their worker has to approve that rent amount, which is another big problem, as you know. So the rent amount in many cases isn't approved, because they have to start using their living allowance and food money and their child tax and all that to pay for their rent.

Mr. Rondeau: Hopefully, you'll have time this summer for coffee. We'll chat more. Thank you.

Mr. Gerrard: Yes, like you, I've been pushing for increased funding for the shelter allowance for those on income assistance programs. Now, you mentioned that your view is that that should have gone up to something like \$475 a month instead of \$285. At that level, would people be able to find accommodations more easily?

Ms. Cerilli: That's approximately what an average one-bedroom apartment is now.

However, what we've also encouraged the government to look at is somehow indexing the social assistance rent rate with the rent control guideline or the rent regulation guideline. So, over the years, probably since about 1999, the rent control guideline has allowed rents to go up by about 30 per cent while the social assistance rent allowance has been flat. So I think there's other—there are other groups now advocating that it become 75 per cent of the median market rent.

So, because when you look at all the different family sizes for employment income assistance, and needing, you know, two or three or four bedrooms, it gets more complicated so—to figure out how to index it. But that—I think that's very reasonable. The government is already regulating the rent control guideline, so I'd be really happy the opposition parties support that so that there could be increased revenue for people to be able to afford the market rent.

Mr. Dennis Smook (La Verendrye): I didn't have any questions for Ms. Cerilli. I just want to comment and thank her for her presentation and bringing some extra facts to the awareness of this committee. Thank you.

Mr. Vice-Chairperson: Now we'll ask for the next presenter, Gord McIntyre from the Winnipeg Rental Network. Mr. McIntyre—oh, you have some handouts to get out? Great.

Mr. McIntyre, continue.

Mr. Gordon McIntyre (Winnipeg Rental Network): Thank you for the opportunity to speak to you on Bill 28. My name's Gordon McIntyre. I'm the co-ordinator for the Winnipeg Rental Network.

The Winnipeg Rental Network is an online resource hub and a free listing service for affordable rental accommodations in the city of Winnipeg. The network itself is a broad coalition of social service agencies and housing providers who seek to collaborate on solutions to the lack of affordable rental housing in Winnipeg. The WRN itself is not a housing provider.

On behalf of the Winnipeg Rental Network, I'm here today to speak in favour of Bill 28 with one proposed friendly amendment to section 122 of the act, and I will spend most of my presentation on that section.

* (19:00)

There are a number of amendments in this bill that we feel are important additions and clarifications to the act. The WRN supports the changes to section 68(3) through to 68(5) as they relate to the rehabilitation schemes. These changes will provide more transparency for tenants when faced with the decision of first right of refusal that will allow them to retain their original rental unit after rehabilitation. Conversely, the amendment will also provide some recourse for those tenants who feel they were misled on the new rental price.

Other amendments that we are pleased to support include: that landlords are required to use prescribed forms when terminating tenancies that clearly lay out important information about tenant rights; that the RTP-RTB can waive filing fees in certain situations—this will be of particular help for people on fixed incomes; that there is improved structure around tenant service charges; and clarifying the rights and obligation of tenants and landlords in regard to—in regards to termination of tenancy during the school year.

With regard to tenant's objection to rent increases that at—that are at or below the guideline, section 121, we are generally in favour of the amendment as presented. We recognize that some landlords can be taken advantage of by tenants that know how to use the system or by tenants that may only be reacting to an ongoing, unresolved dispute. We also recognize that the director can request financial statements and that such a process can be costly in terms of time, effort and expense to the landlord. In some cases the amendment should allow the RTB to pinpoint the problem between the tenant and landlord, resolve it while allowing the landlord to claim the rent increase that is permitted under the rent regulation.

The point of concern that the WRN has with the amendment is clause 122(1)(a). This clause refers the director—refers to the director and changes the sentence the reads, quote, shall inquire into the matter. End of quote. And it's changed to: shall consider the tenant's objection. This change from shall inquire to shall consider is significant. We recognize that this change will allow the director more flexibility on how to deal with the tenant's objections. This will be important to help deal with issues such as those I just mentioned like unresolved disputes.

However, there will be objections that will need to be taken very seriously. In particular, we are

concerned about objections where the tenant will complain and will provide detail that, for example, the landlord never fixes anything or never does anything. Such objections may come from renters who are not familiar with the role of the RTB and may have never before complained to the branch. Here we're particularly concerned about slum landlords and their ability to avoid their obligations in the rental housing market.

As we all know, the RTA falls under the ministry of Consumer Affairs for good reason, to protect renters in the rental housing market. Consumer protection in Canada is a cornerstone of our economy and it is always vigorously defended. Yet, sadly, when it comes to low-income rental housing there is a tendency to turn a blind eye to the many infractions found among the slum landlord properties.

We would like to see a more—we would like to see more proactive involvement from bylaw enforcement and from the RTA legislation. For this reason we propose an addition to the section 122(1)—sorry, yes, 122(1)—to read that the director, after considering the tenant's objection may inquire into any contravention of the obligation to repair under subsection 59(1). This addition would be similar to an existing requirement under section—under the current section 125(3)(e), a provision for tenants who are objecting to rent increases that are above the guideline. So the different—the other class of tenants.

Just generally, a description of 125(3)(e) reads that any finding by the director that the landlord is in contravention of the obligation to repair under subsection 59(1). By including this consideration, equal and fair treatment is established in the act between those renters who legitimately have objections to rent increases at or below the guidelines, with those renters who are objecting to increases above the guideline.

Without this proposed change for section 122(1), the director could consider the renter's objection and take action by ordering the landlord to file material respecting the rent increase, i.e., financial records, but if the landlord ignores the request and foregoes the rent increase, as is often the case now, then nothing will change for the tenant in this circumstance.

In closing, I would like to thank the members for bringing forward this legislation, and I'd like to thank you for the opportunity to speak towards it.

Mr. Vice-Chairperson: Thank you, Mr. McIntyre, for your presentation.

Now we'll take questions from the floor.

Mr. Rondeau: Thank you very much, Mr. McIntyre. Thank you for a very well-thought-out presentation. We'll consider the suggestions that you've made. One of the things we will continue to do is look at this area, continue to try to make improvements. I'll look at your suggestions and see what we can do in the future, and if you have any suggestions, I'd be pleased to have a chat with you in the future because I think what we want is a good, stable rental market with reasonable accommodations for all.

So that's our goal, that's your goal, and I think we can work together and get some ideas in how we can improve that.

So thank you very, very much for your presentation.

Mr. Chairperson in the Chair

Mr. Chairperson: Who's up? Mr. Smook?

Mr. Smook: I had no questions for you. I'd just like to thank you for your presentation.

Mr. Chairperson: Okay, seeing no further questions, sir, I thank you for your presentation.

For the second time, I call Mr. Anton Wagenhoffer. Mr. Wagenhoffer present? Seeing that he is not, Mr. Wagenhoffer will be dropped from the list.

That concludes the list of presenters I have before me. Are there any other persons in attendance who wish to make a presentation?

Seeing none, that concludes public presentations.

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

Okay, we'd already agreed, I think, to the order, and we're going to begin with Bill 13, The Renewable Energy Jobs Act.

Bill 13—The Renewable Energy Jobs Act

Mr. Chairperson: During the consideration of a bill, the table of contents, the preamble, the enacting clause and the title are 'prostituted' until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

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

Does the minister responsible for Bill 13 have an opening statement?

Hon. Dave Chomiak (Minister of Innovation, Energy and Mines): No, thank you, Mr. Chairperson.

Mr. Chairperson: Does the critic from the official opposition have an opening statement?

Mr. Cliff Cullen (Spruce Woods): It sounds like committee's running smoothly tonight, so I won't make any comments on this particular legislation at this point in time, but we will certainly look forward into the future to see how successful this piece of legislation will 'beel'—will be here in the province of Manitoba. Thank you.

Mr. Chairperson: Thank you, Mr. Cullen.

Clause 1—pass; clauses 2 through 5—pass; clauses 6 through 8—pass; table of contents—pass; Bill be reported.

* (19:10)

Bill 12—The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)

Mr. Chairperson: Now move on to Bill 12, The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs). Does the minister responsible for Bill 12 have an opening statement?

Mr. Rondeau: No, I don't, thank you.

Mr. Chairperson: We thank the minister.

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

Mr. Smook: No, I don't.

Mr. Chairperson: I thank the member.

Clauses 1 and 2—pass; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 16—The Consumer Protection Amendment Act (Improved Enforcement and Administration)

Mr. Chairperson: Now move on to Bill 16, The Consumer Protection Amendment Act (Improved Enforcement and Administration).

Does the minister responsible for Bill 16 have an opening statement?

Mr. Rondeau: No, I don't, Mr. Chair.

Mr. Chairperson: Thank you, Minister.

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

Mr. Smook: No. I do not—again, no, I don't, Mr.—

Mr. Chairperson: I thank the member.

Clauses 1 and 2—pass; clauses 3 through 6—pass; clauses 7 through 9—pass; clauses 10 through 13—pass; clauses 14 and 15—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 17—The Non-Smokers Health Protection Amendment Act
(Continued)

Mr. Chairperson: Move on to Bill 17, The Non-Smokers Health Protection Amendment Act.

Does the minister responsible for Bill 17 have an opening statement?

Mr. Rondeau: No, I don't, Mr. Chair.

Mr. Chairperson: Thank you, Mr. Rondeau.

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

Mrs. Driedger: No, I don't.

Mr. Chairperson: Thank you, Mrs. Driedger.

Clauses 1 through 3—pass; clauses 4 through 8—pass; clause 9—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 26—The International Interests in Mobile Equipment Act (Aircraft Equipment)

Mr. Chairperson: Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment). Does the honourable minister have an opening statement?

Mr. Rondeau: No, I don't, Mr. Chair.

Mr. Chairperson: Thank you, Minister Rondeau.

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

Mr. Smook: No, I don't.

Mr. Chairperson: Thank you, Mr. Smook.

Clause 1—pass; clauses 2 through 5—pass; clauses 6 through 9—pass; clauses 10 through 13—pass; schedule A—pass; schedule B—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 28—The Residential Tenancies Amendment Act
(Continued)

Mr. Chairperson: Move on to Bill 28, The Residential Tenancies Amendment Act.

Does the minister responsible for the bill have an opening statement?

Mr. Rondeau: No, I don't, Mr. Chair.

Mr. Chairperson: Thank you, Minister Rondeau.

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

Mr. Smook: No, I do not.

Mr. Chairperson: Thank you, Mr. Smook.

Clauses 1 through 3—pass; clauses 4 through 7—pass; clauses 8 through 10—pass; clauses 11 through 13—pass; clause 14—pass; clause 15—pass; clause 16—pass; clause 17—pass; clauses 18 and 19—pass; clauses 20 through 24—pass; clauses 25 through 27—pass; clauses 28 through 30—pass; enacting clause—pass; title—pass. Bill be reported.

That concludes all matters before the committee.

What is the will of the committee?

Some Honourable Members: Rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 7:16 p.m.

WRITTEN SUBMISSIONS

Re: Bill 26

The Manitoba Bar Association (MBA) is the organization that acts as the voice of this province's lawyers and other legal professionals. Currently the Association has approximately 1,300 members.

The MBA wishes to thank the Government and other parties for introducing this legislation.

The Cape Town Convention creates a global registry system for financing aircraft. It provides lenders and lessors with greater certainty of priority, and uniform realization remedies. Companies who operate aircraft in jurisdictions where Cape Town is

in force should be able to get better rates and more financing choices.

Canada has adopted Cape Town, but because of our constitutional division of powers, the Provinces have to pass legislation too. Most already have. With Bill 26, Manitoba will be able to "go live" with Cape Town when the Federal Government brings its legislation into force.

Canada's, and Manitoba's adoption of the Cape Town Convention has broad support in the aviation, financial and legal communities.

Josh Weinstein
President
The Manitoba Bar Association

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/index.html>