

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:

Your Standing Committee on LEGISLATIVE AFFAIRS presents the following as its Sixth Report.

Meetings:

Your Committee met on Thursday, June 2, 2005 at 6:30 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 9)** – The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba
- **Bill (No. 11)** – The Provincial Court Amendment Act (Justices of the Peace)/Loi modifiant la Loi sur la Cour provinciale (juges de paix)
- **Bill (No. 24)** – The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses)
- **Bill (No. 37)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale
- **Bill (No. 38)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

Committee Membership:

Your Committee elected Mr. SWAN as Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Mr. GOERTZEN for Mr. SCHULER
- Mrs. MITCHELSON for Mrs. TAILLIEU
- Mr. SWAN for Mr. JENNISSEN
- Hon. Mr. SMITH for Hon. Ms. MELNICK
- Mr. DEWAR for Hon. Ms. ALLAN
- Mr. DYCK for Mrs. MITCHELSON

Public Presentations:

Your Committee heard 1 presentation on **Bill (No. 9)** – The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba, from the following organization:

Dr. Keith Hildahl

Manitoba Centennial Centre Corporation

Your Committee heard 5 presentations on **Bill (No. 38)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, from the following individuals and / or organizations:

Martin Boroditsky

Private Citizen

Walter Trafton

Gateway Enterprises Ltd.

Shaun Parsons

Professional Property Managers Association

Brian Pannell

Housing Coordinator – Young United Church

Dave Angus

Winnipeg Chamber of Commerce

Written Submissions:

Your Committee received 1 written submission on **Bill (No. 24)** – The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses), from the following organizations:

Paul Griffin

Canadian Bankers Association

Written Submissions:

Your Committee received 1 written submission on **Bill (No. 37)** – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale, from the following organization:

Ron Bell

Association of Manitoba Municipalities

Bills Considered and Reported:

Bill (No. 9) – The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba

Your Committee agreed to report this Bill, without amendment.

Bill (No. 11) – The Provincial Court Amendment Act (Justices of the Peace)/Loi modifiant la Loi sur la Cour provinciale (juges de paix)

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

THAT the proposed subsection 65(3), as set out in Clause 9 of the Bill, be amended by replacing the first sentence with the following:

When holding a hearing to adjudicate a charge against a judicial justice of the peace, the hearing judge has the same powers that the council has when it adjudicates a charge against a judge.

Bill (No. 24) – The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses)

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

THAT Clause 3(2) of the Bill be amended in the proposed definition "non-interest finance charge" by adding "if the borrower is not a beneficiary of the insurance," after "title insurance" in the part before clause (a).

THAT the proposed clause 4(3)(a), as set out in Clause 6 of the Bill, be amended by adding " — other than a Crown corporation or agency prescribed by regulation — " after "agency".

THAT the proposed clause 14(2)(b), as set out in Clause 6 of the Bill, be amended by striking out "a credit card" and substituting "open credit".

THAT the proposed subsection 35.9(2), as set out in Clause 6 of the Bill, be amended by adding "unauthorized" before "use".

THAT Clause 6 of the Bill be amended by adding the following after the proposed subsection 45(3):

Notice to persons other than the borrower

45(4) In addition to giving a notice to the borrower under subsection (2) or (3), the credit grantor must, at least 20 days before selling the collateral, give a copy of the notice to each person who

(a) has registered a financing statement in relation to the collateral in the registry established under *The Personal Property Security Act*; or

(b) has an interest in the collateral and has given written notice of that interest to the credit grantor.

THAT the proposed subsection 51(3), as set out in Clause 6 of the Bill, be amended

(a) in the section heading, by striking out "to borrower"; and

(b) in the part after clause (c), by striking out "to the borrower" and substituting "in accordance with subsections 60(2) and (4) of The Personal Property Security Act".

Bill (No. 37) – The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

Your Committee agreed to report this Bill, without amendment.

Bill (No. 38) – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

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

THAT Clause 12 of the Bill be amended by renumbering it as subclause 12(2) and by adding the following as subclause 12(1):

12(1) Clause 116(2)(c) is amended by striking out "clause 134(2)(b)" and substituting "subsection 134(2)".

THAT Clause 19(2) of the Bill be amended

(a) in the heading, by striking out "8, 15 and 17(1)" and substituting "7, 14 and 16(1)"; and

(b) in the subsection, by striking out "8, 15 and subsection 17(1)" and substituting "7, 14 and subsection 16(1)".

Submitted by,

Mr. Daryl REID, Chairperson
June 2, 2005