

## TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on JUSTICE presents the following as its First Report.

### Meetings

Your Committee met on August 7, 2013 at 6:00 p.m. in Room 255 of the Legislative Building.

### Matters under Consideration

- **Bill (No. 8)** – The Provincial Court Amendment Act/Loi modifiant la Loi sur la Cour provinciale
- **Bill (No. 10)** – The Correctional Services Amendment Act/Loi modifiant la Loi sur les services correctionnels
- **Bill (No. 16)** – The Department of Justice Amendment Act/Loi modifiant la Loi sur le ministère de la Justice
- **Bill (No. 21)** – The Highway Traffic Amendment Act (Impoundment of Vehicles — Ignition-Interlock Program)/Loi modifiant le Code de la route (mise en fourrière des véhicules — programme de verrouillage du système de démarrage)
- **Bill (No. 23)** – The Highway Traffic Amendment Act (Increased Sanctions for Street Racing)/Loi modifiant le Code de la route (sanctions accrues en matière de courses sur route)
- **Bill (No. 25)** – The Statutory Publications Modernization Act/Loi sur la modernisation du mode de diffusion des publications officielles
- **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public
- **Bill (No. 38)** – The Provincial Offences Act and Municipal By-law Enforcement Act/Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux

### Committee Membership

- Mr. ALLUM
- Mr. ALTEMEYER
- Hon. Mr. BJORNSON
- Mr. CALDWELL
- Ms. CROTHERS
- Mr. DEWAR
- Mr. EICHLER
- Mr. HELWER
- Mr. MAGUIRE
- Hon. Mr. SWAN
- Mr. WISHART

Your Committee elected Mr. ALLUM as the Chairperson.

Your Committee elected Ms. CROTHERS as the Vice-Chairperson.

Substitutions received during committee proceedings:

- Mr. BRIESE for Mr. MAGUIRE

### Public Presentations

Your Committee heard the following six presentations on **Bill (No. 36)** – The Public Guardian and Trustee Act/Loi sur le tuteur et curateur public:

Kerry Anderson	Private Citizen
Margaret Anderson	Private Citizen
Bertha Travers	Private Citizen
Jeff Sinclair	Private Citizen
Daryl Wallman	Private Citizen
Errol Pinnock	Private Citizen



(a) in the definition "by-law enforcement officer", by adding ", and includes a designated employee or officer under *The Planning Act*" at the end;

(b) in the definition "municipality", by adding "and a planning district under *The Planning Act*" at the end.

THAT Clause 3 of Schedule B to the Bill (*The Municipal By-law Enforcement Act*) be amended by adding the following after subsection 3(3):

**Authority of planning districts**

**3(3.1)** In addition to requiring administrative penalties to be paid in respect of the contravention of its own by-laws, a planning district may require penalties to be paid under this Act in respect of the contravention of the by-laws of its member municipalities referred to in section 14 of *The Planning Act*.

THAT Clause 6(3) of Schedule B to the Bill (*The Municipal By-law Enforcement Act*) be amended by adding "if it has one or, if not, the vehicle identification number" at the end.

THAT Clause 8 of Schedule B to the Bill (*The Municipal By-law Enforcement Act*) be replaced with the following:

**Limitation period — one year**

**8** A penalty notice may not be issued more than one year after the designated by-law contravention for which it is issued is alleged to have occurred.

THAT Clause 27(3) of Schedule B to the Bill (*The Municipal By-law Enforcement Act*) be amended in the proposed section 178.1 of ***The City of Winnipeg Charter*** by striking out everything after clause (b) and substituting "may not be enforced under *The Summary Convictions Act*."

THAT Clause 28(3) of Schedule B to the Bill (*The Municipal By-law Enforcement Act*) be amended in the proposed subsection 236(3) of ***The Municipal Act*** by striking out everything after clause (b) and substituting "may not be enforced under *The Summary Convictions Act*."

Submitted by,

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Mr. James ALLUM, Chairperson  
August 7, 2013