

STANDING COMMITTEE ON HUMAN SERVICES

May 17, 2005

MINUTE NO. 20

3:30 p.m. – Room 8

1. **Present:** Ms. Junor in the Chair and Members Borgerson, Chisholm*, Crofford, Elhard, Hagel, Morgan* and Toth.

Substituting Members

Mr. Morgan for Mr. Merriman

Mr. Chisholm for Mr. Elhard (for consideration of Bills No. 102, 110 only)

2. The committee considered Bill No. 116 - The Osteopathic Practice Repeal Act.

The following Department of Health Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. John Nilson, Minister

Lois Zelmer, Director, Health Services Policy and Legislation, Policy and Planning

Cathy Dermody, Health Professions Consultant, Policy and Planning

3. The questions being put on clauses 1 to 3, they were agreed to.
4. It was moved by Mr. Elhard:

That this committee report Bill No. 116 - The Osteopathic Practice Repeal Act - without amendment.

The question being put, it was agreed to.

5. The committee considered Bill No. 108 – The Business Corporations Amendment Act, 2005.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister

Philip Flory, Director, Corporations Branch, Courts and Civil Justice

Tim Epp, Crown Counsel, Legislative Services, Public Law

6. The question being put on clauses 1 to 19, they were agreed to.
7. It was moved by Mr. Hagel:

That this committee report Bill No. 108 – The Business Corporations Amendment Act, 2005 - without amendment.

The question being put, it was agreed to.

8. The committee considered Bill No. 113 - The Non-profit Corporations Amendment Act, 2005 /
Projet de loi n^o. 113 - Loi de 2005 modifiant la Loi de 1995 sur les sociétés sans but lucratif

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister
Philip Flory, Director, Corporations Branch, Courts and Civil Justice
Tim Epp, Crown Counsel, Legislative Services, Public Law

9. The question being put on clauses 1 to 20, they were agreed to.
10. It was moved by Ms. Crofford:

That this committee report Bill No. 113 - The Non-profit Corporations Amendment Act, 2005 /
Projet de loi n^o. 113 - Loi de 2005 modifiant la Loi de 1995 sur les sociétés sans but lucratif -
without amendment.

The question being put, it was agreed to.

11. The committee considered Bill No. 112 - The Provincial Court Amendment Act, 2005.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister
Ron Kruzeniski, Public Guardian and Trustee
Darcy McGovern, Crown Counsel, Legislative Services, Public Law

12. The question being put on clauses 1 to 3, they were agreed to.
13. It was moved by Mr. Borgerson:

That this committee report Bill No. 112 - The Provincial Court Amendment Act, 2005 -
without amendment.

The question being put, it was agreed to.

14. The committee considered Bill No. 111 - The Small Claims Amendment Act, 2005 / Projet de loi
n^o. 111 - Loi de 2005 modifiant la Loi de 1997 sur les petites créances.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister
Ron Kruzeniski, Public Gardian and Trustee
Darcy McGovern, Crown Counsel, Legislative Services, Public Law

15. The question being put on clauses 1 to 27, they were agreed to.

16. It was moved by Mr. Toth:

That this committee report Bill No. 111 - The Small Claims Amendment Act, 2005 / Projet de loi n°. 111 - Loi de 2005 modifiant la Loi de 1997 sur les petites créances - without amendment.

The question being put, it was agreed to.

17. The committee considered Bill No. 102 - The Mandatory Testing and Disclosure (Bodily Substances) Act.

The following Department of Justice Minister and official appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister

Darcy McGovern, Crown Counsel, Legislative Services, Public Law

18. The question being put on clauses 1 to 22, they were agreed to.

19. It was moved by Mr. Toth:

That this committee report Bill No. 102 - The Mandatory Testing and Disclosure (Bodily Substances) Act - without amendment.

The question being put, it was agreed to.

20. The committee considered Bill No. 110 - The Seizure of Criminal Property Act.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister

Murray Sawatsky, Executive Director, Law Enforcement Services, Community Justice

Darcy McGovern, Crown Counsel, Legislative Services, Public Law

21. The question being put on clauses 1 to 27, they were agreed to.

22. It was moved by Mr. Chisholm:

That this committee report Bill No. 110 - The Seizure of Criminal Property Act - without amendment.

The question being put, it was agreed to.

23. The committee considered Bill No. 109 - The Criminal Enterprise Suppression Act.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister
Murray Sawatsky, Executive Director, Law Enforcement Services, Community Justice
Darcy McGovern, Crown Counsel, Legislative Services, Public Law

24. The committee agreed to postpone further consideration of the Bill.

25. The committee considered Bill No. 100 - The Police Amendment Act, 2005.

The following Department of Justice Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister
Murray Sawatsky, Executive Director, Law Enforcement Services, Community Justice
Darcy McGovern, Crown Counsel, Legislative Services, Public Law

26. The question being put on clauses 1 to 38, they were agreed to.

27. It was moved by Mr. Chisholm:

That this committee report Bill No. 100 - The Police Amendment Act, 2005- without amendment.

The question being put, it was agreed to.

28. The committee recessed from 6:00 p.m. until 6:05 p.m.

29. The committee resumed consideration of Bill No. 109 - The Criminal Enterprise Suppression Act.

30. The question being put on clauses 1 to 23, they were agreed to.

31. Mr. Morgan then moved the following motion to add a new clause to the Bill:

That following section 2 of Bill 109 – The Criminal Enterprise Suppression Act the following new clause be added:

Court's considerations

- 2.1 For the purpose of any order issued by a court pursuant to this Act, the court shall take the following considerations into account:

- (a) the seriousness of the degree of injury to the public that would result if no order is issued;
- (b) the seriousness of the unlawful activity that is occurring or that may occur and its overall impact on public safety;

- (c) the degree-level of impairment or intrusion into an individual's civil right;
- (d) whether or not the order will bring the administration of justice into disrepute;
- (e) any other consideration that the court considers in the circumstances whether or not the issue is raised by the parties to the application.

A debate arising and the question being put, the motion was defeated.

32. It was moved by Mr. Hagel:

That this committee report Bill No. 109 - The Criminal Enterprise Suppression Act - without amendment.

The question being put, it was agreed to.

33. The committee considered Bill No. 119 - The Election Amendment Act, 2005.

The following Department of Justice Minister and official appeared before the committee and answered questions:

Witnesses

Hon. Frank Quennell, Minister

Darcy McGovern, Crown Counsel, Legislative Services, Public Law

34. The question being put on clauses 1 to 55, they were agreed to.

35. It was moved by Mr. Borgerson:

That this committee report Bill No. 119 - The Election Amendment Act, 2005 - without amendment.

The question being put, it was agreed to.

36. The committee adjourned at 6:10 p.m. to the call of the Chair.

Margaret Woods
Committee Clerk

Judy Junor
Committee Chair