

## **TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:**

Your Standing Committee on Legislative Affairs presents the following as its Third Report.

### **Meetings:**

- Your Committee met on Monday, December 18, 2006 at 3:00 p.m. in Room 255 of the Legislative Building.

### **Matters under Consideration:**

- The Report and Recommendations of the Judicial Compensation Committee dated June 20, 2006

### **Committee Membership:**

- Hon. Mr. CHOMIAK
- Mr. DEWAR
- Mr. FAURSCHOU
- Mr. GOERTZEN
- Ms. KORZENIOWSKI
- Mr. MARTINDALE
- Mr. REID (*Chairperson*)
- Hon. Mr. SELINGER
- Mrs. STEFANSON
- Mr. SWAN
- Mrs. TAILLIEU

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

### **Motions:**

Your Committee agreed to the following motion:

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

### **SCHEDULE A**

1. That effective April 1, 2005, salaries for Provincial Court Judges be increased to \$168,000 per annum (\$6,439.99 bi-weekly); that effective April 1, 2006, salaries be increased to \$173,040 per annum (\$6,633.19 bi-weekly); and that effective April 1, 2007, salaries be further increased to \$178,230 per annum (\$6,832.14 bi-weekly).
2. That effective April 1, 2005, salaries for Associate Chief Judges be increased to \$173,000 per annum (\$6,631.66 bi-weekly); that effective April 1, 2006 salaries be increased to \$178,040 per annum (\$6,824.86 bi-weekly); and that effective April 1, 2007 salaries be further increased to \$183,230 per annum (\$7,023.81 bi-weekly).
3. That effective April 1, 2005, the salary for the Chief Judge be increased to \$178,000 per annum (\$6,823.32 bi-weekly); that effective April 1, 2006 that salary be increased to \$183,040 per annum (\$7,016.52 bi-weekly); and that effective April 1, 2007 that salary be further increased to \$188,230 per annum (\$7,215.47 bi-weekly).
4. That effective July 1, 2006, the current pension plan be amended to provide a guaranteed indexing at the rate of 66.7% of the percentage increase in the annual change in the Consumer Price Index (CPI) for Canada based on the immediately preceding calendar year.
5. That, effective 60 days following the date of approval by the Legislative Assembly, the age-related reductions to life insurance coverage for Judges be changed so that
  - (a) the coverage for a Judge who did not reach the age of 66 before May 5, 2004 not be reduced until the Judge reaches the age of 66, at which time it is set at 75%;

(b) the coverage for a Judge who reached the age of 66 but not the age of 70 before May 5, 2004 be increased to 75% until the Judge reaches the age of 70, at which time it is set at 62.5%; and

(c) the coverage for a Judge who reached the age of 70 before May 5, 2004 be set at 62.5%.

These changes are not to apply to a Judge who died before the effective date.

6. That the residual amount of life insurance available to Judges at age 75 be increased from \$1,500.00 to \$4,500.00. This change will be effective 60 days following the date of approval by the Legislative Assembly.
7. That the life insurance plan for Judges be amended to provide that Dependents' insurance coverage be increased to \$17,500.00 for a spouse and to \$3,500.00 for each eligible child. These changes will be effective 60 days following the date of approval by the Legislative Assembly.
8. That the Dental Plan be amended by implementing the 2006 Manitoba Dental Association (MDA) Dental Plan fee guide; by increasing the maximum claim to \$1,475 per calendar year and increasing the maximum lifetime claim for orthodontics to \$1,675. These changes will be effective 60 days following the date of approval by the Legislative Assembly.
9. That the Province cover the cost of 80% of eligible prescription drug expenses under the current Extended Health Benefits Plan to a maximum of \$650 in each calendar year. The participating Judges will fund the balance. This change will be effective 60 days following the date of approval by the Legislative Assembly.
10. That the Extended Health Benefits Plan be amended to provide coverage for chiropractic, massage therapy, naturopathy and speech therapy (each to have a \$350.00 annual maximum); foot orthotics (to have a \$200.00 annual maximum); hearing aid coverage (to have a \$300.00 maximum per person per 5 year period). The premiums for this coverage are to be paid by the participating judges. This change will be effective 60 days following the date of approval by the Legislative Assembly.
11. That the northern allowance rates for judges residing in Thompson or The Pas be set as follows:

<u>Effective Date</u>		<u>Single Rate (biweekly):</u>	<u>Dependent Rate (bi-weekly):</u>
April 1, 2005	Thompson	\$101.72	\$144.79
April 1, 2005	The Pas	\$ 55.58	\$ 90.95
April 1, 2006	Thompson	\$104.26	\$148.41
April 1, 2006	The Pas	\$ 56.97	\$ 93.22
April 1, 2007	Thompson	\$106.87	\$152.12
April 1, 2007	The Pas	\$ 58.39	\$ 95.55

12. That, commencing April 1, 2005, the Province pay the annual fees to enrol each Provincial Court Judge in the National Judicial Counselling Program.
13. That each Judge be provided with an educational allowance of \$2,500.00 each fiscal year to be used for attendance at seminars or conferences only as approved by the Chief Judge. A Judge must first request funding through the Judges' regular education budget, and if funding is refused in whole or in part, this allowance can be used. Any amount of this allowance not used in any given fiscal year cannot be carried over to a subsequent year.
14. That the Province pay 75% of the Judges' legal costs and fees for the Judicial Compensation Committee process, up to a maximum aggregate payment by the Province of \$35,000.00.
15. That unless otherwise stated, all changes shall be effective on the date of approval by the

Legislative Assembly of Manitoba.

16. In these recommendations, "date of approval by the Legislative Assembly" means

- (a) the date that the vote of concurrence referred to in subsection 11.1(28) of The Provincial Court Act takes place with respect to these recommendations; or
- (b) if the recommendations must be implemented because of subsection 11.1(29) of The Provincial Court Act, the first day after the end of the 21-day period referred to in that subsection.

**Public Presentations:**

By leave, your Committee heard one presentation on the Report and Recommendations of the Judicial Compensation Committee from:

Susan Dawes

Provincial Judges Association Of Manitoba

**Reports Considered:**

Your Committee has completed consideration of the Report and Recommendations of the Judicial Compensation Committee dated June 20, 2006.

Submitted by,

---

Mr. Daryl REID, Chairperson  
December 18, 2006