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**Official Report
of Debates
(Hansard)**

Monday 23 September 2013

**Journal
des débats
(Hansard)**

Lundi 23 septembre 2013

**Standing Committee on
General Government**

Skin Cancer Prevention Act
(Tanning Beds), 2013

**Comité permanent des
affaires gouvernementales**

Loi de 2013 sur la prévention du
cancer de la peau (lits de
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Monday 23 September 2013

Lundi 23 septembre 2013

The committee met at 1413 in committee room 2.

**SKIN CANCER PREVENTION
ACT (TANNING BEDS), 2013
LOI DE 2013 SUR LA PRÉVENTION
DU CANCER DE LA PEAU
(LITS DE BRONZAGE)**

Consideration of the following bill:

Bill 30, An Act to regulate the selling and marketing of tanning services and ultraviolet light treatments /
Projet de loi 30, Loi visant à réglementer la vente et la commercialisation de services de bronzage et de traitements par rayonnement ultraviolet.

The Chair (Mr. Grant Crack): Okay. I'd like to call the meeting of the Standing Committee on General Government to order. I'd like to welcome members from all three parties.

Ms. Dipika Damerla: I can't hear you.

The Chair (Mr. Grant Crack): Pardon me?

Ms. Dipika Damerla: I can't hear you.

The Chair (Mr. Grant Crack): You can't hear me? Okay, so I'll speak directly in.

We're here this afternoon to discuss Bill 30 clause-by-clause, which is An Act to regulate the selling and marketing of tanning services and ultraviolet light treatments. I would ask if there are any questions or comments regarding any amendments to any of the sections of the bill, and, if so, which sections. Madam Scott?

Ms. Laurie Scott: Thank you. It's been a long time since I've done this here. Do I just move section 1 of the bill, definition of "tanning," or do you want me to do more of a formal address?

The Chair (Mr. Grant Crack): I guess what we're doing is just a preliminary discussion on anything with regard to the bill. So if there are any general questions before we get into the section aspect, we welcome those.

Mr. John Fraser: Just one question I have in front of me right now is—

Interjection.

Mr. John Fraser: Oh, sorry. That's fine. I've got it right here. That's good. Thank you. I don't need to ask the question.

Mr. Rick Bartolucci: Okay, maybe just one quick one. I'm a sub on this committee, so excuse my ignorance. But, if, for example—let's take the first PC recommendation, the first motion. If we think that this could be

served by regulation, what do we ask? Do we ask someone to clarify or verify, and then would we vote on whether we would accept it as an amendment, or vote it down and put it in as a regulation? How does it work?

The Chair (Mr. Grant Crack): Madam Clerk or legal counsel?

Mr. Ralph Armstrong: Hi—

Interjection.

Mr. Ralph Armstrong: Don't push the button; I get it.

Ralph Armstrong, legislative counsel office. In the normal course of events—and it's been a while, I think, since any of us have done this—the motion is moved, would be put up for discussion, and I might be asked, or ministry staff or legal counsel might be asked, to express an opinion on how best this would be served. Depending upon how the committee felt about the response, they would then vote. So if the issue is, "Could this be done by regulation," and our advice is, "Yes, it could," the members would decide whether they would vote for the motion or not, depending on how they felt about it.

Mr. Rick Bartolucci: Thanks.

The Chair (Mr. Grant Crack): Thank you, Mr. Armstrong.

If there are no further questions, we'll move to Ms. Scott.

Ms. Laurie Scott: Sylwia, just correct me if I'm wrong.

I move that section 1 of the bill be amended by adding the following definition:

"'tanning' does not include spray tanning; ('French')"

The Chair (Mr. Grant Crack): Any debate on that particular amendment? Madame Gélinas.

M^{me} France Gélinas: I think member Bartolucci was psychic, because that would be my first question. I would ask Mr. Armstrong if you could comment. From a legislative point of view, could this, although I get it, that we're there to regulate UV, which has caused all sorts of problems with young people developing cancer, melanoma etc.—spray tan has not been found to be the same thing, but I'm reluctant to put it into the bill if I could simply put it in regulation. It is clear that that's not what we're after. We're after the UV beds. But I wanted your opinion as to whether it could be done in regulation.

The Chair (Mr. Grant Crack): Mr. Armstrong.

Mr. Ralph Armstrong: If you look at clause 8(d) of the bill, one of the powers under making regulations is

“defining, for the purposes of this act and its regulations, any word or expression used in this act that has not already been expressly defined...” “Tanning” and “tanning services” have not been expressly defined, so it would be my opinion that yes, by means of regulation, spray tanning could be removed.

I’d also note that if you look at section 2 of the bill, people who belong to a prescribed class can be exempted, taken out of section 2. It would conceivably be possible to take persons who apply spray tanning services and no radiation tanning services from section 2.

While it is, of course, always a matter for the Legislature and how they want to handle it, yes, it would be my opinion that this goal could be accomplished by regulation.

The Chair (Mr. Grant Crack): Madame Gélinas.

M^{me} France Gélinas: Then, given the legal opinion that was just given to us, spray tanning is not what we’re after and is not harmful, but we don’t know that it will be the same in three years, five years, 10 years, although this bill will still be there. I would feel a whole lot more comfortable sending this message that we want it captured in regulation, but I would be tempted to vote against this motion. I don’t think it needs to be in the bill just in case things change, but I would certainly send a strong message that I expect to see it in regulation. That’s not what we’re after.

The Chair (Mr. Grant Crack): Discussion? Questions or comments?

Mr. Rick Bartolucci: Just a point on that: So that we don’t get into fights over these things, if we can ensure that it’s by regulation, if we advise whomever we advise that this should be by way of regulation, I think the PCs get what they want and we get what we want, except it’s not in the act as a section, but only as a regulation.

1420

The Chair (Mr. Grant Crack): Any further discussion? Madam Scott.

Ms. Laurie Scott: Right now, would someone look at that and say that spray tanning is included, if you do the legalese of it?

Mr. Ralph Armstrong: At the moment it only says “tanning.” Spray tanning is tanning, so it would have to be taken out by regulation.

Ms. Laurie Scott: But we can’t control the regulations at this level, though. We all agree that there’s no need for spray tanning to be in there, right? That’s not our purpose, but it kind of is if we don’t change it.

Mr. Ralph Armstrong: If it’s left as it is, it becomes a matter for the Lieutenant Governor in Council—cabinet—to decide whether to make the regulation exempting spray tanning, yes.

Ms. Laurie Scott: So could someone implement this against a spray tanning—I don’t know; who does spray tanning? Do you know what I’m saying? If the regulation doesn’t follow, could whoever the spray tanning people are be fined?

Mr. Ralph Armstrong: Without a regulation exempting it, I can’t say what would happen, because

courts are courts. They might decide that the real purpose of this was about ultraviolet and not spray tanning; I can’t say for sure. But on its face, it applies to all tanning services without spray tanning being removed. That’s why a regulation would be needed.

The Chair (Mr. Grant Crack): Any further discussion? Is there a motion to amend?

M^{me} France Gélinas: She moved it already.

Ms. Laurie Scott: I already moved the motion, right? That tanning does not include spray tanning.

The Chair (Mr. Grant Crack): Okay, one more time: Any further discussion? Those in favour of the motion? Those opposed? The motion is defeated.

Very good. Continue.

Ms. Laurie Scott: I move that the definition of “ultraviolet light treatments” in section 1 of the bill be struck out and the following substituted:

“‘Ultraviolet light treatments for tanning’ means treatments involving the application of ultraviolet light to humans for tanning.”

Again, just a technicality in wording.

The Chair (Mr. Grant Crack): Okay. For clarification, this is section 2?

Mr. Rick Bartolucci: Yes, it’s motion 2.

Ms. Laurie Scott: I believe it’s section 1 of the bill that I have. It’s the definition of “ultraviolet—

The Chair (Mr. Grant Crack): Very good. Right. Subsection 1. Any further discussion on the motion to amend? If there’s no discussion, those in favour? There are none opposed. The motion is carried.

Ms. Laurie Scott: Under subsections 2(1) and (2) of the bill, I move that subsection—

The Chair (Mr. Grant Crack): Sorry, as a matter of procedure, I guess what I need to do is request—thanks for everyone’s patience. This is my first time chairing a clause-by-clause—many council meetings, but this is different.

Shall section 1, as amended, carry? All those in favour? It carried.

Thank you for your patience. Madam Scott, sorry to interrupt.

Ms. Laurie Scott: I move that subsections 2(1) and (2) of the bill be amended by adding “for tanning” after “ultraviolet light treatments” wherever it occurs.

Again, this is a housekeeping bill. The intent here is for ultraviolet light treatments.

The Chair (Mr. Grant Crack): Thank you. Ms. Scott has moved an amendment. Is there any further discussion? Those in favour? There are none opposed. The motion is carried.

Shall section 2 carry, as amended?

Ms. Laurie Scott: I have another one.

The Chair (Mr. Grant Crack): We’re not there yet? You’re not done number 2 yet?

Ms. Laurie Scott: Sorry.

The Chair (Mr. Grant Crack): Sorry. We’ll get this right at some point. So the first amendment is carried. Thank you. Second amendment.

Ms. Laurie Scott: I move that section 2 of the bill be amended by adding the following subsection:

“Private dwellings:

“(6) No person who has control of a private dwelling shall permit an individual who is less than 18 years old to receive tanning services or ultraviolet light treatments for tanning in the dwelling, whether for consideration or otherwise.”

I believe this is applying to the warnings we heard about the increase in self-service tanning beds that could proliferate with this bill coming in.

The Chair (Mr. Grant Crack): Thank you. A motion to amend is on the table. Is there any further discussion? Mr. Bartolucci?

Mr. Rick Bartolucci: Chair, I’m just wondering, is this amendment within the scope of this bill or is this outside the scope of this bill?

The Chair (Mr. Grant Crack): Thank you for the question. I’ll pass it to the Clerk at this particular point.

From what I understand, on the face of this, as far as procedure goes, it does not fall within the scope of the actual bill, which deals with the marketing and selling of it. Can the Clerk maybe just clarify, or legal counsel, as to—

The Clerk of the Committee (Ms. Sylwia Przewdziecki): It is a procedural issue.

The Chair (Mr. Grant Crack): It is a procedural issue. Maybe the Clerk can better explain it, if that’s possible. Or is that my job?

M^{me} France Gélinas: I think you just did.

The Chair (Mr. Grant Crack): I will agree to rule it out of order, this particular amendment.

Interjection.

The Chair (Mr. Grant Crack): Yes.

Ms. Laurie Scott: So then can I ask before I read this, number 5 of our motions, is that going to be ruled out of order? Or do you want me to read it into the record and then you rule me out of order?

Mr. Rick Bartolucci: I think you have to read it, Laurie.

Ms. Laurie Scott: Is that what you want me to do? Okay.

I move that section 2 of the bill be amended by adding the following subsection:

“Private dwellings

“(6) No person who has control of a private dwelling shall permit an individual who is less than 18 years old”—oh, is it the same thing?

M^{me} France Gélinas: The first one had “for tanning”; the second one doesn’t have “for tanning.”

Ms. Laurie Scott: Yes. I’ll start again.

“(6) No person who has control of a private dwelling shall permit an individual who is less than 18 years old to receive tanning services or ultraviolet light treatments in the dwelling, whether for consideration or otherwise.”

The Chair (Mr. Grant Crack): Mr. Bartolucci?

Mr. Rick Bartolucci: Again, I think Laurie has already alluded to it, that since motion 5 was out of order, I

would think that this might be outside the scope of the bill, but I guess I ask for clarification here.

The Chair (Mr. Grant Crack): As Chair, I will agree that it is outside the scope of the bill and I’ll call it out of order.

Any other amendments?

Ms. Laurie Scott: Is it okay?

The Chair (Mr. Grant Crack): Continue.

Ms. Laurie Scott: I move that the bill be amended by adding the following section:

“No self-tanning

“2.1”—

Mr. Ralph Armstrong: Sorry, ma’am. Sorry.

Interjection.

Ms. Laurie Scott: No, I’m still on 2.1. It says “2(6).” Is that a different section?

The Chair (Mr. Grant Crack): Okay, a matter of procedure once again. We’re dealing with section 2; there was one amendment that carried; there were two that were called out of order. So I will have to ask the committee if section 2 would carry, as amended.

1430

Interjection.

The Chair (Mr. Grant Crack): The first one was.

Mr. Ralph Armstrong: Actually, section 2, as amended, does it carry—as we go through clause by clause. Before we can—

Interjection.

Mr. Ralph Armstrong: Yes, right.

The Chair (Mr. Grant Crack): Fair enough? Okay. Shall the section carry, as amended? All in favour? None opposed. The motion is carried.

Now we’ll move on to the new section, 2.1.

Ms. Laurie Scott: I move that the bill be amended by adding the following section:

“No self-tanning

“2.1 No person who owns an establishment where tanning services or ultraviolet light treatments for tanning are sold, offered for sale or provided shall permit the services or treatment to be provided by a device that does not require the presence of an attendant.”

That goes back, again, to strengthening the bill in regard to the proliferation, possibly, of self-service tanning that we heard has happened in other countries when bills like this are brought in. It’s just another strengthening measure in the bill so that there’s proper watch that no one under 18 is going to tanning beds.

The Chair (Mr. Grant Crack): Thank you. Ms. Gélinas?

M^{me} France Gélinas: I’m happy that we have cleared that we’re now adding a new section. So we’re not replacing section 2; we’re adding a section 2.1. This is what we had tried to do in our amendment, but I’m happy with the language that you’ve used and we will be supporting the motion.

The Chair (Mr. Grant Crack): Any further discussion? Ms. Damerla?

Ms. Dipika Damerla: My understanding is the way it’s—I’m not so much opposed to the idea as to the way

it's worded, that it might be out of the scope of the bill as it was originally envisioned, and I'm wondering if it might be out of order. The NDP has a similar plan, but probably not—

M^{me} France Gélinas: I'm happy with either one, whichever one is ruled in order.

The Chair (Mr. Grant Crack): Maybe I could call upon Mr. Armstrong to provide us with some legal advice.

Mr. Ralph Armstrong: I would have said that both provisions—once again, this is a procedural matter; it's not a legal one. But from the point of view of being within the scope of the bill, I would have said that both the NDP motion about the prepaid machines and this one about the attendant—I would have thought were equally both in the scope of the bill and that they both related to the marketing and selling of tanning services and protecting young people. As I say, I'm not a proceduralist; I'm a lawyer. But my knowledge of how procedural rules have worked in Ontario is that they have generally taken a wide view of what's within the scope and what the purpose of the bill is. I would have thought both motions were, by Ontario procedural terms, within the scope of the bill.

The Chair (Mr. Grant Crack): Okay, so I'll rule that the motion is in order. I'd ask if there's any further discussion.

Ms. Dipika Damerla: Just for me, can I just jump forward to the NDP motion? Because I'm trying to understand what the difference is in terms of outcomes.

The Chair (Mr. Grant Crack): I think what we have to do, with all due respect, is deal with one motion at a time.

Ms. Dipika Damerla: Okay.

Mr. Rick Bartolucci: Would it be the intent, Mr. Chair—would the NDP be withdrawing their—

M^{me} France Gélinas: If it goes forward, we will. The intent is the same. I used “self-service automatic tanning”; they used, “require the presence of an attendant.” Both aim at doing the same thing. I have no problem supporting the language as it is now. I had no problem with the language that I had put down either.

Ms. Dipika Damerla: So I just need to understand. The PC proposal: Does it outright ban self-tanning? Or does it say that self-tanning would require an attendant to ensure somebody can check the ID?

Interjection.

Ms. Dipika Damerla: Sorry, the second or the first? I'm reading it as a total ban, but I'm not an expert on this.

Interjection.

Ms. Dipika Damerla: Yes. “Shall permit”—okay, I get it. That's fine.

Ms. Laurie Scott: Yes, I think it's—

Interjection.

Ms. Dipika Damerla: I'm fine. No, it's not a total ban—

Ms. Laurie Scott: It's not a total ban, no. I just wanted to read it again in case I had missed something, but no.

Ms. Dipika Damerla: No, that's fine. I understand. We're fine with it.

The Chair (Mr. Grant Crack): Okay, any further discussion? So I'll be asking for a vote. The new PC section 2.1: Shall the new section carry? Those in favour? The motion is carried.

The new NDP section 7.1 that was proposed: Is that going to be moved forward?

M^{me} France Gélinas: I withdraw.

The Chair (Mr. Grant Crack): Okay, very good. That one's withdrawn.

Are there any further proposed amendments? Go ahead.

Ms. Laurie Scott: I move that subsection 3(1) of the bill be amended by adding “for tanning” after “ultraviolet light treatments”.

Again, just defining it as for tanning, as opposed to there are some treatments used for medical purposes that involve ultraviolet light. So it's just clarification.

The Chair (Mr. Grant Crack): Discussion, Madame Gélinas?

M^{me} France Gélinas: Given that we've already voted in favour of motion 2, that we'll do this throughout the text, then a whole bunch of your motions that are just adding “for tanning” has already been captured. I think you put it in there in case we had voted no to motion 2 so that you could add it. But motion 2 basically puts it throughout the text.

Mr. Ralph Armstrong: No, ma'am, that's not the case.

M^{me} France Gélinas: No?

Mr. Ralph Armstrong: It has to be done clause by clause in each case, unless it was—I suppose, by unanimous consent, it could be done differently, but I think that might get a little confusing.

Interjection.

Mr. Ralph Armstrong: Okay, now the Clerk is saying, “No, forget about that.” So it's necessary to go through in each place where it says “ultraviolet light treatment” and add “for tanning.”

M^{me} France Gélinas: I call the question.

The Chair (Mr. Grant Crack): Okay, those in favour? The motion carries.

Is that the only one with—no, there's a new NDP one for 3—

Interjection.

The Chair (Mr. Grant Crack): No?

M^{me} France Gélinas: I'm on section 3.1.

The Chair (Mr. Grant Crack): Okay. That's a new section, so I'll go back one step. Section 3: Shall that carry, as amended? Carried.

So we'll move to the new NDP section 3.1.

M^{me} France Gélinas: I move that the bill be amended by adding the following section:

“Information sheet

“3.1. Every person who provides tanning services or ultraviolet treatment to an individual shall ensure that the individual, before the first occasion upon which the individual receives the services, receives an information

sheet in the prescribed form and containing the prescribed information.”

That came to us from the Canadian Cancer Society and has been requested by the public health units, who will be the people who will do the enforcement of this bill. It is meant to educate adults about the risk of indoor tanning. So, basically, everybody who would go into a tanning place would receive that sheet of information that would have been prepared by the health unit and left behind by the health unit when they do their inspection of the premises. It would be an education piece. It could vary as the education needs of the public evolve.

1440

The Chair (Mr. Grant Crack): Okay, thank you. Further discussion? MPP Yurek.

Mr. Jeff Yurek: I just want to question what we're forcing onto the business there in regard to costs in the system, about the health unit delivering, sending a health inspector out. What if they run out in between inspections? We don't know yet if the inspections are going to be yearly, quarterly, bimonthly. I think that's putting an undue burden on the business to ensure that they have those sheets. Tanning information is available online, I believe, with health units, and at health units and at doctors' offices etc. I just don't know if we really need to put this onto businesses.

The Chair (Mr. Grant Crack): All right, thank you. Any further discussion? Madam Damerla?

Ms. Dipika Damerla: It appears that this might be outside the scope of the bill and would need to be delivered back to the Legislature. But right now, this is not what was envisioned by the bill originally, so it's either out of order or—we need your—

The Chair (Mr. Grant Crack): I'm going to rule it in order and allow some further discussion and a vote on it. Any further discussion?

Mr. Rick Bartolucci: Just one question: This seems very logical, right? The only problem is that sometimes logic provides some difficulties. When you say, with the amendment that we're going to have, as “provided for in the regulations,” this now means that we're going to have to draft a regulation for this, correct? I don't know that it is within the scope of the bill. I mean, you've already ruled that it is within the scope of the bill, but I'm just wondering, is it within the scope when you have to draft a special regulation for this particular eye protection?

M^{me} France Gélinas: We're not on eye protection. We're on 8.1.

Mr. Rick Bartolucci: Yes?

M^{me} France Gélinas: It doesn't say “as per regulation.”

Mr. Rick Bartolucci: Oh, sorry.

M^{me} France Gélinas: It's okay.

Ms. Dipika Damerla: But it does, though. It does.

The Chair (Mr. Grant Crack): Any further discussion?

M^{me} France Gélinas: Do you want me to read it again?

The Chair (Mr. Grant Crack): Ms. Damerla.

Ms. Dipika Damerla: When it says, “in the prescribed form,” that suggests that we have to prescribe the form, which means adding to regulations, right? That's why we think—it's not so much that we agree or disagree, but we just think it is perhaps outside the scope of the way the bill is right now.

The Chair (Mr. Grant Crack): Okay, thank you. Madame Gélinas, I'm not sure if you—I'm getting some guidance here that you would want to include after “ultraviolet,” instead of “services,” “treatment for tanning.” Is that—

M^{me} France Gélinas: I had already read into the record “treatment.”

Mr. Ralph Armstrong: For consistency throughout, though, it would be preferable that it said “for tanning”—

M^{me} France Gélinas: Sure.

Mr. Ralph Armstrong: —for consistency with the new defined term that has been voted on.

M^{me} France Gélinas: Sure. Do you want me to read it over, or are you good?

The Chair (Mr. Grant Crack): I would prefer if you would, yes.

M^{me} France Gélinas: Here I go.

“Information sheet

“3.1 Every person who provides tanning services or ultraviolet light treatment for tanning to an individual shall ensure that the individual, before the first occasion upon which the individual receives the services, receives an information sheet in the prescribed form and containing the prescribed information.”

The Chair (Mr. Grant Crack): Mr. Fraser?

Mr. John Fraser: Chair, I just have a question. This amendment, is it going to delay in any way? Are we going to have to go back to the Legislature? Is it going to delay us in any way?

M^{me} France Gélinas: Far be it from me to delay this thing, believe me.

Mr. John Fraser: I just wanted to check—the information sheet, what's provided, the process for determining what that is.

M^{me} France Gélinas: The health unit that came and reported—the deputants—said that it's something that they found useful. The health units are already willing, ready and able to put in place that legislation; they're just waiting for us to do so. The information sheet is already ready.

Mr. John Fraser: So they determine what goes on that sheet. It's not for us to do.

M^{me} France Gélinas: Yes, they do.

Mr. John Fraser: Okay. That's all.

The Chair (Mr. Grant Crack): Okay. Any further discussion?

Ms. Laurie Scott: Under federal regulation, the warnings are already posted beside the tanning beds, for the health effects? I just wanted to make sure. What is posted under federal—France can answer, if she wants.

M^{me} France Gélinas: It isn't there yet, but once we pass this, then they will have to post it clearly close to a tanning bed, and it describes how far away it has to be. It

doesn't exist right now, but it will exist once we pass this bill.

Ms. Laurie Scott: So the feds are waiting for guidance from the province about the posting?

M^{me} France G elinas: No, it's already being done in other provinces; it's just not being done here. But the adding of an information sheet is really a piece of paper you will have in your hand, which the health unit wants to use as an education tool for the people who go to the tanning salons.

The Chair (Mr. Grant Crack): Any further questions, discussion? Mr. Yurek.

Mr. Jeff Yurek: I just want to add that I think the intent of this bill was to protect our kids 18 and under, and this amendment is going beyond what I believe is the scope of this bill. So we probably will not be supporting this amendment due to that fact.

The Chair (Mr. Grant Crack): Thank you. Any further discussion? Okay, I'll be calling for a vote. Those in favour of the amendment? Those opposed to the amendment?

M^{me} France G elinas: I'll ask for a recorded vote, please.

The Chair (Mr. Grant Crack): Normally, that is asked prior to a vote being taken. I apologize, but I'll have to decline.

Okay, so we have—I've done "in favour." Those opposed? The motion is defeated.

So we will move to the next item. I believe it's a PC amendment.

Ms. Laurie Scott: So you're good with your sections?

The Chair (Mr. Grant Crack): Yes. Section 3.1 was defeated. Now we're on to section 4, I believe.

Ms. Laurie Scott: Okay. You don't have to do an overall section—

Interjection.

Ms. Laurie Scott: Okay.

I move that section 4 of the bill be amended by adding "for tanning" after "ultraviolet light treatments" in the portion before clause (a).

Again, it's a housekeeping bill.

The Chair (Mr. Grant Crack): Okay. Any further discussion? Those in favour of the motion? Any opposed? The motion is carried.

We're still under section 4, correct?

Ms. Laurie Scott: Yes. I'll do it again, if you wish.

The Chair (Mr. Grant Crack): Okay, very good. Continue.

Ms. Laurie Scott: Okay. Under section 4.1 of the bill, I move—

Mr. Ralph Armstrong: Section 4 is a different section than 4.1, so—

The Chair (Mr. Grant Crack): Oh, I've got to do the same thing. Shall section 4, as amended, carry? Carried. My apologies.

Now section 4.1. Ms. Scott.

Ms. Laurie Scott: I move that section 4 of the bill be amended by adding "for tanning" after "ultraviolet light treatments" in the portion before clause (a).

M^{me} France G elinas: We just did that.

The Chair (Mr. Grant Crack): Yes, I think we did that one.

Ms. Laurie Scott: I don't know how that got moved back. Sorry. All right, back again.

I move that the bill be amended by adding the following section:

"Protective eyewear

"4.1 Every person who sells or provides tanning services or ultraviolet light services for tanning to an individual shall ensure that the individual is provided with protective eyewear that meets the standards provided for in the regulations."

The Chair (Mr. Grant Crack): Okay. Thank you. Any further discussion on the motion? Mr. Fraser.

Mr. John Fraser: Just a question: whether this section [*inaudible*] the bill? If you could let us know.

The Chair (Mr. Grant Crack): Okay. Thank you. You guys are really giving me a great time here this afternoon in my first—

Ms. Laurie Scott: I didn't know it was going to be so technical.

The Chair (Mr. Grant Crack): I'm going to ask Ms. Scott if she would consider "Every person who sells or provides tanning services or ultraviolet light treatments" instead of "services." Would that be something that—

Ms. Laurie Scott: Yes, "ultraviolet light treatments" is fine. Do you want me to reread that as "treatments"?

The Chair (Mr. Grant Crack): Yes, please.

Ms. Laurie Scott: "Protective eyewear

"4.1 Every person who sells or provides tanning services or ultraviolet light treatments for tanning to an individual shall ensure that the individual is provided with protective eyewear that meets the standards provided for in the regulations."

The Chair (Mr. Grant Crack): Thank you. What I will do is, I will need to take a few moments. We will recess to have some further discussion concerning the point of whether this is within the scope of the committee.

Ms. Laurie Scott: Okay.

M^{me} France G elinas: How long?

The Chair (Mr. Grant Crack): Five minutes.

The committee recessed from 1450 to 1457.

The Chair (Mr. Grant Crack): Thank you very much, everyone, for your patience. We are back to order.

I am going to, with careful consideration, call the motion in order. I would encourage all members to continue, if they so wish, to provide their questions and comments, and then we'll allow for a decision to be made, one way or another, through vote.

Any further discussion?

Mr. Rick Bartolucci: So you just called motion 10 in order, correct?

The Chair (Mr. Grant Crack): In order, because for me, the scope of the bill, when I look at the front page—An Act to regulate the selling and marketing of tanning services and ultraviolet light treatments—it falls, in my opinion, within that scope. It will be up to the committee

to determine whether or not they feel that this motion should move forward.

Any further discussion? Those in favour? Motion is carried.

Now, hold on a second. I just want to do this right. That was the new section 4.1.

Mr. Michael Harris: There's still one more to come.

The Chair (Mr. Grant Crack): Is there more? Okay. There are two more on section 4.1. So continue, Ms. Scott.

Mr. Michael Harris: It's the same one. It's a duplicate.

Ms. Laurie Scott: It's the same motion.

The Chair (Mr. Grant Crack): So the same—so it's not moved?

Ms. Laurie Scott: So I have to read it—

Interjection.

Ms. Laurie Scott: I don't have to move it? Okay. Withdraw.

M^{me} France Gélinas: We'll withdraw.

The Chair (Mr. Grant Crack): Okay, so that one, and the NDP withdraws. So shall section 4.1 carry? Oh, I didn't ask for the actual section? I'm just trying to be very thorough here.

Okay, carry it again. Let's go. Those in favour? Is it carried? Okay, carried.

Now we'll move on to section 5. Ms. Scott.

Ms. Laurie Scott: I move that section 5 of the bill be amended by adding “for tanning” after “ultraviolet light treatments” in the portion before clause (a).

Again, it's housekeeping.

The Chair (Mr. Grant Crack): Any further discussion on the motion? Those in favour? Opposed? The motion is carried.

I would ask: Shall section 5, as amended, carry? Those in favour? Carried. Let's be a little more enthusiastic, please, with the hands, one way or another.

Section 6: Ms. Scott.

Ms. Laurie Scott: I move that subsection 6(2) of the bill be amended by adding “for tanning” after “ultraviolet light treatments”.

Again, it's housekeeping.

The Chair (Mr. Grant Crack): Further discussion? Shall section 6, as amended, carry?

Interjection.

The Chair (Mr. Grant Crack): Okay, we vote on the motion first? I was just trying to quicken this up. Those in favour? Carried.

Now, shall section 6, as amended, carry? Carried.

Section 7.

Ms. Laurie Scott: I move that subsection 7(2) of the bill be amended by adding “for tanning” after “ultraviolet light treatments”.

The Chair (Mr. Grant Crack): Any further discussion? Shall the amendment and motion carry? Any opposed? The motion is carried.

Shall section 7, as amended, carry? Carried.

I believe there's a motion regarding the long title of the bill.

Interjection.

The Chair (Mr. Grant Crack): Okay, shall sections 8 through 10 carry, as there are no amendments? Those in favour? Carried.

Ms. Scott.

Ms. Laurie Scott: I move that the long title of the bill be amended by adding “for tanning” after “ultraviolet light treatments”.

The Chair (Mr. Grant Crack): Any further discussion? Those in favour of the motion? Carried.

Shall the title of the bill, as amended, carry? Those in favour? Any opposed? Carried.

Shall Bill 30, as amended, carry? Those in favour? Any opposed? Carried.

Shall I report the bill, as amended, to the House? Those in favour? Carried.

If I could ask the committee's permission to take a 10-minute recess? We still have to go into a closed session with regard to the Aggregate Resources Act. That will provide the members with an opportunity to refresh.

Thank you very much. We'll see you in 10 minutes.

The committee recessed at 1503 and continued in closed session at 1515.

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