



Fourth Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba
STANDING COMMITTEE
ON
PRIVATE BILLS

29 Elizabeth II

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The Honourable Harry E. Graham
Speaker*



TUESDAY, 17 JUNE, 1980, 10:00 a.m.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty - First Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, A. R. (Pete)	Ste. Rose	NDP
ANDERSON, Bob	Springfield	PC
BANMAN, Hon. Robert (Bob)	La Verendrye	PC
BARROW, Tom	Flin Flon	NDP
BLAKE, David	Minnedosa	PC
BOSTROM, Harvey	Rupertsland	NDP
BOYCE, J. R. (Bud)	Winnipeg Centre	NDP
BROWN, Arnold	Rhineland	PC
CHERNIACK, Q.C., Saul	St. Johns	NDP
CORRIN, Brian	Wellington	NDP
COSENS, Hon. Keith A.	Gimli	PC
COWAN, Jay	Churchill	NDP
CRAIK, Hon. Donald W.	Riel	PC
DESJARDINS, Laurent L.	St. Boniface	NDP
DOERN, Russell	Elmwood	NDP
DOMINO, Len	St. Matthews	PC
DOWNEY, Hon. Jim	Arthur	PC
DRIEDGER, Albert	Emerson	PC
EINARSON, Henry J.	Rock Lake	PC
ENNS, Hon. Harry J.	Lakeside	PC
EVANS, Leonard S.	Brandon East	NDP
FERGUSON, James R.	Gladstone	PC
FILMON, Gary	River Heights	PC
FOX, Peter	Kildonan	NDP
GALBRAITH, Jim	Dauphin	PC
GOURLAY, Hon. Doug	Swan River	PC
GRAHAM, Hon. Harry E.	Birtle-Russell	PC
GREEN, Q.C., Sidney	Inkster	Ind
HANUSCHAK, Ben	Burrows	NDP
HYDE, Lloyd G.	Portage la Prairie	PC
JENKINS, William	Logan	NDP
JOHNSTON, Hon. J. Frank	Sturgeon Creek	PC
JORGENSEN, Hon. Warner H.	Morris	PC
KOVNATS, Abe	Radisson	PC
LYON, Hon. Sterling R.	Charleswood	PC
MacMASTER, Hon. Ken	Thompson	PC
MALINOWSKI, Donald	Point Douglas	NDP
McBRYDE, Ronald	The Pas	NDP
McGILL, Hon. Edward	Brandon West	PC
McGREGOR, Morris	Virden	PC
McKENZIE, J. Wally	Roblin	PC
MERCIER, Q.C., Hon. Gerald W. J.	Osborne	PC
MILLER, Saul A.	Seven Oaks	NDP
MINAKER, Hon. George	St. James	PC
ORCHARD, Hon. Donald	Pembina	PC
PARASIUK, Wilson	Transcona	NDP
PAWLEY, Q.C., Howard	Selkirk	NDP
PRICE, Hon. Norma	Assiniboia	PC
RANSOM, Hon. Brian	Souris-Killarney	PC
SCHROEDER, Vic	Rossmere	NDP
SHERMAN, Hon. L. R. (Bud)	Fort Garry	PC
STEEN, Warren	Crescentwood	PC
URUSKI, Billie	St. George	NDP
USKIW, Samuel	Lac du Bonnet	NDP
WALDING, D. James	St. Vital	NDP
WESTBURY, June	Fort Rouge	Lib
WILSON, Robert G.	Wolseley	PC

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVATE BILLS
Tuesday, 17 June, 1980

Time — 10:00 a.m.

CHAIRMAN — Mr. Warren Steen (Crescentwood).

MR. CLERK, Jack Reeves: Gentlemen, it's after 10 o'clock, I presume we would like to proceed with the meeting. The Honourable Mr. Gourlay, who was chairman of this committee last year, has been replaced and we now have a new member on the committee and also no chairman. So, the first order of business would be the election of a new chairman. I would be open for suggestions.

MR. HENRY J. EINARSON (Rock Lake): I'll nominate Warren Steen.

MR. CLERK: Mr. Steen. Are there any further nominations? Hearing none, I would ask Mr. Steen to take the Chair.

MR. CHAIRMAN: To the members of the committee. We have a number of bills before us this morning: Bill 11, to incorporate the Brandon General Hospital and Bill 17, An Act respecting the Agricultural and Community District of Newdale. Bill 24, An Act to amend The Manitoba Club Act. Bill 29, An Act to amend An Act respecting the Victoria Hospital. Bill 41, An Act incorporating the Bethesda Foundation. Bill 45, the Investors Syndicate Limited Act. Bill 46, An Act incorporating the Regent Trust Company and Bill 52, An Act to amend An Act respecting the Congregation of the Shaarey Zedek Synagogue. The final one is Bill 53, The Winnipeg Foundation Act.

The Clerk has given me the names of a number of persons who I have indicated that they would like to be present, either to make a presentation or to answer questions from committee members in respect to any one of these bills.

We have on Bill 11, the Brandon General Hospital, the solicitor, Frank O. Meighen. That name is in front of me. On 17, respecting the Community District of Newdale, the solicitors Brawn, Taylor and Cummings, a Mr. Roy Dawson. On Bill 24, I understand Mr. Goodwin on behalf of the Manitoba Club as well as perhaps Mr. Michael Cox, the manager of the Manitoba Club. On Bill 29, Mr. William Palk from Pitblado Hoskin in respect to the Victoria General Hospital. On Bill 41, in reference to the Bethesda Foundation, Irene Hamilton. In respect to Bill 45, the Investors Syndicate, a Mr. Bernard Toni. On Bill 46, incorporating the Regent Trust Company, Jacqueline Lowe from the firm of Taylor, Brazzell, McCaffery. Bill 52, Mark Schulman in respect to the congregation of the Shaarey Zedek Synagogue. Bill 53, in respect to The Winnipeg Foundation Act, Michael Sinclair as well as on behalf of the Certified General Accountants Association, Mr. Unruh from Christie DeGraves or Mr. DeGraves, if he is present.

What is the wish of the members of the committee? Would you like to hear from each of

those persons that I have indicated, that have listed their names as being interested in respect to these bills? Or do you want to deal with the bills and if there are concerns or problems or questions that you call these individuals that are hopefully present in respect to those bills? Mr. Schroeder.

MR. SCHROEDER: The only bills that I'm concerned with at all are Bills 24 and 41. Possibly if other members have other bills they wish people heard on they could . . .

MR. CHAIRMAN: Mr. Blake.

MR. DAVID BLAKE: I think in the interest of time and the convenience of the people that are here, Mr. Chairman, if it would be possible to accommodate them, let them make their presentations and then they'd be free to leave. Any questions the members might have could be put to them and then they could leave rather than spend the whole morning probably here, they could maybe clean it up in a half an hour, something like that.

MR. CHAIRMAN: All right. Mr. McGill.

HON. EDWARD MCGILL (Brandon West): On the same procedural point, Mr. Chairman. If there are any delegations here from out of town, we might begin with them in order to facilitate their travels.

MR. CHAIRMAN: Well, it so happens the first one on the list is Bill 11, which is The Brandon General Hospital. Mr. Meighen, is he present? Or anyone representing Mr. Frank O. Meighen or the Brandon General Hospital Foundation?

Bill 17; is Mr. Dawson present and with us this morning? That is respecting The Agricultural and Community District of Newdale?

**BILL NO.24 — AN ACT TO AMEND
THE MANITOBA CLUB ACT, 1931**

MR. CHAIRMAN: The Clerk has indicated to me that he is of the belief that the rest of the persons are residents of the city of Winnipeg and Bill 24 is The Manitoba Club. Mr. Goodwin I know is present.

Mr. Goodwin, or Mr. Cox, the manager of the Manitoba Club.

MR. GOODWIN: Good morning, gentlemen. My name is Goodwin. I represent the Manitoba Club, in the absence of General Counsel, Mr. Monk, who is busy across the way on a case. I have with me Mr. Don Laney, the President of the club and Mr. Cox, the manager of the club. I'm quite sure they might be able to answer any questions better than I can, if you have questions to ask.

MR. CHAIRMAN: Mr. Schroeder, you had indicated when I ran through the list that you had some concern respecting Bill 24.

MR. SCHROEDER: Yes, thank you, Mr. Chairman. I just have one question. This follows . . . I'm sure that you had heard about the speech given recently by Mr. Cherniack in the Legislature recently.

MR. GOODWIN: Oh, yes.

MR. SCHROEDER: I'm just wondering whether the Manitoba Club does, in fact, have any provisions in its Charter prohibiting discrimination against specific ethnic groups in terms of membership applications for your Club.

MR. GOODWIN: Yes. In By-law No. 3, passed in '75 it provides as follows: No person shall be ineligible for membership in the Club by reason only of race, national origin, religion, colour or occupation. Set right out in by-law.

MR. SCHROEDER: Thank you, sir. I have no further questions.

MR. CHAIRMAN: To the members of the committee. Are there any other concerns or questions regarding Bill No. 24 relating to the Manitoba Club that you would like to either address to Mr. Goodwin or to Mr. Cox or to the Club President? Hearing none, thank you, Mr. Goodwin, for being present.

BILL NO. 29 — AN ACT TO AMEND AN ACT RESPECTING THE VICTORIA GENERAL HOSPITAL

MR. CHAIRMAN: Mr. Palk is present. Mr. Palk if you could just come forward we'll find out if there are questions or concerns from members of the committee respecting this particular Bill.

MR. WILLIAM PALK: Mr. Chairman and gentlemen, my name is William Palk and at the time the application for the Bill was made, I was a member of the Board of Victoria General Hospital. The amendments that are proposed are of a housekeeping nature and merely update the Bill to bring it into conformity with other legislation that governs the operation of the hospital. If there are any questions about any particular amendment, I would be happy to answer them. I have Mr. Dieter Kuntz, the Executive Administrator of the hospital with me.

MR. CHAIRMAN: To the members of the committee. Are there any concerns or questions? Hearing none, Mr. Palk, thank you kindly.

MR. PALK: Thank you very much.

BILL NO. 41 — AN ACT TO INCORPORATE THE BETHESDA FOUNDATION

MR. CHAIRMAN: My list shows that Irene Hamilton . . .

MR. KEN REGIER: Mr. Chairman, I'm not Irene Hamilton. I wish I were but . . . Ken Regier, Mr. Chairman.

MR. CHAIRMAN: Mr. Schroeder, do you have a question?

MR. SCHROEDER: I do, Mr. Chairman. I believe, Mr. Regier had been discussing this Bill with Mr. Cherniack as well, specifically Clause 9, dealing with gifts to the hospital. I had spoken to Mr. Cherniack, he indicated to me that he was concerned that under the current wording of this Bill, donors wishes are to be respected notwithstanding public policy, that is there's no reference to public policy, and the suggestion was made that an amendment be made to Section 9 to indicate that although the wishes of donors would be adhered to, that would be done providing that such wishes were in accordance with public policy.

MR. REGIER: Yes, that's right, Mr. Schroeder. I had taken it as a given that the Foundation would act in accordance with public policy but we were happy with the amendment that Mr. Cherniack proposed in that regard, and he has the wording which he conveyed on to Legislative Counsel, I believe.

MR. BALKARAN: Is it to amend the printed bill, Mr. Regier?

MR. REGIER: Yes.

MR. CHAIRMAN: Legal counsel, obviously, Mr. Regier, doesn't have that amendment. Have you a copy of it with you?

MR. REGIER: What happened is, Mr. Cherniack and I were outside the office of Legislative Counsel and we agreed on a wording which was, "If it is in the interests of public policy." The wording was inserted, Mr. Cherniack said he would look after it and I left, so that's all I can say, Mr. Chairman.

MR. CHAIRMAN: Mr. Schroeder.

MR. SCHROEDER: Yes, Mr. Chairman, possibly I can be of assistance. I had written down what I had presumed was what these two gentlemen had discussed. This isn't exactly the words of Mr. Cherniack but Section 9 currently reads: "In investing and in distributing the principal of or income from any property donated or entrusted to the Foundation, the Foundation shall observe, carry out, perform, and give effect to all terms, provisions and conditions that attach to the donation and are expressed in the instrument effecting the donation or creating the trust." It would seem to me that if we just put a comma instead of a period at the end of it and then continue, "providing such terms, provisions and conditions are not contrary to public policy."

MR. REGIER: Yes, that would be fine. That was the agreement that Mr. Cherniack and I had arrived at.

MR. CHAIRMAN: Perhaps, Mr. Schroeder, you could assist us by giving the exact wording to the Legislative Counsel? Is it clear with members of committee what the change is?

Mr. Adam.

MR. ADAM: Mr. Chairman, if the wording that my colleague, the Member for Rossmere, has is what we've discussed with the witness and Mr. Cherniack, it's quite satisfactory. I was going to suggest that if

there was any doubt as to what the wording should be, that we could perhaps contact Mr. Cherniack to ascertain if that wording is correct, but if it's satisfactory, that's fine.

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: Mr. Chairman, I happened to be in the office at the time when Mr. Regier and Mr. Cherniack were sitting waiting for Mr. Tallin, but unfortunately he was busy and couldn't see them, and I recall the language as Mr. Cherniack had proposed and read what Mr. Schroeder said, I think that's the amendment that Mr. Cherniack had proposed.

MR. REGIER: That's the wording?

MR. BALKARAN: Yes.

MR. CHAIRMAN: Mr. Schroeder.

MR. SCHROEDER: I spoke to Mr. Cherniack yesterday and he had just indicated that he wanted something in with respect to public policy and this was what I had scribbled down this morning. I believe, certainly, it would take care of his concern.

MR. REGIER: Yes, that would be the gist of what he wanted.

MR. CHAIRMAN: Any other questions or concerns respecting this bill, to the delegation?

MR. REGIER: No.

MR. CHAIRMAN: Thank you, Mr. Regier. Investors Syndicate Act, Bill 45.

MR. CARL BJARNASON: Mr. Chairman, my name is Carl Bjarnason. I'm the secretary of the Investors' group, also a director of Investors Syndicate Limited. I'm accompanied by Mr. A. S. Jackson, who is executive vice-president of the Investors group, responsible for the administration of all operations of wholly-owned subsidiaries. Mr. Jackson is also the president of the Western Savings and Loan Association and Provident Investment Company. Finally, I have Mr. Bernard Toni of the ISL, Investors Syndicate Legal department, who is the draughtsman of this bill.

I'm prepared to speak to the bill in brief or myself or my colleagues would be pleased to answer any questions you may have.

MR. CHAIRMAN: Perhaps, Mr. Bjarnason, before you proceed — are there any concerns regarding this bill, to members of the committee? There are none? Therefore, sir, you don't have to speak to it.

MR. BJARNASON: Thank you.

MR. CHAIRMAN: Thank you. Bill 46, An Act incorporating The Regent Trust Company. Is Jacqueline Lowe available?

MR. ERIC LISTER: I'm not Jacqueline Lowe. I'm here on her behalf. My name is Eric Lister and I'm willing to answer any questions that might come up.

MR. CHAIRMAN: To the members of the committee, are there any concerns regarding this bill? There are none, sir, thank you kindly.

MR. LISTER: Thank you kindly.

MR. CHAIRMAN: Bill 52, An Act to amend, revise and consolidate An Act respecting the Congregation Shaarey Zedek. Mr. Schulman.

MR. MARK SCHULMAN: Yes.

MR. CHAIRMAN: To the members of the committee, are there questions or concerns regarding this bill? Thank you, sir, for being present.

MR. SCHULMAN: Thank you.

BILL NO. 53 THE WINNIPEG FOUNDATION ACT

MR. CHAIRMAN: Bill 53, The Winnipeg Foundation Act. We have the names on the list of two persons, Mr. Sinclair and a Mr. DeGraves, representing the Certified General Accountants. Are there concerns, to the members of the committee, regarding this bill? If I could have the liberty as Chairman. Mr. Filmon, the mover of this bill consulted with me yesterday and he said that the Certified General Accountants had a concern regarding the wording that said: "Chartered Accountants" to do the audit for the Winnipeg Foundation and he instructed me to make an amendment so that it wouldn't read "Chartered Accountants", that it would be available to something in the neighbourhood of "authorized accountants" or "accountants in general practice".

Mr. Sinclair, have you had a conversation with Mr. Filmon respecting that aspect of the bill?

MR. P. MICHAEL SINCLAIR: Yes, Mr. Chairman, I have and what you say in that regard is correct and I've spoken with Mr. DeGraves this morning and worked out a wording that is acceptable to him. Mr. DeGraves has since left because there was nothing to argue about. I have that wording which I could give to Legislative Counsel.

MR. CHAIRMAN: Would you, please?

MR. SINCLAIR: Certainly.

MR. CHAIRMAN: To the committee. This is on page 6 of the Bill, Item 18, where it says Audit. If members of the committee will look at that page 6 of your Bill where it says Audit, Item 18, you'll see in the second line where it says "chartered accountant", if we strike that out and put "fiscal year by a person independent of the Foundation who is a member in good standing of a professional accounting body incorporated in the province". Section 18, where it says Audit, page 6. Okay.

Mr. Balkaran.

MR. BALKARAN: Mr. Chairman, in the second line of Section 18 you see the phrase "chartered accountant". That would be deleted and the word "person" substituted therefor. In the third line after the word "Foundation", you add the words "who is a member in good standing of a professional

accounting body incorporated in the province". Then the section will read as follows:

The Board shall cause an audit of the financial transactions of the Foundation to be made at least once in every fiscal year by a person independent of the Foundation, who is a member in good standing of a professional accounting body, incorporated in the province and shall publish the auditors report.

A MEMBER: . . . suggest in the province of Manitoba.

MR. BALKARAN: Well, province means province of Manitoba.

MR. CHAIRMAN: Is that clear to all members of the committee? Mr. Adam.

MR. ADAM: I'd like to ask the witness a few questions, Mr. Chairman, through you.

MR. CHAIRMAN: Yes, Mr. Sinclair, would you . . .

MR. ADAM: In regard to Section 15 for one. Section 15 of the Bill which says, "that the rule against perpetuities" . . . I wonder if the witness could explain just what that refers to.

MR. SINCLAIR: There's a rule in law, Mr. Chairman, which prevents the setting aside of money or property in perpetuity, so that for instance, you could not set up a trust for someone who would come into being more than 21 years after the death of everybody living at the present time. The Foundation necessarily must have its money in perpetuity in order to carry on its work, so the rule against perpetuity is waived in respect of the Foundation. This is just a continuation of the existing legislation.

MR. ADAM: There's been a change in this section?

MR. SINCLAIR: Yes, the change in this section I think, is that the Legislative Counsel has added the rule against perpetuities and the rule against accumulations, which is to the same effect.

MR. ADAM: Mr. Chairman, on another section, the Objects of the Foundation.

MR. CHAIRMAN: The number of the section — 3?

MR. ADAM: 3 (1). The Objects of the Foundation are clearly defined, the purpose of the Winnipeg Foundation. The funds for this Foundation are obtained by donations, grants?

MR. SINCLAIR: By donations.

MR. ADAM: By donations only?

MR. SINCLAIR: Yes. Not by grants.

MR. ADAM: From all parts of the province, or from any province or from — where would these funds be . . . ?

MR. SINCLAIR: Well, I have Alan Howison; who is the Executive Director of the Foundation present with

me; he would be in a better position than I to answer your questions concerning the source of funds.

MR. ALAN HOWISON: Mr. Chairman, the source of funds for the Foundation . . .

MR. CHAIRMAN: Can I stop you for a moment? For Hansard purposes these meetings are taped and then printed in Hansard. Would you give your name and your position with the Foundation.?

MR. ALAN HOWISON: Yes, I'm very sorry. My name is Alan Howison, I'm Executive Director with the Winnipeg Foundation, Mr. Chairman. From the donation side, of course gifts come from a variety of sources. The great bulk of the capital fund of the Foundation has been derived by way of bequest from peoples' wills. These people for one reason or another, wherever they may have lived, and we get them literally from all over Canada and even some offshore, and they simply are expressing their interest in continuing to build a fund for the benefit of this province and more specifically, the city. The basic objectives are to benefit the citizens of Winnipeg and the surrounding area, without describing exactly where that line is, but equally clearly, we are empowered and have been empowered in our present Act and are looking for the same empowerment to be enabled to make grants outside of the city where it seems appropriate. But the general purpose is indeed the citizens of Winnipeg and that is how the Fund has been subscribed. I mean, two years ago, if you want a very specific case, two years ago we got a donation, by will, from a lady who had lived in Minneapolis for about 40 years and when I enquired as to why it happened, well, it was discovered from her daughter that she and — this woman who is now living in Seattle by the way — that her mother and father had left Winnipeg in 1938 but had such fond memories of the community in which they lived that, by her will, she bequeathed 10,000 to the Winnipeg Foundation to be used for the benefit of the community. There you are; that's how it happens.

MR. ADAM: I find it peculiar that the donors would, in majority, indicate that they would want their donations to be used primarily in the city of Winnipeg, in the main, that this money should be spent primarily for the inhabitants of the city of Winnipeg rather than for all Manitobans. I find that there is some discrimination in the word "primarily" and the Bill would be, in my opinion, Mr. Chairman, much more acceptable if the word primarily would be removed from that section.

MR. HOWISON: Mr. Chairman, in answer to that, one must recognize that since 1921, The Winnipeg Foundation's primary purpose of course is to benefit the citizens of Winnipeg and people that have bequeathed money have singularly thought that out, that is their purpose, they lived here, they did not live outside of the city, but in Section 16 of our Act, on page 6, we are trying to enshrine in that, that there is the idea that people who wish to benefit people who do not live in Winnipeg, and we say where property has been donated to the Foundation, the donor is desirous that all or part of the income derivable therefrom, shall be distributed for the purposes

consistent with the Foundation's objects, for the benefit of persons living outside of Winnipeg or Manitoba and so indicates the instrument by which the property was donated, the Board may accept the property. So if there is indeed somebody that is desirous of such happening, we have indeed accepted and have in the past accepted such bequest.

For instance, a man by the name of Campbell lived in Miami, Manitoba and he left a trust for the benefit of the citizens of the Rural Municipality of Thompson, not a very big municipality, and the reeve and a committee in Miami, Manitoba, identify projects within the terms of that will that Mr. Campbell would like to have supported and so indicated, so we continue to operate that fund within the constraints of the Winnipeg Foundation and the income settles in or around Miami, Manitoba. There's another one, a hockey scholarship, up between the lakes. So we would like to have that freedom, but equally well you don't simply want to step down upon people living outside of Winnipeg who wish to develop their own; and there is indeed a Minnedosa Foundation that hasn't become active, there is one in Brandon, there's a group in the Boissevain area that would like to see something happen there and so on and it is somewhat harsh to say that the Winnipeg Foundation should take on the province. Maybe we should indeed let the folks that are outside of Winnipeg do their own thing, where possible, and I don't want to so strongly suggest that we're suddenly becoming the Manitoba Foundation, in fact, I think for the purposes of the history, the donors to date, which is somewhere in excess of 600 have suggested that Winnipeg is an important place to them and they wish the income from their trust to go here.

That's the story, so we are trying to be flexible but my goodness, I would surely not wish to step upon, as I say, Brandon, Minnedosa, maybe Boissevain or wherever it is. I don't think we should.

MR. ADAM: Well, I think the word primarily in that section probably makes the Bill better, more flexible, because if it was removed we would have to change the other wording as well because then it would exclude all inhabitants except those of Winnipeg. So the word primarily probably makes the Bill more flexible. I just brought those suggestions out to hear the comments of the witness, Mr. Chairman.

MR. CHAIRMAN: Mr. Blake.

MR. BLAKE: Yes, Mr. Chairman, just for the record and for the information of the Honourable Member for Ste. Rose. That area has been so kind to him over the past eight or ten years, if he wished to perpetuate his memory now that he is getting into his twilight years, it would be an excellent time to set up a Ste. Rose Foundation and bequeath whatever he wished to that community for the betterment of the citizens in the years to come.

Mr. Chairman, the Minnedosa Foundation started some years ago when one of our local lifelong citizens passed to his reward and left 10,000 in the care of the former Premier of the province, Walter Weir, and that sat gathering interest for some years, and it was not until Mr. Weir retired from politics that he was able to set up the Minnedosa Foundation,

which is operating very quietly. Donations still are coming in to the particular fund. I know of two bequests that will be coming in, who knows when, but they are substantial, and at that time the Minnedosa Foundation may become a little more active than it is right now. It's something that is becoming, I think, Mr. Chairman, more popular for people that are wishing to perpetuate, not only their memory, but some good, and benefits to the communities from the funds that they have accumulated to their life's work; they wish to see that generate benefits to the citizens following along in their communities. It's an excellent idea, and I would urge all members, when they are considering their last will and testament, that they not be unmindful of the foundations for their communities.

MR. CHAIRMAN: Mr. Adam.

MR. ADAM: Just in response to the Member for Minnedosa, Mr. Chairman, I would point out to him that my family history is one that the members had very long lives, recognized for longevity — I am not in my twilight years yet, and I'm sure I'll be around, particularly in this building, for a long time after he is gone. I just point that out to the member.

MR. BLAKE: You're going to run again, Pete . . . ?

MR. CHAIRMAN: Now that we've heard about the proposed Ste. Rose Foundation and the Minnedosa Foundation and who is in their twilight years and who isn't, are there any other questions respecting the Winnipeg Foundation by members of the committee? Hearing none, thank you, gentlemen.

Now to the members of the committee, can we go through the bills? I heard Mr. Blake say, bill by bill. Is that agreeable to the . . . ?

MR. FOX: Except for the ones that are to be amended.

BILL NO. 11 — AN ACT TO INCORPORATE THE BRANDON GENERAL HOSPITAL FOUNDATION

MR. CHAIRMAN: All right. Bill 11, An Act to Incorporate the Brandon General Hospital Foundation—pass; Title . . .

MR. TALLIN: I have reports on all them, but none of them are of very great importance. Do you want me to read them all? —(Interjection)— As required by Rule 110 of the Rules of the House, I report that I have examined Bill No. 11, an Act to incorporate the Brandon General Hospital Foundation, and have not noted any exceptional powers sought, or any other provision of the bill requiring special consideration except Section 11 thereof, which provides that the rules against perpetuities and accumulations will not apply to donations to the corporation or to trusts in favour of the corporation.

MR. CHAIRMAN: Mr. Blake.

MR. BLAKE: Mr. Chairman, is there a motion to waive the fees on that bill? Do you wish those to go

through as we pass each bill or . . . ? I have several here. I thought I would do it as we passed each bill.

MR. CHAIRMAN: Let me check with the Clerk and see which is the preferred method of handling that. To Mr. Blake and other members of the committee, there are more than just this one bill that I am sure that members of the committee wish to waive the fee. Let's handle that at the end, okay?

MR. BLAKE: Do them at the end? Okay.

MR. FOX: Is that the usual practice?

MR. REEVES: Yes, we've done that on numerous occasions.

MR. CHAIRMAN: You've heard from legal counsel regarding Bill No. 11—pass; Title—pass; Preamble—pass. Bill be reported.

**BILL NO. 17 — AN ACT TO AMEND AN ACT
RESPECTING THE AGRICULTURAL AND
COMMUNITY DISTRICT OF NEWDALE**

MR. TALLIN: There's a nil report on this.

MR. CHAIRMAN: Pass the bill? Bill No. 17—pass; Title—pass; Preamble—pass. Bill be reported.

**BILL NO. 24 — AN ACT TO AMEND
THE MANITOBA CLUB ACT, 1931**

MR. TALLIN: Again, there's nil report on this.

MR. CHAIRMAN: Nil report, legal counsel says. Title—pass; Preamble—pass. Bill be reported.

**BILL NO. 29 — AN ACT TO AMEND AT
ACT
RESPECTING VICTORIA GENERAL
HOSPITAL**

MR. TALLIN: Again a nil report.

MR. CHAIRMAN: A nil report? Title—pass; Preamble—pass. Bill be reported.

**BILL NO. 41 — AN ACT TO INCORPORATE
THE BETHESDA FOUNDATION**

MR. CHAIRMAN: Bill No. 41. This is the one that we have an amendment, which is An Act to Incorporate the Bethesda Foundation. Mr. Schroeder.

MR. SCHROEDER: I move, seconded by the Member for Ste. Rose, that Section 9 be amended by adding thereto at the end thereof, the following words, "providing such terms, provisions and conditions are not contrary to public policy."

MR. CHAIRMAN: Everyone agreed? (Agreed) With the amendment to the printed bill—pass; Title—pass; Preamble—pass. Bill be reported.

MR. TALLIN: Again, on that one, the only comment I had to make was the question about the rules against perpetuities and accumulations.

**BILL NO. 45 — THE INVESTORS
SYNDICATE
LIMITED ACT, 1980**

MR. TALLIN: There's a report on this.

MR. CHAIRMAN: Mr. Tallin with a report.

MR. TALLIN: I direct the attention of the committee to Section 15 of the bill which exempts certain loans and advances made to shareholders of the company from the provisions of Sections 42 and 113(2)(d) of The Corporations Act. Having regard to the nature of the business of the Investors Syndicate Limited, this is not an unreasonable exemption.

There is a small correction to this bill as well. On Section 10 of the bill, there is a mistake where it said, "as amended by Section 5," it should be, "as amended by Section 9." Can I treat that as a correction?

MR. CHAIRMAN: Agreed by committee? (Agreed) Bill No. 45—pass.

**BILL NO. 46 — AN ACT TO AMEND AN
ACT
INCORPORATING THE REGENT TRUST
COMPANY**

MR. CHAIRMAN: Bill No. 46—pass; Title—pass; Preamble—pass. Bill be reported.

MR. TALLIN: There's a nil report on that one too.

**BILL NO. 52 — AN ACT TO AMEND AN
ACT
TO AMEND, REVISE AND CONSOLIDATE
AN ACT RESPECTING THE
CONGREGATION SHAAREY ZEDEK**

MR. CHAIRMAN: Bill No. 52—pass; Title—pass; Preamble—pass. Bill be reported.

MR. TALLIN: We have a nil report on that one as well.

**BILL NO. 53 — THE WINNIPEG
FOUNDATION ACT**

MR. CHAIRMAN: Bill No. 53, and here is where we have an amendment on this one, The Winnipeg Foundation Act.

MR. TALLIN: The report on this merely mentions again the rule against perpetuities and accumulations.

MR. CHAIRMAN: We have an amendment that was suggested by legal counsel in respect to Audit 18. I'll have to get a member to move that. Mr. Balkaran, can you give that to one of the members?

MR. TALLIN: Could I phrase the amendment?

MR. CHAIRMAN: Yes.

MR. TALLIN: That Section 18 of the bill be amended by striking out the word "chartered

accountant" in the second and third lines thereof and substituting that for the word "person;" and by adding thereto after the word "foundation" in the third line thereof, the words "who is a member in good standing of a professional accounting body incorporated in the province."

MR. CHAIRMAN: On behalf of Mr. Filmon, would some member of committee move that? Mr. Fox moves that amendment.

Pass the bill as amended? Amendment—pass; Title—pass; Preamble—pass. Is there a report, please, respecting this bill, Mr. Tallin?

MR. TALLIN: Yes, as I mentioned, the report mentioned only the rules against perpetuities and accumulations.

MR. CHAIRMAN: All right, Mr. Blake, do you have some motions?

MR. BLAKE: Yes, Mr. Chairman, I'm pleased to move, seconded by the Member for Portage la Prairie, that the fees paid with respect to Bill No. 17, An Act to amend An Act respecting the Agricultural Community District of Newdale be refunded, less the costs of printing.

MR. CHAIRMAN: Maybe we can handle these one at a time. Mr. Schroeder.

MR. SCHROEDER: We, on this side, would support that motion on each and every one which is a charitable organization.

MR. CLERK: Mr. Chairman, if I may here, gentlemen, I've taken the liberty of going through all these bills and the organizations on which the recommendation is being made. In each case, they appear to conform to the rules of the House and are eligible for refunds. The only one is —(Interjection)— provide for the cost of the . . .

MR. BLAKE: Mr. Chairman, I have a similar motion, seconded by the Member for Portage, in connection with Bill 29, An Act to amend the Victoria Hospital, refunding their fees. I have a similar bill on the bill proposed by Mr. Driedger, that the fees be refunded on Bill No. 41, the corporation of the Bethesda Foundation. I have a similar one, seconded by the Member for Portage on Bill 52, the Congregation Shaarey Zedek; and a similar motion on Bill 53, The Winnipeg Foundation Act. If the members are in agreement, I move that these . . .

MR. CHAIRMAN: It's been moved by Mr. Blake that the fees for the various bills that he's read off be refunded. Is that agreed? (Agreed) Passed.

Mr. Schroeder.

MR. SCHROEDER: I move, seconded by the Member for Ste. Rose, that the fees paid with respect to Bill No. 11, An Act to incorporate The Brandon General Hospital Foundation be refunded, less the cost of printing.

MR. CHAIRMAN: Is that agreed by members of committee? (Agreed) Passed.

Mr. Einarson.

MR. EINARSON: Mr. Chairman, by leave I have a resolution moved by myself, seconded by the Member for Portage la Prairie, that the fees paid with respect to Bill No. 37, An Act to amend An Act to incorporate the Wawanesa and District Memorial Hospital Association paid during the second session of the 31st Legislature, 1978, be refunded, less the cost of printing.

MR. CHAIRMAN: To the members of the committee, it's my understanding that this one was overlooked a year ago. Is it agreed that it be passed? (Agreed) Passed.

Committee rise.