



Legislative Assembly of Manitoba

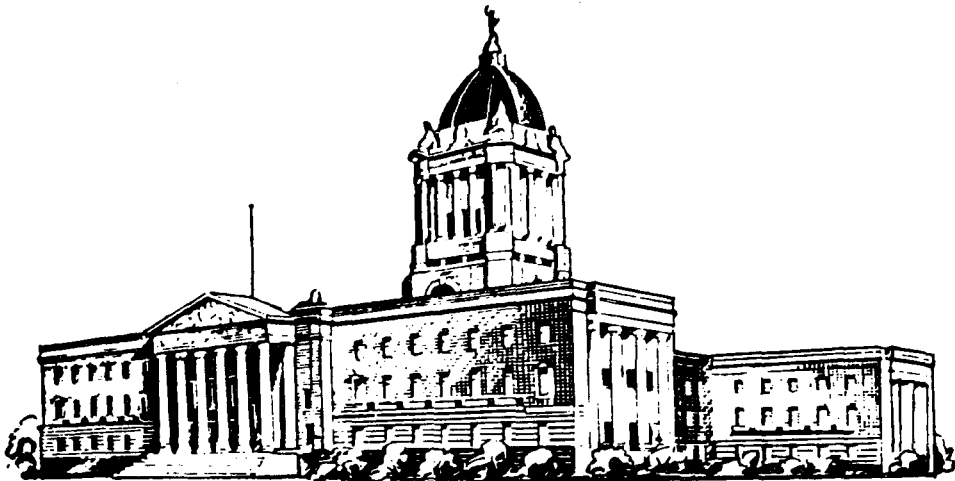
STANDING COMMITTEE

ON

PRIVATE BILLS

Chairman

**Mr. Doug Gourlay
Constituency of Swan River**



Thursday, May 17, 1979 1:45 P.M.

**Hearing Of The Standing Committee
On
Private Bills
Thursday, May 17, 1979**

Time: 1:45 p.m.

CHAIRMAN: Mr. Doug Gourlay (Swan River).

MR. CHAIRMAN: Order please. I call the Committee Meeting to order, and as I understand it the only purpose of this Committee Meeting is to review the possibilities of extending the deadline for receiving Private Bills and Petitions.

MR. EINARSON: Mr. Chairman, I wish to move, seconded by the Member for Portage la Prairie, that the time for receiving Petitions for Private Bills be extended to the 31st day of May, 1979, and that the time for receiving Private Bills by the House be extended to the 7th day of June, 1979.

MOTION presented.

MR. CHAIRMAN: Mr. Blake.

MR. BLAKE: Mr. Chairman, at the last meeting of this Committee we discussed at great length the practice of extending week-by-week the date on which Private Member Bills may be presented to the House. There's a change in the rules, I understand, that is being brought forward that will eliminate this practice because we won't have a deadline on it. We decided, I thought at that time that the last date that we arrived at would be the last date for Private Bills to be accepted at this particular session, and now we've been called into Committee to extend the date one further time, and I just wonder what happened to our previous discussion on changing the rules or setting a deadline for accepting Private Bills? The Clerk may wish to explain that to the members of the Committee.

MR. REEVES: Well, if you will recall, Mr. Blake, that the discussion actually took place in the Rules Committee. My original suggestion was that we do away with this restriction altogether, but let's say saner, cooler minds prevailed and the decision was that we would extend the time for receiving petitions to 10 weeks after, following the opening of the session . . .

MR. BLAKE: Which has now expired.

MR. REEVES: . . . which we did the last time we extended it, to the 26th of April, that gave us the 10 weeks, now we're being asked again to further extend it. Beyond that I don't know.

MR. CHAIRMAN: Mr. Steen.

MR. STEEN: Mr. Chairman, if I can be of some assistance to the Committee. The matter at hand is the Fort Garry Trust Company, who have approached myself to see if I would sponsor a Private Bill. They have spoken with our Government House Leader and asked him if we could get the time extended. They need an amendment to their Corporation Act to be altered, and the unfortunate problem they had was they had to circulate their shareholders first to make them aware of them asking for a change and then they had to advertise it. This took time and their legal counsel just did not get in touch with us at the earliest possible moment. So the Government House Leader has asked that this Committee sit and give consideration to extending the time and as far as I'm aware this is the only matter that the extension is being asked for, that's all the Clerk is aware of as well.

MR. REEVES: All I can say is that that wouldn't preclude anybody else coming.

MR. STEEN: Yes, but to the best of my knowledge, it's for one matter at this present time.

MR. BLAKE: Mr. Chairman, I've turned down two requests already telling the people involved the time for presenting Private Bills had passed, and a member of the Legislative Legal Counsel spoke to me the other day and he said, "God, I hope that you didn't want that to be brought in this year?" And I said, "No, they know the date's passed and they are preparing it to bring it in next year," and now they are making a liar out of me by extending the date for another week. I'll have to have some stronger evidence than that before I can support the motion to extend the time for another day.

MR. CHAIRMAN: Gentlemen, any further discussion? Mr. Einarson.

MR. EINARSON: Mr. Chairman, I was just wondering if it's possible for Mr. Blake to go back to those parties concerned of this matter and let them know of the motion that we have before us and we are . . .

MR. BLAKE: It's too late, they can't get ready now.

MR. EINARSON: It's too late, is it?

MR. CHAIRMAN: Mr. McGill.

MR. MCGILL: Mr. Chairman, I was just trying to recall the argument that was presented at the Rules of the House Committee when this matter was dealt with and I must confess that I don't recall it all, but I do recall that in arriving at a new period for the reception of Private Bills — a longer period — that it was done with the intent of not having to deal from time to time with further extensions, and we were hoping that we had eliminated that annual process that came up periodically. I've heard nothing to indicate that that was not a good decision reached, no conception of the urgency which may exist in the particular case that's being brought to our attention. I would just bring to the attention of the Committee that there has been an indication in the House in recent days that there might be another session of the Legislature in the fall. Is it such an urgent matter that we need to deal with this again at this time?

MR. CHAIRMAN: Are you ready for the question? Mr. Steen.

MR. STEEN: I can just say in giving additional information. I received the letter dated May 11th which was last Friday, from the legal counsel for Fort Garry Trust, and in the letter they mentioned that on May 23rd, which is next week, is when they will be meeting with their preferred shareholders but he goes on to mention that they have sufficient numbers of proxies in favour of the said application. So this is the shortness of the notice that I've received from the concerned party and they have been talking to our Government House Leader and they feel it's quite important to get it through this year. Naturally, the legal counsel as of last Friday did not know that there might be a special session this year, as of last Friday I'm sure they didn't know that, and perhaps it could be laid over to a fall session. But they really don't want it to be laid over until the regular session in 1980, that's their wish.

MR. CHAIRMAN: Mr. Kovnats.

MR. KOVNATS: I was a member of that same Rules Committee and the reason that the date was extended was to do away with having the special procedure of extending the date each year and we were all in complete agreement at that time, that an extension would not be allowed, and because of the shortness I don't think that it's going to cause our colleague any embarrassment by telling him that the time has passed and particularly if there is a chance that it could go through this fall. And even if it doesn't go through this fall, I don't think that we can extend the date at this time.

MR. CHAIRMAN: Mr. Downey.

MR. DOWNEY: Well, without adding much to the discussion that's already taken place, I think that it is a matter of time that it should be considered for fall session, if that were to take place and that the extension has been extended once — if I understand it properly, we've had on

— and the decision was made not to go any further and I think we could look at this to go on on a continual basis if we don't stop at this particular point, so I can't support the extension.

MR. CHAIRMAN: Any further discussion? Mr. Blake.

MR. BLAKE: Yes, Mr. Chairman, I just want to add, I just reiterate the remarks of the Minister that we had set up some new rules and we were fairly fixed in our decision at that time in the Rules Committee, and really this has come forward out of the blue. The session could have very easily been prorogued by now, and they wouldn't have had a chance to put it in anyway, but they throw these things in. It's become a bit of a superficial thing to have this extended from time to time, and I think it's time maybe we put some teeth in it because I'm sure the Member for Crescentwood, in all good graces, has brought this in at the request of someone.

If I were a legal mind and prepared to take him apart point by point on the reasons for this being before the Committee now, I'm sure he wouldn't be able to answer all the questions, but I won't do that. I just want to say that I really can't support the motion to extend the time limits any longer either.

MR. CHAIRMAN: Any further discussion? Mr. Einarson.

MR. EINARSON: Well, Mr. Chairman, I would just like to, for the record, indicate that while I moved the motion and it was seconded by my colleague from Portage, I was not aware of all these particulars that are coming from my colleagues. However, having moved the motion, I am prepared to support it and my colleague as well, but if the majority are not in favour of it, I think democracy prevails and we will leave it at that.

QUESTION put, MOTION defeated.

MR. CHAIRMAN: Committee rise. (Agreed)