



**Fourth Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**

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**STANDING COMMITTEE**

on

**PRIVATE BILLS**

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34 Elizabeth II

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*Chairman*  
*Mr. Don Scott*  
*Constituency of Inkster*



MG-8048

**VOL. XXXIII No. 1 - 10:00 a.m., WEDNESDAY, 10 JULY, 1985.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Hon. Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BIRT, Charles T.</b>	Fort Garry	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Q.C., Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	IND
	Kildonan	
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virden	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Hon. Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Hon. Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, Hon. John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Hon. Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON PRIVATE BILLS**

**Wednesday, 10 July, 1985**

**TIME - 10:00 a.m.**

**LOCATION - Winnipeg, Manitoba**

**CHAIRMAN - Mr. D. Scott (Inkster)**

**ATTENDANCE — QUORUM - 6**

*Members of the Committee present.*

Hon. Messrs. Harapiak and Schroeder

Messrs. Banman, Eyer, Scott, Ashton and Kohnats

**WITNESSES:** Mr. Robert B. Goodwin.

Filmore and Riley, Barristers and Solicitors

Mr. Graeme Haig and Mr. Gary Simonsen,  
Winnipeg Real Estate Board

**MATTERS UNDER DISCUSSION:**

Bill No. 20 - An Act to amend The Engineering Profession Act; Loi modifiant la loi sur les ingénieurs.

Bill No. 66 - An Act to amend An Act to incorporate "Niakwa Country Club"; Loi modifiant la loi constituant en corporation le "Niakwa Country Club".

Bill No. 87 - An Act to amend An Act to incorporate "First Presbyterian Church Foundation"; Loi modifiant la loi constituant en corporation la "First Presbyterian Church Foundation".

Bill No. 92 - An Act to amend The Architects Act; Loi modifiant la loi sur les architectes.

Bill No. 93 - An Act to amend The Registered Respiratory Technologists Act; Loi modifiant la loi sur les technologues en inhalothérapie.

Bill No. 95 - An Act to amend An Act to incorporate "The Winnipeg Real Estate Board"; Loi modifiant la loi constituant en corporation "The Winnipeg Real Estate Board".

Bill No. 96 - An Act to amend An Act to incorporate Les Révérends Pères Oblats in the Province of Manitoba; Loi modifiant l'Acte pour incorporer Les Révérends Peres Oblats dans la Province de Manitoba.

**BILL 66 - AN ACT TO INCORPORATE  
"NIAKWA COUNTRY CLUB"; LA LOI  
CONSTITUANT EN CORPORATION LE  
"NIAKWA COUNTRY CLUB"**

**MR. CHAIRMAN:** Committee, come to order. In starting off the committee today, we will begin with presentations

from members of the public. We have a presentation on Bill No. 66, An Act to amend An Act to incorporate "Niakwa Country Club" - Mr. Robert B. Goodwin. Is he present?

Mr. Goodwin.

**MR. R. GOODWIN:** Thank you, Mr. Chairman.

I am here to speak to Bill 66, An Act to amend An Act to incorporate "Niakwa Country Club." This is a fairly straightforward bill with three purposes in mind in enacting the bill: firstly, to remove the presently existing restrictions on the amount of the authorized capital of the club, which is presently \$160,000 divided into 1,600 shares of the par value of \$100 each; secondly, to change the designation of the shares from par value shares to shares of no par value in order to conform to modern corporate law; and thirdly, to increase the authorized capital by the creation of an additional 2,400 no par value shares so that, if the bill is enacted, the capital of the club will then be 4,000 no par value shares without limitation in dollar amount.

The new 2,400 shares will rank equally in all respects with both existing issued and non-issued shares.

The additional shares are required in connection with the installation of an underground irrigation system for the golf course property which has a total cost of about \$500,000, of which approximately \$160,000 is intended to be raised by new share capital and the balance by way of real property mortgage financing.

I would like to say a few words about the history of the club. The club was incorporated in 1923 by act of this Legislature. It's currently celebrating its 62nd year of existence. The golf course itself was originally designed by Stanley Thompson, who is acknowledged to be the most famous of Canadian golf course architects.

Over the years, the golf club has been the venue for several national championships, the three most recent being the 1961 Canadian Open, the 1972 Canadian Ladies Amateur Championship and the 1974 Canadian Mens Amateur Championship. This last event was most significant in that this year, 1974, the four-man Manitoba golf team won the Wellington Cup, which is emblematic of the interprovincial golf team championship, and it's the one and only time that Manitoba has won this trophy. We of course hope that, with the improvements to the golf course property which will flow from the new irrigation system, we will again be host to many national and important golfing events.

The bill is relatively straightforward, and I and Mr. Don Keats, the honorary treasurer of the club, are prepared to answer any questions which may be put to us in respect of it. I am prepared to answer any questions which you may have, Mr. Chairman.

**MR. CHAIRMAN:** Thank you, Mr. Goodwin. Are there any questions or comments for Mr. Goodwin?

Mr. Kohnats.

**MR. A. KOVNATS:** Thank you.

Mr. Goodwin, you spoke about the improving of the club, but what about the access to that club, the Niakwa Road which is probably one of the two worst roads in my whole constituency? Can you advise if there is anything being done, because you are going to have such a beautiful golf course? It's going to host national and international competitions, and they are going to have to drive over that road - and I use the word very loosely.

**MR. R. GOODWIN:** There is only the one access - you are right, Mr. Kovnats - from Niakwa Road from the Trans-Canada Highway. I noticed it was recently graded, and it has improved over what it was earlier this spring, but it's still not in perfect condition.

**MR. A. KOVNATS:** Can you advise when the first national or international or the improved tournament will be held at Niakwa?

**MR. R. GOODWIN:** There is the Canadian Ladies Senior Amateur Championship scheduled for 1986.

**MR. A. KOVNATS:** Thank you very much, Bob.

**MR. R. GOODWIN:** You are welcome.

**MR. CHAIRMAN:** Thank you, Mr. Goodwin. It's been very good advertising for your club. I'm sure all the members who wish to play golf or do play golf will try to make a visit to Niakwa this summer. That's the only presentation I have for Bill 66.

**BILL 95 - AN ACT TO INCORPORATE  
"THE WINNIPEG REAL ESTATE BOARD";  
LOI CONSTITUANT EN CORPORATION  
"THE WINNIPEG REAL ESTATE BOARD"**

**MR. CHAIRMAN:** The next bill on which we have an indication of someone wishing to come forward is Bill No. 95, An Act to amend to An Act to Incorporate the Real Estate Board. Is Mr. Gary Simonsen in?

**MR. G. HAIG:** Mr. Chairman, Mr. Simonsen is with me. My name is Mr. Haig and I am counsel for the Board. The amendment that is set out in our petition was two very simple things: (1) the removal of the restriction of the amount of money which might be borrowed by this Corporation and it's been, I think, the uniform practice of the Legislature to delete those kinds of restrictions from corporations, private and public and (2) to remove the voluntary aspect of submission of disputes between members of the Corporation from its bill.

The reason for the latter, Mr. Chairman, is that failure to submit a dispute by members to arbitration by the Arbitration Committee of the Board is a breach of the code of ethics and as a result, results in punishment to a non-conforming member. By making the provisions for arbitration mandatory, we eliminate the paradox where they allegedly have the option, but are penalized for exercising it. Those are the only changes that are proposed by this bill, Mr. Chairman.

**MR. CHAIRMAN:** Thank you, Mr. Haig. Are there any questions for Mr. Haig from members of the committee? Mr. Haig, being none, thank you very kindly.

That completes the presentations for the Private Bills that are before us this morning and if we could proceed bill-by-bill? Is there anyone else here who came and did not give notice to the committee but would like to make a presentation to the committee? Seeing none, we shall proceed. May we proceed bill-by-bill?

**BILL 20 - THE ENGINEERING  
PROFESSION ACT; LOI SUR LES  
INGÉNIEURS**

**MR. CHAIRMAN:** The first bill to be considered is Bill No. 20, An Act to amend the Engineering Profession Act. In Bill No. 20 we have an amendment.

Mr. Eyler.

**MR. P. EYLER:** Yes, I have an amendment on Page 2 of that minor amendment.  
I move

THAT Bill No. 20 be amended:

- (a) by renumbering proposed section 3 thereof as section 4; and
- (b) by adding thereto after proposed section 2, the following proposed section 3:

Section 34 am.

- 3 Section 34 of the French version of the act is amended by striking out the punctuation mark and word "--géomètre", in the 4th line thereof, and by striking out the punctuation mark and word "--géomètre", in the 5th line thereof.

The amendment is simply to clean up some grammatical language in the act in the French version only.

**MR. CHAIRMAN:** Is there commentary on Bill 20? Pass; Title—pass.

Bill be reported.

**Bill 66 - AN ACT TO INCORPORATE  
"NIAKWA COUNTRY CLUB"; LOI  
CONSTITUANT EN CORPORATION LE  
"NIAKWA COUNTRY CLUB"**

**MR. CHAIRMAN:** The next bill before the committee is Bill No. 66. Before we move on to the bill, Mr. Moylan has a statement he would like to read regarding the bill.

**MR. D. MOYLAN:** Yes, Mr. Chairman, this is the report of the law officer which you gentlemen will have before you, dated the 28th of May in which I advise that, pursuant to Rule 110 of the House Rules, I've examine this bill and note nothing therein which grants any exceptional power to any person or which constitutes any provision requiring special consideration.

Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Thank you, Mr. Moylan.

Bill No. 66, any comments or questions? Pass; Preamble—pass; Title—pass.

**BILL 87 - AN ACT TO INCORPORATE  
"FIRST PRESBYTERIAN CHURCH  
FOUNDATION"; LOI CONSTITUANT EN  
CORPORATION LA "FIRST PRESBYTERIAN  
CHURCH FOUNDATION"**

**MR. CHAIRMAN:** Bill No. 87 - Mr. Moylan.

**MR. D. MOYLAN:** Once again, Mr. Chairman, I have similar report in which I advise that I have examined this bill and find no exceptional power being granted to any person or any unusual provision.

**MR. CHAIRMAN:** Bill No. 87, An Act to amend An Act to incorporate "First Presbyterian Church Foundation"—pass; Preamble—pass; Title—pass. Bill be reported.

### **BILL 92 - THE ARCHITECTS ACT; LOI SUR LES ARCHITECTES**

**MR. CHAIRMAN:** Bill No. 92, An Act to amend The Architects Act.

Is there any comment from the committee regarding this bill following debate in this House? Pass; Preamble—pass; Title—pass. Bill be reported.

### **BILL 93 - THE REGISTERED RESPIRATORY TECHNOLOGISTS ACT; LOI SUR LES TECHNOLOGUES EN INHALOTHÉRAPIE**

**MR. CHAIRMAN:** Bill No. 93, An Act to amend The Registered Respiratory Technologists Act.

Is there any commentary from the members of the committee before Bill No. 93? Pass; Preamble—pass; Title—pass. Bill be reported.

### **BILL 95 - AN ACT TO INCORPORATE "THE WINNIPEG REAL ESTATE BOARD"; LOI CONSTITUANT EN CORPORATION "THE WINNIPEG REAL ESTATE BOARD"**

**MR. CHAIRMAN:** Bill No. 95 - Mr. Moylan.

**MR. D. MOYLAN:** Once again, I have the report that I have examined the bill and find no exceptional circumstance therein which requires to be brought to the attention of members of this committee, Mr. Chairman.

**MR. CHAIRMAN:** Bill No. 95, An Act to incorporate "The Winnipeg Real Estate Board". Commentary from the committee? Pass; Preamble—pass; Title—pass. Bill be reported. Moving through here in record pace.

### **BILL 96 - AN ACT TO INCORPORATE LES RÉVÉRENDIS PÈRES OBLATS IN THE PROVINCE OF MANITOBA; L'ACTE POUR INCORPORER LES RÉVÉRENDIS PÈRES OBLATS DANS LA PROVINCE DE MANITOBA**

**MR. CHAIRMAN:** Bill No. 96, An Act to amend An Act to incorporate Les Révérends Pères Oblats in the Province of Manitoba; Loi modifiant L'Acte pour incorporer Les Révérends Pères Oblats dans la Province de Manitoba - Mr. Moylan.

**MR. D. MOYLAN:** Mr. Chairman, I draw the committee's attention to my report under Rule 110, which again indicates no exceptional power which requires to be brought to the attention of members of this committee.

**MR. CHAIRMAN:** Commentary from members of the committee.

The Member for Niakwa.

**MR. A. KOVNATS:** Je suis demande . . . de Niakwa.

Mais je parle en anglais. Je préfère parler en anglais parce que je parle en anglais mieux que je parle en français.

I would just like to take this opportunity, which will be the last opportunity I believe that I'll have to speak on behalf of the Les Révérends Pères Oblats, and make reference to Father Lacombe who was a very important Oblat Father out of Alberta, Bishop Taché and Bishop Provencher. I think that I would like their names into the record and my support of this act to amend an act.

Thank you.

**MR. CHAIRMAN:** Pass? Pass. Preamble—pass; Title—pass. Bill be reported.

That completes the agenda of the committee. Committee rise.

**COMMITTEE ROSE AT:** 10:19 a.m.