



Third Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE

on

PRIVATE BILLS

39-40 Elizabeth II

*Chairperson
Mr. Jack Reimer
Constituency of Niakwa*



VOL. XLI No. 1 - 10 a.m., TUESDAY, MAY 12, 1992



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHEEMA, Guizar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Ciif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVATE BILLS

Tuesday, May 12, 1992

TIME – 10 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Jack Reimer (Niakwa)

ATTENDANCE - 10 – QUORUM - 6

Members of the Committee present:

Messrs. Ashton, Edwards, Laurendeau,
McAlpine, Reimer, Mrs. Render, Messrs. Rose,
Sveinson, Ms. Wasylycia-Leis, Ms. Wowchuk

APPEARING:

Kevin Lamoureux, MLA for Inkster

Val Perry, Legislative Counsel

MATTERS UNDER DISCUSSION:

Bill 39—The Salvation Army Grace General
Hospital Incorporation Amendment Act

* * *

Mr. Chairperson: Will the committee please come to order. This morning the committee will consider Bill 39, The Salvation Army Grace General Hospital Incorporation Amendment Act. For the committee's information, copies of the bill are available at the back table.

No presenters have registered to speak on this bill. Accordingly, we will now proceed with the bill. Does the sponsor, Mr. McAlpine, have any opening remarks?

Mr. Gerry McAlpine (Sturgeon Creek): Mr. Chairperson, I am pleased to be able to submit the amendment this morning on behalf of the Grace General Hospital Incorporation.

It is a bill that is to reflect the amalgamation of the Governing Council of the Salvation Army Canada East and the Governing Council of the Salvation Army Canada West in forming the Governing Council; and to further permit the Salvation Army Grace General Hospital to own and operate one or more elderly and infirm persons' housing accommodations as referred to in The Elderly and Infirm Persons' Housing Act, including personal care home or homes, and to reflect the current organizational structure.

* (1005)

I have with me, Mr. Chairperson, this morning the legal counsel for the Grace Hospital, Mr. Bill Burnett of Thompson Dorfman Sweatman, if there are any questions.

I would offer the explanation that the bill is more of one that offers housekeeping for the Salvation Army Grace General Hospital. I would ask all members to approve the amendment. If there are any questions, as I say, Mr. Burnett would be here to answer any. Thank you.

Ms. Val Perry (Legislative Counsel): Yes, required by Rule 108 of the Rules of the House, I now report that I have examined Bill 39, The Salvation Army Grace General Hospital Incorporation Amendment Act, and have not noted any exceptional powers sought or any other provision of the bill requiring special consideration.

Mr. Paul Edwards (St. James): Mr. Chairperson, I have some brief comments. I want to start by indicating our support for this legislation, which has been a matter of record for some time, both through the efforts of the former member for Sturgeon Creek, Ms. Yeo, as well as myself in the last session.

Mr. Chairperson, by way of brief history to this bill, it has been some time in the coming to this point where it is coming to fruition for the Salvation Army, and that is unfortunate. I think that shows a failure on all of our parts to deal with private members' bills in a nonpartisan way, which they are intended to be.

In the session ended July of 1991, this bill was under my name in exactly the same form. I believe there was one word different and that was my name instead of Mr. Alpine's.

In any event, at the time it came to committee, the Minister of Health (Mr. Orchard) made it known that he was not going to allow it to go through because he did not have a legal opinion. The next day, Mr. Chairperson, I provided him that legal opinion in the House from the Crown counsel assigned to the Department of Health. I tabled it in the House because he refused to accept it from me. He refused to consider it, and indicated that it was his view that it should properly have been brought

forward by the current member for Sturgeon Creek, Mr. McAlpine. In response to that, I offered to have it seconded by Mr. McAlpine at that time. He refused that as well.

It was that partisan approach on the part of the Minister of Health (Mr. Orchard), and I believe quite a petty approach, that led to this not coming to this stage for a further 10 months until now. That is regrettable. I think it is important that this bill go through. It was always important that it go through.

The Salvation Army should not become the subject of the partisan disputes which go on in this House quite often. I hoped to avoid that. If there was some break in tradition, which the Minister of Health felt aggrieved by that it should have remained in the name of the member for Sturgeon Creek, I can assure, as I did at that time, him, that the member for Sturgeon Creek, prior to Mr. McAlpine, Ms. Yeo gave it to me because she knew me. She did not want it to be delayed any more than it had to be. I took it forward. When the Minister of Health made it known that he wanted a legal opinion, I got a legal opinion—all within that 24-hour period.

As I say, in July of 1991, it was my view that purely out of political pettiness the Minister of Health did not allow this to go forward. I think that is regrettable. I feel badly that the Salvation Army got caught in that position. I do not believe it was anything that I had done that led to that.

Mr. Chairperson, I want to note finally that it is 25 years the Salvation Army Grace Hospital has been in that location, and they are celebrating this month their anniversary in that location. I think we all want to wish them well in future years. They have commenced major expansions. They are a very fine institution. They serve the St. James-Assiniboia area as well as the city at large. We want to recognize that, and also remember their long commitment to this city both in the current location as well as the former location in the Wolseley area.

We wish them well in their nursing homes as well as the hospital facility they run, and thank the Salvation Army generally, as well as the staff at the Grace Hospital, for the fine commitment they have made to this community and this city.

Mr. Steve Ashton (Thompson): Mr. Chairperson, I find it ironic that in the wee hours of the morning, myself and the member for St. Johns and our Chair

of committees were sitting in this same room and very much—

Ms. Judy Wasylcia-Lels (St. Johns): Just a few short hours ago.

Mr. Ashton: That is right. We were discussing Health Estimates and the conduct of the Minister of Health (Mr. Orchard).

* (1010)

I must say that I appreciate the comments of the member for St. James (Mr. Edwards). I remember what happened last year, and I think that what happened was driven very much by the Minister of Health. I do not think it was motivated in terms of the best interests of this particular bill or the hospital itself, and was a very partisan and personally oriented action.

We were in a difficult situation and I believe the member was four or five minutes late in arriving at the meeting at which the—and I am not trying to embarrass the member, it was a very short period of time at which the matter was dealt with essentially. I find it somewhat unfortunate that the matter did have to end up being dealt with in such a way.

I have no difficulty with the current bill or the member who is currently bringing it in. I know that he has the best of intentions. I think it is unfortunate if we get into some of these political games.

I might remind the member for St. James that later on today, we will be having a vote on the Minister of Health's salary, so he may have an opportunity to, I would not say have some revenge out of this, but at least correct what happened and register his concern.

I find it unfortunate, as I said, we get into a lot of tactics in this House, Mr. Chairperson, and we get into some very political maneuvering that goes on. I do not think any party is immune from that. I think that is going to be part of the Legislature for many years to come.

I find it unfortunate that this element came up on a bill of this kind last year, and I wanted to put on the record that I think the member for St. James (Mr. Edwards) raised some very good points. I think the record should show that, certainly, we in the New Democratic Party, do have a concern about what happened last year. It was an unfortunate set of events.

Perhaps we should have tried to keep the committee hearing going, and perhaps we share some blame in that, Mr. Chairperson, but we were not—[interjection] Well, the Chair of committees should remember what the Minister of Health (Mr. Orchard) said. I spoke directly to the Minister of Health, and I know that he did not want this bill to be passed through because of who was introducing it—let us put it that way. That is very, very clear.

We, by the way, also were victims last year in terms of The Pas Health Complex Act. We attempted to get that passed through. It was not passed through. We hope that will be dealt with. I think that the member for St. James, in retrospect, had some very significant points. I want to put that in all sincerity. I think we should avoid this kind of approach with future bills. I say we, collectively—all three parties.

Mr. McAlpine: Mr. Chairperson, I think it is important to put this on the record—that the opposition members are talking about partisan politics here. I think that the partisan politics is coming from the other side. It has nothing to do with the Health minister.

I was at the committee on the 22nd of July 1991, and it was quite apparent that the member for St. James (Mr. Edwards) was not there, and the Health minister simply indicated that since the member was not present, the bill would be held over until the next session. I mean if there is any partisan politics that is being played here, I think it is on the other side. All we want to do is to pass the bill, and let us do it.

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, I find it absolutely amazing that the member for Sturgeon Creek would take that type of an attitude that the Salvation Army is not worth waiting two or three minutes.

* (1015)

It has been a number of years where I have gone to a number of different committee meetings in which we have waited five, 10 minutes in order to deal with bills. If this would have been a priority to this government, in particular to this member who represents the Salvation Army, or the actual location of it, that in fact, he would have had the interest in ensuring that the member for St. James, albeit had to wait two or three minutes. We are not talking an hour late or a half hour. We are talking two or three minutes. The member was, in fact, in the House.

Mr. Chairperson, I take exception to what the member for Sturgeon Creek is saying, that in fact, had he been sincere about it, he would have ensured that this particular bill passed last session and that the excuses that are being made from this member and the Minister of Health (Mr. Orchard) are completely unacceptable. Unfortunately, it had to take this course in order to pass the Salvation Army bill, which is something that should have been done in a very apolitical fashion.

Mr. Chairperson: The bill will be considered clause by clause. During the consideration of the bill the title and the preamble are postponed until all other clauses have been considered in the proper order.

Clause 1 pass—pass; Clause 2—pass; Clause 3—pass; Clause 4—pass; Clause 5—pass; Preamble—pass; Title—pass. Bill be reported.

This concludes the consideration of the bill. I would like to thank the committee and the staff from Legislative Counsel for their work this morning.

COMMITTEE ROSE AT: 10:16 a.m.