

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Tuesday, May 2, 1967

MR. CHAIRMAN: The motion before the Committee, that Clause (3) of Section 36 be amended by adding after the number (2) in the second line the following: "and of which Committee at least one-third of the members shall not be members of the medical profession." Are you ready for the question?

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, the Honourable Member for St. Boniface was speaking and I know that he wasn't finished. Here he is now so he will carry on.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): ... Member for St. Boniface.

MR. LAURENT DESJARDINS (St. Boniface): I beg your pardon?

MR. WITNEY: I was just extending a welcome to you, Sir.

MR. DESJARDINS: I was waiting to hear the point of view from the Minister on this motion that we have before us, Mr. Speaker, because he was asked the question by the Honourable the Member for Selkirk, for instance, that we should have the powers of the Medical Review Committee. I moved the motion but then I also did explain that if it was just a question of strictly, and only dealing with medical records and so on, that there might not be the need for my amendment, but we haven't heard from the Minister or his Deputy Minister beside him on this.

MR. SIDNEY GREEN (Inkster): I also spoke to this matter and before I spoke I tried to ascertain from the Minister what this committee was, and if it can have the rather nebulous frame of reference which is now put in the Act, that is, "all matters relevant to the establishment, duties and functions of the Medical Review Committee" - that's all that the Act says about what it does - then we would think that the Member for St. Boniface's motion could be supported. On the other hand, if he says that it's strictly a review of medical matters, then of course as the Member for St. Boniface has said, that would cast a different light on the situation.

MR. WITNEY: Mr. Speaker, it is, as it's termed, a Medical Review Committee. It functions under the Manitoba Medical Scheme at the present time and it's one of the type of committees which is considered essential to this type of a scheme. It, incidentally, is a type of a review committee that comes from the Province of Saskatchewan also, although we didn't take this on the basis of the Province of Saskatchewan, we took it basically because of the fact that it has been an established sort of thing with the insurance scheme here in Manitoba.

When they had the individual insurance plan, the individual claims were assessed by the insurance companies and generally the people who reviewed those individual claims were or was a medical practitioner, but under the modern method now, the machine processes a great number of these claims. Whereas prior to the mechanization that became involved in these insurance schemes it used to be the matter of a doctor as a review man assessing each one of the medical claims, now you have a machine which develops a pattern and it is the pattern which is reviewed by the Medical Review Committee and it is a matter dealing with medical matters. The review is on matters of medicine and then of course the committee reports back to the Corporation. But it is question of being a Medical Review Committee that on a medical basis assesses the patterns that have developed in an individual doctor's practice as revealed by the machines, whereas a few years ago before the machine, it used to be on the individual.

MR. DESJARDINS: Mr. Chairman, you say it's a medical review. I know that, this is what is spelled out, but is it on medical matters only - no charges, no fees, nothing on that is discussed in this at all? It is strictly on treatment of disease and things like that, strictly on medical matters.

MR. WITNEY: Yes.

MR. DESJARDINS: Mr. Chairman, I'll withdraw this motion with the assurance that this is the case, but I think that we could still improve this, and this has been mentioned to me by a well-known doctor. I think he probably knows more about this plan than probably anybody in this House, and he feels that this might be answered if the Minister would include in this - and we wouldn't need a motion for this - doctors who might be in the service of the government, of the Department of Health, and not practising medicine at this time. If there were a few of those, it was felt that this would improve this thing, such as some of the doctors that you have in your department now. I think that this might be a good idea if they could sit on

(MR. DESJARDINS cont'd)..... this Board. Now this could be done the way it's spelled out here, but I wonder if the Minister would tell us what he thinks about this. There shouldn't be any objection to this.

MR. GREEN: Mr. Chairman, before the Minister answers, I'd like to assure him that I'm acquainted with the type of pattern surveys that they do and I may say that a pattern doesn't always tell the story. I think that the Act should - or the plan should eventually provide, and I suppose it will, an appeal by a practitioner from the findings of a committee which bases its result on a mechanical machine, because I've seen this not operate, in my opinion, to the equity of all people in the past.

MR. WITNEY: Mr. Chairman, no I prefer to stay with the two bodies that we have in the bill which are the MMA and the College of Physicians and Surgeons. The plan, as we have it, will be dealing with doctors who are in actual practice, in the practice of medicine as we know it today. Our doctors in the Department of Health are in a specialized field of health. The men who are on the College of Physicians and Surgeons and the MMA would be men who would be doing work similar to the type of work that would be reviewed by the Medical Review Committee.

MR. DESJARDINS: Does this say that they have to be chosen from there? I might say to the Minister that the doctor that I was referring to is none other than the President of the MMA and he thought that this would be a very good idea to have non-practising doctors on this Board.

MR. WITNEY: Mr. Chairman, they could do that because all of the doctors that we have on staff for the Department of Health are members of the College of Physicians and Surgeons. They have to be in order to be able to be licensed as doctors, and not all of them but the majority of them are members of the Manitoba Medical Association. So it would be possible for either one of those two bodies to place a Department of Health doctor on the Medical Review Committee.

MR. DESJARDINS: I understand this, this is the reason why I'm withdrawing my motion. I know this. But my question is not can it be done, my question is would the Minister suggest this? If he were to keep this in mind when the selection will be done, because after all the Minister would be represented also. This will be established by the Corporation with the approval of the Lieutenant-Governor-in-Council.

MR. WITNEY: I think it would be better for me, Mr. Speaker, to leave it up to the Corporation and the College and the MMA to make the decision as to who will be on the Medical Review Committee.

MR. SHOEMAKER: The Review Committee will in fact be the adjusters, I suppose, or assume the position of an adjuster. --(Interjection)-- Yes, but my honourable friend says it will have nothing to do with finance. Well that may be true, but they will determine to some extent the portable features of the plan. I suppose they will determine whether or not that you can go to another province to obtain surgery, we'll say, or even go to America. They have nothing to do with this whatever? Nothing to do with an illegitimate claim coming in, the reviewing of that?

MR. CHAIRMAN: Is the Member for St. Boniface withdrawing his motion?

MR. DESJARDINS: Yes, with this explanation, this assurance from the Minister that this is strictly looking into medical matters, I'll withdraw my motion.

MR. CHAIRMAN: (Section 36(3) to 41 were read section by section and passed.) Section 42 --

MR. DESJARDINS: Mr. Chairman, on 42, I move that Section 42 be amended by striking out the first word "unless" and Sections (a) and (b).

MR. CHAIRMAN presented the motion.

MR. GREEN: Mr. Chairman, if he's finished, I would just like to hear how the section will read when this happens.

MR. DESJARDINS: It would start "a medical practitioner shall not charge ..."

MR. GREEN: I see.

MR. DESJARDINS: Now, Mr. Chairman, I think that this is the most important section of the plan. It could be one of the most important or it's the weakest spot of this plan right now, the way this is spelled out. Now we want to make sure that we understand that the doctor can now practice outside this plan, and we've just finished this section - this is Section 41. He can forget the plan altogether and he will send his bill to the patient; the patient is responsible for the bill the way it was before; and the patient can get the portion recognized under the plan,

(MR. DESJARDINS cont'd).... but the doctor has nothing to do with this plan.

Now we are saying for those that work within this plan, they can go ahead and say first of all that doctors have all the choice in the world. They can join the plan or work outside the plan. If they're in the plan they can turn around and tell their patient, "I will not look after you" - because nobody can force them to look after any patient. - "unless you give me a certain amount over and above what's covered in this plan." This defeats the whole purpose of this bill. You said that you wanted a compulsory plan. I don't agree with this. I didn't like the compulsory plan, but now we have a compulsory plan for the patient and nothing else - nothing else.

The doctors were worried about one thing. Their main concern was the right to stay out of this plan. You couldn't force them into socialized medicine; they could stay out of this plan. And this is what the Canadian doctors said: "The main concern of the medical profession has been that the federal legislation should in no way prohibit or destroy the right of any insured citizen to receive the full benefits of his medical insurance when he consults any qualified physician, whether or not the physician is a participant of any plan. A doctor working outside a medical insurance program would be a doctor who declines to participate in the program, submits his bill to the patient rather than to the insurance carrier. The patient would then pay the bill and seek reimbursement from the insurance carrier." In this instance, in this province, the insurance carrier being the Board of this plan that we have in front of us.

Now there's no compulsion on this doctor, but those that are working inside this plan have a further choice. They can just accept this plan but now they don't have to -- they can take a patient, accept a patient as long as they tell them before that this will cost them more money. This defeats the principle of this plan. There is no reason to add this once you've already said that the doctors do not have to join, do not have to work under this plan. This is what they're doing when they work under the plan. They accept this plan; they accept the cost whatever -- the payments under this plan. This is the reason for this.

Now you are, first of all, getting away from this free voluntary work. It will not be needed; it will be practically impossible to do now because the government is paying for all the bills of all the people of Manitoba. Now they will be guaranteed payment under this plan and there's a good chance, as we were told by some of the doctors - not as we were told, as the members of the medical profession were told - there's an excellent chance that it will no longer be pro-rated basis, that they will get 100 percent of their costs.

Now if you follow me, Mr. Speaker, you have people that say, "Yes, I accept the plan." Then they turn around, they're guaranteed 100 percent of the costs - they will be apparently; guaranteed no bills to send - well they send a bill to the Plan, that's all; 100 percent recovery; and then you're turning around and you're saying to these people, "Yes, but you can charge more if you wish." This is making a mockery of the people of Manitoba. This is mockery. There's no reason for this plan. You're talking about a compulsory plan; it's compulsory; we get the worst part - I would say it's compulsory - and what we should gain under a compulsory plan, we lose.

Mr. Chairman, the Minister is standing up in this House and tells us that there's cooperation with the medical profession. As I say, I'm not criticizing the medical profession as such, as professional, as a doctor looking after the welfare of the individual, but when it comes to this - and I'm still not criticizing them, they're trying to get the best possible deal for themselves - but we have the responsibility to look after the affairs of the people of Manitoba. I say that if this clause is allowed to stay in there, it's going to cost us a fortune and we will not get any better care; in fact we might get inferior care. Right now in Manitoba, after spending all this money, our citizens, the people that we want to help, will get inferior care. We know that there'll be a shortage of doctors; we'll know that they should work longer hours; we've been told this. So what's going to happen if a doctor has too many patients? Is he going to take those that are not ready to pay any more? I think that this is the most dangerous, the most dangerous section that we can have in this bill, and it defeats the purpose of compulsion for one thing.

Now what is the reason for this plan? It says here - the editorial that I have - "Few persons would argue today that anyone should be deprived of adequate medical care simply because of the lack of money to pay the bill." This is the main reason, this is the main reason of this plan. The Minister last year gave us a paper on this and this is what he said: "The government of Manitoba maintains that medical service insurance should be available to all residents of Manitoba at a cost within their means." And what does this thing do? That

(MR. DESJARDINS cont'd)... means that every specialist, if he wishes - especially the good ones or those that are recognized as good ones, as the best - it means that they could turn around and select their patients and select those that are ready to pay extra fees. Is this what the Minister wants? He's laughing. I'm sure he's not laughing at what is pending for the citizens when they come and see the doctors and they say, 'I'm sorry. I'm booked up.'

What are we going to have? The best doctors? The specialists and so on will be turned away. You're not saying that they will pay only the balance, like 10 percent, if we are pro-rated. You say in this that they can ask -- well, let's read it. "Unless prior to rendering a medical service to an insured person, he has given to the injured person reasonable notice that he proposes to charge to and collect from the insured person, for the medical service rendered by him, an amount in excess of the benefit in respect of the medical service; or at any time the insured person has agreed with him to pay for the medical service in amount in excess of the benefit in respect of the medical service; a medical practitioner shall not charge to or collect from the insured person a fee in excess of the benefit in respect of the medical service." But if he's told them that he'll do that, he can charge a fee in excess of the benefit in respect of the medical service.

This is the whole principle of the bill, to put everybody on the same base when you start looking for medical services, for ensuring them, and you are starting by creating different classes. I would say that if there's a shortage of doctors, somebody will be left without proper care. Who will it be? Who will it be but those that can't afford, I might say, to "tip" the doctor - to "tip" the doctor. We're supposed to look after the basic pay. It's supposed to be sufficient to belong to this plan. We pay premiums on this. What's going to happen? The same as we have in the hospitalization now. We have a contract; we force the people to belong in this; it's a compulsory plan but we won't be able to deliver. We won't be able to deliver. You have one doctor in a small place, rural town - he's very busy. What is he going to do to start getting selective -- he's going to start charging a little more. Now this money is all going to go to the doctor and it's not going to benefit the individual.

Now this was quite interesting. Just a few days ago, this is what Dr. Mosher had to say on this. Dr. Mosher said that the MMA could not estimate how many doctors in the province will submit bills to their patients for the difference between their full fee and the amount they receive from MMS. Personally, he thought about one-half of one percent of the province's 1,000 doctors would send these bills. One-half of one percent of 1,000, I think that's five doctors. Are we putting this clause in there for five doctors? Is that the idea? What is the percentage of saying to the doctors, work outside of this if you want. There will not be a single one that'll work outside the plan when they can get this basic guaranteed pay and then they can turn around and ask for more. I don't think this is any other Act of any other provinces. This is defeating the purpose of a universal -- a plan such as we have in front of us.

Now what does the Hall Commission say about this? This is in 1965. Mr. Justice Hall completely rejected any possibility of deterrent fees being included in a medical plan. He saw no possibility of compromise between a deterrent fee scheme and a completely free medical plan. And what is this? This is a deterrent. Now if you're going to discuss the principle of deterrents, I would say that this money should go back to the plan. The doctors are already receiving 100 percent of the schedule. We're not even given any information here about the schedule; it'll be decided later on, and it's plain that the doctors will decide after listening to my friend the Minister of Health today. If there's going to be any deterrents at all, they should be paid to the fund - to the fund. The doctor is already paid.

I would like to ask the Minister what he means by co-operation? And I don't criticize the doctors. The only thing, I think they're placing themselves in a position where we have to start negotiating with them the same as we would negotiate with any union. The way they're doing, they're trying to get in line for the best possible way to negotiate. I don't blame them but I would say, All right, you call the shot; we'll start looking at this with dollars and cents in our eyes.

Co-operation is when you give and take. Now what did the doctors give in this instance? They want to be outside the plan if they wish - you say yes; they want that we guarantee all their bills - yes; you -- maybe we should wait, they're having a caucus and looking upstairs and I think it would be well worth looking into this because this is important -- you guarantee their pay 100 percent - fine. This is what they wanted. They can choose their patients if they wish - fine; they'll make a deal with the board pretty well on their own costs - fine; they select their patients. What co-operation? What do you mean by co-operation? What is

(MR. DESJARDINS cont'd).... co-operation? This is the best possible deal for any group of individuals that you can find. If this is socialism, for this group this is terrific - terrific.

I say the doctors will increase their revenue from at least, at the very least \$5,000 a year, and some of them -- I said at least, at the very least -- and some of them if they wish -- now I'm talking about individuals, not the profession -- some of them if they wish can turn around and take it easy; work less because they're going to have -- they were getting 80 percent of the schedule; we're told that they'll receive 100 percent and they could charge more besides that. They won't lose not a cent, everything is guaranteed. And we're talking about -- some say, "Well all right this is deterrent."

Now the Minister said that it had to be compulsory. I doubt if this clause can be accepted by Ottawa, and I hope that someone will send this to the National Minister of Health and ask him if this is what he had in mind when he started this plan. We're told of co-operation and then they put a clause like this when we're told that apparently only five doctors in Manitoba will take advantage of this -- five of them. Now the doctors that are busiest, the specialists, the eye doctors and so on, what are they going to do? It's only natural that they'll say, "Well I want a little more money." There's not even a limit on what they can charge.

So how can you put a clause like this and say that this is in order that every single citizen of Manitoba can have the same care when he needs it, the highest possible standard, without having to pay for it except through his premiums. He will not get the service. He'll get the service when there's time, and what is he going to do? He's going to be worse off than ever because he's going to subsidize the higher class as it is who will tip the doctors a little more. I can't understand how a clause such as this -- and I haven't seen any clause such as this in any other Act. If this was done by the demand of the doctors, I say that the Minister of Health and this government has sold out to the doctors in Manitoba. They're certainly not interested in providing equal care for all in Manitoba, and this, Mr. Chairman, I say definitely has to go or you're defeating the whole purpose of this bill. I doubt if a bill such as this, with this clause, will be accepted by the Government of Canada. If this is passed, I say to the Minister today that this is not the end of it. This government has been arrogant and do not want to give us any information at all. If they insist on passing this thing, they'll hear an awful lot about this. They'll hear an awful lot about this and it won't be to the benefit of any favourite groups, I can tell you that.

We are here trying to bring in a plan that is supposed to be compulsory, that is supposed to look after the welfare of all the people of Manitoba, and we're putting a clause that nullifies everything else. This bill with this clause, the way it stands, just gives us the wait in line for money from Ottawa and then starts going in the pockets of the citizens of Manitoba just to pay higher wages to the doctors and I don't think that's fair. I don't think that's fair at all, and you know, Mr. Minister there will be a lot of complaints. You will have here, within two or three months after this plan goes into force, people that have been refused by their doctor. What are you going to say to them? Are you asking these people to subsidize this plan? This is the reason why you are asked do you want to work inside or do you want to go out of the plan. If you want to work outside the plan, fine; if you want to work inside the plan you have got to accept the plan the way it is. You have got to take your chances. You are guaranteed certain things; you are guaranteed the full pay, you are guaranteed the sure collection of all their bills. Mr. Speaker, I don't know if this is an oversight or if this is for creating problems that we haven't got yet, but this has got to come out or you are defeating the whole purpose of this bill.

MR. WITNEY: Mr. Chairman, we've heard a very interesting speech from the Honourable the Member for St. Boniface. When we started to work on this plan, we hammered out with the doctors certain principles and we came to an agreement with the doctors that we would recognize the principles that we hammered out with them, and thus I would not want to support the Honourable the member for St. Boniface's motion, but in view of the seriousness of the clause and in view of the fact that the doctors can still opt out, I would be prepared to withdraw Section 42 pending further negotiations with the doctors.

Now this principle, this bill is being introduced in 1967 and there will be another Legislative Session in 1968. The plan is due to come in by July 1, 1968, so that will give a year for me to negotiate again with the profession, because I do feel that I must do that as I had already done so and negotiated with them, that this was one of the principles that we would recognize. So now I am prepared, if you will withdraw your motion, I'm prepared to remove Section 42 and get my head together with the doctors as soon as the bill is passed.

MR. DESJARDINS: I certainly thank the Minister for this. I think this is a wise decision and I thank the members of the MMA who are ready to discuss this. I think this is co-operation. Now will we have -- before I withdraw my motion, this will come back to this House before this clause is written in? This clause will be removed for the time being - right? It will not be passed. This is as suggested.

MR. WITNEY: I will withdraw the clause for the time being. There are some points but I don't think, now that I have made the decision, I should burden the House about this particular section except to emphasize again that I did come to an agreement with doctors and to stand here now - this was on principle - and just unilaterally take it away, I think would be bad faith on my part. But I certainly can, in view of the fact that we have another Legislative Session prior to July 1st, 1968, I can certainly withdraw it and re-negotiate with the doctors again on this principle. So we would take it out of the Act now; I will negotiate with them again; and if they wanted it back in and I agreed, then we would have to fight it through during the next session.

MR. DESJARDINS: I would be very pleased to withdraw my amendment at this time and I again congratulate the Minister and the members of the MMA on this wise decision.

MR. T. P. HILLHOUSE Q.C. (Selkirk): The impact of withdrawing the whole of Section 42 would be -- wouldn't it still leave in the Act the implication they could collect additional fees, because there is no prohibition against their so doing.

MR. WITNEY: ... the doctor wants to, and this is one principle that I would adhere to, they can opt out of the plan.

MR. DESJARDINS: I was following along with the Minister, but as the Honourable Member from Selkirk said, either it stays in, or don't we have to leave that little part that I left for the time being? That could be changed later on, because right now it's left in the air and we don't know if they can do it or if they can't do it. I was leaving part of that section -- in other words, my motion would read, "A medical practitioner shall not charge to or collect from the insured person a fee in excess of the benefit in respect of the medical service." I think that maybe this will have to stay there. Now maybe the Minister will want an amendment and I would be very pleased to cooperate with him, say for the time being until ...

HON. DUFF ROBLIN (Premier) (Wolseley): I wonder if I could offer an idea here which might meet the case. I can easily understand the Minister's position as a result of his previous conversations with the medical profession and yet I think we do appreciate the force of the argument that we have heard in respect of this matter.

Now this is a Bill which comes into effect on proclamation and I would suggest that we should consider leaving the section in exactly as it is, but with an undertaking from the government that they will not proclaim Section 42 without the consent of the House at some future date. We will either amend it, if it needs amending, or take it out or whatever the case may be, but under proclamation you know you can reserve sections that you don't wish to proclaim and so we could reserve Section 42 for future discussion, with the undertaking that we would not proclaim it in its present form without further reference to the Legislature.

MR. DESJARDINS: There is no chance then, Mr. Chairman, that this plan might be pushed up a little bit and be in force before the next session? If there is no chance of that, I guess that is about the best thing we can do.

MR. GREEN: I am glad that the Minister has changed his mind about having this proclaimed into law, because as I informed the House, I as an individual - although I think most of the members of the party to which I belong voted to delete this clause when it was before Law Amendments - I as an individual thought that the doctors should be given an opportunity to show their good faith. I was changed in that opinion, not by the arguments of the Member for St. Boniface although he has argued very well, I was changed in that opinion by what occurred on Friday, and I announced at that time that I would vote with the Member for St. Boniface for the withdrawal of this clause.

But I am now concerned with the presentation that has been made by the Member for Selkirk and I agree with him that if the clause is merely deleted or if it doesn't come into effect upon proclamation, it will have exactly the effect as if the clause was still in the Act. There is nothing to prevent a doctor from charging more than the amount that he is paid for by the fund, and that will take effect whether we pass it and don't proclaim it or whether we delete the entire clause.

Now what I would prefer is what the Minister first suggested, that he delete the entire clause so that it's not there, with the undertaking that at next year's Session the Medicare Bill

(MR. GREEN cont'd)... will be further dealt with and that this principle will remain open; otherwise, I think that if the clause is deleted without that type of undertaking - of course any member could move a bill at that time if the government doesn't come with legislation - then the Member for St. Boniface could move a bill suggesting that the plan be amended just as he is now proposing it.

But I would prefer not to pass the section and leave it unproclaimed because I think passing the section and leaving it unproclaimed still means passing these words. I'm inclined to go with the Member for St. Boniface that this is turning a Medicare plan into a doctor care plan, that we are passing a plan for the benefit of insuring doctors' income, not insuring the health of the people of the Province of Manitoba.

MR. ROBLIN: Mr. Chairman, I think really that either way will work quite satisfactorily. I think it would be a little more convenient if we left it in with the undertaking that we'll not proclaim it, feeling, I'm sure, that it's going to be changed and amended the next time we get a chance to do so. I think it helps the Minister's position with respect to his previous conversations with the medical profession and others concerned. I don't think it makes any difference but I rather think this would probably be easier from a negotiating standpoint than the other.

MR. DESJARDINS: We all agree, I think, that it will be looked at again, and it might be that there would be no reason then to proclaim it. Maybe I was too hasty. Now the only way that I want to see is that we re-negotiate it and I think this has been made clear today, our intention - the intention of the -- well all the members of this House - and I think that they will accept this, the doctors will accept this.

So maybe we should leave it at this time and if you want the words "for the time being" -- but it would read now, if I left this motion in, "A medical practitioner shall not charge to or collect from the insured person a fee in excess of the benefit in respect of medical service." I'm sure that the doctors will understand that you'll be re-negotiating this again. But here we're making an Act and if we pass it you could proclaim it any time. This government might be dissolved and we might be in trouble, not that I doubt of the Minister's sincerity, I just think that we should wait, not pass anything, wait until the Minister comes back after further deliberation and study and either wipe it out completely, leave this -- the three last lines or change it.

So I think I might as well leave the motion. I can't see any other way. Leave the amendment for the time being. The only thing that bothers the First Minister and the Minister of Health, I'm sure that you can have the assurance of all the members of this House that it is our wish that you go back to the medical profession and negotiate with them.

MR. GREEN: Mr. Chairman, may I also say that passing the amendment as proposed by the Honourable Member for St. Boniface would be directly consistent with the procedure that was adopted by the Manitoba Medical Services themselves. We would be in fact using their principle as a part of our plan, with the exception that it was their principle that medical practitioners who practised under the plan would not charge more than the amount of the schedule and would be paid the pro rata except for people earning over \$10,000 a year.

Now the Legislature in adopting the motion of the Honourable Member for St. Boniface would be adopting their plan without its recent amendments, and I say that those amendments were part of the long scheme of negotiations that have been entered into by the medical profession since they became resigned to the fact that there will be a plan. It's only recently that they've permitted doctors to charge more. It's only recently that they suggested that they would opt out of this thing, that their own scheme, their own insurance scheme, had a provision that you could not send the patient a bill for more than what you got from the plan unless that patient had an income of over \$10,000, and I would think that the Minister of Education could confirm that.

MR. WITNEY: Mr. Chairman, it's been suggested to me by the Legislative Counsel that one way to handle this matter during the period that I would negotiate, because I want to emphasize to the House that I don't want to deal in bad faith with the doctors and I know they don't want to deal with me in bad faith either, and I don't want to necessarily take just a unilateral action on principle at this stage. So I would be prepared to move that we take out Section 42 but we go back into Section 41 and we amend -- just hang on a moment please -- Well, first of all, do I understand the Honourable Member for St. Boniface is withdrawing his motion? Because I'm going to move - if he does that - I'm going to move that Section 42 be amended by striking out the word "unless" in the first line and clauses (a) and (b) thereof and substituting therefor the words: "unless he has made an election under subsection (1) of Section

(MR. WITNEY cont'd),.... 41 which is in effect" - and that is the opting out section for the doctors.

MR. DESJARDINS: Mr. Chairman, I don't think this is needed at all; this is covered in 41. If it isn't - and I certainly think there's better opinions than mine - but I can leave my motion and you could sub-amend it just after the words, because you're deleting exactly what I want. I'll leave my motion and you bring in a sub-amendment just adding these few words before the last paragraph. That's all you have to do. My motion was deleting the word "unless" and clauses (a) and (b) of 42, so you just add what you want to add.

MR. SAUL MILLER (Seven Oaks): Mr. Chairman, I'd like clarification of the Minister's amendment. I'm wondering whether in Section 41 (1) whether this isn't really covered, where it says "A medical practitioner, by giving to the corporation at any time notice in writing, may elect to collect his fees for medical services rendered otherwise than from the corporation in accordance with the Act," etc. So there is provision for a medical man who opts out of the plan to collect his fees directly from the patient. He can ignore the plan completely, and this I think is what the Minister is trying to put into 42 now. --(Interjection)-- Well, let's take it out of one and put it in the other perhaps.

MR. ROBLIN: It has to be in both.

MR. MILLER: Why repeat it?

MR. BEN HANUSCHAK (Burrows): If we amend Section 42 as the Honourable Minister suggests, then 42 will become meaningless, because if the medical practitioner has opted out of the plan, then how could he in any way qualify to receive benefits in respect to the medical service from a corporation that reference is made to in 42?

MR. WITNEY: I think the method that we have here now would be the most suitable way of doing it, the amendment which I read to you, because that places the doctor back on to Section 41, if he wants to charge extra he has to opt out of the plan. So I assume then you've removed your motion.

MR. DESJARDINS: My motion withdraws "unless, (a) and (b)" so you can have us either pass this like we did on the liquor bill or bring a sub-amendment adding what you want and we've got the same thing.

MR. WITNEY: Well then the sub-amendment: "unless he has made an election under subsection (1) of Section 41 which is in effect."

MR. CHAIRMAN: Is the Honourable Member for St. Boniface withdrawing his motion?

MR. DESJARDINS: This is a sub-amendment and I have an amendment. We want the same thing so we might as well leave it there. Read the amendment and the sub-amendment please, Mr. Chairman.

MR. CHAIRMAN: The motion that Section 42 be amended by striking out the word "unless" in the first line and clauses (a) and (b) thereof. And the amendment: The amendment is by adding the following words: And substituting therefor the words "unless he has made an election under subsection (1) of Section 41 which is in effect."

MR. GREEN: ... in order to make sure that I know what I'm voting on. If a medical practitioner makes an election under subsection (1) of Section 41, he is opting in effect out of the plan. Then how does he deal with -- unless then he's made this election, a medical practitioner shall not charge to or collect from the insured person a fee in excess of the benefit in respect of the medical service. He won't get any of that, so then what does this amendment do? --(Interjection)-- Well, he can charge as much as he wants if he's not in the plan.

MR. ROBLIN: That's right.

MR. CHAIRMAN put the question on the amendment and after a voice vote declared the motion carried.

MR. CHAIRMAN put the question on the main motion as amended and after a voice vote declared the motion carried.

MR. CHAIRMAN: (Sections 42 and 43 were read and passed,) Section 44 --

MR. WITNEY: Mr. Chairman, we have had a number of amendments proposed to this bill, I think perhaps it's time that I proposed one myself. This is an amendment to Section 44. That subsection (1) of Section 44 of Bill 68 be amended by striking out the words and figures "304 of The Highway Traffic Act" in the sixth and seventh lines thereof and substituting therefor the words, figures and letter "3A of The Limitation of Actions Act." This brings this section into conformity with the Limitation of Actions Act which was passed by the Legislature this session.

MR. CHAIRMAN put the question and after a voice vote declared the motion carried.

MR. CHAIRMAN: (Sections 44 to 48 were read section by section and passed.) 49(1) - there's an amendment in the seventh line.

MR. HANUSCHAK: Mr. Chairman . . .

MR. CHAIRMAN: I'm telling you there's an amendment in the seventh line of Section 49, subsection (1). The word "it" is struck out and the word "he" has been inserted.

MR. HANUSCHAK: I'm sorry - where is the amendment?

MR. CHAIRMAN: In the seventh line of Section 49, subsection (1), the word "it" has been struck out and the word "he" has been inserted in its place.

MR. HANUSCHAK: Mr. Chairman, I would move that Section 49, subsection (1) be amended by deleting the first seven lines, ending with the word "satisfied" in the seventh line; and a further amendment, Mr. Chairman, delete the words "those" appearing in the eighth and ninth lines.

MR. CHAIRMAN presented the motion.

MR. HANUSCHAK: Mr. Chairman, my reason for moving this amendment is that this section as it presently stands suggests that the initiative to provide insurance for any health services other than medical services should come from the Federal Government. The section reads that if the Lieutenant-Governor-in-Council is satisfied that the Government of Canada will contribute to the costs of providing insurance, etc. In other words, this places the onus at the feet of the Government of Canada. It implies that the Government of Canada itself must become satisfied that this is a type of service that it should assist before the province can take any action.

Now if we're to allow this to remain, Mr. Chairman, it's quite conceivable that it may place this very government in an embarrassing position, because our own government may wish to provide coverage for health services other than those presently provided for, but it would be prohibited from doing so by the presence of this particular section which states that the Lieutenant-Governor-in-Council may not proceed with a provision for coverage of any health services until such time as it is satisfied the Government of Canada will make satisfactory provision for a contribution towards the cost thereof. That is my reason, Mr. Chairman, for moving this amendment.

MR. CHAIRMAN put the question and after a voice vote declared the motion lost.

MR. GREEN: Yeas and nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members. The motion before the committee is that Section 49, subsection (1) be amended as follows: By deleting the first seven lines ending with the word "satisfied" and that the word "those" be deleted in the eighth and ninth lines.

A COUNTED STANDING VOTE was taken, the result being as follows: Yeas, 21; nays, 29.

MR. CHAIRMAN: The motion is lost. (The remainder of Bill No. 68 was read and passed.) Bill No. 78. Agreed that we should go through this bill page by page: (Pages 1 to 3 were read and passed.)

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Mr. Chairman, under Page 4, Section 3, subsection (1), I would like to move the following words of an amendment; "None of whom will be members of the Legislative Assembly."

MR. CHAIRMAN presented the motion and after a voice vote declared the motion lost.

MR. MILLER: Mr. Chairman, 3(1), I would like to move that item (1) be amended by stating that not fewer than five or less than seven members be on this board. --(Interjection)-- Pardon me, that should be "nine", Mr. Chairman, 5 - 9. Just change the word "three" to "five".

MR. CHAIRMAN: Your motion is that the word "three" be changed to the word "five".

MR. MILLER: That's right. Mr. Chairman, the reason I'm moving this amendment is that I feel really that three is far too small a board, that if this board is going to function properly - and I think the Minister agreed that it should select the views of various agencies in the community, then the various disciplines that are involved should be represented on this board. The engineering, the architecture, the social welfare agencies, the social workers, education and so on, should all be on this board so they can study these matters from the point of view of the total picture rather than a specific project in a narrow sense, and I think that a board of three simply can't do it properly.

We heard yesterday similar arguments with regard to the University Grants Commission, that there too a larger board was needed in order to get a broader perspective of the problems and a better understanding of what was involved, and I think for that reason I would ask the government to go along with this and make it a more representative board than it can be if it's limited to three.

MR. CHAIRMAN put the question and after a voice vote declared the motion lost.

MR. MOLGAT: Mr. Chairman, I should like to say a very brief and general word here. I think that when the government is setting up this commission - we now have settled that it's going to be three to nine - that there's room here to get some volunteer people. I'm sure there are people vitally interested in this whole question of urban renewal who would be prepared to work at no remuneration at all, people who have already been involved either in planning or pushing for some of this work to be done, and I know that some of the people to whom I've spoken have indicated a very keen interest on getting involved here. I would hope that the Minister will take advantage of these volunteers who are prepared to assist, and I am sure if she were to check around with her people and with the various municipalities that she could find ample personnel at no extra cost who would devote themselves and do a good job in this commission.

MR. CHAIRMAN: (Pages 4 to 10 were read and passed). Page 11 --

MR. DOUGLAS CAMPBELL (Lakeside): Mr. Chairman, I think where my question would arise would be Page 11. I keep coming back to the question that I can't find an answer for that seems satisfactory to me yet, and that is why we need this bill. I still have the feeling that with the facilities already provided by the Federal Government that we could get along and do all of these things that can be done under this bill.

Now we've dealt with the part that sets up the corporation and passed that up to date; then we come to public housing; then a few pages over we come to projects as limited dividend housing companies; then we come to renewal. Now is it not a fact, Mr. Chairman, that we have had already projects under all of these various sections? Isn't that a fact? Haven't we had some under public housing? Haven't we had some projects under limited dividend housing companies? Haven't we had renewals? Why can't they be expanded and why can't we do more without setting up another duplicate board for what we have federally.

HON. THELMA FORBES (Minister of Urban Development and Municipal Affairs) (Cypress): The Honourable Member for Lakeside will realize that we cannot enter into an agreement -- CMHC won't participate unless the province is a partner to this. You say we have it now -- under the commission. As we have it now, public housing is tied to urban renewal. This Act gives us permission whereby we can enter into agreements where it is not tied to urban renewal, and this allows us to go into areas, I think as I explained, like in the local government districts where we do not have a municipality that may participate. And also here under urban renewal you realize that the Federal participation is 75 percent and the province and the municipality jointly share the remaining 25 percent. With this Act we have more flexibility, we are permitted to make greater use of the National Housing Act whereby we can enter into an agreement where they may loan 90 percent and the province may pay the balance of 10 percent, or if a municipality enters with it, they may share with the municipality and the province equally on the 10 percent. This gives us greater flexibility for movement and a wider choice of programs.

MR. CAMPBELL: Mr. Chairman, my idea would be that we should get the Federal Government to make those changes in their Act or regulations rather than us having to set up a competing organization. However, I would like to ask, under the heading of Public Housing - let us consider some of the things that have been done already - for instance, how was the public housing in the village of MacGregor undertaken?

MRS. FORBES: Are you referring to that for the Indian people there? It was community development.

MR. CAMPBELL: Who put up the money in that case?

HON. J. B. CARROLL (Minister of Welfare) (The Pas): It was a joint special undertaking which certainly wasn't intended for general application throughout the province but more of a demonstration kind of project to see whether this kind of thing could work.

MR. CAMPBELL: Could either of the two Ministers, Mr. Chairman, give us a report on how it has worked in fact, because I think when we're setting up a whole organization now, a new board with wide powers and it will undoubtedly spend a lot of the taxpayers' money, we should have a report on what some of the ones that have already been set up have done. I would really like to know, how has that one worked out?

MR. CARROLL: I'm afraid, Mr. Chairman, I don't have any figures on it at the present time. I think that it didn't work out quite as well as we might have expected, and I would hope that we can learn from that experience so that future projects can develop more in line with the way we'd like to see them developed.

MR. CAMPBELL: It would probably be true to say, Mr. Chairman, that the most of them haven't worked out as well as expected. Isn't this the history of this sort of thing, that with one government in it already they haven't worked out as well as we have expected, and now we're going to put a second government into it. I guess you've gathered, Mr. Chairman, that I'm not enamoured of the programs.

MRS. FORBES: Mr. Chairman, I'd like to say that the one project here, which is the Burrows-Keewatin one in Winnipeg, I don't think that we would like to say that that hasn't worked out.

MR. CAMPBELL: Could we have a report on it? I'd be glad to see one that has worked out well.

MRS. FORBES: Just what kind of a report would you like to have on it now? I'd like to ask you that.

MR. CAMPBELL: I would like to know what the cost has been.

MRS. FORBES: To give you an example of the Burrows-Keewatin, there are 165 units; the maximum salary that an individual can have to enter in here is \$4,338.00. An economic rent would be \$95.00 a month and the average of these shelter rents is \$55.00 a month and the minimum shelter rent is \$40.00. The maximum subsidy paid here was \$40.00, and this has been increased by \$16.00 as you know of late, \$12.00 being paid by the Federal and the province and the municipality, which is the City of Winnipeg, contributing \$2.00 each, the other \$4.00 of that. The deficit that we've had in there, and this is shared - remember this project is shared 75-25 - the total deficit that we've had to pick up in there in the operating costs here, 75 percent by the Federal -- the total would be \$83,669.00; the Federal picked up \$62,752.00 and the province and Winnipeg each picking up 10,458-odd dollars of that amount of money.

Now, I only have the figures to the end of last year, as you will realize. For a complete one here, the total cost of the project was \$1,931,446.85. Now our provincial share of the capital outlay was \$453,119.00. Our net provincial outlay, when Winnipeg pays their share, is \$230,564.00. Our provincial share of the interest is \$10,866.00, making a total of \$241,430.00, less the provincial share - that's the surplus from our housing authority up to December 31st of 1964 - which was \$3,578.00, making a total amount amortized, provincial share, of \$237,852.00.

Now we feel that this one has been successful. There's complete occupancy, no vacancies; there's a density of about 5.4 persons per unit; and we learned from this particular one. I think it was mentioned to us in Law Amendments that probably there may have been more - I think it was the Honourable Member from Seven Oaks if I remember rightly who said that maybe there could have been more liaison between different groups working in this area and we think probably this is true, because it came in under the earlier aspects of The National Housing Act. We are hoping that in this new one, the Lord Selkirk Park, with study - which is required more strictly by CMHC now - and ourselves in participation with Winnipeg and all the province and CMHC, that any of the mistakes which we don't consider too too glaring in the Burrows-Keewatin - but I think from every project you learn something - I think that we have greater hopes for the Lord Selkirk Park and it's my sincere hope that this one proves to be even better than the Burrows-Keewatin. I believe it's very necessary and I sincerely hope that it will work out to the best that we anticipate for it.

MR. CAMPBELL: Mr. Chairman, do I understand correctly that in that development that the rents are subsidized to something in the neighbourhood of 50 percent?

MRS. FORBES: You mean in the Lord Selkirk Park?

MR. CAMPBELL: Yes.

MRS. FORBES: The anticipated recovery rent to make it an economic unit we think, under these figures, is \$126.58 per unit per month. We anticipate that the average rent will be \$57.00 and the anticipated subsidy would be \$69.58 per unit per month - and this remember is still under this 75-25 sharing - so that CMHC will be picking up 75 percent here and 12 1/2 percent by Winnipeg, 12 1/2 percent of that subsidy by the province.

MR. CAMPBELL: I was much too modest, Mr. Chairman, that's subsidized to a much greater extent than 50 percent. I don't know just what that percentage would be but ...

MRS. FORBES: I should correct the honourable member here to this extent, that it depends upon the income of the family because it's a sliding range here. For instance, if a family was only receiving \$192.00 per month, well then the average rent - now this is a fully serviced unit of course, heat, light and so on in there - his monthly rent, we figure he should only have to pay about 16.7 percent of his salary and so his monthly rent would be \$32.00,

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(MRS. FORBES cont'd)... whereas if you come down to a person who can pay an economic rent which is 26 percent of his salary, he will be getting \$412.00 per month and so he would pay the full rent. So as you go up the scale, the higher their salary, well then the less subsidization there is. But of course the lower rental, which is what we are attempting to do, to give these people the opportunity of living in safe - and I won't use that word you don't want me to - safe housing, we are ...

MR. PHILIP PETURSSON (Wellington): Do the units vary in size?

MRS. FORBES: Well this is the whole idea in this of course to give them housing, that we would like to see them live in, if possible, in the area where they work and bring up their families.

MR. CAMPBELL: Mr. Chairman, I don't want to hold up the passage of the bill but I would like to get some of these things on record, and if the Minister would simply agree to furnish me with complete information, because what I'm quite frankly wanting to get is this question of how heavily is it subsidized, and maybe we can only deal in averages. But the other question is - I understood the Minister to say that approximately \$3,000.00, you must have an income of less than \$3,000 in order to qualify.

MR. MILLER: \$4,300.00.

MR. CAMPBELL: \$4,300.00. A person with \$4,300.00 can still qualify and get some subsidy?

I don't want to delay the passage of the bill at the moment, Mr. Chairman, I'm simply putting on record my objection to this type of thing, because when there are so many of the people of the Province of Manitoba who do not have an income of \$4,300.00 or anything close to it, I think that we simply can't ever cope with the problem of giving housing to all of them, and so what you have when you have undertakings of this kind is that you have people with less than \$4,300.00 paying their share of subsidized housing for people who are getting more money than they are. Quite frankly, I don't see where this gives the kind of incentive that we believe in under a free enterprise system. It's quite okay to say that 75 percent of it, or in some cases even 90 percent is paid by the Federal Government, but we're federal taxpayers - or these people who have the income are federal taxpayers as well as provincial taxpayers and they have an interest in what all of this costs.

I would like to ask the Honourable the Minister of Welfare to get figures also for us dealing with the project out at MacGregor. I'd like to know how the rents have been collected and whether they have been paid reasonably well up-to-date and what the assessment is as far as the success of that project is concerned.

Mr. Chairman, I don't want to hold the bill up to discuss this at any length, but I simply register my disagreement with this type of setup in general, particularly when there's a Federal Government agency already in the field with whom we could work. It's been my experience in government that the Parkinson's Law operates most effectively in fields of this kind, and no place more effectively than in the so-called social programs. It seems that most governments are helpless - and I certainly include the present Federal Government in this general statement - most governments seem to be absolutely helpless to arrest the progress of Parkinson's Law, and if the most of governments can't do that, then for goodness sake the one defence that it seems to me that we could have is to at least not duplicate the agencies of other governments. And so I'm not enthusiastic about the bill, Mr. Chairman.

MRS. FORBES: ... duplicating it, and for the honourable member I'll see that he gets this information so he understands that we aren't.

MR. CAMPBELL: I'll be glad to have it. Could I have an undertaking from the Honourable Minister of Welfare with regard to the other project that I mentioned in the Village of MacGregor?

MR. CARROLL: I don't think that it would be possible to get it in time for this year's Session. Possibly we could discuss it at my estimates next year if I'm still around.

MR. CAMPBELL: Well, that's one ray of hope, that latter one, and certainly I'd almost be willing to forego the information. But if my honourable friend would make it available after the House rises, it will be just as good.

MR. CHAIRMAN: Page 11 -- passed; page 12 -- passed; page 13 --

MRS. FORBES: Mr. Chairman, I have an amendment to move, that subsection (1) of Section 17 of Bill 78 be amended by striking out the last two lines thereof and substituting therefor the words: "a report to the Minister in which it recommends that the project be undertaken."

MR. CHAIRMAN presented the motion and after a voice vote declared the motion carried.

MR. CHAIRMAN: Page 13 as amended --

MR. HANUSCHAK: Mr. Chairman, I move that Section 2 be amended as follows -- I'm sorry, Section 2 (a) be amended as follows: that all words after --(Interjection)-- Section 17 on Page 13 -- that all words after "required" be deleted.

MR. CHAIRMAN presented the motion.

MR. HANUSCHAK: My reason for moving this amendment is I note that this part of the bill deals with public housing and it is particularly directed at, in some way, assisting persons of low income. However, I wish to suggest, Mr. Chairman, that perhaps some consideration should be given to the fact that home ownership or the provision of shelter as we now have it is not really the most economic, that people do have second thoughts - or at least students of housing do have second thoughts about the matter as to whether or not individual home ownership or apartment block or apartment rental is really the most economic method of provision of shelter.

Therefore, Mr. Chairman, I moved this amendment hoping that this would open the door to the body set up under this Act to consider public housing schemes for all regardless of income. When it comes to a matter of establishing rent, well there are various formulae that can be used to assess it equitably. I feel that there is good reason for it, Mr. Chairman, I feel that it's the absence of this very thing that this bill provides for that makes it difficult for cities to change in order to adapt to needs as they become apparent, as they become necessary with the growth and expansion of cities. We're faced with this problem in the downtown area and this problem will remain with us for a good many years to come, and this no doubt leads to expensive and prolonged negotiation and expropriation proceedings in order to acquire the land for the needs that arise with the growth and expansion of a city.

I would like to suggest to you, Mr. Chairman, that the same problem could, after a period of time, develop in many of our suburban housing developments. The homes which are looked upon as new or relatively new today will not always remain so and this may be one way of minimizing the types of problems that we are faced with today, because if those homes are in the hands of a public housing authority or corporation, then after they have become obsolete, after they have outlived their usefulness, those homes, that property can then be quite simply converted to whatever purpose it would best serve at that time without the necessity of the cumbersome lengthy negotiation and at times litigation, and costly litigation and negotiation, that we are faced with today.

In other words, Mr. Chairman, it would ease the problem of zoning; it would ease the problem of town planning for city and town councils; it will enable them to vary their zoning provisions with the passage of time to meet the then current needs.

MR. CHAIRMAN presented the motion and after a voice vote declared the motion lost.

MR. CHAIRMAN: (Pages 13 to 18 were read and passed.) Page 19 --

MRS. FORBES: Mr. Chairman, on Page 19, I move that subsection (1) of Section 27 of Bill 78 be amended by striking out all the words after the word "submitted" in the third line thereof and substituting therefor the words "a report to the Minister in which it recommends that the project be undertaken."

MR. CHAIRMAN presented the motion and after a voice vote declared the motion carried.

MR. CHAIRMAN: (Pages 19 and 20 were read and passed.) Page 21 --

MR. MOLGAT: Mr. Chairman, on Page 21, the matter of renewal, will there be any provision or has the Minister given any consideration to the other services that are required in an urban renewal area? I don't think it's enough simply to build new houses, I think experience has shown that in fact when this is simply done by itself that it is not successful. Now there are a number of volunteer agencies who provide a good deal of assistance and who are prepared to work with the government - and I'm talking about those approved private social agencies who do work throughout the Metropolitan area in particular but in fact wherever they can in the Province of Manitoba - and I know that they have a problem in many cases when there is a new area developed. Unless they get some assistance, their budgets do not permit them to do the work within those areas that is required, and in some cases the provision of buildings as well which they are not equipped to do, and yet if the whole scheme of urban renewal is going to be successful I think the experience has clearly shown that it cannot simply be a matter of buildings and houses; there must be as well the services and the program to make sure that the rehabilitation that is required goes on as well.

So I would like to know from the Minister whether or not there is provision under the bill

(MR. MOLGAT cont'd).... and whether she has given consideration to these problems when we are proceeding with any further urban renewal.

MRS. FORBES: If the honourable member would look at (a) (i), he'll notice that urban renewal refers to blighted areas and the whole area might be redeveloped for commercial rather than housing; but if he goes back to (j) of No. (1) in the Act, he will note that under Section 1 that a housing project means a project undertaken whereby something similar to what the Honourable Member for Assiniboia said they had in the Chicago area where a whole new area could be anticipated. In other words, a housing project could be part of it but the balance of the land which is serviced could be resold to private enterprise to develop so that you have shopping centers and the other things I think which the Honourable Leader of the Opposition is thinking about.

MR. MOLGAT: I'm also thinking though, Mr. Chairman, of some of the other agencies. For example, the Neighbourhood Services Center and so on. Is there going to be assistance given to those? I think that in order to make the renewal project successful, not simply leaving it as a housing or a commercial thing but to make sure that assistance is given to the people on rehabilitation as well, that we have to bring in these approved social agencies, and they I think are in a position at times where they would like to do this but their budgets do not permit them to do so. And my question is: Is there going to be assistance for them either through the Welfare Department or through the Minister in her department to make these services available in the new urban renewal areas?

MR. CARROLL: Mr. Chairman, as you may know, the Neighbourhood Services Organization is very substantially subsidized by the Provincial Government at the present time. We know something of the work that they're doing in the Salter-Jarvis area. It was fully subsidized by the Province of Manitoba during our multi-service project there. I would also like to mention the urban renewal project that was briefly discussed during my estimates and that will, we hope, be underway in the very near future.

MR. CHAIRMAN: (Pages 21 and 22 were read and passed.) Page 23 --

MR. MILLER: Mr. Chairman, on Page 23, Section 36, subsection (a), I'm going to make one last attempt at this. The suggestion here -- not the suggestion, but the Act or the bill states that the municipality shall participate to the extent of paying 50 percent of the provincial share. Now again I'm wondering why this persistence on the "shall", and I would suggest to the Minister that she consider the word "may". It's permissive. If the province doesn't feel that they wish to go on other than a 50-50 basis they may choose to do so. On the other hand, there are situations and there are municipalities where their tax base and their low assessment will not permit them, even if they want to, to go into the schemes of this kind, and usually those are the areas that need the urban renewal. They're the most poorly assessed; they're the most blighted.

Now that it's no longer in existence I can refer to Brooklands as an example where urban renewal was long overdue but they couldn't because they didn't have the finances to enter into it, and I would suggest that in areas such as this the province, and through the Minister, should be given the flexibility to go into an agreement with a municipality whereby they may say to the municipality, "We don't expect you to pick up 50 percent or advance 50 percent, in your case because of the situation, your low assessment, we'll consider another arrangement." The way it reads now it's fixed, it's pre-determined, and there's absolutely nothing anyone can do about it. I think this is inhibiting the plan and inhibiting the Act rather than helping to realize what we all hope it will realize; urban renewal schemes in Manitoba. So I'm wondering if the Minister would give this her last minute consideration.

MRS. FORBES: Mr. Chairman, I know the intent of the amendment proposed by the honourable member is quite worthy of consideration. However, I assure him that it will receive attention but at this particular time I'm not prepared to go along with it. Therefore, I won't be able to support his amendment.

MR. CHAIRMAN: (Pages 23 to 25 were read and passed.) Page 26 --

MR. MILLER: Mr. Chairman, on Page 26, item 43, subsection (2), I move that subsection (2) be deleted and that in its place it read: "where under this Act a municipality is authorized to borrow money, a by-law passed by the council shall be approved by the Municipal Board before third reading."

MR. CHAIRMAN presented the motion.

MR. MILLER: Mr. Chairman, in this regard the Minister has not gone along with my

(MR. MILLER cont'd)... previous suggestion and so I think it's essential that we pass this amendment. We know that under the Act now as it's proposed, no municipality can enter into any agreement or do any of these works without referral to the ratepayers. We know by experience - and I'm sure the Minister will agree to this - bitter experience, that where ratepayer votes are called for it is highly unlikely that ratepayer approval will be achieved. The City of Winnipeg was stymied and frustrated for years in attempts to go into urban renewal because they couldn't get a ratepayer approval on their by-laws, and this is not unnatural. I can see where people living at one end of the city would say: Well, it's not my problem, I'll vote no; let Ward 1 worry about it or Ward 2 or Ward 3 or what have you; and they never got anywhere. It wasn't until the City of Winnipeg under its Charter got the power, by by-law of council, to enter into these agreements that urban renewal started to go anywhere at all in the City of Winnipeg, and I suggest to you that unless the same power is extended to other municipalities this bill will just be a piece of paper; it will get absolutely nowhere.

We know again from experience when this province and the government wanted Manitobans to participate in centennial celebrations to honour the hundredth anniversary of this country, they passed a bill in this House which stated that municipalities could undertake capital projects and repay them by one of two methods: either over an eight-year period or as high as a twenty-year period. They did not have to seek ratepayer approval and we know - those of us in the municipal field know and I'm sure that members here know as well - had it gone to the municipal ratepayers for approval, I suggest to you that 90 percent of the projects rising now throughout Manitoba would not have come into being. I'm talking about libraries; I'm talking about curling and hockey arenas; I'm talking about the facilities that the communities will benefit from for years to come; and yet if it had been left to the ratepayers they would have turned it down.

I suggest to you that there are other areas too. I don't remember the section -- there's a section in the Act which permits municipalities to undertake certain paving projects, graveling projects, and not take it to the ratepayers. They're giving this power. In other words, where the government felt that they wanted something done and that had to be done, they by-passed ratepayer approval. Why are they in this case, if they are so sincere in their efforts to make this bill work and to provide urban renewal in Manitoba and public housing in Manitoba, why are they putting this stumbling block in front of this bill or in the path of this bill? Mr. Chairman, we are not going to get public housing, we're not going to get urban renewal unless we remove this obstacle in the path of this particular bill and make it possible for the municipalities to enter into these agreements.

Now I know and I think the Minister mentioned this, in the long run the municipality benefits. They get a blighted area, a run-down area which pays very little in taxes, which is a problem to them, they can renew it, they can tear it down or rebuild it, the taxes derived from the newly developed area are usually much better than what a blighted area would bring in taxation, so in the long run the municipalities benefit because the taxes have to be paid and part of the cost is picked up by the Federal Government and the Provincial Government. But the average voter and the average ratepayer cannot be expected to see that far ahead, he only knows that his municipality, his council's asking him to commit himself to the payment of debentures for the next ten years at so much plus interest and that will add to the tax bill immediately. The fact that five years from now it may help the general tax structure of the municipality he doesn't look at, he looks at the immediate problem and he knows his taxes are quite high now. So I suggest to you that -- you permit councils to come into being, we elect municipal men to office because we assume they have intelligence, we give them certain powers because again we assume they have intelligence, why then put this noose around their neck and hobble them so that they cannot do the things that you want them to do or ostensibly we want them to do. So I urge the Minister to give consideration to this. I don't think it's going to affect the year of 1967 at all. Our experience has been that these agreements for urban renewal and public housing take much research, much study; there'll be nothing done in '67, it probably won't be till well into '68 that the one or two or three municipalities that are ready to move will approach the government. I don't think she needs worry about this year's budget and even part of next year's budget, but I think without this amendment we are passing a dead and dormant piece of legislation.

MRS. FORBES: Mr. Chairman, I have sympathy with what the honourable member says and I certainly will give it consideration. I, however, am not prepared at this time to do what he is requesting here so I will not be able to accept the amendment.

A MEMBER: Ayes and nays, Mr. Chairman.

MR. CHAIRMAN: The Honourable the Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Could I hear the amendment. Then I want to speak on it.

MR. CHAIRMAN: The motion before the committee is "that section 43, subsection (2) be deleted and that a new subsection (2) be inserted reading as follows: Where under this Act a municipality is authorized to borrow moneys, a by-law passed by the Council shall be approved by the Municipal Board before third reading."

MR. FROESE: Mr. Chairman, I would have to oppose this amendment because I believe in the freedom of expression of the electors, the ratepayers, when their own moneys are being expended and therefore I could not go along with the amendment.

MR. CHAIRMAN put the question and after a voice vote declared the motion lost.

A MEMBER: Ayes and nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members.

MR. MILLER: Ayes and nays for sure, Mr. Chairman.

MR. CHAIRMAN: The motion before the committee, "that Section 42, subsection (2) be deleted and the following substituted: 2. Where under this Act a municipality is authorized to borrow moneys, a by-law passed by the Council shall be approved by the Municipal Board before third reading.

A STANDING COUNTED VOTE was taken with the following results:

MR. CLERK: Yeas, 10; nays, 38.

MR. CHAIRMAN: The motion is lost. (Remainder of Bill No. 78 was read and passed.)

..... continued on next page

HON. STERLING R. LYON, Q. C. (Attorney-General) (Fort Garry): Call the Municipal Affairs Bill, 115 I believe it is.

MR. CHAIRMAN: Bill No. 115. Agreed that Bill No. 115 be considered page by page? (Pages 1, 2, 3 were read and passed).

MR. LEONARD A. BARKMAN (Carillon): Mr. Chairman, on Page 4, I'd like to move an amendment that under (e) (iii) of subsection (3) of Section 16 where it reads "two acres" be struck out and substitute "four acres".

MR. CHAIRMAN presented the motion.

MRS. FORBES: Mr. Chairman, I will not be able to accept this. The idea is good in some areas and it may give us difficulties in other areas, in the Metro area for instance. We would not be prepared at this time to look at it until we looked at all other bills which contain the same type of provision. So as for now I would not be able to accept it.

MR. BARKMAN: Mr. Chairman, I think we all know that many of the churches especially in the country use more than two acres of land because of some of them using part of that for a burial ground or more commonly known as the local cemetery which is still one of the old customs and I think it's being followed in very many places and I feel that there would be no harm in making it four acres instead of the two acres that's mentioned here. Yes, somebody might say that it's possibly different in the city but I'm not so sure about that. I believe that many of the people of Metro Winnipeg are actually buried outside of Metro or greater Winnipeg and surely, Mr. Chairman, we're not going to say that we have not room for our dead regardless of where these people wish to be buried.

Now I believe that originally this government's policy was different than it seems to appear now and this is coming part of the way and I feel this is the right thinking, but I don't think it's enough acres. I'm also thinking of some of the recreation and sports' facilities or church grounds today where they are needed. I know a local church, our Lutheran Church at home just bought \$125, - \$150,000 church and bought about five acres with this piece of land and they are going to use part of this land to train their youth and I think it is a good idea especially with having good supervision and sponsorship of a church. Now I've just given two reasons; I'm sure there are many more that we could be thinking of. I'm certainly not thinking of wishing to have excessive acres where somebody could be renting out land and then be tax exempt. That is not the idea.

MR. CHAIRMAN put the question and after a voice vote declared the motion lost.

MR. BARKMAN: Ayes and nays, please.

MR. CHAIRMAN: Call in the members. The motion before the Committee is that in Clause (e) of subsection (3) of Section 16 the words "two acres" be struck out and the words "four acres" be substituted therefor.

A STANDING COUNTED VOTE was taken, the results being as follows: Yeas, 14; Nays, 39.

MR. CHAIRMAN: Motion lost. Page 4--

MR. EDWARD I. DOW (Turtle Mountain): Mr. Chairman, on Page 3, Section 13, 906D was that amended? Section 13, 906D, was it amended? I'm looking at the last line in respect to where it says "prescribing measures to be taken with respect to any land from which topsoil is or has been removed." I would suggest, Mr. Chairman, that the latter part of that should be from which topsoil "is" to be removed. It would be quite an imposition if we went through the country replacing all the topsoil of the disrupted areas that I'm thinking of outside of Metro Winnipeg. I'm thinking of gravel pits by the quarter section and whatnot where municipalities would have the right to pass by-laws to put the topsoil and read it, "or has been removed." And I'm wondering if this is the intention that ...

MRS. FORBES: ... this is permissive and that the wording is all right.

MR. CHAIRMAN: (The remainder of Bill No. 115 was read page by page and passed.) (Bill No. 93. Section 508. (1) (a) (ii) was read and passed)

MR. FROESE: Mr. Chairman, are these amendments available? Can we have ... -- (Interjection) -- Not on this one.

MR. CHAIRMAN: They were distributed in Law Amendments Committee. Perhaps I won't have to read them.

MR. FROESE: I've got one but it's a different one.

MR. CHAIRMAN: (Bill No. 93, Sections 508 to 512 were read and passed.) 512 -- passed.

MR. MILLER: Mr. Chairman. . .

MR. CHAIRMAN: The Honourable Member for Seven Oaks.

MR. MILLER: Mr. Chairman, item 513 -- what I have to say actually covers more than this one item, it's 513 and 515 and 518, but it starts here. I'm objecting to the dates established in this bill for when certain events shall take place. We are told that February 1st the unitary division is to notify the Finance Board as to its budget. Within 28 days thereafter -- except when there's a leap year I suppose -- the Finance Board shall notify the division of what is going to be payable in the way of grants. Now I ask this question: this House is usually in Session in February and in March. Now how can the Finance Board notify the division what grants will be payable under the Foundation Program if the estimates which establish the Foundation Program and the moneys to be paid by the Department of Education haven't passed through this House, they're still being debated? Now I realize that the government has probably made up its mind and coming here may be just an exercise that they have to go through annually but I think it's wrong in principle to allow this type of defacto budgeting to go through without any objection. If we're not making a farce of the debate that takes place in this House, and if it's meaningful at all, then surely the Finance Board should not know and should not have a firm idea of how much is to be paid to the divisions until such a time as this Legislature advises them by a vote after the estimates are through. Otherwise as I say it's making a mockery of the Legislative system.

There is also in these various clauses provision whereby the unitary divisions can complain if they feel that the Public Finance Board is being somewhat arbitrary or is not treating them properly and it's within this one month or 28-day period. I suggest to you that if there are 48 -- and some day there will be 48 unitary divisions -- if they all take objection and they all refer the matter back to the Public Finance Board for discussion and for scrutiny I suggest to you that 28 days isn't really a proper scrutiny; there's no real dialogue going to develop between the divisions and the Public Finance Board. Obviously this is intended for the Board to simply get a letter from a division saying, "We don't agree with your breakdown. We can't accept your ruling," and just enough time for a letter to go back from the Finance Board saying, "That's too bad. This is what we rule." I say this is not liaison; this is not the give and take of which I think the Finance Board and the unitary divisions have to develop into a sort of a dialogue so that one will understand the other's problem. But the biggest objection as I say I have is in the fact that it's going to be passed and going to be decided and going to be finalized before the estimates in this House are finalized. For instance on March 15th the Finance Board will notify the municipalities of how much they have to raise.

On March 15th I expect next year I'll still be in this House debating, perhaps not the estimates on education but certainly we won't be through with the final estimates on all the departments by March 15th and yet by that date the Public Finance Board will have notified the municipalities that they must raise X hundreds of thousands of dollars on their assessable property, both under the Foundation Program and the special levy. Now I can't see how they can possibly notify the municipalities of this if this House is still debating. And so what is going to happen in this: If there are any changes proposed by the Minister in the Foundation Program -- and there have to be in order to keep abreast with increased costs -- we're going to get into the annual hassle that develops every spring. Schools boards can't make up their budgets because they're waiting for the Department to notify them of what is going to be spent on education in Manitoba. Municipalities can't finalize their mill rate because the school boards haven't told them how much they're going to have to raise. Everything waits until this House passes certain amendments or increases the sum of money that's made available under the Foundation Program. So when we have an opportunity this year to get away from this situation that has haunted municipalities and school boards for as long as I can remember, where they can't finalize their budgets -- we have to very often in this House have a bill presented or a resolution presented by the Minister saying that this and this date as set out in the Act shall be extended to another date in order to make room or allow for the fact that the estimates aren't through -- Why don't we do it properly? Why don't we set a date that is more realistic? Instead of March 15th let it be April 15th. In other words extend everything by 30 days.

In fact I don't think it's going to make a difference to any municipal tax bills because over the last ten years no municipality has met the target date. We're always waiting and the school boards are always waiting for what this Legislature is going to pass. What I'm saying is this is sloppy legislation. It doesn't take into account the facts as they exist in Manitoba today, that sessions don't last for 60 days any longer and therefore that these dates that we establish here are mythical dates, that they're not dates that in fact we can meet or target

(MR. MILLER cont'd.) . . . . . dates that we can hope to meet. So I would ask the Minister whether he would give consideration to establishing dates that more reflect the conditions under which we're working today and make it more feasible so that the municipalities and school boards have dates that they can live with and not have to come back to the Legislature to get approval to extend their dates for doing certain things under the Act, giving their figures to the municipalities or make known figures to the division boards and so on.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Mr. Chairman, I think I've dealt with this previously but the bill directs the Finance Board, in Section 512, to pay over 65 percent of the Foundation costs to the school boards. The Foundation Program and regulations thereto are under the authority of the Minister.

My honourable friend knows that since the old days when rural school districts used to budget on the school years - it must coincide with the municipal year which is a calendar year at the present time and anything done here of course would have to be in concert with municipal legislation. There would be nothing to prevent an announcement after the House sat at the beginning of the session as to changes in regulations under the Foundation Program which would affect the - and assist the Finance Board in knowing what the limits were in any one year.

I suggested to the honourable member that we have what we call for any other term a dry run this year. Things are going to be out of concert this year as we well know because of the new program coming in this year. Municipal levies will have to be determined after this bill's passed and regulations set up and the budgets finalized and the levies set. We can continue to look at this problem in concert with Municipal Affairs. This has been the pattern for many years as he knows and I would hope that we can have a dry run this year and see how we make out with the Finance Board's function as it functions this year. I quite appreciate the points he raises but I have nothing more to say at this time.

MR. CHAIRMAN: (Sections 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523 were read clause by clause and passed).

MR. FROESE: Mr. Chairman, 524 deals with regulations and I am therefore introducing an amendment at this time because the grants to multi-district divisions were increased slightly by the Minister's announcement. I feel that this is far too little and therefore I would move that the Government of Manitoba give consideration to the advisability of extending the same teacher grants to the multi-district divisions as are being extended to the unitary divisions.

MR. CHAIRMAN presented the motion.

MR. FROESE: Mr. Chairman, I do not want to repeat over and again what probably has been said before but I think on this occasion it bears repetition because this request is made of a desire to have better grants, better teacher grants for the districts in multi-district divisions. And while the Minister has announced that there will be larger teacher grants coming forward, \$300 for the elementary schools and \$400 for the secondary schools in the multi-district divisions, this is far too small, because we know that even the basic difference in the unitary division grants just to start off is a difference of \$400.00, and the higher you go the greater the variation and the situation presently in effect in very many of the multi-district divisions is that your taxes will be going up out of all proportions. We already have notice in some areas that taxes on quarter sections will be as high as 5 and \$600.00 in southern parts of the province. This is double the amount and more than double the amount that they were previously and in my opinion this amounts to confiscation by taxation. In the long run, especially if we should have some crop failures, or even poor crops, this would mean that our farmers would be losing their land as a result.

We have quarter sections that have an assessment of \$10,000 and more and there's a large number of these, especially during this last assessment that was made. They evaluated the medium soils much higher. In the previous assessment that was made they had laid very much emphasis on the heavy soils and that as a result you had the heavier soils assessments go up much more; now they've turned around and raised the lighter and the medium soil type lawns terrifically. So that I really question the whole matter of assessments that was made this last year. They really are subject to question when we find that rural municipalities assessments were doubled and whereas we have a number of the cities and towns that had no increase at all and that when you take a look at the equalized assessments that are being made, the formula that is being applied doesn't work because why would you have an increase of more than double the amount and even triple the amount on assessments of quarter sections, and when you come to municipalities to have it doubled when actually the equalized assessment

(MR. FROESE cont'd.) . . . . should, the formula that is being used should bring this up to that level of the other municipalities that are higher assessed. So that I would like to make a very serious complaint on this matter because of assessments. This also increases the cost of taxation. This is why the general levy that the government will levy on these municipalities will bring in much more money than in other years; it'll bring in more than double the amount, and yet what are we getting? Our teachers now are supposed to get 3 to \$400.00 more. In addition to that, our taxpayers and our residents will be required to pay the five percent sales tax as well. This was figured out - in one division alone, this would amount to well over \$250,000.00. This is all money that the government will be getting. And what are the people getting in return? -- hardly anything. This is supposed to be fair treatment; this is supposed to be the new deal that people were supposed to get.

Then when we take a look at what is happening at the unitary divisions we find that when we compare it with the multi-district divisions as far as elementary schools are concerned there is no difference taking place. The teachers still have the same qualifications, the curriculum, it's going to be the same curriculum in both schools, and when you take a look at salaries the multi-district divisions will have to pay the same salaries or better salaries in order to retain their qualified teachers; and they're doing this. Salaries have gone up in those areas just as much as in other areas, so that there's no letdown on this point and that our teachers are getting fair treatment as far as this is concerned. But I blame, put all the blame on the government here because of trying to force a system down the people's throats, that they had to vote one way or else they would get the big stick treatment. I feel this is very unfair and that the government should do something to correct this and that they give consideration to the resolution that is before us.

Then, too, I would expect that the government members from these areas that are affected should definitely support this resolution that is before us, because this would only bring about equality and I feel a little more than that because the people of southern Manitoba are paying much more in taxes than the people way up north, because you have much higher assessed land and property in southern Manitoba, so that the bulk of the revenue comes from the southern part of the province where you have the multi-district divisions and these are now to go without any remuneration or compensation.

The City of Winnipeg has been mentioned here by the member for Elmwood. Well, in the City of Winnipeg people have much higher assessment or lower taxes because of the higher assessment and because of the large amount of business assessment that they have in the Greater Winnipeg area and therefore that business which is definitely being supported by rural Manitoba is helping to pay the cost of taxes in the City and therefore I think they should be supporting us and not voting against this amendment that we are proposing.

So, Mr. Chairman, I make a plea that the government should give consideration to this matter and that they do so and that they provide better grants for the multi-district divisions.

MR. CHAIRMAN: Are you ready for the question?

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, just on a brief point here to the Member for Rhineland. The industry that is based in Winnipeg is distributed throughout the province so the revenues are not going to go entirely to the people who live in the city. I want to -- (Interjection) -- Oh yes, they will. The revenues will be distributed all around the province. I want to urge the Minister of Education to speak on this particular point because the government did make a gesture to give increased aid to those divisions which did not vote for the referendum.

Now the Honourable Member for Rhineland is proposing a greater increase yet and I think it's only natural that the Minister himself should get up and explain either why some aid was given in that direction or why he will not support a slight extension on the part of the Member for Rhineland. I think he owes the Legislature that.

MR. CHAIRMAN presented the motion.

MR. JOHNSON: We made our statement on this when I announced the second reading of this bill.

MR. CHAIRMAN put the question and after a voice vote declared the motion lost.

MR. FROESE: Ayes and nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members. The motion before the Committee "that the Government of Manitoba give consideration to the advisability of extending the same teacher grants to multi-district divisions as are being extended to the unitary divisions."

A STANDING COUNTED VOTE was taken, the results being as follows: Yeas, 6; Nays, 47.

MR. CHAIRMAN: Motion lost. (The remainder of Bill No. 93 was read section by section and passed.) Bill be reported?

MR. FROESE: Mr. Chairman, I move that the bill be not reported.

MR. CHAIRMAN presented the motion and after a voice vote declared the motion lost.

MR. CHAIRMAN: (Bills No. 102, 105 were read section by section and passed, and Bill 110 page by page and passed). Bill No. 118. Section 1--passed; Section 2 ...

MR. JOHNSON: Mr. Chairman, I would like to present an amendment to Bill 118: "That Section 2 of Bill 118 be amended by striking out the figures and letter '75I' in the second line thereof and substituting therefor the figures '175'; and

(b) by striking out the proposed Section 75K of The Public Schools Act set out therein and substituting therefor the following Section: 175A. The Board of Trustees may permit the use of any property of the board for any person with or without fee."

It was our impression legally that the Winnipeg School Board for example did have permission to permit the use by the Pan-Am people for some purpose, it was our interpretation that they had this permission. It was the Solicitor of the City of Winnipeg's position that this was not sufficiently clear and he wanted a special amendment to the Act. This amendment in fact clarifies the situation.

MR. MOLGAT: This then is the amendment that we discussed in the Law Amendments Committee and which it was agreed to bring back in a general form? Now this applies then to all school divisions, all school boards, they can under this do as they see fit either with or without fee. All of them are included?

MR. JOHNSON: Right.

MR. CHAIRMAN presented the motion and after a voice vote declared the motion carried.

MR. CHAIRMAN: (The remainder of Bill No. 118 was read section by section and passed.)

Bill No. 112. (Section 1 was read and passed. Section 2 subsections (1) to (5) was read and passed.)

MR. JOHNSON: Mr. Chairman, under Section 2 of Bill 112 I move that it be amended (a) by striking out subsection (6) thereof and substituting therefor the following subsections:

(6) Subject to subsection (7), each member of the commission shall be appointed for a term of three years, and a person who has been a member of the commission may be re-appointed for a further term.

(7) Of the first members appointed to the commission, three shall be appointed for a term of one year, and three shall be appointed for a term of two years.

(8) Unless his appointment is sooner revoked, or he sooner resigns or dies, a member of the commission shall hold office during the term for which he is appointed and thereafter until his successor is appointed; and

(b) by renumbering subsection (7) thereof, as printed, as subsection (9).

MR. CHAIRMAN presented the motion and after a voice vote declared the motion carried.

MR. CHAIRMAN: (Bill No. 112, Section 2 to Section 12 was read section by section and passed.) Section 13 ...

MR. FROESE: Mr. Chairman, on the old Section 12, the commission will be presenting a budget or drawing up a budget and submitting it to the Minister. Now most likely the various universities and colleges will also be drawing up their budgets and submitting them to the commission and then I take it from those budgets the commission will draw up a consolidated budget which will have to be met or whatever the case may be.

Now in this consolidated budget will the commission already have consulted with the other colleges and reduce the amount or increase it before it is ever brought to the Minister - the budget that will be submitted to the Minister - or will it be the budget what the colleges and universities are requesting? I think this is an important point because the commission might already have dealt with it and cut down certain things before they come to the Minister and since there is no appeal section in this bill I feel that we should know some of these things before it's passed and it's final.

MR. JOHNSON: I don't know what further to say, Mr. Chairman, than what has been said to date on this. The function is of course that the commission is to - I imagine the universities and colleges will draw up their requirements. The commission as it says in the bill can meet with the colleges and look at their programs, "advise and assist" as it says in Section 14, determine their budgetary requirements and Section 13 here the following section to which my honourable friend refers, I imagine they could discuss this with us, but the idea is they can

(MR. JOHNSON cont'd.) . . . . . advise the Minister as to how much money they each need and it will be up to the Minister to say how much is available in total for the universities and colleges and the commission would be the one who divided up, to try and meet their needs.

MR. FROESE: Mr. Chairman, I feel this is where we'll have the complaints, that certain universities or colleges' requirements will not be met and that they will beef and these need come to our attention because the commission has the power to withhold them by drawing up a consolidated budget and that we therefore might never get the information on this and even certain information could be withheld from the Minister on this. I think this is a section that needs looking into.

MR. CHAIRMAN: (Sections 12, 13, 14, were read section by section and passed.) Section 15. (1) (a) . . . .

MR. GREEN: Mr. Chairman, I would like once again to register my objection to the inclusion in the bill of Section 15 in its entirety. I suggest, Mr. Chairman, that this bill, the way it is worded invites a commission, not only invites but suggests that it is to govern its grants and govern its activities based on what is happening in a university.

Now, Mr. Chairman, I don't know whether there is any type of legislation that can enable or prevent a commission from acting this way but I don't think that the Legislature should tell the commission that this is what it wants it to do. And on that basis, Mr. Chairman, despite the amendments that have been made by the Minister of Education, I would suggest that this bill is the thin edge of the wedge towards interference by a commission of this kind with the activities of a university. I'm not going to put the committee to another vote on the question; I moved that it be deleted at Law Amendments Committee and the motion was very heavily defeated but I wish to register my objection so it will appear on the record.

MR. JOHNSON: The reason for this section is to make it abundantly clear that the commission has a responsibility in preventing duplication of services unnecessarily and there's no intent of restricting colleges.

MR. CHAIRMAN: . . . 15 of the Bill, subsection (1) now reads as follows: Before a university or college (a) establishes, offers, provides, or creates, any new service, facility or program of studies; or (b) extends or expands, any service, facility or program of studies involving moneys at the disposal of the commission; it shall obtain the approval of the commission in writing to do so.

(Remainder of Bill 112 was read section by section and passed.)

MR. FROESE: Mr. Chairman, before the bill is reported I would like to register my opposition on the principle that we're delegating large powers to these commissions, not only to this one but also to the School Financing Board, and I'm not sure whether this House by delegating these powers whether the Minister in all cases has sufficient discretionary powers, and especially, I already mentioned, the appeal system that should be in my opinion contained in this bill; and therefore I object to this.

MR. CHAIRMAN: Bill be reported? (Bill No. 112 passed.) Bill No. 117. Section 1 (a)--passed; (b)--

MR. SAMUEL USKIW (Brokenhead): Mr. Chairman, this bill has certain specific amendments and I know that there isn't too much time. I'll begin my remarks but I doubt very much that I can conclude in the three or four minutes that are left.

I want to point out to the members that adequate legislation is necessary to enable proper administration of marketing boards - I think we all recognize that point - and this is what we are trying to do with the amendments in Bill 117. Marketing boards in this province, as well as in Canada, are naturally going to increase because of the fact that marketing is becoming a more complex business and because of the fact that growers are devoting more of their time, and will be doing so more so from now on, to the business of production, that they can't be involved in the marketing of their product to the extent that they have in the past, so we definitely do need this type of legislation. Provincial marketing boards are necessary for two reasons in particular. One is to provide bargaining facilities for growers within the province for commodities which they produce, and the other is to enable the setting up of regional or national marketing boards on commodities that move in large quantity across provincial boundaries. I think this is going to be the next big step in the development of marketing boards in the years to come, so that in effect we must strengthen the Act; we must be sure that we don't have doubts as to the validity of the powers under the Natural Products Marketing Act.

The New Democratic Party has taken the position a long time ago, and the CCF Party before had taken the same position, that marketing boards are an essential part of the structure

(MR. USKIW cont'd.) . . . . of marketing insofar as agricultural products are concerned. Without marketing boards I think we will all agree that . . .

MR. CHAIRMAN: . . . have before us Bill No. 117. Would you please keep to the section. You can debate the principle on second reading and third reading, but when we're in Committee of the Whole we go over the bill section by section, and we must -- we have before us Section 1, clause (a). Have you any objection to that?

MR. USKIW: No, this is fine.

MR. CHAIRMAN: (Sections 1 and 2 were read and passed.) New Section 3 --

MR. USKIW: Mr. Chairman, this is the new section that we're dealing with?

MR. CHAIRMAN: I'll read it first, perhaps.

MR. USKIW: All right.

MR. CHAIRMAN: New Section 3 reading as follows: Clause (e) of Section 32 of the Act is repealed and the following clause is substituted therefor: (e) providing for the submission of a plan for the control and regulation of the marketing of any natural product, or of any variety, kind, grade or class thereof, to a vote, and designating the class of producers of that natural product or of that variety, kind, grade or class thereof who may vote on the plan.

MR. USKIW: As I started out, Mr. Chairman, and again in the belief that I had the rights to speak at the beginning of the introduction of Bill 117 in that the Speaker of the House originally ruled that I would have ample opportunity to air all areas with respect to marketing on this particular bill, and in this sense I thought that I was in order so will carry on from that point. Nevertheless . . .

MR. CHAIRMAN: Fine. We have before us this section as to who should vote, and if you wish to discuss that that is what's before us.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Chairman, may I suggest that the Honourable Member for Brokenhead is perfectly within his rights. If we're dealing with an amendment to an Act that establishes the question as who to vote, it necessarily follows, "to vote on what?" And if my honourable friend the Member for Brokenhead wishes to discuss that particular feature insofar as the composition of the Act is concerned, he is perfectly within his rights unless you rule otherwise, and I respectfully suggest that the Honourable the Attorney-General should just keep quiet and my honourable friend the Member for Brokenhead, if he so desires, can speak again when the matter is up for third reading -- that's again, I say, on third reading. -- (Interjection) -- I'm not wrong! So I say, Mr. Chairman, if my colleague wishes not to proceed at this time, it's entirely up to him, but insofar as the procedure of the House is concerned, if he wants to talk on the question of a new amendment to the Act and the question of eligibility of voting, he is perfectly within his right to do so, and I defy the Honourable the Attorney-General to show me otherwise. I note it's now 5:30. If you want to leave the Chair, I'm prepared to meet with my honourable friend the Attorney-General in his capacity as House Leader to have him indicate to me otherwise.

MR. CHAIRMAN: We will debate section -- the new Section 3 clause (e).

MR. ROBLIN: Mr. Chairman, perhaps if the House were willing, we could leave the Chair and continue our proceedings tonight at 8:00 o'clock from where we leave off now.

MR. CHAIRMAN: I am leaving the Chair until 8:00 o'clock.