

THE LEGISLATIVE ASSEMBLY OF MANITOBA
10:00 o'clock, Friday, June 23, 1972

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 46 students of Grade 8 standing of the Major Pratt School. These students are under the direction of Mr. Lazaruk. This school is located in the constituency of the Honourable Member for Birtle-Russell.

We have 50 students of Grades 4 and 5 standing of the King Edward School. These students are under the direction of Mrs. Carol Luckwell and Mrs. Barbara Crowe. This school is located in the constituency of the Honourable Member for Burrows, the Minister of Education. And we have 24 students of Grade 3 standing of the Radisson Elementary School. These students are under the direction of Mrs. Hadden. This school is located in the constituency of the Honourable Member for Transcona, the Minister of Labour. On behalf of all the honourable members of the Legislative Assembly I welcome you here today.

Presenting Petitions; Reading and Receiving Petitions.

PRESENTING PETITIONS

MR. CLERK: The petitions of the Brandon Golf and Country Club prays for the passing of an Act to amend An Act to incorporate Brandon Golf and Country Club.

MR. SPEAKER: Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills. The Honourable Minister of Health.

INTRODUCTION OF BILLS

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield) introduced Bill No. 103, An Act to amend The Health Services Insurance Act.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona) introduced Bill No. 97, An Act to amend The Barbers Act and Bill No. 96, An Act to amend the Hairdressers Act.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. STEVE PATRICK (Assiniboia) (on behalf of the Honourable Member for La Verendrye) introduced Bill No. 101, An Act respecting the Town of Steinbach.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. LAURENT L. DESJARDINS (Minister of Tourism and Recreation and Cultural Affairs) (St. Boniface): Mr. Speaker, I wonder if I could have leave of the House to revert back to Ministerial Statements.

MR. SPEAKER: Is it agreed? Very well. The Honourable Minister of Tourism and Recreation.

MINISTERIAL STATEMENT

MR. DESJARDINS: Mr. Speaker, in view of the recent statement and the comments made by the Honourable Jack Davis, Minister of Environment concerning the water ...

MR. SPEAKER: Order, please. Does the honourable member have a copy for the ...

MR. DESJARDINS: ... Yes. ... water quality management in Manitoba, I feel that it would be useful to make this statement concerning at least what this department is doing.

Water quality in three lakes in Whiteshell Provincial Park will come under study this summer to provide a basis for determining the carrying capacities of lakes and streams used for recreational purposes. An inventory will be taken of all summer homes and water craft in Falcon, West Hawk and Star Lake areas of the Whiteshell, the Parks Branch personnel to establish the numbers and types of sanitary facilities in the Watershed areas and the numbers of motor boats operating in the lakes. Water sampling and soil testing will be done to provide data for evaluation, evaluating water qualities from month to month and season to season. My department is concerned with the quality of water for recreation purposes both in the lakes in the Whiteshell and in other areas of the province. Water quality in Manitoba's lakes varies greatly depending on recreational loads of boats on any particular lake. Many isolated lakes remain as they were hundreds of years ago while in highly developed recreational areas, where

(MR. DESJARDINS cont'd) summer homes encircle lakes and such activities as swimming, boating and fishing take place, late waters have been modified by extensive use. The studies and data collected will become an important planning guide in the development of water oriented recreational areas in Manitoba.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I thank the Honourable Minister for his statement this morning and I'm sure it will relieve a lot of the tension that might have been created by the statement of the Honourable Jack Davis - and I'm sure this type of announcement relieves any fears that there were of the tourists that will be coming to this province and the people that are patronizing, especially in the Whiteshell area. So I thank the Honourable Minister for his attention to this matter.

MR. SPEAKER: Oral questions. The Honourable Leader of the Opposition.

ORAL QUESTION PERIOD

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, in the absence of the Minister of Finance my question will be to the First Minister. I wonder if he can indicate to the House whether the Provincial Government has commenced studies or has completed its study with respect to the introduction of the sales tax on advertising.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, there have been a number of studies carried out with respect to the inter-relationship of different forms of taxation. Studies have been carried out in an effort to try to quantify the revenue potential of the various forms, and also an effort to try to get some definition of the equity inherent in the various forms of taxation that may be open to us. I should make it very clear, however, that there are a number of such studies. This is an ongoing program and this should be construed as an indication of intent.

MR. SPIVAK: Yes, I wonder if the First Minister can indicate whether the Provincial Government has held any discussions with the Federal Government concerning the administration of the sales tax on advertising.

MR. SPEAKER: Orders of the Day. The Honourable Minister of Finance.

MR. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, I'm sorry I was late and I did not hear the earlier questions. But on this last question, I would say that at the Ministers of Finance meetings we have raised this question and discussed it and I cannot report much progress in that respect.

MR. SPIVAK: Yes, I wonder if the Minister of Finance can indicate if in the studies that have been undertaken by the department or by the government, there is any indication of what the increased cost of living would be as a result of the imposition of such a sales tax.

MR. CHERNIACK: Mr. Chairman, we have done some preliminary studies; they are not intensive; we have not reached the stage - again, I don't know what preceded these questions, but if there's any suggestion that we are going to bring in a provincial tax on taxing of advertising tomorrow or next month, then that's not in the offing and therefore I don't see that we need discuss it much more in that respect.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I have a question for the Minister of Health and Social Development. I wonder if he can indicate how many minors are currently confined in adult mental institutions or prisons.

MR. SPEAKER: The Honourable Minister of Health and Social Development.

MR. TOUPIN: Well, Mr. Speaker, having not been given advance notice of the question - and the honourable member seems to be asking statistics as of today - I'll take the question as notice.

MR. SPIVAK: I have another question for the Minister of Health and Social Development. I wonder if he can indicate when the Youth Centre located in Tuxedo will become operational.

MR. TOUPIN: Mr. Speaker, at least one cottage of the Youth Centre should be operational by October 1972, and the Youth Centre itself fully operational by the latest February, 1973.

MR. SPIVAK: I wonder if the Minister can indicate whether it'll contain full treatment facilities for emotionally disturbed children.

MR. TOUPIN: To what - I'm sorry I didn't get that.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Not specifically, Mr. Speaker. There could be you know, a few juveniles involved that would be emotionally disturbed, but the treatment centre in Tuxedo is not designed for emotionally disturbed children.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, my question is for the Honourable Minister of Urban Affairs. Could he advise the House who set the priorities for the work that is going to be undertaken by the Joint Committee on Urban Life insofar as it relates to problems in Winnipeg. Who set the priorities that were reported in the newspapers?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, the committee has not yet met and therefore it will of course set its own priorities. But the Honourable Mr. Basford and I had a completely informal and casual meeting, as a result of which we agreed that these should be matters which ought to be discussed with a sense of urgency, especially the rail rationalization and its relationship to the proposed McGregor/Sherbrook Overpass which is the most pressing matter of all of them. We agreed that we would indicate what we thought ought to be priorities for that committee, and I understand that Mr. Basford or somebody in his staff did consult with someone in the City of Winnipeg. Now honourable members will know that I was pretty busy right in the House during that period and I can't say myself just who was consulted from the city.

MR. SHERMAN: A supplementary question, Mr. Speaker. I thank the Honourable Minister for his reply. Can the Minister assure the House that the field of priorities is flexible and will be broadened - and will not necessarily be limited in terms of the degree of attention brought to them, to those that are listed in the newspaper reports. The list in the newspaper reports is pretty narrow.

MR. CHERNIACK: Mr. Chairman, I can assure the honourable member that what we did was indicate what we felt were matters of great concern. But this committee is an ongoing committee which will be meeting not just to review these particular items, but dealing with all matters of Federal/Provincial and Municipal concern. And quite frankly, and obviously, we on our part would like to involve the Federal Government in more and more consideration of more and more urban problems as being matters that the Federal Government should recognize as being national in scope and concern.

MR. SHERMAN: A final supplementary, Mr. Speaker. Is there a financial input into the work of the committee from the province, and if so how large would it be?

MR. CHERNIACK: Mr. Chairman, this is a consultative committee dealing with various projects. Now the financial input by any of the three partners would be discussed in relation, I assume, to each project. But as far as the committee is concerned, it probably will only involve the cost of travel wherever the meetings are held and whatever expenses are incidental to that, which should be minimal in my opinion.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to direct a question to the First Minister. Can he advise whether the counsel for the Southern Indian Lake Band will be allowed to review the provisions of the Canada Water Act as they may relate to the flooding of South Indian Lake.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, did the honourable member say the counsel of the band? --(Interjection)-- Oh, legal counsel - be allowed to review ... I'm sorry, perhaps the honourable member could put the question again now that I've got the key word there.

MR. CRAIK: Mr. Speaker, whether the legal counsel for the Southern Indian Band will be given the report to investigate the provisions of the Canada Water Act with regards to the flooding of South Indian Lake.

MR. SCHREYER: Well, Mr. Speaker, I've indicated on a previous occasion the parameters and the circumstances for which and under which monies will be made available for legal counsel. Insofar as study is concerned of a federal or provincial statute, matters relating thereto, this is something which, if the Crown required the services of legal counsel it would make arrangements in the normal way through the Attorney-General's Department.

MR. CRAIK: A supplementary, Mr. Speaker, to the Attorney-General. Can he advise whether they have any knowledge if there is a conflict with the Canada Water Act with regards to any legal provisions in the Province of Manitoba.

MR. SPEAKER: Order, please. The question is asking a legal opinion. The Honourable Minister for Assiniboia.

MR. PATRICK: Mr. Speaker, my question is for the Minister of Public Works. Is the Federal Government participating financially in the construction and developing of the Convention Centre in Winnipeg?

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Mr. Speaker, I believe in an indirect sense one could say maybe that there was some participation in their Winter Works Program.

MR. PATRICK: Would the Minister be able to give us the amount of money that the Federal Government is giving to this project?

MR. DOERN: Mr. Speaker, I'll look into it.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have as our guests the High School Band of 76 members from Lakeview Auburn, Iowa, U.S.A. They are under the direction of Mr. Meredith. On behalf of all the honourable members I welcome you here today.

The Honourable Member for Assiniboia.

ORAL QUESTION PERIOD (cont'd)

MR. PATRICK: Mr. Speaker, I have a question for the Honourable Minister of Transportation. In view that the City of Winnipeg is expropriating some more properties in St. James for the Beltway, does this mean that the government has approved the location of Inter-Perimeter Beltway.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I think that the statement made by the honourable member bears reviewing. He said that the City is expropriating certain land in St. James for the Beltway. And I feel absolutely --(Interjection)-- did he not say that? And I think that it is not correct to say that the City is expropriating any land for the Beltway. The City has - or the City representatives have not - have informed me that the City has not taken a policy decision on the Beltway, and any expropriations taking place are being taken in in order to ensure the acquisition of land for land banking purposes, or for other necessary transportation requirements of the City but not as a form of commitment to the Beltway nor has the province accepted that kind of a commitment.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Was not the two properties in question in the area right in the location where the Beltway was going?

MR. SPEAKER: Order, please. Would the honourable member place his question? I must repeat, honourable members are taking advantage and making statements. It's very unfair. Orders of the Day. The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, I have a question for the Minister of Agriculture. I wonder if the Minister can indicate to the House from the field reports the degree of infestation that's expected in northwestern Manitoba with the Bertha army worm. Are there any reports coming in from the field?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, all the reports that we have are made public as they arrive, so I'm sure the members opposite will have the information when I get it.

MR. SPEAKER: Orders of the Day. The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): I'd like to direct a question to the Minister of Agriculture. I wonder if he could indicate whether the Co-operative Services - could advise if they are satisfied with the Ilford Fish Co-op operation as of now?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I don't have an up-to-date report on the situation at Ilford. The last information I had was that the fishermen were out on the lake. How many, of course, is I'm not aware of at the present time. At that particular time it was I believe - 10 fishermen had gone out. But if the honourable member wishes I can get the information for him for tomorrow.

ORDERS OF THE DAY

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I wonder if you'd mind calling Third readings of Bills and start with Bill No. 56 on Page 2, Mr. Speaker.

THIRD READING - GOVERNMENT BILLS

MR. SPEAKER: Thank you. Proposed motion of the Honourable Minister of Finance. The Honourable Minister of Finance,

BILLS Nos. 56, 27, 35, 14, 15, 20, 24 and 25 were each read a third time and passed.

MR. SPEAKER: Bill No. 30. The Honourable Member for Winnipeg Centre.

BILL No. 30 was read a third time and passed.

MR. SPEAKER: Order, please. The Honourable Member for St. Vital,

MR. JAMES WALDING (St. Vital): Mr. Speaker, I'd like to say just a few words on Bill 30. I'd like to congratulate the Member for Winnipeg Centre on his handling of this Bill. He inherited it I understand from the previous Member for Winnipeg Centre when he came in in 1969, and he's been handling it ever since in an attempt to get it through.

It was suggested I think by the Member for Fort Rouge last year that this bill is becoming a sort of a water torture, that it drips steadily on the members. I sensed during second reading of the Bill - and when this came before the Committee - that members of this House had become so tired of it that in desperation they were prepared to pass it simply to get rid of it. But I am going to suggest, Mr. Speaker, that to pass bills in desperation is a rather sad way to conduct the affairs of this province. --(Interjection)--

MR. SPEAKER: Order, please. Order.

MR. WALDING: You can have your turn to speak on the bill next.

Mr. Speaker, one of the points that the Professional Associations Committee considered during its deliberations between the sessions was the matter of a professional association and its role as a representative of the interests of that profession and its role as a protector of the public interest. This was a point that we brought up to each of the associations that came before us.

It's rather interesting to note that the medical profession and the legal profession do not face this dilemma. The medical profession, for example, has the College of Physicians and Surgeons which acts as a licensing body in the set-up to protect the public interest. Yet on the other hand, there is a Manitoba Medical Association which is the spokesman for doctors and serves to further the aims and the interests of doctors. There is a similar relationship existing in the legal profession. This duality of purpose does not exist in most of the other professional associations, and they are faced with the problem of deciding whether they are in fact acting in their own interest or in the interests of the public for each action that they undertake.

Let me just review again briefly the different groups who would be affected by this Bill. And let me say before that that I do sympathize with optometrists, or with anyone who has worked and earned a degree, that they should be allowed to make use of that degree. However, the practical effect of this Bill would be to affect two other groups in our society and fairness would dictate that we would examine the effect on those two particular groups.

And at the risk of boring the members even further, let me just review the functions of these other two groups. First of all the ophthalmologist, who is a doctor who has gone on to specialize in eyes; he is the man that can recognize and diagnose disease and to treat it with drugs or surgery or whatever the case may be. Now being a medical man, he does not dispense his own prescriptions; and if glasses should be necessary, then he would write a prescription and give it to that person to take away. Thus he is if you like in simple terms, a doctor of sick eyes. Whereas if this act went through, the optometrist would be a doctor of healthy eyes.

The optician on the other hand does not examine eyes, and does not do refractions. He fulfills the sort of job that a pharmacist does in filling the prescription brought in to him from the eye doctor. Optometrists also fulfill this function in supplying glasses, and as such they are in direct competition with opticians in that they are both sellers of merchandise; they both sell glasses. Now opticians accept this competition at the moment, even though the optometrist has the slight advantage of having, if you like, a captive patient in that he has prescribed for the man that's sitting in his office and will then sell him a pair of glasses; whereas the

(MR. WALDING cont'd) optician waits for a person to walk in through his front door with a prescription in his hand.

Thus there is this competition between opticians and optometrists. To pass this Bill would give the optometrist a further advantage and a commercial advantage, in that one seller of glasses would be a Doctor, another seller of glasses would be a Mr. And it would be reasonable to suppose that a member of the public could assume that a doctor selling glasses would be more qualified to do so than Mr. Smith down the street.

To get back to the matter of interest in this particular bill we asked the optometrists when they came before us on more than one occasion to show us how this particular Bill was in the public interest, and how it would protect or safeguard members of the public to have themselves called doctors. And we really didn't get a satisfactory answer to this. However, it can readily be seen that a Bill such as Bill 30 would be firmly in the optometrist's own interest.

So to sum up, Mr. Speaker, we should pass this Bill at third reading, providing we are convinced that it is in the public interest, and providing we are convinced that it is the honourable and ethical thing to do for an optometrist to make a commercial profit off of his own prescriptions.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Well, Mr. Speaker, comes this stage of this particular Bill, I suppose that the judicious thing to do is to adopt the old adage that if rape is inevitable you relax and enjoy it, because I sense that that's what's going to happen. But let me say that if the Bill has to be passed, I am pleased to see that the grandfather clause did not get chopped on the way through, as it appeared that it would when it left here and went to committee - but it appears to be intact and it has come back for third reading. From that point of view I feel that those that have been in the profession for some time are probably every bit as qualified to get this honorary degree that we are granting with this legislation, as those people who come out of a university with four or five years of training and by this legislation are allowed to use the doctor title.

So as a final remark I would say that from a personal point of view I find it very difficult to see why an architect with six years of university gets a Bachelor's degree, and somebody with an optometrist background goes to university for a lesser time and gets a Doctor's degree ratified by this legislature. So I find it anomalous, Mr. Speaker, and I have to say this in a final remark to it, I will remain opposed to the granting of the title of a doctor to someone with inferior background to those others practicing by and large in the medical field. I think it's a dangerous practice to be passing this title around, particularly in the medical field as we are disposed to do under this particular Bill.

But as a final remark, I'm sure that the bill is going to pass. I would say that I think that those that have been in the practice for some time, even though they don't have the academic background, will by the grandfather clause be able to use the title - and to that I have no objection, if it's going to be forced to be passed. One final remark. I can't help but sit here and listen to the Member for St. Vital worrying about the opticians who are going to be affected by this. I think he may have shown the same amount of sympathy towards the people in the insurance business, the insurance agents, last year who were in droves affected to a much greater extent than any optician is going to be affected by the passing of this Bill. What is wrong with this bill is that the Legislature in moving in and granting degrees in an area that I feel is basically wrong.

MR. WALDING: Point of privilege, Mr. Speaker.

MR. SPEAKER: The Honourable Member for St. Vital state his matter of privilege.

MR. WALDING: Mr. Speaker, I was not in the House at the time that the Public Car Insurance Bill was before this House.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

MR. DESJARDINS: Mr. Speaker, I feel that a degree is something that indicates a certain level of knowledge acquired, such as a Bachelor degree and Doctorate degree. A diploma is something else. I felt that the Legislature in the past entered the wrong field and I think we could blame the universities that they didn't want to take the responsibility in the Legislature by passing an Act which in fact conferred degrees on certain professions. I think that this is wrong. For the last three or four years I've felt that the Professional Association Committee should study this important question of titles, conferring of degrees, and I thought

(MR. DESJARDINS cont'd) that this is the way that it should be handled, that we wouldn't be bogged down with any one profession. I think that the -- I would have liked to have seen the conferring of degrees go back to the universities. I think that they should have been made to accept these responsibilities, to recognize the universities should have conferred these degrees. I think that as far as the grandfather's clause I wouldn't have liked to have seen a blanket coverage, automatically that anybody who had performed in this should have this degree of doctor. I felt that they should be some equivalent even though we kind of bend over backwards to help the people -- accommodate the people that are already in practice.

Now it might be -- I think that with the passing of this Act we certainly will have to do the same thing for anybody, anybody that wants the same thing. I can see maybe Doctor of Recreation, Doctor of Football or anything. I can't see why not. And it might be that the title of doctor won't mean a damn thing any more, so the intent I think of some of these people - because there's no question in my mind that some of these people are using that to capitalize on the respect that the medical profession has gained in the past years. But because of the way this was done, because we're doing the same thing as we did with chiropractors and so on, I intend to oppose this bill although I also feel that it will go through.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, I rise to support the third reading of this bill. It is not that the Legislature is granting the degree of doctor. It is fact that we have stated at one stage, that if a university does grant that title of doctor, we have no reason to establish laws here to say that those people cannot use that title. I don't think that we are in the degree granting stage, but one thing that I am sorry to see is that the grandfather clause is in this. I would wish to have seen it not allowed but the fact that if any university does grant the title of doctor, we have no right to pass laws to state that they cannot use it. If the University of Waterloo is the one in Canada that does grant the title Doctor of Optometry, I think it is the people's right who do get those to use them and therefore I feel that we should proceed for the third reading passing of this Optometry Bill.

MR. SPEAKER put the question.

MR. SPEAKER: The Honourable Member for Churchill.

MR. BEARD: I'd like to say a couple of words before I vote against the bill. I think that I would like to agree with those that have spoken against it. And I blame to a large extent those in the rural areas that have campaigned for this, and they have rushed out to back the optometrists for a Doctorate degree - and they have forgotten, they have forgotten the doctors themselves when they've rushed out to do this, and they're discrediting the medical doctors in their areas. And I think that they've got that to live with, because in fact - as other members have said - they've watered it down so far now that people really won't understand what a Doctor means. So I feel that if this is going to pass, and I hope it doesn't; I hope it really doesn't pass, because I feel that this is the wrong place for a bunch of amateurs - and regardless of what the Member for Radisson says - we are in fact conferring degrees in this House by doing this, and we are not the ones who should be conferring degrees on doctors; it's up to the universities to make these decisions. If we vote along with this type of a bill, then we may as well take over the whole responsibility for deciding who should have what degree and what diploma. I really don't think it's going to help the optometrists in the long run. I certainly don't think it's going to do anything for the medical profession in the long run. And I think it's going to confuse people generally - because whatever the Bill says, once you add doctor on the front, the rest of it's going to be lost - and then people are going to be confused as to what is a Doctor and what isn't a Doctor. Whatever has been done in the past is bad enough; this will just add to it.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINHARSON (Rock Lake): Mr. Chairman, I just want to make a few comments insofar as this bill is concerned, and to say that I support it - but I support it on slightly different grounds than the Member for Churchill. I think he was referring to probably those of us from outside.

He talked about discreditation of the medical profession. I only want to say that I think this government has made an attempt to discredit the medical profession by their introduction of community clinics. Let that be as it may, I'm not going to debate that subject any farther. But I merely wanted to make that comment because of the comments that the Member from Churchill just made, and say that I don't think that it has any relevance to what we're dealing

(MR. EINARSON cont'd) with here. We talk about doctors; we talk about doctors of theology; we talk about people who have achieved the standard of Doctor in Agriculture. And I could go on and use a number of other areas. But I think that this is morally relevant on the basis of what we should be debating in this particular bill, and not to discredit the medical profession with this legislation. I don't want to go on record as one of those rural members -- and I want to say, Mr. Speaker, that I have no optometrists in my area that have ever come to me to lobby on this thing. I'm not only representing the constituency of Rock Lake, but I feel that I also have responsibility to the people of Manitoba. I've said this before in this Legislature, and I'll now say it again because I think it's appropriate. And I just want to say, Mr. Speaker, that there is a principle here; and again it has no reflection on our medical profession. And for this reason - the principle insofar as doctors of other areas - I think that this merits support.

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I was primarily first - before the Honourable Member for Rock Lake rose - going to support this bill. But if any more members like the Member for Rock Lake get up and make some of the remarks that they're making, I think they're going to lose this bill. However, I feel, Mr. Speaker, that this Legislature should not be in the process of granting degrees to any profession. If we are going to have a body, and it's going to be under the aegis of government, then it should be a body separate and apart from this Legislature - appointed by this Legislature to grant degrees - not laymen in this field here.

I think that the name of doctor has become prostituted by the proliferation. And I've heard arguments one way or the other that to grant this degree would take some of the aura of perhaps holiness that seems to surround the medical profession away. I'm not going to buy that argument, because I think that the ordinary man on the street when he sees the name Doctor he wants to know that it's a Doctor of Medicine, not a Doctor of Philosophy, Doctor of Theology or anything else. While these may be worthy names, but I think in the mind of the ordinary man on the street the name doctor is a Doctor of Medicine, and therefore I'm going to vote against the bill.

MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, this particular piece of legislation has plagued this Assembly for some three years or more, and it lacks necessary direction to deal with a subject of this kind. However, I believe a conscientious effort has been made on all sides during that time, and a great deal of time and material has been devoted to it. I see nothing wrong with the Bill and what it intends to do, and I personally am going to support it.

It has been said that the university should have the responsibility of awarding the Doctorates. This is perfectly true, and I think the Legislature in its wisdom over the years has attempted to place this responsibility with the University of Manitoba particularly, with a view to applying their academic knowledge in order that something of this sort should not come before the House. But the honourable member may now know that this approach has been refused by the University of Manitoba, particularly in this direction. So with this dilemma before us, and as has been mentioned that universities and colleges in other provinces do award this Doctorate to optometrists; and Manitoba is the only one that disallows them to use that Doctorate title which they have justly earned, and I think that we're simply coming into line with other provinces - and their ability to obtain this privilege ought to be recognized.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, I reluctantly have to support this Bill. It has been presented in this form approximately three years ago, and we discussed it and rediscussed it in the Professional Association; we discussed it in the House. There was a recommendation on the part of the Professional Association Committee to have it in the form that the Member for Swan River mentioned - that this be left to the universities, recognized universities, and it was rejected by an overwhelming majority in Law Amendments I'm informed. Now what's the alternative? To go back to the submission that was made by the Honourable Member for Winnipeg Centre - I would have preferred, Mr. Speaker, to have this responsibility given to universities, recognized universities in Canada - as we have suggested. It was rejected. Now we had to take a stand within this House and I ask all the members of this House to accept this Bill as it stands now.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: When he says it was rejected by the universities, is he not aware of the report that was done and presented to us approximately 18 months ago by a task group from the University of Manitoba?

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Yes, I'm aware of that task group. I was making reference to the members that we had sitting on Law Amendments Committee when that recommendation came forward. That's where it was rejected. And like the Member for Swan River has mentioned, the responsibility that we intended to give to the University of Manitoba was rejected. There are universities in Canada that do take this responsibility and it was the intent of our committee to give this responsibility to recognized universities in Canada.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I don't want to delay the debate here, I know we are getting close to the time we're going to vote on this on third reading. I just want to say that I will continue to be consistent, and I'm going to vote for this bill. And I'm doing it because of the very reason the Honourable Minister just mentioned, that a recognized university in Canada has said that the optometrists should be called Doctors - and most of the optometrists in Canada, especially in our province, graduated from the University of Waterloo - and in the Province of Ontario they are allowed to be called doctors. And I can see no reason why, that once they leave Kenora or they leave the Ontario border that that recognition should be not carried on.

Now I know the arguments - and it is not only three years that we've dealt with this bill, I think it's closer to six or seven, at least six or seven - and I hope that the members will show their encouragement for these people in our various communities in the Province of Manitoba.

MR. SPEAKER: The Honourable Member for Winnipeg Centre shall be closing debate. The Honourable Member for Winnipeg Centre.

MR. J. R. (BUD) BOYCE (Winnipeg Centre): Mr. Speaker, ...

MR. SPEAKER: Order, please. Does the Honourable Member for Fort Garry wish to speak? The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, if the Member for Radisson will read his rule book instead of talking to me, I'll get on with what I have to do.

MR. SPEAKER: The Honourable Minister of Labour on a point of order.

MR. PAULLEY: I do not believe it's proper to close the debate on third reading of a bill.

MR. SPEAKER: Very well. The Honourable Member for Winnipeg Centre.

MR. PAULLEY: Mr. Speaker, my point of order is that the sponsor of a motion for third reading has not the privilege of closing the debate. It's out of order.

MR. SPEAKER: But he's entitled to speak.

MR. PAULLEY: He spoke, Mr. Speaker, when he introduced the motion for third reading.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Chairman, --(Interjection)-- No, I'm not closing debate. I rise to support the Bill, just so that for one thing we will get this out of the House and that it will be settled - because this Bill has been coming in year after year after year, and it seems that we never got to any conclusion. At least now the matter is going to be settled and I don't think we will have this Bill coming up next year. I feel that it can't satisfy all of us. I'm sure that there is things that I would like to see changed - and I think this applies probably to most of the members - but I think we have to come to some consensus, and I think this is what we've arrived at and therefore I'll support the bill.

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

MR. CRAIK: Ayes and Nays, Mr. Speaker.

MR. SPEAKER: Does the honourable member have support? Call in the members. Order, please. The question before the House is adoption of third reading of Bill 30. All those in favour please stand.

A STANDING VOTE was taken the result being as follows:

YEAS: Messrs. Adam, Barrow, Bilton, Blake, Boyce, Burtniak, Cherniack, Einarson, Evans, Ferguson, Froese, Gonick, Gottfried, Graham, Green, Henderson, Johansson, F. Johnston, McBryde, McGill, McGregor, McKellar, McKenzie, Mackling, Malinowski, Patrick, Paulley, Petursson, Shafransky, Sherman, Spivak, Toupin, Turnbull, Uskiw, Uruski, and Mrs. Trueman.

NAYS: Messrs. Beard, Craik, Desjardins, Doern, Enns, Jenkins, Walding.

MR. CLERK: Yeas 36, Nays 7.

MR. SPEAKER: In my opinion the ayes have it, I declare the motion carried.

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, will you call the Resolution standing in the name of the Honourable the Attorney-General. At the bottom of Page 5.

GOVERNMENT RESOLUTION

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Mr. Speaker, I move, seconded by the Honourable the Minister of Labour,

THAT the House doth concur in the Reports of the Standing Committee on Statutory Regulations and Orders received by this House on the 9th day of May, 1972, and on the 6th day of June, 1972, including the approval given by the Committee, in its report of the 9th day of May, 1972, to the minutes of the meeting thereof held on the 8th day of November, 1971, with respect to the consolidation and revision of the Statutory Regulations and Orders; and also in the recommendations contained therein.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, the reports of the Committee that has met, and as referred to in the motion have been brought to the House; and the motion when they were brought was that the House received them. And if the wording of those previous motions had used the word "adoption", then we wouldn't need this motion. The legal counsel in looking at the basis upon which the revised Orders-in-Council will be proclaimed by Order-in-Council are of the opinion that the wording in the motions that were brought in adopting the Committee's reports is not of the type that indicates approval and adoption by the House - merely receipt by the House of the reports.

Now the Committee met with the Revising Officer, went through the proposed revisions and approved of the revisions that were being made; and it's the approval that we need in a categorical way by the House so that then the presses - or at least the mechanics can start to get the revised regulations in print and proclaimed as early as possible. It's been a long time in the work and we're anxious to be able to complete the work. But I repeat again that the legal experts that have looked at this, say that the wording should denote approval of the Committee's work rather than the mere receipt of the reports. That's all it is.

MR. SHAFRANSKY: Mr. Speaker, I just wish to take this opportunity to express publicly the thanks of the Committee to Mr. Rutherford for his excellent work, hard work, in revising all of the regulations in the Province of Manitoba; there were 300 pieces of statutes and regulations that have been gone through. It was certainly a type of work that very few people would have the capacity or the ability to go through - and all those members of the Committee would agree that it takes an awful lot of knowledge about all the statutes of Manitoba to be able to bring it down to that point - and bring it in the form that was possible for the members to go through to bring out the specific parts of the various statutes and regulations, that in the opinion of the Revising Officer, Mr. Rutherford, required special attention; that other parts were simply a matter of improvements in grammar and minor little amendments that were of a general nature throughout all of these statutes and regulations. So on behalf of the Committee as Chairman of the Standing Committee on the Statutory Regulations and Orders I wish to express thanks to Mr. Rutherford, the Revising Officer, for his work.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. I can only endorse the words of the Member for Radisson in appreciation of the work of Mr. Rutherford - and at the same time I think, express on his behalf maybe some of the concern and the anguish and frustration that he must have had at times of waiting for the computerized printing of the

(MR. GRAHAM cont'd) changes that he had recommended. And I would sincerely hope that now that the Government has purchased a computer of their own, that the delays that have been experienced in the past that we have actually witnessed in the House in the tremendous time lag in the printing of the revised statutes will not occur with the printing of the regulations.

MR. SPEAKER: Is it the pleasure of the House? The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, without exhausting my right to speak, I didn't know this matter would be coming forward this morning. Therefore, I move seconded by the Honourable Member for Assiniboia, that debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, would you kindly call Bill No. 39, on Page 2 standing in the name of the Honourable Member for Rhineland.

MR. SPEAKER: Proposed motion of the Attorney-General. The Honourable Member for Rhineland.

MR. FROESE: I adjourned the Bill last night and I haven't had the chance to study it. I ask for the indulgence of the House to have this matter stand.

MR. PAULLEY: Mr. Speaker, we have no objections to the request of my honourable friend, but there will be a separate sitting this afternoon - possibly he will proceed then. And may I have the privilege of indicating that it may be quite frequently that bills come up two or three times during the daytime - and in order to expedite the business of the House and to get the bills into committee, I would appreciate if at all possible for honourable members to proceed with the bills standing in their name.

. continued on next page

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Yes, Mr. Speaker, I'm trying to figure out a bill where I have a combination. I believe Bill No. 58 standing in the name of the Honourable Member for Rhineland would be the next one.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: It's surprising that he seems to be picking on me, particularly this morning. --(Interjection)-- . . . a reference made that I'm adjourning all the bills. Well I just have two adjournments on the Order Paper, Mr. Speaker, and I don't accept such accusations at all.

MR. SPEAKER: Would the honourable member address himself to the bill before us.

MR. PAULLEY: On a point of privilege. I did not accuse my honourable friend at all, Mr. Speaker, and if he misconstrued my words I want to assure him that it's not so, and I'm not picking on him, it just so happens that there is the combination of the Minister and the person who has the adjournment and it happens to be the Honourable Member for Regina, for Rhineland, not Regina.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I wasn't referring to the House Leader so he doesn't have to feel bad about it. I'm quite happy to make my remarks on Bill 58.

This is An Act to amend the Water Supply Board Act. I listened very carefully when the Minister introduced it and also to the additional information that was provided with regard to water rates. While water rates come under the regulations and they may change from time to time for the various localities, apparently the interest rate factor has to do with the rate of increase, or increase in rates. Not only that but also the consumption. And that many of the local communities do not meet the projections of water usage that was projected at one time when the rates were set and therefore these rates have to be revised from time to time. And that is for these reasons that we see the increases.

But, Mr. Speaker, it seems to me that some of the increases that were listed are really abnormal, are really beyond comprehension because I think even the subsidy that the government is now willing to provide, namely 50 percent of the increase over and above the \$3.00 per 1000 gallons. --(Interjection)-- The Minister says 100 percent. Well this is a - I didn't get it that way. If that is the case that is a very definite improvement so I will not be as critical on that point. No doubt.

Some of the other points that I wish to raise is the matter of change of the Board. We're changing the Water Supply Board to one of the Services Boards and no longer will it be an appointed board of people in general. We now have people, heads of the various departments comprising this board. And what does this mean? Are we charging the former board with incompetence, or what are the reasons for the change?

I'm not sure whether it is well-advised to have a board completely of departmental people in this case. No doubt they are much closer to the situation and have staff on their hands, or staff that they can go to and get work done that needs to be done in the way of research and calculations, and so on. But I think this could be afforded to any board that would be set up and I really would like to know from the Minister why this change. And when I speak of the department head, the department heads that are going to be appointed to this board I'm not speaking of them in any disparaging way at all because I have good relations, and I'm sure I have full confidence in these people. I don't mean to say that they will not be able to do a job or will not do a good job.

I forgot one other thing in connection with the matter of rates, and that is I mentioned the possible lack of consumption and the inaccurate projections, or projections that did not hold up, or did not come true, but is there also a lack of hookups in towns, and so on, of people that thought that they would be users of water under the system that did not who had their own source of water and therefore would not hook up to the system.

I notice when looking through the bills and the various sections and principles that under the design and criteria that we are giving absolute discretion to the Sewage and Water Services Board. I feel that the local people certainly should be consulted, or should have some discretion too; for the government to set up a board that will have complete discretion in all cases on these matters, I doubt the wiseness of it. I think there should be room for liaison here and for consultation so that there might be a way of appeal if there are differences of opinion, and strong differences, that could arise or may result.

(MR. FROESE cont'd)

I note the bill, the many changes that are made is because of the inclusion of sewage to come under The Water Supply Board Act. The Minister also mentioned the support for new localities coming under this bill, and the mill rate. I wonder if he could explain to us in a little better way just how this is to take place. I understand the water is paid for on water consumption and when we talk about mill rates, is it the distribution system itself that will be the cost of that, that this will come from a mill rate. Maybe he could differentiate and explain the difference here so that we would get a better understanding of the bill before us.

I note the several substitutions for sections of the present Act by new ones, and some of them I will question when we get to the Committee stage. I certainly don't intend to oppose it at second reading. In my opinion the matter of mill rates should probably be in the Act itself and should not come under regulations, so that this would be in the bill and the legislation itself. I think we should try wherever possible where we have such measures of support, financial support, that this be in the legislation so that members of this House will have a say when changes are made, and that this not be left in the hands of the Lieutenant-Governor-in-Council only. So with these few remarks, Mr. Chairman, I certainly will not oppose the bill on second reading.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I'll be very brief. I will not try to speak to the bill as such but I know my colleague from La Verendrye wanted to speak on this bill. He has been ill for the last couple of days so I will not hold the bill up, or adjourn it, I will be prepared to let it go into Committee and reserve my decision after it comes out of the Committee.

MR. SPEAKER: The Honourable Minister shall be closing debate. The Honourable Minister.

MR. USKIW: Mr. Speaker, the Member for Rhineland indicated some concern with respect to the powers of the Board. I want to deal with that. I think the member fails to recognize that this is a board which would provide a service to any community wishing that service; it's not something that is going to be imposed on any community so therefore there is a negotiation that takes place and an agreement that is signed between the Board and any community, so that in effect there is input from the community in question whether it be town, village or city. The fact that this is a service that is being provided by a department of government but which impinges on a number of other departments necessitates of course a multi-department board. The make-up of the board has to really represent those departments that have an interest, Municipal Affairs, Environment, Agriculture, and so on. So that it is not unreasonable, Mr. Speaker, to proceed in this way. I think the Member for Rhineland is confusing this kind of a board with other boards that are set up that would make decisions with respect to compulsory aspects of legislation or otherwise. This is not the case. This is merely an offer to provide a service to any community wishing that service, and any community not wishing to enter into an agreement of course has no obligation and may proceed in the normal way in financing its sewer and water services as they've always done in the past. If you go back over the history of the existing Water Supply Board that likewise was the case because only 37 communities did enter into agreements. So there is no real problem of liaison and consultation in that respect.

The board is charged with the responsibility of offering a service and to recover certain costs for the service, which means they will be billing the municipality or town with whom they are in agreement. The government is recognizing that there are costs within the 37 communities of the existing plants that cannot be overlooked without a vast increase in water rates. And therefore we have provided for an honest approach to the problem by a formula of subsidization which in effect means, which in effect means that any community whose costs are above \$3.00 per thousand gallons there will be a provincial input for 100 percent of the costs beyond that level. So that I think we are taking the honest approach and a fair approach in dealing with this problem.

The Member for Rock Lake the other day questioned the water rates that were mentioned in my opening remarks, and I again want to say to him that those were estimates. I don't know whether they will be the final rates, they were estimates, the closest estimates that I have to date. Most likely there may be some variation in those figures, I'm not sure. But the member questioned the basis on which water rates were derived. I want to point out to him that if you take some of the communities as an example -- and I want to make reference to Altona -- the consumption rate, the water consumption rate which was envisaged when the agreement was signed was 60.1 million gallons but the utilization was in fact 45.9 million gallons, so that the

(MR. USKIW cont'd) rates based on a 60 million gallon consumption obviously would have been much lower than the rates for a 45 million gallon consumption. So because of that miscalculation immediately the board was in a position of losing money on that particular operation from day one.

There were other factors as well, Mr. Speaker, that entered into this area. One was the question of financing, the interest rate. I don't know why but the board projected their costs on current interest rates and in many instances before their project was complete they were paying interest rates beyond what they had projected, and I have one example here where within two years one community was in deficit to the tune of \$50,000 just on that factor alone. So there were many miscalculations when this program was launched.

I want to take a few moments though to remind the Conservative Party, the Official Opposition, that if they are complaining about the program as some members are -- and that is the Water Supply Board program as it exists to date -- I want to remind them that it was their program and that if there was something wrong with it, it is not this government that should be responsible, or held responsible. I point my finger at the Member for Birtle-Russell that was very indignant about the fact that government could not provide services at a cost comparable to local government, or local communities. And he went on to cite some examples where water rates were away out of line as between two communities. Well you know he may be right, Mr. Speaker, maybe there is some validity to that question, or to that point rather, but I think that he ought to recognize that those two communities that he mentioned had an option. They were not compelled to go into the Water Supply Board system. I think that if you examine those two communities you will likely find perhaps a much more sophisticated system in the one community versus the other, maybe not necessary but nevertheless there. I sort of have a hunch that when the previous government launched the Water Supply Board system that they were really imposing a Cadillac on communities which could only afford a Chevy. I really think that's what happened. In fact I know that's what happened, Mr. Speaker, and consequently costs went out of line. So I want to lay the responsibility for that decision on members opposite who were in a position to do something about it. Where the dishonesty arises, Mr. Speaker, where the dishonesty arises is when members try to suggest that now we are in office that somehow we are increasing costs, which now must be imposed on those communities which were never complying with the legislation which they laid down in the first place.

Secondly members opposite raise the question of what do we do with communities that have paid for their own systems? Well you know that question would have been fair two years ago, three years ago, five years ago, when the Water Supply Board system was brought into being because the previous government was ignoring the fact, was ignoring the fact that there was in fact subsidization going into some of these 37 communities, and in violation of the Act which they passed, but for some reasons -- and I presume they were political -- were not prepared, were not prepared to comply with their own legislation and charge the rate which they had set out to those communities, and therefore were discriminating against communities that were not on the Water Supply Board system. And if you want to talk about discrimination, my honourable friends opposite are the best example when you want to point to programs where discrimination exists, because under their leadership and direction we had a hodge-podge system which really had no rationale to it, no way of explaining the differences in policy as from one community to another, no program across Manitoba that would treat all communities alike, purely political input. It annoys me, Mr. Speaker, when members opposite try to impute, try to impute some motives because members on this side are expressing a degree of concern for communities that have been by-passed and the Member for Lakeside the other day snickered about the fact that this was a program designed to help communities like Stonewall, you know. And I don't know why he was snickering because he was in fact responsible for helping communities in different parts of Manitoba, while he was not prepared during his term of office to allow similar considerations to take place with respect to the Town of Stonewall or the Town of Teulon, and so on.

Mr. Speaker, the program that we have before us now is one which is going to treat all communities alike, is going to try and establish a reasonable base figure for services of this Board whether they be water services or water and sewage services. It will be a Board that will operate in co-operation, in co-operation with the Clean Environment Commission to make sure that we have an environmental interest; to make sure that our sanitation facilities in all communities are brought up to a decent standard over a period of time. Many communities are now in a position where they would have to increase their mill rates very substantially,

(MR. USKIW cont'd). . . . very substantially if they are going to comply with the requirements of the Clean Environment Commission. And we are hopeful that this legislation is going to reduce some of those costs for those communities.

The community of Pilot Mound was mentioned by the Member for Rock Lake. He wanted to know whether the projected figures of \$4.80 per thousand gallons were accurate. Mr. Speaker, he was suggesting really, he was suggesting that someone was playing around with figures, and he wasn't sure whether those figures could be trusted. And you know that is really ironic, Mr. Speaker, after the performance of that particular administration in the Water Supply Board system over the last number of years --(Interjection)-- A question of trust? It's really ironic, Mr. Speaker, when you review the way in which the previous government handled this whole Water Supply Board system --(Interjection)-- Yes. The Member for Killarney is prepared to defend his program. Well, Mr. Speaker, he might defend it to any community that derived a benefit which was not available to another community in Manitoba, and he can be parochial if he likes, but he cannot defend that program on the basis of its equity within the Province of Manitoba. --(Interjection)--

MR. SPEAKER: Order please. Order.

MR. USKIW: The Member for Rock Lake was concerned that the figures were inaccurate. --(Interjection)-- Yes, we're on the bill, we're on the bill. The Member for Rock Lake wants to ignore the fact that the Provincial Auditor is reminding us most seriously that we cannot continue in the way that they have been operating the Water Supply Board any longer; that it's a violation of the Act and we must, to comply with the Act, bring about, bring about increases in rates that would provide for full recovery of all input costs on the part of the Water Supply Board with respect to any community. Now we are not prepared to do that, Mr. Speaker. We feel that if we were to comply with that Act that it would impose an undue hardship on many communities, and that is why we are putting a \$3.00 ceiling on the water rates per 1,000 gallons, and are prepared to subsidize 22 communities which is going to cost the people of Manitoba as a whole about \$1.3 million in order to bring some relief to those communities and to maintain water rates within a reasonable level. And for the benefit of the Member for Rock Lake, the subsidy to Pilot Mound is \$151,000, so I want my friends opposite to at least be honest enough to admit that - and I'm not faulting them, Mr. Speaker, because I think when they launched the program there were a lot of guesstimates, I'm not faulting them for that. All I'm faulting them for is the dishonesty in carrying out the program. And now to appear to impute some motives to this government when we are trying to bring about corrections that are necessary --(Interjection)-- It's not unbelievable, it's fact.

MR. SPEAKER: The Honourable Member for Rock Lake wish to state a point of order.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, on the point of order. The Minister is now challenging my comments because my comments were seeking information and my comments were not stated in any way to extend any motivations to the Minister or anyone of his department. My questions were solely for information. I have at other times when I have thought I could trust the Minister but I found to my disappointment - but this is not, this is not the time . . .

MR. SPEAKER: Order! Order, please. The explanation was valid until the honourable member started to debate the question. The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I don't expect the Member for Rock Lake to have complete trust in my leadership in this department. I don't expect that. I do think though that the people of Manitoba respect my leadership for their interest. --(Interjection)-- The Member for Rock Lake says, don't accuse me. Mr. Speaker, I am not accusing the Member for Rock Lake as an individual, not as an individual, but I simply remind my friends opposite that they use all sorts of innuendoes on every opportunity knowing fully well that their position is completely false. This has been done many times in this House on a number of issues. This is another example of trying to reverse a bad situation and I think the Member for Inkster, when he quoted the comments of the Leader of the Opposition stating that when you don't have a case you manufacture one to bolster your position, and that is exactly, Mr. Speaker, what the members opposite have been attempting to do on a good program that is going to do something for rural Manitoba that has long been neglected, Mr. Speaker. And the members opposite would like to twist the intent of this program to destroy in effect the things that we are trying to do in trying to improve the well-being of our rural people to try and bring about some equity in quality of life as between the rural parts of Manitoba and the City of Winnipeg. Members opposite don't like the fact that this government is going to get some credits in bringing about that kind of program.

(MR. USKIW cont'd)

So I say, Mr. Speaker, to members opposite, it would be much to your credit if you were a little more honest in your approach, much to your credit. A little more objective. --(Interjection)-- The Honourable Member from Rock Lake says I will hear from him again. I am quite accustomed to hearing members opposite in their weak positions trying to squirm out of those positions, Mr. Speaker. This one, Mr. Speaker, they are not going to squirm out of because the community of Cartwright is going to receive a subsidy, the community of Holland is going to receive a subsidy, the community of Hamiota is going to receive a subsidy, the community of Pilot Mound is going to receive a subsidy, the community of Kellwood is going to receive a subsidy, Strathclair, and I could name a dozen others, Mr. Speaker, that are going to get some relief from this program. And all the communities, and all the communities that have to date not been able to establish a sewer and water system are now in a position because of the new changes that are taking place in government policy are going to be in a position to get those services at reasonable cost.

The Member for Birtle-Russell is repeating allegations stated previously on the part of his party, that people are going to pay \$3.00 whether those figures are correct or not. Again, Mr. Speaker, it bears out the fact that the Member for Birtle-Russell has no respect for the Civil Service that are responsible in carrying out these costs, has no respect for the Provincial Auditor that is pointing out losses that are occurring and in violation of the Act. Has no respect for those people, and he is trying to create an image of a government which is trying to impose a levy that is in fact more than representing the cost of a service provided. --

(Interjection)--

MR. SPEAKER: The Honourable Member for Birtle-Russell on a matter of privilege.

MR. GRAHAM: My respect for the Civil Service is far higher than it is for the Minister.

MR. SPEAKER: It's not a matter of privilege. The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I don't know what point of privilege that was . . .

MR. SPEAKER: It wasn't.

MR. USKIW: The member indicates some respect for the Civil Service, well then I would hope that when the Provincial Auditor points out to him in committee that there has to be a correction brought about in the Water Supply Board system because it is not fulfilling the requirements of the Act, he should not be imputing any motives to the government in trying to bring about those corrections. --(Interjection)-- Where have we been the last three years? Yes, we have lived for the last three years, Mr. Speaker.

MR. SPEAKER: Order, please. I should like to suggest to the Honourable Minister if we would direct his remarks to the Chair we would have less chatter back and forth. The Honourable Minister.

MR. USKIW: Mr. Speaker, the Member for Souris-Killarney, wants to know where we were for the last three years. Mr. Speaker, we were living with those anomalies and working on a development of a sound program, which did take some time, Mr. Speaker. We worked for months trying to develop a reasonable program, a program with a great degree of, in fact a complete degree of equity if you like, so that people in all parts of Manitoba would have an equal opportunity, an equal opportunity so that industries wanting to locate in different communities will have again a much more equal opportunity than they have had in the past.

So this program, Mr. Speaker, is one for the future, one which is going to be appreciated by many rural people of Manitoba. If you talk to most, if not all, of the mayors and reeves and local officials you will find that they have been promoting this program for some time. On deaf ears up till 1969 but on very receptive ones since 1969. So, Mr. Speaker, I commend this Act to the members opposite.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I understand that the Honourable Member for Lakeside in respect to Bill 51 standing in the name of the Member for Morris has been given a note to the effect that the Member for Morris took the adjournment for the Honourable Member for Lakeside. --(Interjection)-- Oh, I'm sorry, for the Member for Birtle-Russell, and if it is agreeable that the adjournment of the Honourable Member for Morris will lapse and the Honourable Member for Birtle-Russell proceed. (Agreed)

MR. SPEAKER: The Honourable Member for Birtle-Russell. Bill No. 51.

MR. GRAHAM: Thank you, Mr. Speaker. Last night we dealt with the Sand and Gravel Act which is very closely related with the Real Property Act, but in the Real Property Act,

(MR. GRAHAM cont'd) Mr. Speaker, there are some very significant changes that I think will certainly have an effect throughout the Province of Manitoba.

One of the first ones I want to deal with is one that I think is very beneficial. I'm sure the government is well aware of the vast amounts of paper that collect over the years and the problems of storage; when you're dealing with the recording of the titles to real property, it's very important that these records be kept properly. So I'm pleased to see the change in that respect where they will now be able to microfilm and store and in this respect it will be a great saving in storage space. I'm sure that the intention will not be lost, that the records will be just as safe on microfilm as they are on the rather heavy docket that has been customarily used.

The next point that I was somewhat concerned about, Mr. Speaker, was a section in the Act which makes reference to the Highway Protection Act and permits issued under the Highway Protection Act and the effect that this will have on the usage of real property and the responsibilities that can occur to the owners of real property in this respect. I believe, Sir, that this is in close connection with the use of sand and gravel and it's quite conceivable, Sir, that a person may have a gravel pit which is 100 to 150 feet from a highway but because it is a very deep pit, the erosion problems of the banks of the gravel pit would endanger the actual highway itself even though there's no attempt made at the owner of the real property who is legally operating within his own property; and I would think that the present Highway Protection Act and regulations concerning the first 125 feet in some cases may in fact not be sufficient. I would hope that this does not occur; however, there are instances in this province where we do have some very deep gravel pits.

There was another section in the Act, Mr. Speaker, which also caused me further concern where we are removing from the Act the number of copies of plans, etc. that are required and we are now saying that they may require such numbers of copies as may be prescribed from time to time by the Registrar-General. This indicates to me, Mr. Speaker, that where we used to have three copies, no longer are three copies enough. It would indicate a growing bureaucracy exists, that more and more departments want copies of every transaction that seems to be going on and a great proliferation of bureaucracy and interdepartmental control. In planning, Mr. Speaker, we've seen evidence of every department that has a planning section wanting to have their fair share and their fair degree of influence on the final outcome, so I would think that this is why they want to remove the word "triplicate" and increase as prescribed from time to time by the Registrar-General the number of copies of plans that are asked for.

It has been said before by the Member for Brandon-West that there seems to be some concern, by some people anyway, regarding the Torrens title and the effect that the Sand and Gravel Act will have on the Torrens title, and again, I would hope that there will be expert legal opinions provided when this bill gets to committee stage.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: I beg to move, seconded by the Honourable Member for Rhineland, that debate be adjourned.

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

MR. PAULLEY: Bill No. 53, Mr. Speaker.

MR. SPEAKER: Proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I haven't attempted to study the bill to its full and complete detail. What I've seen from the bill, to the amount that I have looked at the bill raises a number of questions in my mind. Questions are raised particularly more so in view of the new Labour Code that the Minister has also introduced in the last - or I don't think has introduced in this Chamber yet but has distributed and was defending so loudly last night on a certain television program.

Mr. Speaker, the reason why I tie these two bills together is if I, you know, really grasp the principle, the context of what the Minister of Labour is attempting to do in the new labour legislation - I believe I'm not too far wrong when he says he wants the main portions of the new Labour Code to strengthen organized labour's position, vis-a-vis their right to collective bargaining, vis-a-vis their right to organize. --(Interjection)-- I know, I know, I know -- and in other words, essentially put the ball with respect to labour relations between management and organized labour, and I'm assuming that under those circumstances, then a good deal of the things that are a problem to labour such as safety conditions, working conditions, etc.,

(MR. ENNS cont'd) are certainly items that have long been established as being you know, very much part and parcel of any new contract that is negotiated between labour and management.

On Bill 53, just to assure to the Minister that I was coming back to Bill 53, I detect, number one, a considerable amount of the bill and time spent on measures concerning safety, working conditions, procedures of reporting on safety or unsafe conditions to the mine and so forth. And you know, no reasonable person is going to take objection to that, but I have to ask some questions. Has the mining industry that kind of a record that it deserves this singling out of attention? I don't know. I don't know, Mr. Speaker but I would ask it you know, for instance in comparison to the construction industry or in comparison to secondary industry metals, fabricating industries, so forth. These are some of the kind of reasons that I would like to hear from the Minister; if the Minister hasn't got them then certainly when we come to the Committee stage. Because at first blush, Mr. Speaker, and as I look at this Bill, I find myself asking the question, why are we singling out this specific industry, why are we singling out this specific area of employment for this kind of special legislation, when in the same time and in the same session we're bringing about, we're bringing forward legislation that strengthens, that supports and gives every indication of giving labour and organized labour every opportunity to organize and to write and to so put into their contractual obligations that they make with employers, the very kind of things that have traditionally been in their contracts, namely conditions of work, safety conditions of work, along with of course the wages and pay situations that are involved with work.

Mr. Speaker, I believe that it's the kind of a Bill that I'm not particularly prepared to deal in isolation without taking into consideration what the effects, what the restrictions, what the benefits of the proposed new labour code, labour regulations are on of course the same industry. Because to a large extent certainly I think the highest degree of organized labour exists within our mining industry. I don't believe that they have too many people, too many Manitobans working in the mining industry that are not covered or do not enjoy the protection of the collective bargaining process and the contractual arrangements arrived at by their bargaining agents, namely organized labour unions of one kind or another.

Quite frankly, Mr. Speaker, I look forward to seeing what the industry feels about some of the legislation so proposed. I certainly am led to believe that at Committee, or subsequently, the Minister will be able to show us without any doubt or any hesitation that the mining industry safety record is considerably more hazardous or considerably worse than any other industry. I must assume that the rate of accidents and the fatalities in the mining industry rate high above any other industry for it to be singled out in such a manner in this Bill.

Mr. Speaker, I don't have that information, I don't have that --(Interjection)-- Well okay, I then admit standing up, that I have read all the reams of reports that come to me from time to time across the desk. I just meant to indicate that I am not involved in the mining industry as a person, I have no close connections with the mining industry and I from my own knowledge, I of my own knowledge do not know. Now I'm hoping that that can be established, and if that is established then perhaps we would view most of the passages in the Bill as being necessitated by this cause. But I serve you know, some form of notice to the Minister that these kind of conditions, you know, I would feel should have to be substantiated in order to justify singling out the mining industry for this kind of special attention.

My own knowledge, scarce as it was, of this in the past, was that while it is true that all too often a mine accident or mine disaster of some kind are of the very serious nature, are indeed of the very serious nature often including fatal. But I don't have the kind of statistical information that would lead me to believe whether that is simply so because we, we are alerted or we single out the mining industry for these kinds of actions or whether or not other industries, particularly perhaps the heavy construction industry, is no better off in terms of safe working conditions or so forth and yet we are not finding ourselves singling out that industry for this kind of specific attention.

Mr. Speaker, I look forward to having the industry representatives and organized labour representatives discuss the Bill at Committee. For my part I believe that there is a relationship between this Bill and the new Labour Code in terms of additional responsibilities placed in all directions, both labour and management, but that they should not be looked at in isolation from each other; it would be my hope that perhaps both bills could appear before Law Amendments at the same time. With those few remarks, Mr. Speaker, for my part I have no objection to seeing the Bill move forward to the Law Amendments Committee.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, just a few comments on the Bill. I take it from what the Member for Lakeside said that representatives of the industry and of the department will be present to answer questions on the provisions, the various provisions of the Bill.

I notice in connection with plans and surveys and so on that "they shall be kept at the mine office." Why is this requirement made? Surely enough I don't object to having copies of it but doesn't it stand to reason that necessarily all plans and surveys would have to be kept at the mine office? I'm wondering about this. There are other provisions in the Bill that I certainly question as well but on the overall I certainly don't object to bringing the Bill forward. In fact I'm wondering whether some of the provisions in the Bill, are they brought before us because of the Government going into mining itself. Is this in any way going to provide them with information for their own corporation? You know, we always have to question some of these bills coming forward now because of the Government going into business on their own that they might want to acquire some information from other companies for their own purposes and which we as members on this side of the House will not get, the information will be accessible to them but not to us necessarily. On a number of these bills that are coming forward I don't want to be suspicious but sometimes you question some of the things as a result.

I did want to adjourn the Bill because generally I'm present here and I'm the first one called on to speak because I am present and therefore the other members can be absent and their bills won't be called. They are allowed to stand and to sit on the Order Paper. But because I adjourn a bill and I'm in the House I'm called on. So this is why I thought I would take the opportunity to express my few thoughts on the Bill at this time and I'll look forward to hearing some of the answers in Committee if the Minister cannot answer at this time.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, my remarks are going to be very brief but I'm rising to support this bill. I think it's a very timely bill since we are making the improvements in the Workmen's Compensation Act, also since we are coming in with a new Labour Code. I'm a little surprised, maybe I shouldn't be a little surprised - at the suspicious turn of mind that the Honourable Member for Rhineland has. He seems to be able to read into every piece of Legislation here some ulterior motive. Keeping of plans . . .

MR. SPEAKER: The Honourable Member for . . . Order, please. The Honourable Member for Rhineland.

MR. FROESE: I think the honourable member is imputing motives when he says "on every piece of legislation."

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: I'll withdraw that remark, Mr. Speaker, and say maybe not all but on some pieces of legislation. He seems to have quite an obsession here about keeping of plans and that they should be kept in the mine office-and survey notes-and they should be kept at a good distance away from the mine workings so that they are free from subject of risk and damage. I think that's quite obvious why that is needed. If we have a disaster in a mine certainly we don't want the plans and surveys of that mine somewhere where they would be destroyed if the disaster struck that area, so that the rescue teams and people that were going to go in there wouldn't even know what was happening. I think that there's been too much of old abandoned mines and we've seen some of the disasters that have taken place in this part of the country and in other parts of the world where young children have been dropped down into abandoned mine shafts, where there has been no record of what has taken place and people are working actually in the dark trying to effect a rescue.

I think that since mining is perhaps one of the most hazardous of occupations, perhaps the most hazardous, I think that some of the safety precautions that are written into this bill are excellent. I think that the supervisory staff should be made aware that they as well as the workmen, as well as the management, bear a tremendous responsibility, because a disaster in a mine area is not like stepping on a nail on a construction site. Because when a disaster strikes in a mining area - we've seen one that happened not too long ago in the country of Kenya, where 400 people perished. So really I think that this piece of legislation is right on mark, it's in line with our Workmen's Compensation that we're dealing with, in line with the labour legislation that is coming into this House for consideration and therefore, Mr. Speaker, I fully endorse it, I think it's a good piece of legislation and I highly recommend it to the Committee.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I think that as the Honourable Member for Lakeside said we do support any kind of legislation that will improve safety and working conditions and protect the life and the well-being generally of people who are working in mines. As one who was associated in the mining industry for a number of years I was always impressed with the amount of time and the amount of planning that went into mine safety and the kind of training and enthusiasm there was for rescue work and for first aid competitions. So generally speaking I have the impression that the mining industry was pretty well concerned with safety generally. But nevertheless there always is an opportunity for legislation to bring attention to areas in which there may be a greater opportunity for improvement. There always is and always will be. I think that when we do pass legislation to improve safety in industry we have to consider all of industry. If there's one industry that has a poorer record than others maybe it requires a special kind of attention. And again I think we should compare the industry, the frequency of accidents in mining compared with man-hours worked with other industries to see really how they do compare and whether in fact their record is much poorer than the others.

I'm not going to attempt to comment on all of the sections of this bill but one or two do take my attention, and one would be that in one part of the bill it says that "the Minister has the authority to prohibit the commencement or continuation of mining operations when in his opinion the operations would be against the interests of the public, taking into account resources, management and protection of the environment."

I wonder if the Minister of any other department or the Minister of Industry and Commerce has this authority on his own, if in his opinion he feels it's lacking in some way according to the terms set down, does he have the authority to shut down that industry? Does it say so in other acts? I hadn't really noticed this. It seems to me, Mr. Speaker, it would be more reasonable for the Courts to have this authority rather than the Minister. It's based upon an opinion of the Minister and I'm wondering if we're getting into an area here that really belongs with the Courts of the land. This is only one of the items here and I'm sure the Minister will comment on this provision whether or not it applies in other acts.

And again, in general, the safety conditions as they're outlined seem to me to be intended in a very useful direction. But one other statement here catches my eye. It says that supervisors are not to require employees to work under unsafe conditions.

MR. SPEAKER: Order, please. I wonder if the honourable member would recall for his own benefit the rule of procedure that we do not discuss a bill in detail on second reading, we discuss it in principle. I'm sure he'll have the opportunity to get into the details when he gets into committee. The Honourable Member for Brandon West.

MR. MCGILL: Thank you, Mr. Speaker. I'm talking in general about the safety provisions here where the Act would require certain individuals in mining not to send people into unsafe areas. I'm wondering does this, is this statement made in other industries? It would seem to me that it was rather unnecessary to say you're not to be unsafe. --(Interjection)-- Well, I hope that lacking such clear definition it would not be assumed that he does have that authority, because I would hope that no legislation would ever permit people to be sent into unsafe conditions, and I hope that having stated it in a particular instance the lack of such statement would not be considered authority to do so. I'm sure that isn't the intent but it brings that thought to mind in this section.

Also, in providing under this act penalties for unsafe operations the Act would suggest that in addition to any penalties provided by the Courts that they would impose another penalty; the penalty that the man would not be permitted to work for a further period of time, six months. It seems to me that once a conviction or a decision or a penalty has been imposed is it reasonable to then say well that isn't sufficient, we're going to impose a further penalty.

These are a few of the thoughts in respect to the safety provisions, which as I say in general we support. We would like to see safer working conditions; we would like to see legislation that does this in a reasonable way throughout all of industry and if there is any discrimination against a particular industry, then we would like to find out just how this industry is failing in respect to the general accident rate in the province.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I wonder if my honourable friend would permit a question? Did I understand you, Sir, to say that you worked in the mining industry, and if so was it underground mining?

MR. SPEAKER: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, if it is in any way appropriate or germane to this argument, I did work in the miners' industry but in smelting operations and not underground.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I did not have the opportunity to study the bill because it is a large bill, but I wish to make a few comments in respect to safety, dangerous or unsafe conditions, and at least point, which I'm familiar to some extent, I appreciate that it's in the bill. But I just wondered, has the Minister concerned himself a little more in detail just what effect this loud noise, and for mine workers, over a long range of time, over a period of years, what effect it has on the workers, or on the employees, also exhaust fumes, and the other day I neglected to bring it under the other bill, The Workmen's Compensation, which has come to my attention since. But some people working in the railways, and they have problems with diesel fumes and as a result they get quite sick and I understand that there's nothing in there now that they can claim or if they've only been employed for a short period of time. But I can discuss that with the Minister at some other time and bring it to his attention personally.

But under this bill and under this section respecting the Act to amend The Mines Act, I'm really concerned what records are kept in respect to say loud noises, or exhaust fumes, and high speed drills that the miners use, and over a period of time and a period of years, what effect it has on these people in hearing and eyesight, and everything else. I don't believe there is, I don't believe that there is any type of kept records at the present time, and I think it would be in the interest of Workmen's Compensation, and as well in the interest of the government, to look into if there is any kind of records of that nature. Because the other point I think is perhaps the most important and serious, is safety and safe working condition of the mine itself, or the shaft, or the area that the employees are working, because almost a week doesn't go by that you hear somewhere in the world that somebody gets killed in a mine, and the one most serious is the one most recently in Rhodesia where you had, I believe, over 300 people lost their lives because of, what was reported in the newspapers, was unsafe conditions in the mine. So it's not that far removed in any mine that we say it can't happen, it could happen anywhere, and I think that there must be some form of inspection to make sure that the area of working conditions are safe. But I'm more concerned in the area of some record must be kept on employees that such things as I mentioned, high-speed drills, exhaust fumes and loud noises, because over a period of years it may not affect one individual but it may affect the other five, so I don't believe there is that type of record. If there is, then I would like to be corrected, but I wish that there would be some kind of system that we do discover and have to see what effects it has on human beings. The one that I mentioned just briefly, I'll bring it to the Minister's attention privately, in respect to the exhaust fumes from diesel engines at railway shops, which has come to my attention just the other day.

So that's the only point that I wish to make on the bill. I know that I have not had the time to study the bill but I wanted to bring these points to the attention of the Minister in respect under the safety section as one of the principles in the bill.

MR. SPEAKER: The Honourable Minister shall be closing debate. The Honourable Minister.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Thank you, Mr. Speaker, I intend to be brief in my closing remarks and try to avoid getting into detailed consideration which opportunity of course is provided in the Committee stage.

I simply would say this in answer to my friend the Honourable Member from Lakeside, who I guess is now no longer in the Chamber, when he makes reference to the proposed new Labour Code of the Minister of Labour, and he wonders how this relates, and the intention of that Labour Code, relates to Bill 53. Well, Mr. Speaker, try as we may to categorize and classify in this world, the fact is that there is probably relationship between every piece of legislation that we have passed in this House or that other jurisdictions have passed. Surely there are pieces of legislation that come under the Minister of Health that have some bearing on the conditions of health and safety of employees everywhere in the province, including mines, and surely there are pieces of legislation that come under the Attorney-General's purview that has some bearing on the welfare of employees in mines. So really I just don't buy the argument that because there is a new thrust shown, and a positive approach shown by the Minister of Labour in his proposed Labour Code, that we should rest on this alone and make no particular provisions where particular provisions are called for in a very specific and a very exacting way.

(MR. EVANS cont'd)

There is unanimity obviously, Mr. Speaker, in this House that the mining industry is indeed a high-risk industry. Members on both sides of the House have made reference to tragedies that have occurred around the world, in Canada, United States, Africa, and many other countries. From time to time you hear of great tragedies and I for one, as an individual and as a member of the Crown say, a Minister of the Crown say that we cannot leave any stone unturned to provide for the maximum of safe conditions, the maximum of low-risk conditions, and we don't wait for a tragedy, we should do it as soon as possible. But I must say quite regretfully, Mr. Speaker, that there was an occasion, I just use this as one example, there was an accident that occurred in September of 1971 in Manitoba in a particular mine whereby that employee did not want to go to work in that particular section of the mine because he felt it was unsafe. Nevertheless he had no recourse but to go and work or be fired, or reprimanded in some ways by his employer, and this person did subsequently suffer very serious bodily injuries. We simply say that here's a specific example, albeit a small example, but a very concrete example of where it's necessary for us to put in legislation, the right of an employee to refuse in an area which he considers to be unsafe.

And let me go on and refer to the Honourable Member from Assiniboia's concern about other health conditions of the employee, conditions - he referred to fumes, and so on. I would point out to him that the Act refers in several places not only to conditions that are dangerous for safety purposes, but also conditions that are considered dangerous to his health in general, and this is referred throughout the Act not only to safety per se, such, you know, whether it be the lining of a particular mine shaft, or what have you, but to general health conditions, and this is referred to time after time in the bill. For example in 46.1, Section 46.1, and I'm not discussing this in detail but I'm making this as a general point, I'm using this as an example to make the general point, that an employee "for the purpose of this section any condition existing at a mine that constitutes a risk to an employee that is not normal to the usual risks of a job that an employee is required to do from time to time, shall be deemed to be a condition that is dangerous to the health of the employee, or to the safety of the employee, in the performance of his work." And so we go throughout the bill making reference both to the health conditions as well as to general safety conditions. And, Mr. Speaker, the responsibility of the Crown to do something about safety is already recognized in the existing Mines Act so what we're really doing is enhancing and improving upon what already existed so this is not a new departure, we're simply going along the road, we're trail-blazing, we're doing something which we think is improving what was already intended in the existing Mines Act.

With respect to Ministerial authority, the Member for Brandon made reference to this question and thought that the courts should be utilized. Well with all due respect to courts and lawyers, and so on, unfortunately they tend to be a very slow, tedious procedure at times, and it is not unusual for Acts, or for bills, or for pieces of legislation to make reference to Ministerial authorities, Ministerial jurisdiction. It's not new with this government; the Conservative Government previously existing in this province has had legislation on the books - I can't pull out examples but I'm sure with a little time we could - where the Minister had various authorities to institute certain penalties if certain provisions were not carried out. This has existed in labour legislation I know for some time, and it certainly exists under other bills that we have passed in this House decades ago, and in other jurisdictions, so this is not something very special. The fact is that at times there is need for Ministerial authority, which I can assure you is usually based, and has to be based as a matter of fact, has to be based on advice from experts within a department. And I'm pleased to note, Mr. Speaker, and to draw the attention of the members of the Legislature, that we have added to our mining inspection staff - we are particularly trying to get people with experience in underground work to come on to the department, and we now have a much better, much larger, inspection staff to carry out the provisions of the Act and to ensure that maximum safety exists.

So, Mr. Speaker, while unions may negotiate with their employers about many conditions of work as well as wages and fringe benefits, etc., we feel that this government has a special concern, and a special responsibility, in the matter of health and safety of workers in mines. It has nothing to do with the ownership of the mine as the Honourable Member from Rhineland seemed to infer. There is no sinister plot, no hidden motivations, no special considerations for possible publicly-owned mines versus privately-owned mines. This legislation is for all the miners of Manitoba, for all those who happen to be engaged in the mining industry, and I say

(MR. EVANS cont'd) the old adage is quite true, "an ounce of prevention is worth a pound of cure," and that is simply what this legislation is all about and I would recommend it to the House for passage.

MR. PATRICK: Would the Honourable Minister permit a question? One question to the Minister is, if you have a group of miners working in very high frequency drills, say with loud noises, is there any kind of a medical check-up, did they get to see what results . . .

MR. SPEAKER: I should like to indicate to the honourable member that the questions that are pertinent are those of clarification of the speech that was made and not one that will open up new debate.

Is it the pleasure of the House to adopt the motion? Agreed. So ordered.

The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that the House do now adjourn until 2:30 this afternoon.

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