



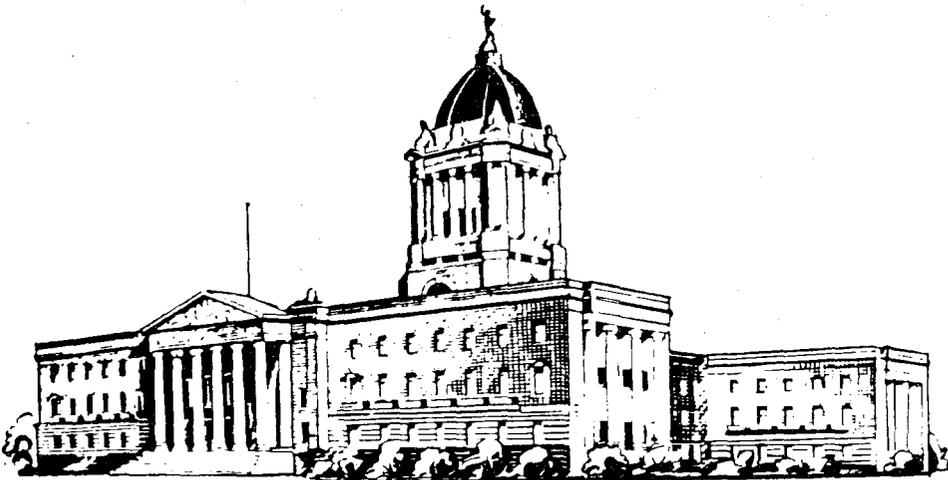
Legislative Assembly of Manitoba

HEARINGS OF THE STANDING COMMITTEE

ON

LAW AMENDMENTS

Chairman
Mr. William Jenkins
Constituency of Logan



8:00 p.m., Friday, June 13, 1975.

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CHAIRMAN: Mr. William Jenkins

MR. CHAIRMAN: Order please. We have a quorum. I have three members of the public who wish to make representation, two on Bill 56 and one on Bill 46. I'll call on Mr. Yude Henteleff. --(Interjection)--

Before we start, I'll tell you:

Bill 11 - An Act to amend The Agricultural Societies Act

Bill 46 - The Gas Storage and Allocation Act

Bill 56 - An Act to amend The Landlord and Tenant Act

Bill 58 - An Act to amend The Public Schools Act

Mr. Yude Henteleff representing the Manitoba Association for Children with Learning Disabilities on Bill 56. Do you have a copy of your brief?

MR. YUDE HENTELEFF: Mr. Chairman, are there any other briefs to be heard other than . . .

MR. CHAIRMAN: No one else approached me. I don't know, there may be some other members of the public. --(Interjection)-- Bill 58, pardon me. I'm sorry. It's my mistake, I beg your pardon.

Perhaps before I start I should ask, are there any other members of the public that wish to make representation on these bills. --(Interjection)-- Mr. Jackson, yes, I have your name.

Would you proceed Mr. Henteleff, please.

MR. HENTELEFF: Thank you, Mr. Chairman.

MR. CHAIRMAN: Do you have copies of your brief? --(Interjection)-- Just a moment till I find out, just let me determine if he has copies of his brief.

MR. HENTELEFF: No, Mr. Chairman, unfortunately we just heard of this yesterday. We will reduce it to writing in time.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, with reference to the rules. Are we proceeding according to the procedure that if there is no one present now that there will be no briefs held, or if people arrive at later points what is the procedure the Chair plans to follow.

MR. CHAIRMAN: I'm in the hands of the committee, what the committee wishes to do. At that time if the bill is proceeded with there is nothing we can do, but I mean if they come later on and if we still haven't proceeded with the bill and I hear a motion that we hear them, then . . .

MR. AXWORTHY: That's fine. Thank you, Mr. Chairman.

MR. CHAIRMAN: That's all I can do. I don't decide who is heard or is not heard. That is the will of the committee. Would you proceed, Mr. Henteleff, please.

MR. HENTELEFF: I have with me as part of the delegation, Mr. Chairman, Mr. Roy Jenner and Mrs. Jenner. Mrs. Jenner is the immediate past President of the Association. Mr. Leonard Pauls who is the present President, Mrs. Lois Henteleff, my wife, who is presently Public Relations Chairman of the Association. Mrs. Pat Ritchie who is the Chairman of the Legislation Committee is unfortunately absent, has asked me to present this brief.

The section with which I am concerned is Section 465 subsection 22 which presently reads, "Every school board shall provide or make provision for the education of all resident persons who have the right to attend school and who require special programs for their education." We will be proposing in due course brief amendments to that clause for your consideration.

But before we do so, I would like to, on behalf of the Manitoba Association congratulate the government on bringing forward what we consider to be a very far-reaching change to the Public Schools Act of Manitoba. In effect, it is a recognition through this amendment that all children have a right, an equal right, to receive educational services in order to enable that child to achieve the maximum of his potentiality. And the mere fact of the accident of his having been born with a handicap - and I prefer not to use that word, quite frankly, I prefer to use the word "exceptionality" as describing the fact that every child is exceptional and some are more or less exceptional than the other - but it reflects a commitment, Mr. Chairman, to maximize for that child his capacities to function as an equal individual in our society. That is not now a right enshrined in the law. All that the law provides whether through the Public Schools Act or through the regulations is the right to go to school, the right to be compelled to

(MR. HENTELEFF cont'd) go to school if one doesn't want to, but not the right, not the basic right which we consider a very basic one to have him provided the kind of education which entitles him to achieve that potentiality.

Now to this point in time, as I've indicated, in the result vast numbers of children have not received and are not receiving that which is their right and will continue not to receive it unless legislation of this kind is enacted, legislation which is not permissive but legislation which is mandatory. Because you see whether we like it or not, despite the fact that children are different, this difference is not recognized generally in society, and so we have particular areas of our community in which there are prejudices, prejudices against different children, so there's a process of rejection out of the mainstream rather than accommodating him in the mainstream; there is a process of rejection because in one community they're more concerned for whatever the reasons are, and perhaps it's because they're more obvious say for the blind or the retarded, and there is ignorance, ignorance of the fact that children are better served not out of the mainstream but as part of the mainstream, that it is considerably to their disadvantage to do with them what is presently being done.

The present regulation as we have it and which is traditional is to determine funding based on restrictive categories. In other words, what is done is that a child is labelled as either deaf or as retarded or in such other fashion, and then funding is related to that specific child because of his specific classification. It has been generally now determined and widely accepted that that process both of identifying the child, for knowing who you have to serve, and therefore connected with it as a means of determining the amount of money which is required for that child is totally to the disadvantage of both the child who is identified and obviously totally to the disadvantage of the many children who in the results are not identified. Because it's easy to label a blind or a deaf child but it's not easy to label all the children who defy such a precise definition.

The process of identifying has been a process of stigmatization. Once labelled, unfortunately the process has been forever stamped, "failure," "different," "not the same," "not equal." Once, using the process of labelling, if you didn't quite fit into the categories, then you didn't get served. And for all those reasons as reported in a summary of all of these issues recently published in 1975 called "The Futures of Children" this is how this report summarizes that particular section dealing with the proposed model for classification of children, and they refer specifically amongst other states to the State of Minnesota.

"The State of Minnesota has had experience with a state support system for special education programs which solved many of the problems. The solution most acceptable was to base the reimbursement or support formula for local school districts on necessary service to meet the educational needs of the handicapped.

"Before 1957, the state financial aid system was similar to that followed in most of the nation, that is state financial aids were paid to local districts for every handicapped child identified by category and placed in a separate program of some form, mostly in special classes. The system rewarded educators" - this is the great disadvantage of it - "for labelling children as retarded or emotionally disturbed, etc. and for displacing them from the regular classroom setting into special classes.

"In 1957, the support in terms of child categories was recognized as being considerable to the disadvantage of the advance of these children back to a normal life. Instead of dispensing funds according to the labels that were attached to the children, the state began to pay two-thirds of the salary cost of the personnel who were needed to serve the children with special needs. Thus the attention was shifted from the child's handicap to the quality of the personnel and the programs that fulfilled his educational needs. The communities receiving the funds were able to develop more and better options to service the children involved."

We have moved a long way in removing the tendencies much to the disadvantage of these children, to categorize them and label them. They can be served educationally in specialized ways as needed, but on the basis of individual studies and individualized plans without the crippling effects of what they describe as categorical boundaries, which were so devastating to the child and which left out so many children.

Now one can't of course consider the definition without considering the funding which will go behind it, because as commendable as the proposed section is - subject to the few comments we will make as to some amendments to it - as a remarkable and excellent vehicle for progress it is, it is an incomplete vehicle. Because just as there is a recategorization in

(MR. HENTELEFF cont'd) our view, so long as there is a feeling and attitude that the kind of categorization which is formally passed is not appropriate to the needs of children, then once you move away from that kind of categorization and labelling you have to approach funding from a different way. And therefore, again, I refer not only to the "Futures of Children" published in the United States, but as well, two publications produced by the Council for Exceptional Children. One is called "A Matter of Principle" and the other is the SEEC Report, "Standard for Education of Exceptional Children", and in each instance they make it very clear that the number of children who are found to have exceptionalities among our population is now generally accepted at 15 percent. There is absolutely no doubt about that now. This is now accepted as a fact. Now this means that if you are going to move away from a labelling and categorizing and all the disadvantages which I've spoken of, then of course the school districts and the government then have to say to themselves, how then to we determine the amount of funding that's required for these children? The approach generally now taken, keeping in mind, moving away from categorization, but relating to service as they are required by the children in need, is they take 15 percent of the regular budget and add that on as being the amount required to service these children. In addition to that, depending on a particular community - for example, if you talk about the Interlake, in which there may be a situation of economic disadvantage and because it's not entirely possible for all children, say, to have a strong and economic supported home, there may be supplemental services required. Let us suppose we go to the inner city in Winnipeg where there's a very large Metis population, or where there's a very large population of immigrants, who because of difficulty with language require supplemental services. Or, for example, The Pas, where for example you may require a larger technical vocational or other support services. Taking that into account, there are then additional services provided for the complement of these situations.

In the United States and in some places in Canada, what they're now doing is they provide these additional grants on an incentive basis, and there are two incentives. The incentive is based on this concept called the least restrictive alternative, and that means that no child is to be removed from a mainstream and made to feel different, made to feel as if he is a second-class citizen, unless that is the only alternative left. And then he is only moved to the extent that the services are such that he's removed the least distance away from mainstream society - and the moment he's there, unlike what the present situation is, where he is at, one of their prime functions is to see to it that he gets back on the mainstream as soon as possible.

In many places they provide two forms of incentives, one for example, in Alberta and in British Columbia they are now starting to implement this approach. They provide incentive grants to communities, school districts, if they, as a basis to providing the needs of these children, do some of these special things - and if they don't, they don't get the money. For example, the commencement of early childhood education programs; implementation of early recognition screening tests. You'd be amazed at the number of children in our system who just through pure physical problems of both being deaf and visual problems are missed out and suffer school failure because of it. Implementation of early preventative programs for those children who are detected as having problems; appropriate in-service to upgrade all those teachers who are now in the system and whose prime responsibility is from an economic point of view, and who are capable of helping these children to get the kind of training they need; establishment of resource rooms where . . . children can be moved from their classes for special assistance from time to time. And very critical - implementation of special remedial assistance in senior high school and college students. I want to tell you that one of the major loads now being imposed on the Association for Children with Learning Disabilities are 15 year olds and 16 year olds and 17 year olds who've dropped out of school. We carry on in-service for Canada Manpower because a large number of children who come to them, bright children who can't read, who can't write, who cannot do some of the basic arithmetical problems and they are coming to us for assistance. Now we can no longer, I suggest, tolerate a process of rejection which not only rejects these children and makes them feel as second class citizens but which loses them to society as productive people.

If you require any kind of categorization at all, other than one relating to the special needs of children, the suggestion is there should really be only two broad categories and none others. If, as they say, there is some reluctance to totally move away from what has been in the past, then there is suggestion that there be only two categories: children in need

(MR. HENTELEFF cont'd) of special assistance - which means children who do not require to go into any kind of away-from-school residence situation; and then children in need of prolonged assistance - and they use that as categorizing those who are so severely affected and so severely disturbed that it's both to their advantage and the advantage of their families and others to move away. But even there the concept of the least restrictive alternative applies. We, therefore, again suggest that if the clause is accepted and passed as proposed, that there should be the following caveats annexed to it:

Firstly, the regulations as they are presently in existence have no relationship, will have no relationship whatsoever to the changes proposed by this section. They are no longer relevant to the new system and the new concept which we quite frankly consider enshrines a new Bill of Rights for children in this province. We consider if that substantial a change in the educational system in Manitoba.

The second thing that we suggest, that as part of that consideration, that we propose that there be some statement accompany this amendment as a reassurance to school divisions which will require this reassurance, that the government is part of it, and as part of its policy, acknowledges that there will have to be a change in the funding program as between themselves and the municipalities to accommodate this fundamental change.

The third thing which we are suggesting is this, that as an association at whose last conference in May there were over 1,000 people from 65 communities throughout Manitoba, that organizations such as ours should not be put in the position of having to make presentations, Mr. Chairman, Mr. Minister of Education, to your committee established on determining the special needs of children in Manitoba; but because of what is implicit in this statement of parental involvement, and of equal rights for children, is the fact in committees such as that, you should also break as much ground as you have with this amendment by having parents participate in that committee as members of it.

Let me then complete this presentation by suggesting to you the amendments which we suggest should be made to this clause. I'm referring specifically to the last five or six words, which state: "and who require special programs for their education."

MR. CHAIRMAN: What page are you on?

MR. HENTELEFF: Oh, I'm sorry. Page 5.

MR. CHAIRMAN: Oh, I see, yes, thank you.

MR. HENTELEFF: Page 5, Mr. Chairman. We suggest that the words, "who require special programs for education" should be replaced by the following words, and I'll tell you what they are and then suggest to you why we think the change ought to be made: "and who require special assistance for their special needs so that each child's education will be optimal for him/her" - I heard the press and I'll change it to her/him oblique. --(Interjection)-- Yes, "and who require special assistance for their special needs so that each child's education will be optimal for him/her".

The reason for our suggestion of change is as follows: the use of the word "programs" seems to connote, as it has in the past, some process of segregation. We prefer that any kind of word which suggests that ought not to be used. I may say that one thinks that, you know, you shouldn't play around with words like this but it's amazing what they mean to the people. And I must tell you that this three-year program in the United States which, by the way, this book only summarizes only part of it, there are two other volumes which accompany this called, "The Categorization and Classification of Children" which is an overview of the whole situation in the United States - deals very extensively with this particular aspect and strongly urges that the word "assistance" be used, not the word "special programs" because it still connotes identifying and relationship to the label of a child rather than to his special needs.

I think it's critically important as well that the section go further than it has. It's not just enough to say that we provide special programs; we must indicate the purpose for which those programs are provided, and the purpose is to provide that kind of program which will achieve for that individual the very maximum that he's capable of. That, then is a true Bill of Rights, Mr. Chairman. It only goes part way, and we therefore strongly urge the addition of those words "each child" so that then we enshrine in our law the right of the individual to achieve what is his due, and then also to enshrine in the law that his due is to achieve the optimum what he's capable of. Then we will truly have a Bill of Rights for all exceptional children in Manitoba which will give example to the rest of Canada what can and should be done for our children. Thank you very much.

MR. CHAIRMAN: Thank you, Mr. Henteleff. There may be some questions that the Honourable Minister, Mr. Hanuschak.

MR. HANUSCHAK: Mr. Chairman, thank you. You had mentioned that studies indicate that there are somewhere in the order of 15 percent of the school population with certain exceptionalities. Could you in some fashion, some manner, in some manner, define or describe the nature of the exceptionalities that you're referring to, because I would suggest that it would strike the average individual as being high.

MR. HENTELEFF: Oh yes. This will include every level of exceptionality: retardation, for example; children who are physically crippled; it would include the deaf; it would include the blind; it would include children with learning disabilities, that is, those children who through perceptual or conceptual problems suffer a learning disability in one area of perception, or of understanding, but in other ways are able to function quite properly.

I may say, Mr. Minister, that these statistics, by the way, are substantiated from a number of sources. They're substantiated through the Commission on Emotional Disorders in Children, which as you know was a three and a half year study concluded in 1970. It's supported by the Council for Exceptional Children. It's supported by the Canadian Council on Children and Youth. It's supported by our own association, who both in 1970-71 took a national survey of its incidence of these particular problems. There is no doubt now whether - by the way, I may say these are the result of international studies which we are now privy to. As you are aware, there is an international team of educators now touring Canada. We are privy to a report from throughout Europe. This is now an accepted figure.

MR. HANUSCHAK: One further question, Mr. Chairman. Your organization has been active for some time. Is it in the position to, well, in its opinion, is it in the position to estimate the length of time that it may take the school system in the Province of Manitoba to gear itself up to meet the special needs of children with exceptionalities, setting aside the funding factor, which is a government responsibility, but I'm thinking primarily in terms of provision of physical facilities, in terms of provision of identification of the needs, and the development of programs, the training of staff, and so forth?

MR. HENTELEFF: Mr. Hanuschak, there is a profound danger in getting involved in the system of let's identify every kid and put a label on it. You get so involved in the identification categorization you've got no time left to treat them. The time span is one which is now being experienced in South Dakota. What they did there was they established a retraining system called "The New School" under Dr. Vita Parent, and what they did was they began an in-service program through the total school system, and one of the critical situations there was the retraining of teachers, the general classroom teacher, because no matter what volume you pick up - because I want to assure you on the question of costs - I want to tell you that it is now also not only generally accepted but completely accepted, that the person who has the greatest and most direct responsibility for this child and who, if they receive the kind of support services they're entitled to, and if they receive the kind of retraining that they didn't get in the first place, is the classroom teacher, the general classroom teacher. Now this requires some other supports by government, for example. They also require the support of para-professionals and teachers aides and parents, and the government's responsibility would be to establish the kind of guidelines whereby how these people will be trained, and how these people will be used; and the government's responsibility would be to set up, as they have already begun through CDS, regional units which will have composed as part of it people who will be there as resource for local school districts to begin to do these things.

New buildings aren't required. What is required is a new understanding and a new awareness that the prime responsibility is to be carried out at the local communities themselves using the facilities they have properly. Because let me tell you another thing, is the terrible waste of existing resources because, as you know and as I know, professionals sometimes in health won't talk to education, and education won't talk to health, and nobody will talk to probation - or they will, I'm sorry, but oftentimes they don't. There is this tremendous lack of communication so it does require a kind of integration of services also, Mr. Chairman, which now isn't the case. So it's all of these things put together. So when you talk to me about time span, you can start tomorrow if you institute the kind of support services which will be required. Now at first blush, of course, the cost will be higher because you've got to then provide for the first time training programs. Hopefully some day the university will catch up to you, but we can't afford to wait that long, and so we've got to do it right where it belongs, in the community.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I have a couple of questions for Mr. Henteleff. I wonder if you could indicate the adequacy of the present programs that we have in existence so that we know what kind of match-up that must be made between the existing facilities and programs that are available and those which have to be changed. I think in particular you mentioned things like screening programs or pre-screening programs, teacher training, special facilities in schools. Can you give us some assessment as to what advancement we've made thus far, and therefore how far we have to go before this kind of option that you indicate would be available?

MR. HENTELEFF: Generally speaking, there is no early screening, generally speaking, program anywhere in Manitoba. There are exceptions to this in that there are teachers who have the background and training who are able to determine not only if the child has a problem but the nature of the problem. There are places in Manitoba, and there are only a very few, unfortunately, that even though one finds out what the problem is, that there are the diagnostic services available and the services available not only will assist the diagnosis, but will then tell you what to do about it. There is very little place for parental counselling, which is critical, because there's no sense treating the child and getting some help in the school environment and then having the parent totally undo by virtue of their unawareness of what the school had been trying to do; on the other hand, there's no sense in trying to help the child at school unless you also work with the parent. Dealing in terms with the kind of diagnostic facilities, generally speaking, in Winnipeg, there has been considerable improvement over the last four or five years on the kind of diagnostic services provided through the Child Guidance Clinic, but even through there, it's been found to be by some school divisions inadequate because some school divisions are now setting up their own services because they feel that a decentralized approach to providing these services is important - decentralized not only because the service located within each area better reflects what's needed, because every community is different, but because those specialized people are required not only for helping the children but they are finding they're having to spend 50 percent of their time helping the teachers because the teachers were never trained to work with exceptionality. That's the real problem.

MR. AXWORTHY: Mr. Chairman, if I may interrupt. Would you suggest then that the primary area of attacking the problem if legislation is passed would be in the area of teacher training similar to the North Dakota system that you described? Is that the starting place?

MR. HENTELEFF: Yes, that's critical, that is very critical of teacher training, but I think also an awareness that in addition to teacher training there's a tremendous resource of people available who can help, and let me give you some examples. For example, in some places in Winnipeg now, in some of the school systems they've set up credit courses for young high school students. They are now using these high school students for credit purposes to work with exceptional children. This has had fantastic achievement in it because, first of all, these kids in upgraded classes, non-graded classes, who have been together for eight years and got to be known as the "spases" and the "retards" and the "stupids", and whatever, for the first time, their gods have spoken to them, you know, the kids who have made it. Secondly, these kids who have made it, have come to see that these kids aren't stupid, and aren't retards, and aren't spases. All they are are children who've got problems. What's happened is two very interesting things. These kids have made enormous progress over and above what they ever did with their teachers, and in addition, the kids who've helped them have made progress. So there are resources of parents and there are resources in our community that if brought together can make economic sense of this, because if you don't, then you're not going to make economic sense of it.

MR. AXWORTHY: Mr. Chairman, I have one other question. Mr. Henteleff mentioned that a major problem area is in senior high school students and groups of that kind. Could you indicate, in fact, what the problem is in relation to, what happens to the children when they leave school, or leave school age, in terms of placing into new work situations, that obviously if they need special treatment in school, presumably they need some special treatment or counselling or placement in manpower or job opportunities. Should that not be part of a program, or is it part of a program that's presently going on?

MR. HENTELEFF: It is not. It is not, and as a matter of fact something even worse has happened. As you are aware, we have occupational entrance courses, which oftentimes

(MR. HENTELEFF cont'd) it has been found has become a dumping ground for children with learning problems. They didn't fit in anywhere else, and this is what happened to them. But what's happened is that these technical-vocational schools have become dumping grounds for the disturbed child, for the unhappy child, for the acting-out child, has become a reservoir of great unhappiness for a lot of children. And in the result they have come to be known as places for that kind of child, and that many children who do have technical-vocational ability don't want to go to those kinds of schools like R.B. Russell, and others, because they become known as that kind of school and they don't want to have that kind of label on them. Here we have a terrible situation of those schools having become the dumping grounds for these children, and children who should be going there not wanting to because of that. There is now no such program within the school system. What they are doing in Alberta, and in B.C., and in Ontario, is they are taking these technical-vocational classes and bringing them right into their general school and they then become an integral part of the regular school system, as they ought to be. And then where a child has a special problem without being distinguished as much as he is by being sent to that school - you understand - he has become part of the mainstream, and he doesn't have that mark.

MR. AXWORTHY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Bilton.

MR. BILTON: Mr. Chairman, it seemed to me that we've had a rather sorry picture painted for us tonight, and what concerns me is to approximately how many children are we talking about through the educational system? In rural Manitoba particularly if you have - through you, Mr. Chairman, to our witness - shall we say 10 exceptional children with different problems, are you suggesting that we have 10 special teachers for those children to deal with those particular problems in each of our schools?

MR. HENTELEFF: Absolutely not.

MR. BILTON: No.

MR. HENTELEFF: Absolutely not. I thank you for your question because I was asked about the rural situation, and I didn't answer that. The fact is we have a good many members in our association from every part of Manitoba. Largely speaking, with a few exceptions, and, for example, the government has in the past four of five years - well not that long - in the last two years revitalized CDS, that is Regional Diagnostic Services for Children. They are now, Mr. Hanuschak, in how many areas? About five or six? --(Interjection)-- Five or six. And I'm delighted to say that as a result of that some progress has been achieved, particularly, for example, in a place like Morden where what happened was a true partnership between parents and professionals, a true partnership. But in all other places let me tell you it's like a desert. There is absolutely no doubt about it in terms of quality of people, in terms of availability of services. And when you examine the situation in the country you will find that the percentile of children reaching high school is perhaps 50 percent less than if they lived in Winnipeg.

MR. BILTON: Have you any idea of the number of children we're talking about throughout Manitoba?

MR. HENTELEFF: Yes. If you have a population of 250,000 children - is that about correct?

MR. HANUSCHAK: It's a bit less.

MR. HENTELEFF: About 200,000.

MR. HANUSCHAK: No, about 230-some-odd, about 240,000.

MR. HENTELEFF: If you have 30,000 children of that category, some are now being treated, some are at schools for the deaf, some are at schools for the retarded.

MR. BILTON: I wonder if you would agree that recent years have seen great strides made for the retarded children and adults throughout the province. Are you satisfied with that effort?

MR. HENTELEFF: I would rather that you speak to the Association for the Mentally Retarded. But I do say this: that there are many children who are being segregated into classes that are sometimes called for the educable mentally retarded, and some for the trainable mentally retarded. It has been our experience that many children who have been there ought not to have been there; that many children who receive a categorizing label of a generalized problem have turned out, when they received proper help, to only have a problem in certain areas, and have made absolutely remarkable progress when they've been brought back into the mainstream.

MR. BILTON: Just one final question. I noticed all throughout your remarks it was in the final stages you mentioned parents. Does your association deal with parents in assisting parents with exceptional children, and this sort of thing?

MR. HENTELEFF: Yes. We, for example, in this past year conducted I think at least 8 to 12, if not more, seminars strictly for parents.

MR. BILTON: Where?

MR. HENTELEFF: We've got a room.

MR. BILTON: In Winnipeg?

MR. HENTELEFF: Yes in Winnipeg.

MR. BILTON: What about elsewhere in Manitoba?

MR. HENTELEFF: I don't know if we've actually conducted seminars outside of Winnipeg, but we have visited places like Brandon, Morden, Thompson, The Pas and other places.

MR. BILTON: Thank you, Mr. Chairman.

MR. HENTELEFF: But I would like to, if I may, with your permission. You've hit on a very critical point. One of the school's responsibilities we argue is that as much as it has a responsibility to deal with a child, it has an equal responsibility to deal with the parent. Because you can't deal with a part of a thing. The child's environment includes his home.

MR. BILTON: Exactly.

MR. HENTELEFF: And you must help the parents as a distinct responsibility of the school.

MR. BILTON: That's my point. Why didn't you emphasize it earlier in your remarks?

MR. HENTELEFF: I'm sorry, I ought to have. Because I must tell you, and it's rather strange that you would have to bring it to my attention because we consider it one of the most vital aspects of our concern.

MR. BILTON: Thank you.

MR. CHAIRMAN: Mr. McKenzie.

MR. MCKENZIE: Mr. Chairman, to the witness. You mention additional grants. Have you done any studies of what kind of moneys are required for the program that you're speaking of tonight?

MR. HENTELEFF: Insofar as the formula for the supplemental grants, no, Mr. McKenzie. There is some experience in this, and I'd be happy to provide it to you at a later date, and it won't be too long I can assure you.

MR. MCKENZIE: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Minaker.

MR. MINAKER: Mr. Chairman, it's a minor question, through you to Mr. Henteleff. In your proposed amendment I would presume you would have no objections if the word "child" was dropped and "person" put in so it would be similar to the clause that's in there now. At the present time there isn't any limitation to age, I don't believe, with this clause. As long as they have a right to attend school, whereas you have detailed it to a child.

MR. HENTELEFF: Thank you for the question because I meant to bring that up earlier. Presently under the Act it's from six years of age to three years above majority, to 21, in this stage. We have very strong views about early childhood development. In many of the places now they've lowered the age to 3 because the whole question of early identification and intervention is critical. They have now again generally accepted that if you get a child with a problem early enough, you have an 80 percent chance of effecting that kind of rehabilitation of that child that you won't later on need the very high cost specialized personnel. Now, I suppose having seen a change as far-reaching as this we are somewhat hesitant to say to you, please lower the age to age 3. Please accept the concept that early childhood education and prevention is critical. Please understand, as it was said in the Celdic Report, that the least attended to matter in Canada today, and the least understood, and the most costly, is prevention and integration of services. Now I must say that if you wish to accept a proposal from us, that that section of the Act be changed to age 4 rather than 6, and adopt the concept that nursery school and kindergarten, and the whole concept of early prevention, will in the long run save us from the bankruptcy that we're moving towards if we don't do some of the things that we're suggesting. Because if you keep on the same path of delaying attention and high cost services, you're going to bankrupt the educational system.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Thank you, Mr. Chairman. Is it Mr. Henteleff or is it Dr. Henteleff?

MR. HENTELEFF: No, the doctor is my cousin and I am, I'm afraid, a lawyer.

MR. GRAHAM: Mr. Henteleff . . .

MR. HENTELEFF: I perhaps shouldn't have admitted that. Well there are other people around here who are lawyers I think. See there isn't one. This is a blessed committee.

A MEMBER: There's the Attorney-General.

MR. HENTELEFF: Oh I'm sorry, Howard.

MR. CHAIRMAN: Order please.

MR. HENTELEFF: I'm sorry, I didn't see the Attorney-General there. My apologies.

MR. CHAIRMAN: Will you proceed, Mr. Graham, please.

MR. GRAHAM: Well, Mr. Henteleff, you mentioned previously, I believe from one of the reference books that you have there, that in Minnesota the state paid two-thirds of the salary cost. I believe a statement of that nature is fairly insignificant unless we know what the state there pays in the regular educational system. How can we compare their contribution in this particular field as compared to what they do in the regular system?

MR. HENTELEFF: This raises the whole question, Mr. Graham, of course of the method of how education generally would be funded. We shouldn't think in terms of meeting the needs of special children as falling into any special category. They are no different than any child and their rights are the same. They only have to be met in somewhat different ways. And so rather than with respect dealing with what's happening in Minnesota, the question is first of all, what do we have to do? How are we going to do it? What are our resources that we have? How can we readjust these resources and use them in better ways, in more effective ways - for example, such as the use of parents, teachers' aides, para-professionals? How can we bring together the public health nurse, you know, and give her the front line training that she doesn't now get and should be getting, and the social workers, they don't now get and should be getting? And so the whole question of funding is an entirely different ball of wax.

MR. GRAHAM: At the same time, Mr. Henteleff, you must appreciate that money does not grow on trees, and members of this committee have to be conscious of the dollar value that is going to be placed on this. If we could have some indication - you made mention of funding in other areas - if we could have some indication of the additional cost of funding that has been used in other areas it might be of benefit to members of this committee and to the Minister as well.

MR. HENTELEFF: I don't know what the total budget presently is, Mr. Minister. Could you give me some idea of that on primary and secondary - not post-secondary but secondary education.

MR. HANUSCHAK: The total expenditure provincial and municipal is in the order of \$200 million.

MR. HENTELEFF: Now let us say that we take 15 percent of 200 million, which would be approximately 25 million dollars. But already many services are now being provided. Some of those services are duplicates. Some of these services - many of them are being duplicated. There are many professionals such as health services in local towns who ought to be integrated who are not now being used, and so it's difficult for me to evaluate what it would mean to bring those in. We will have a start off cost of retraining, which won't have to be repeated, because hopefully we will convince our teacher training institutions to produce the kind of teachers that are required with the kind of training that's required, which I must say that now they do not in our judgment. You would have to go into a district, a model district, as has already been done in certain areas, and say, "What did we save by better use of the facilities that we now have?" And then you would arrive at an amount. Now you shouldn't start by saying, "How much is it going to cost?" before you find out what the services are that are required.

MR. GRAHAM: Mr. Henteleff, at the same time you have estimated 25-30 million dollars here, but at the same time I want to then ask you another question. So far you have dealt only with an age group approximately up to 21. With the upper limit now being removed, this section is going to include a great number of people above and beyond the age of 21, so that you're only talking about a portion of the program. Would you have any idea at all of how many other people would be affected by the change that is encompassed in this section? And I'm referring specifically to those over 21.

MR. HENTELEFF: Thank you, Mr. Graham. I have had some second thoughts about the suggestion that the word "person" be used instead of "child". Although we strongly consider that the focal point of assistance for the family - because you cannot consider the child without his family, and if he requires economic assistance or other assistance to help that exceptional child, it is the school's responsibility. But the school's responsibility has to stop somewhere, and we are after all talking about The Public Schools Act. It appears to me that once a child reaches majority he should no longer become the direct responsibility of the school. There are other agencies who then ought to come into play. And so for example, we have now been working very actively with Canada Manpower. We would very much like to see some kind of ongoing co-operation with the provincial arm having that kind of responsibility, and the federal arm and the parent in a co-operative effort to meet the very kind you're thinking of because you're right, Manpower isn't sending us 21-year-olds, they're sending us 25-year-olds, and 28-year-olds, and 30-year-olds.

MR. GRAHAM; Well, Mr. Chairman . . .

MR. HENTELEFF: With greatest respect, Mr. Graham, and I thank you for your comment, because in thinking back the school's responsibility has to stop somewhere. I think then another agency . . . That doesn't mean by the way that a school doesn't have a continuing community responsibility because a school - schools are now becoming a community function, and as part of that community function there's no reason to think that that same facility, and those same personnel in evenings, even during the day when they're available, shouldn't be used for the purpose you're talking about.

MR. GRAHAM: Well, Mr. Chairman, through you to Mr. Henteleff, when he first came on he was very much in favour of the proposed change and now we find that he's speaking against it.

MR. HENTELEFF: No, I'm sorry, Mr. Graham, you must excuse me . . .

MR. GRAHAM: Let me finish, please. Because under this section the major concern of most members is not the 18 to 21, it's the over 21, the removal of the 21 upper limit seems to be the number one concern of most people involved here.

MR. HENTELEFF: Mr. Graham, if it would pass without a limit of 21 on it we would be delighted, quite frankly, but the question is a pragmatic one and you have to be realistic, and our school divisions who are not anywhere near this yet, this whole concept of having to be responsible for all children - are they going to accept the responsibility for young adults? So if - and I support what you're saying - the trouble is, I'm not quite sure they're ready for it yet and maybe next year we'll get the next approach.

Let me tell you something by the way - when we talk about early prevention and what happens when these young children don't get help - a psychiatrist costs \$10,000 or more - you know, these high priced personnel. We could overcome a lot of these problems early. Let me tell you something else. In British Columbia and in the United States and in Ontario, they have now proven as a result of three years' studies, that the incidence between children with learning problems and delinquency is of the order of 80 percent; that children who don't get attention early and who drop out and who are found in delinquent patterns it's found that there's a correlation of up to 80 percent - and I'll be very happy to provide the committee with a report out of Vancouver, a three-year study called "Operation Step-up" - and these were children who had learning problems and other problems, emotional problems never attended to.

MR. CHAIRMAN: Mr. Johnston, Sturgeon Creek.

MR. F. JOHNSTON: Yes, thank you, Mr. Chairman. Mr. Henteleff, there's no question about what you're saying is - I think everybody has to agree that it's desirable, and there's also no question that there are many children who have learning disabilities that can be handled in the schools and I think we're working towards that. But you have mentioned blind or deaf children, and I just can't for the life of me see - or I would like to have it explained to me - how we could have in possibly each school division, or in each school, somebody working with children who have to not only have special training and special aids to learn as children - I hear the Minister saying that you didn't say that, but I want to ask the question anyway. Until we could have this type of facilities, or even a room with the aids and the teachers available, how do we possibly do it?

MR. HENTELEFF: Well I'll tell you how we do it. It's being done. In Manitoba we have begun to take the first small steps towards integration. Let me tell you a story.

(MR. HENTELEFF cont'd) My daughter, who happens to have a learning disability was riding one day in the Grant bus, and there were five young children who go to the Deaf School on Kenaston - she's a very open child, and she went back and sat with them and, as children will, began to communicate very quickly - you know, there's a way. And as she was leaving - they were just so excited and delighted - as they were leaving, one of them wrote this note. "You know, you're the first normal child who's ever spoken to us on the bus." And that's really pretty sad, that's really very sad that these children should be made to feel different - because you know what different means: unequal, strange. Now these children aren't unequal and these children aren't strange - and the happy, wonderful thing that happens is that when you bring these children to the schools, it's the children that help them. It's the children that learn from each other, and that's a fantastic asset. That we shouldn't think always of the guy who's different as being a second-class guy, and that's the fantastic thing that we're really trying to see happen. It really is for everybody's benefit - not just for the so-called different child but for the so-called normal child to be exposed to these children, to help them, to learn what it means what can be done together.

MR. F. JOHNSTON: Mr. Henteleff, I must tend to agree with your statement because it's hard to disagree with, and I know children help children, I've seen it. But you're indicating that the children will be teaching one another - or the children with disabilities. I still come back to, even with that, those children do need special teachers and special aids in order to help them with the children, and if we can't do that in every school district and every school, you know, we could be doing some harm by them not having this special type of aids for teachers.

MR. HENTELEFF: I agree with what's entwisted in your statement that one ought not to integrate children into this system until the system is ready to receive them, because if you build up hope and there is no realization, then you're just doing another thing to destroy that child who's already partly destroyed. But the danger, in my agreement, is that will be used as an excuse by many people to say, we must wait until we get the trained people. If we're going to wait that long to get what we think are the highly-trained people required, we'll never get these kids in. And let me tell you something else, that when you separate a child from the mainstream, the stigma that attaches to him is the most horrible thing you can imagine - and some of you, because I know there are people among you who have had your unhappy experiences in school and have felt that stigma and that stigma has remained with you all your lives, but you can imagine how much worse it is for the cerebral palsied kid or the deaf kid or the blind kid. Let me tell you, there are enough people in Manitoba today where all these children, the vast majority of them except a very few - and I say this - a fraction of a percentile, who are so deeply affected that they do need separate facilities. I'm not suggesting total integration, but the vast majority can be integrated - and let me tell you, that with the proper support and training and attitude, that in very short order the schools can be made ready to receive them.

MR. F. JOHNSTON: Just one more question, Mr. Chairman, and this I would have to rely on probably your statistics or what you have found out. I found when I was in school, and I have seen it in other schools, that sometimes a child with a disability can be harmed by the children, children can be the most cruel people in the world, teasing or something of that nature, and sometimes the stigma is created by the children. How have you seen that situation?

MR. HENTELEFF: Well I think it's largely because of the kind of attitudes they get from their parents. I think very often, unfortunately, our children manifest the same kind of - well let's be blunt about it, okay? When you see a person with cerebral palsy, or when you see a mongoloid, or you see people like that, I'm sure, as I have, that sometimes you have feelings of revulsion or whatever. I guess there's also the awful attitude on our part to put down, to say I'm better than you, I'm better looking, I'm richer, I'm faster, I'm whatever. We have created an atmosphere so often, and where our kids have that kind of attitude, and that's why I point out the example in Transcona - because when you do expose the children in a helping way then these attitudes change, and we've got to change them - and this is the only way, not by separation, by bringing the kids together.

MR. F. JOHNSTON: Thank you.

MR. CHAIRMAN: No further questions. Thank you, Mr. Henteleff.

MR. HENTELEFF: Thank you very much.

MR. CHAIRMAN: Mr. Stan Jackson. Mr. Jackson is representing the Pelly Trail School Division.

MR. JACKSON: Mr. Chairman, Mr. Minister and members of the Legislature, I'm here on behalf of the Pelly Trail School Division to speak to Bill 58 and two articles in that bill that we feel should be amended.

I have a brief here, I don't have enough copies to go all around . . .

MR. CHAIRMAN: Would you provide one for the Clerk of the House at least?

MR. JACKSON: Would you like it now?

MR. CHAIRMAN: Yes.

MR. JACKSON: Mr. Chairman, also here with us, we have two gentlemen from Fort Labosse School Division, Mr. Douglas Brooks and Don McLenaghan. I also have with me our Superintendent, Mr. Doug McIsaac.

I'll just read the brief as we have it here, and then if you have any questions, that will be fine.

The Board of Trustees of Pelly Trail School Division No. 37 met on June 11, 1975, and discussed Bill 58, which amends The Public Schools Act.

The first concern of Pelly Trail School Division is the speed with which this bill is being put through the Legislature. This board learned of this bill only through an emergency meeting of the Manitoba Association of School Trustees called on June 9th. This has provided local authorities with very little opportunity to study the legislation with a view to making recommendations for changes in it. The ramifications of some of the changes proposed are very great and will have a significant effect on the operation of our school division. For this reason, this Board feels that more time is needed to study the implications of the amendments and that consultation with local authorities could result in an improved bill.

Now these are the following changes that we feel should be made. Now if you turn to Clause 147(1), we feel it should read in the following manner: "enter into agreements with the council of a municipality for the purpose of construction and maintenance of recreational" - and here is the change - "or other facilities on property owned by the school division and for the joint use of those facilities."

We feel it isn't necessarily the only recreational things that we could co-operate with. This would permit joint use of libraries and cultural facilities such as museums, or any number of things possibly could enter into it.

And the other change, and the one that we are most concerned about is subsection 465(19). The board views this subsection with considerable alarm. This could, conceivably, empty some schools with the undefined "residual costs" being borne by this division from the special levy, since the grants being earned for the students would go to the host division where the students are registered. On the other hand, there is no mention as to the rights of the host division in accepting these students. Furthermore, the terms "programs" and "residual costs" are undefined, and with the lifting of the upper limits on the age of the student this could result in the payment by this school division, or any other for that matter, of all "residual costs" for adult education.

Now this could be a very far-reaching thing. There's any number of special programs that are offered in some divisions that are not offered in others, and we could very easily be faced with almost an exodus from some particular area to another area for this special program and we, as a division, would be stuck with the costs, whatever they may be.

It is the request of this board that this subsection should be clarified and that there should be a considerable consultation with local authorities before this amendment is passed.

The Board of Trustees of Pelly Trail School Division thank you for hearing our concerns regarding Bill 58. It is their hope that these will help you in your deliberations.

MR. CHAIRMAN: Thank you, Mr. Jackson. The Minister has a question. Mr. Hanuschak.

MR. HANUSCHAK: I have a couple of questions. I also wish to indicate, as I've indicated in the House, that with reference to the first point raised by Mr. Jackson, it is my intention to bring in the amendments proposed by him and by your organization, of which this school division is a member.

Now if I may move on to the second point which he had raised. Are you aware that the manner in which the section reads at the present time also creates a problem because it doesn't make provision for anyone to define the special program? Are you aware of that?

MR. JACKSON: I'm not aware of a lot of these things. As I said, we just got this at our board meeting the other day . . .

MR. HANUSCHAK: No, I'm referring to the existing legislation.

MR. JACKSON: Oh, the existing . . .

MR. HANUSCHAK: Yes.

MR. JACKSON: No, I'm not right up on it.

MR. HANUSCHAK: Would you be willing as a member of MAST, your school division being a member of MAST, would you be willing to participate with my department in the drafting of regulations, because as the section indicates, that this would be subject to regulations? Would you be willing to participate in the drafting of the regulations, to provide for the proper interpretation and application of this section?

MR. JACKSON: I would say most certainly we would be willing, because this is our concern.

MR. HANUSCHAK: Thank you.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Mr. Jackson, I would like to refer to Section 465(22). You haven't mentioned it in your brief, but it does say that the school board shall provide or make provisions for the education of all resident persons, and that includes people over the age of 21 now. Would you have any indication at all about how many over 21 this might include in your school division?

MR. JACKSON: That's quite a question. I really wouldn't have a clue because, you know, there's a lot of retraining programs and upgrading of education going on nowadays, and how many people would care to take advantage, I do not know.

MR. HANUSCHAK: Mr. Chairman, on a point of order. It's all resident persons who have the right to attend school. At the present time there is an age limit.

MR. GRAHAM: Are you not removing that age limit?

MR. HANUSCHAK: It's not contained in this bill. I'm not aware of such a section being contained in this bill.

MR. BILTON: Mr. Chairman, on a point of order . . .

MR. HANUSCHAK: Except . . . yes. All right. Very well I withdraw my remarks because . . .

MR. BILTON: No children . . .

MR. HANUSCHAK: Yes, fine . . .

MR. BILTON: It does contain . . .

MR. HANUSCHAK: Very well.

MR. CHAIRMAN: Any further questions? Hearing none. Thank you.

MR. JACKSON: Thank you, gentlemen.

MR. CHAIRMAN: Oh, sorry, Mr. Axworthy has a question.

MR. AXWORTHY: Mr. Chairman, I'd like to ask, you or your school division is objecting in effect to Section 465(19), and I notice that you were here when the previous statement was made about the objection to special programs that the Committee on Educational Learning Disabilities Committee has. I'd like to get your assessment in terms of these two clauses, whether it's preferable from your point of view, the school division to work towards that mainstreaming idea that was being promoted beforehand, as opposed to this idea of moving toward special programs. Would this particular provision of the Act result in different school divisions setting up special programs? In other words, one school division looks after the kind of blind kids, another look after the emotionally disturbed children, and so on, and would that work against this idea of mainstreaming that was being talked about before?

MR. JACKSON: Well, I can only speak from a rural point of view. I think you're quite aware that the rural divisions, by and large, don't have the financial or the pupil base to provide every service that you can get say here in Winnipeg, and to provide all these special programs that might be entailed here within a division, I don't think is financially possible. I'm fairly new at this school business; I've only been a trustee for a year, so I don't claim to be an expert on it in any way, shape or form, but it would seem to me that there would be a real problem in providing all these services within any one division.

MR. AXWORTHY: Mr. Chairman, if I might continue. Thereason I'm asking is, I'm wondering, you know, when you set up a bill like this with certain financial provisions that tend towards giving incentive or direction toward special programs, would it ease things in

(MR. AXWORTHY cont'd) your school division if you were to have a teacher or two teachers, let's say a teacher specially trained to deal with remedial work, and so on, as opposed to transferring children to another division for special programs?

MR. JACKSON: Well, if you had a teacher that could handle the particular type of program that you were interested in I think in a lot of cases you could probably supply that program, but there again you would have a problem because you probably would have to hire that teacher specifically for that program, and that would be his or her field only in most cases, I would think. Now possibly Mr. McIsaac, our superintendent, could enlarge on that.

MR. AXWORTHY: Well, if he might, Mr. Chairman, would Mr. McIsaac be allowed to comment on that?

MR. CHAIRMAN: It's up to Mr. McIsaac if he wishes to answer a question.

MR. McISAAC: Our Special Ed Programs at present are being geared to mainstreaming. The occupational entrance - the reason we've placed children in occupational entrance courses is to get them out of them. --(Interjection)-- To get them out of them. We get them in there for as short a time as possible and back into a mainstream program, and we do have under the Resource Teacher Program specially trained teachers that we use in our school division, they're itinerant teachers, who go into the classroom and help the teacher handle learning problems in that classroom; the whole idea being that each teacher handles a group of children who are, you know, vary in their strengths and weaknesses, and the resource people go in. Now I think this is, the resource program, I think, is really the answer to a lot of special education needs.

MR. AXWORTHY: Thank you.

MR. CHAIRMAN: No further questions? Thank you.

BILL NO. 46 - THE GAS STORAGE AND ALLOCATION ACT

MR. CHAIRMAN: Mr. Walter Kuharczyk, private citizen representation on Bill 46.

MR. KUHARCZYK: Thank you gentlemen, members of the Committee.

MR. CHAIRMAN: Bill 46, The Gas Storage Act.

MR. KUHARCZYK: I assume that everybody present read this bill very thoroughly . . .

MR. CHAIRMAN: Order please. Order please.

MR. KUHARCZYK: . . . and will agree with me that it was a very fine move on the part of all those who are responsible as to the idea. However, by the way, what are briefs? - a one-way street of valuable time. Since the Oil and Natural Gas Conservation Board is practically in charge of implementing this bill through also public hearings, etc., which is of course a part of the government or administration, I say any human being alive is liable to make a mistake one way or another. When you visualize what encompasses to store the natural gas, it isn't as simple as you perhaps heard, that there is a big hole under the ground and you just put the gas there. It isn't that simple. You got to do also geophysical and geological studies. The area proposed, being mentioned over two and a half years ago or so. There was lots of drilling done for the oil, some production of the crude oil, some production also had . . . The area is very tight on about 2, 000 or so feet, depends on the well. By that, I mean there is a lack of porosity and permeability. Therefore, a number of the wells were treated with very high explosives to such a degree, that notwithstanding personal experience over 20 years ago, I was standing in the vicinity of about three to four hundred feet from where the explosion occurred in a well to open the zone that contained the crude oil, and the feet were tickled from the impact of the explosion. What I'm trying to say is this, that no matter what kind of electrologs you're going to use and study, whether that be radioactivity logs, etc., you have a core analysis, you still are dealing with the unknown. Those are only guesstimates, if you understand what I mean - by the way, on account of my poor English, if you don't understand me, please interrupt and I will try to explain what I mean - so as I said before, you are going to deal with guesstimates. Therefore, when you start to pump natural gas with the powerful compressors hoping for, naturally, to pump in as much as possible to cover a small area as possible so that you can have better recovery, you might run into a problem of seepage to start with. Now that seepage is not known neither to you or myself. It could be in the vicinity of a farmer's barn or his house, and it takes very little to cause the explosion because it's not the gas that you are dealing with in your furnace. You are mixing that with the air, with a big percentage of the oxygen. It can blow unbelievably.

Secondly, there is number of the small pools, non-commercial pools, shallow pools of oil in the Virden area. Again, you don't know about vertical and horizontal cracks. You

(MR. KUHARCZYK cont'd) might be pushing the small pool of oil and it doesn't need much of the crude oil to bring to the surface, you will cause again to a farmer damages, when either his children could be affected or his cattle would be affected, and it takes few drinks of oil and a cow or a horse is dead in no time. When it comes to the grazing lands, the mixture of oil will kill for at least ten years grazing lands or arable lands. Again that requires lots of study, an unbelievable amount of study - it is not as simple as I said after I heard the presentation. What I'm driving at, since the Crown is responsible for implementing rules and regulations under The Mines Act, the Conservation Board, Oil and Natural Gas Conservation Board, you gentlemen have here on Page 9, Part III, the title "Crown Liability." Now before I go any further, I have a complete faith in the Conservation Board. I dealt with them over 20 years ago. We had all kinds of problems, we always solved the problem. But this is a most unusual problem. You are dealing with the energy of unbelievable power, and you bear that in mind please. You put here under the "Crown Liability (25) The Crown is not liable for any loss, damage or injury suffered by any person as a result of anything done under this Act." To me, is just the same if I would come to Honourable Attorney-General and say, "Sir, I didn't steal a God damn thing today." Pardon me my expression. How can you in a democratic country take a right away from an individual, or individuals, to sue you through the legitimate courts of this country for the thing that you don't foresee it happen, either you as a Crown, or jointly as a company with whom you are in to some degree a partnership? And I'm talking about the gas company who is going to supply the natural gas. Now since I see here such astounding, able, legal brains, the Minister of Mines, another gentleman, another gentleman --(Interjection)-- Another legal brain.

MR. CHAIRMAN: Order please.

MR. KUHARCZYK: I appeal to you gentlemen with all the seriousness to amend this point. Use the English that you can a thousand times better than I can, but give the people a right. Let's hope it never will happen, but it still hurts if I have no right to go to the Courts, Queen's Bench, and say that Honourable Mr. Green is responsible for it on behalf of Her Majesty in right of the Province of Manitoba. Why do you take this right away? I was in Poland when there was a dictatorship, and the government never did a damned thing wrong; they always were right. I was in the Soviet Union. They never did anything wrong; they always were right. I had some experience down east in Quebec, they never did wrong; they always were right. Well, I hope we in Manitoba deserve the attitude sought as being preached. I thank you.

MR. CHAIRMAN: Thank you. There may be some questions. Any questions? Hearing none, thank you.

BILL NO. 11 - AN ACT TO AMEND THE AGRICULTURAL SOCIETIES ACT

MR. CHAIRMAN: Bill No. 11, an Act to Amend the Agricultural Societies Act.

A MEMBER: Page by page.

MR. CHAIRMAN: (Bill No. 11 was read page by page and passed) Bill be reported - passed.

BILL NO. 46 - THE GAS STORAGE AND ALLOCATION ACT

MR. CHAIRMAN: Page by page? Page 1-passed. There are amendments? Order please. It seems to be there are some amendments to this Act. Perhaps we could have them distributed. No amendments till Page 2 anyway. No amendments on Page 1. Page 2 - 4(1) is your first one I believe. Page 1-passed. Page 2 - there's an amendment for what?

MR. WALDING: Mr. Chairman, I move that Section 4(1) of Bill 46 be amended by striking out Clause (a) thereof and substituting therefor the following clause: "(a) explorations for the purpose of determining the existence or location of a reservoir, where the reservoir is proposed or likely to be used for the storage for gas; or."

MR. CHAIRMAN: Section 4(1) and (a) as amended-passed. That completes Page 2 as amended-passed. Page 3 - Mr. Walding.

MR. WALDING: Mr. Chairman, I move that Section 4 of Bill 46 be amended by adding thereto, immediately after subsection (2) thereof the following subsection: "Exception: 4(3) - Subsection (2) does not apply in the case of a sub-surface operation that is not likely to affect (a) any reservoir used or proposed or likely to be used for the storage of gas; or (b) any sub-surface access to a reservoir of the kind described in clause (a)."

MR. GREEN: . . . engaging in a sub-surface operation. Section 4 says that you can do it if it's not likely.

MR. CHAIRMAN: 4(3)-passed. Page 3 as amended-passed. Page 4. Oh, in Section 7(1) there is a small change. "Section 6 does not apply where the Crown or" - and after the word "or" put "an" agency. 7(1) with that minor amendment, would you move that, Mr. Walding, please?

MR. WALDING: I so move.

MR. CHAIRMAN: As amended-passed. Page 4 as amended-pass. Page 5 -passed. Page 6 - Mr. Walding.

MR. WALDING: Mr. Chairman, I move that Section 15 of Bill 46 be amended by striking out the word "Part" in the second line thereof and substituting therefor the word "Act".

MR. CHAIRMAN: 15 as amended-passed. Page 6 as amended-passed. Page 7 - correction at the end of (b) after the word "purposes"; put the word "and". 17(2) as amended-passed. Page 8 -

MR. WALDING: Mr. Chairman, I move that Section 23 of Bill 46 be amended by striking out the word "part" in the second line thereof and substituting therefor the word "Act".

MR. CHAIRMAN: 23 as amended-passed; Page 8 as amended-passed. Page 9 - Mr. Minaker.

MR. MINAKER: Mr. Chairman, I wonder if the Legislative Counsel could maybe explain the "Crown Liability" clause. Is that a standard clause that's inserted in bills of this nature? Is there any particular reason why it was put in if it's not in other bills? Particularly relating to the gentleman's presentation and concern over the possible damages that might occur, and also because of the Crown's involvement possibly in the . . .

MR. BALKARAN: Mr. Chairman, might I say with all due respect to Mr. Minaker, that's a policy consideration and I don't think that the Legislative Counsel will be able to respond to that.

MR. CHAIRMAN: The point is well taken.

MR. MINAKER: It wasn't a policy . . .

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Mr. Minaker is asking a legitimate question and I think that it should be answered. The Act sort of creates a situation where somebody can come and make that type of installation, and what the section says is that as a result of that happening, the Crown will not be held liable for having let it happen. It's similar to giving, let us say, the Winnipeg Gas Company a franchise to serve gas in the City of Winnipeg. What we are saying is that the gas company is responsible, but the Crown by having created the possibility of the gas company to exist, is that you can't sue the Crown. Now that's the way I see it. If Mr. Silver or Mr. Balkaran say that I'm wrong - Mr. Silver is nodding his head up and down . . . so what it is, is that it is not putting a liability on the Crown for making possible the issuance of this type of franchise, that it can be applied to almost any situation where the Crown gives a similar franchise.

MR. CHAIRMAN: Mr. Minaker.

MR. MINAKER: Yes, Mr. Chairman. I believe this isn't a policy question now, it's a legal question. What if the Crown, through a Crown corporation, decides to do this development, does that make them immune to any liability?

MR. BALKARAN: Mr. Chairman, in my view, if the Crown's a partner with a private corporation then this section would get the Crown off the hook, the private corporation would be responsible and they would be liable.

MR. MINAKER: No, that's not the question I asked, Mr. Chairman. If a Crown corporation decided to develop this fully . . .

MR. BALKARAN: The Crown corporation would be exempt.

MR. MINAKER: Then there would be nobody they could go to. I wonder, Mr. Chairman, then if it would not be a good idea to define Crown under definition, and particularly to define that it would only apply where other entities would be utilizing this Act. Because I would be concerned that there would be no protection for the citizens in the area of Virden if for some reason - and we hope that this wouldn't occur - that the Crown should take it upon itself to develop this.

MR. GREEN: Well, Mr. Chairman, I don't think . . . the Minister is not here, but I don't think there is any doubt that if the Crown is engaged in the enterprise, then it would have liability the same as any other agency that is engaged in the enterprise - that what is intended here is to remove a liability . . . well, then perhaps that had better be made clear. I don't know whether Mr. Silver who's drawn the bill is able to make that clear for us now or whether it has to be taken back.

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: Is the suggestion made, Mr. Chairman, that Crown agencies be liable but the Crown be not?

MR. GREEN: The suggestion is that . . . in my answer to Mr. Minaker I indicated that this was intended not to have the Crown liable for having created a possibility of people to store gas and distribute it. But if the Crown was the agency that was storing gas and distributing it then we would want them to have the same liability as the Manitoba Hydro who distributes electricity and are liable for negligence and things of that nature. I wonder if that is possible, that I can ask Legislative Counsel to discuss this with the Minister and make sure that the amendment is moved at the report stage.

MR. PAULLEY: But it wouldn't be in the definition of what the Crown is. We know what the Crown is.

MR. GREEN: No, it would have to be in Section 25.

MR. BALKARAN: Section 25, Mr. Chairman.

MR. GREEN: All right. Okay. Well then let's understand that there will be a clarification brought at report stage.

MR. MINAKER: That the Crown can be defined for this Act.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Do you want to hold it until . . .

MR. GREEN: Yes, that's fine. We can hold this bill up to that section until the next meeting of Law Amendments - Mr. Silver can discuss it with the Minister. I may be entirely wrong about what I'm saying. Let the Minister discuss it with Mr. Silver - he is not here - and perhaps there'll be a better explanation. But that's the way I would see it . . .

MR. CHAIRMAN: Is the will of the committee to hold this till the next meeting? (Agreed)

BILL NO. 56 - AN ACT TO AMEND THE LANDLORD AND TENANT ACT

MR. CHAIRMAN: Bill No. 56, an Act to Amend The Landlord and Tenant Act. I believe there are some amendments. I don't believe there are any on Page 1, are there? Oh, on Page 1 there is a spelling error in the fourth line of 1(a), "tenant" is only spelled with one "n". Make that correction.

MR. PAULLEY: Unless it's Mrs. Tennant, isn't it? She has two "n's".

MR. CHAIRMAN: Page 1 with that correction-passed; Page 2-passed; Page 3 - Mr. Uruski.

MR. URUSKI: Mr. Chairman, I move that the proposed new subsection 103(4) to The Landlord and Tenant Act as set out in Section 9 of Bill 56 be amended by adding thereto immediately after the figure "6" in the 6th line thereof, the word and figure "or 7."

MR. CHAIRMAN: Page 3 as amended-passed; Page 4 - Mr. Uruski.

MR. URUSKI: Mr. Chairman, on Page 4, I move that the proposed new subsection 103(7) to The Landlord and Tenant Act as set out in Section 9 of Bill 56 be amended by striking out the words and figures "longer than 12 months, except at the tenant's specific request" in the fifth line thereof, and substituting therefore the words and figures "that is less than or longer than 12 months, except by the mutual consent of the landlord and tenant".

MR. CHAIRMAN: 103(7) as amended-passed; Page 4 as amended-passed; Page 5 - Mr. Uruski.

MR. URUSKI: On Page 5. Mr. Chairman, I move that the proposed new subsection 103(11) to The Landlord and Tenant Act as set out in Section 9 of Bill 56 be amended by striking out the words "to the court" in the third line thereof, and substituting therefor the words "in the County Court in the district in which the premises are situated."

MR. CHAIRMAN: 103(11) as amended-passed; Page 5 as amended-passed; Page 6, correction, Page 6 12(1) on the second line the word "figure" should be "figures" - add an "s". Page 6 with that correction-passed; Page 7-passed; Preamble-passed; Title-passed. Bill be reported.

BILL NO. 58 - AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. CHAIRMAN: Bill No. 58, an Act to Amend The Public Schools Act. I believe there are some amendments.

MR. URUSKI: 58, I believe.

MR. CHAIRMAN: 58, pardon me, I'm going to get this right yet.

MR. HANUSCHAK: Page 1, if you could go through it section by section and then perhaps we could move page by page until . . .

MR. CHAIRMAN: All right. Page 1, Section 1-passed; Section 2-passed; 3 - Mr. Hanuschak.

MR. HANUSCHAK: In Section 3, Mr. Chairman, there is no printed amendment. But the amendment is minor, so would you move, Mr. Chairman.

MR. CHAIRMAN: Mr. Uruski.

MR. URUSKI: I would move that Section 3 of Bill 58, Clause 147(1) be amended by adding in the second line thereof of Clause (ee) the words "or other" after the word "recreational".

MR. HANUSCHAK: This "or other", Mr. Chairman, would answer the concern expressed by the trustees to provide for joint construction, joint use and maintenance of school facilities for whatever purpose, other than recreational.

MR. CHAIRMAN: Where does that come in then?

MR. HANUSCHAK: After the word "recreational" in the second line. "Recreational or other facilities."

MR. CHAIRMAN: 3 as amended-passed. Mr. Uruski.

MR. URUSKI: Mr. Chairman, I move that Sections 4 and 5 of Bill 58 be struck out.

MR. CHAIRMAN: Move the amendment please.

MR. HANUSCHAK: No, I'm not prepared to have the amendment 149 - the first amendment moved by substituting the words "unanimous approval of the board". I did indicate on Second Reading that this was something that I would take under advisement. I have had the opportunity to check this with my department and the school boards and I think it would be inadvisable to place that burden upon a school board to have to obtain unanimous approval of a board to hire . . . --(Interjection)-- That's right.

MR. CHAIRMAN: So there's no amendment to (4).

MR. HANUSCHAK: No.

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: Mr. Chairman, before you go on. Then you are referring to the approval being by the Minister?

MR. HANUSCHAK: No, it'll be as in the bill.

MR. BALKARAN: Yes. But the bill requires the approval of the Minister.

MR. HANUSCHAK: No, no. In the bill, striking out the words after the word "district".

MR. BALKARAN: Oh, I see. Yes, okay.

MR. GREEN: Sonow it will be left up to the school district, and there will be no approval of the Minister.

MR. HANUSCHAK: Up to the school district. That's right. So that section pass.

MR. CHAIRMAN: Page 1 as amended-passed; Page 2- there's an amendment here? - Mr. Johnston.

MR. F. JOHNSTON: I only raise a question on Page 2 regarding Section 8, because the trustees had made a suggestion that this particular section was the same as another section in the bill, regarding when you hold your first meeting. Now, if counsel has checked it out and says it's all right the way it is . . .

MR. HANUSCHAK: No, I have the answer to that. The school trustees drew our attention to Section 128, subsection (2), and they said that if this is amended then 128 subsection (2) should go out. However, we've checked this out and Section 128, subsection (2) applies only to school districts, not divisions, such as Sprague, Gypsumville and so forth which elects their boards at an open meeting on the first Monday in January or whenever it is - and elects their chairman then, or whatever - so it doesn't apply.

MR. F. JOHNSTON: That's fine.

MR. CHAIRMAN: Page 2-passed; Page 3-passed; Page 4-passed; Page 5 - Mr. Hanuschak.

MR. HANUSCHAK: Before we come to . . .

MR. URUSKI: Mr. Chairman, I move that the proposed new subsection 465(19) as set out in subsection 9(1) be amended by adding thereto at the end thereof the following words, and I quote: "And any dispute as to what constitutes residual cost shall be referred to the Minister whose determination of the residual cost is final and binding".

MR. HANUSCHAK: Now, Mr. Chairman, if I may speak to that. At the present time, the way the section presently reads, it allows a parent to enroll a child at another school division for the purpose of receiving instruction in special vocational education or in other special education programs.

(MR. HANUSCHAK cont'd)

Now, the problem under the existing legislation is the fact that the Act does not indicate who is to determine what a special education program is, who is to determine whether the home school division does, in fact, have that type of education program that the parent wants to enroll his child in.

For example, a case that I had where a parent resident in one school division enrolled his child in R.B. Russell School and said, My home school division does not have the special education programs - I don't want to enroll my child in. But it was found that that division did have that type of program, but only in the opinion of the parent it wasn't good enough. It wasn't good enough. So as far as the parent was concerned he said, No my home school division doesn't have that type of program - I don't consider that a meaningful program, I consider the program offered at R.B. Russell a meaningful one.

So really the significant change here, Mr. Chairman, is the first clause, "subject to any regulations made under The Education Department Act", and as I had indicated on Second Reading of this bill, that it is our intention to meet with the trustees and all concerned parties to hammer out the regulations to the satisfaction of all, to define whatever terms must be defined in order to make this section satisfactorily operative. And I committed myself to the Association of School Trustees that that will be done. At the present time it lacks clarity, it's ambiguous the way it reads. And then the amendment that was introduced, the reason why it was introduced was, because in the bill - in fact that amendment is in the present section, gives the Minister the right to - any dispute as to what constitutes residual cost shall be determined by the Minister and his determination is final and binding. That is in the existing section, which had been omitted from the bill.

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: Mr. Chairman, those words that are being introduced by the amendment were in the bill, but somehow when it came back from the printers inadvertently those words were left out.

MR. URUSKI: They got lost.

MR. PAULLEY: As long as it was the Minister that didn't get lost, or did get lost . . .

MR. CHAIRMAN: 465(19) as amended-passed; Page 5.

MR. HANUSCHAK: Mr. Chairman, before we pass Page 5, there is one more amendment. I wish to speak briefly to 9(2).

MR. CHAIRMAN: 9(2)?

MR. HANUSCHAK: The section following, 465(22). Now we have heard two positions expressed - two views - that of the Association of School Trustees the other night, and that of the Manitoba Association for Children with Learning Disabilities as presented by Mr. Henteleff tonight.

Now, I think that insofar as the principle of this section is concerned, there's no disagreement among any of the interested parties, the trustees agree that we ought to move in this direction. Except the trustees' concern is that there are a number of matters that have to be resolved and worked out, namely funding, and I agree. And if honourable members of the committee would check Hansard, when this bill came in for Second Reading I did make reference to that fact, that the matter of funding will have to be resolved, the matter of a development or programs and the method for the delivery of programs in all parts of the province, because we realize that there's a problem in rural parts of Manitoba, and a host of other problems which must be resolved.

I also indicated at that time that this section merely states a Notice of Intent, indicates a direction in which we intend to move, but that the section itself is in need of further refinement. Tonight we heard Mr. Henteleff suggest an amendment to this section, when he said that instead of having it read: "will require special programs," MACLD may take exception to the term "special programs" because it connotes segregation. I may agree with them. But I will suggest that rather than attempt to further amend this section at this time, that we proceed in the manner in which I've indicated that we would, that this section could pass, not come into force upon Royal Assent, but upon Proclamation at a later point in time, after there has been sufficient and adequate consultation with all parties, MACLD and the trustees, when we've developed the program, and we've developed a funding mechanism, and we've developed a method for delivery of the program, and at that time we would probably want to - perhaps even MACLD would want to revise their proposed amendment, and a final form of this section

(MR. HANUSCHAK cont'd) at that point in time could be hammered out and meet the needs, and with the approval of all interested parties.

MR. CHAIRMAN: Mr. Axworthy, and then Mr. Johnston, Sturgeon Creek, and Mr. Graham.

MR. AXWORTHY: Mr. Chairman, with reference to the Minister's statement on this section, . . . reading of the clause now under Special Programs wouldn't lend itself to that kind of characterization that was being warned against. But I gather the Minister is now prepared to accept modifications under that with some consultation. So the question I would pose to him would be: Can he give a more definite commitment of time as to how long the outer limits of that consultation might be so that, in fact, the Act just doesn't become an unused portion of the Act as has been the case even in the bill that was . . . can you give us what you conceive to be the timing for these deliberations and the proclamation?

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Mr. Chairman, the consultation will no doubt take place in the very near future because there is a Special Needs Task Force that is presently established, which is in operation. I'm certain that as soon as the Special Needs Task Force is able to meet with MACLD, able to meet with the teachers, with the trustees, that that will take place, because this is an ongoing activity within my department right now.

MR. CHAIRMAN: Mr. Johnston, Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Chairman, and I thank the Minister for telling us that he is going to work on this program. There's one thing that I noticed when I was speaking to Mr. Henteleff, his words were "do not integrate until your division is ready." As much as he wants it, he made that statement. Then he said, "I don't believe in total integration." Now, the reason I bring it up to the Minister, and, Mr. Chairman, when I read this it says: "all resident persons." Quite frankly, I don't think that's possible. I think that there are mentally disability people that you will never possibly educate within a school division and a school. And it's an unfortunate fact of life, but that's a fact. I don't think that word "all resident persons" is possible.

MR. HANUSCHAK: Well, Mr. Chairman, this is why I said that the section is in need of further refinement, because in its final form the section may read in such a manner as to indicate that a school division is, in fact, making provisions for all persons, some in a public school, some in another institution, but nevertheless it's making provision for them. In listening to Mr. Henteleff tonight, Mr. Henteleff himself can admit that total integration is impossible, that there is a certain percentage who could best be provided for in institutionalized care, or wherever. But nevertheless his concern is that the school division assume the responsibility for the education program, and I think that's really the key in this section which is in need of a further refinement.

Now, of all resident persons I believe the point was also raised that in view of the fact that we're removing the age limit that this could open the door to thousands of adults. Well, I doubt very much whether that will, Mr. Chairman, because if the purpose of this amendment is to provide for integration of students with their peers, well, if there are no adults in there now, who are they going to integrate with? So therefore it's unlikely that there would be, you know, suddenly a flood of adults with handicaps, or - what was the term that the . . . used? - with exceptionalities, you know, suddenly come crowding into the doorways of the schools.

MR. F. JOHNSTON: Well, Mr. Chairman, I thank the Minister again for the explanation regarding that we make provisions for all resident persons. I take this to mean then that through the school divisions you'll be paying the cost of Portage la Prairie, cost of the special programs that the government is now doing through the Health Department, you'll be paying for it on that basis through the school division.

MR. HANUSCHAK: No. No.

MR. F. JOHNSTON: Well, you know, if the school division has to provide that, are we going to provide it twice?

MR. HANUSCHAK: No.

MR. F. JOHNSTON: Well, I am, as I've said, not a lawyer, but I really don't know how you avoid it when you say "all resident persons."

MR. HANUSCHAK: You see, if I may just remind honourable members of a reservation about this that I've brought up in the House, from time to time I suppose there's good and valid justification for a school board to expel a student in the best interests of the student. Maybe

(MR. HANUSCHAK cont'd) that kind would do far better working at a service station, or wherever, than spending time in school; or there may be other valid reasons for expelling that student from school or placing him wherever else. A student may threaten the life of a teacher - and that happens from time to time. Then, no doubt, for some period of time that pupil has to be dealt with in some other manner and some other place.

A MEMBER: How about another student?

MR. HANUSCHAK: Or it could be another student, that's true. So we recognize that, and hence there is need for further refinement. But we're not dealing with those exceptions, but it's with a general concern about children with exceptionalities as commonly defined and referred to by the various interest groups which have come into being in recent years, and some of which have been in existence for many years, and the concern that they have about them. The children with learning disabilities, suffering from various handicaps, and so forth. Those are the ones that this is concerned about.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Mr. Chairman, I would like to put a very specific question to the Minister. Does the Minister envisage having the time available to him to make all these changes, have the meetings with the various school divisions in time to implement this program in the 1975-76 school year?

MR. HANUSCHAK: No. I never said that. No, that's impossible.

MR. GRAHAM: So we are looking then at a time frame for the 1976-77 school year, or later?

MR. HANUSCHAK: It'll most likely be by a phasing-in process extending over some period of time.

MR. GRAHAM: Thank you.

MR. CHAIRMAN: Mr. Paulley.

MR. PAULLEY: Mr. Chairman, I'd like to suggest we re-read this particular section 465(22), because reference is - it's true it states that "for the education of all resident persons," but then the section goes on to say, "who have the right to attend school and who require special programs." So I would suggest this is the answer, or conceivably an answer to Mr. Johnston, that it isn't so all-inclusive when you read it thoroughly as at first meets the eye. Because it's for all resident persons who have the right to attend school, and I think that is a qualifier in there that does substantially answer the point raised by Mr. Johnston, which is a valid one and of course, when mention is made for instance of the Portage Hospital for the Retardates, it wouldn't be applicable in total there, because there are only sections of that institution or facility - I don't like the word institution - of that facility where, what one might term, "educable," people are educated and those that are non-educable are simply there; so it wouldn't apply in any case to all of them.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Well, before Mr. Johnston takes the floor, I think that the parents of people with student disabilities, learning disabilities, would be, and I guess there's sensitivities on either side, but they are not classified as retardates.

A MEMBER: That's right.

MR. GREEN: Retardates are separately dealt with by separate legislation and are taken care of by the province. The people that Mr. Henteleff has referred to in these groups are talking about children who are in the system, who are not retardates, therefore who are able to take the normal educational - have a normal educational experience, but require special attention because of their exceptionalities - if that is a nice word to use. It is not an attempt, and there is nobody who would let it be an attempt on the province to foist off responsibilities for retardates onto a school division. These people are now in the school system. But some of them are brilliant kids who are not able to get by certain things because they read letters backwards or see things in wrong perspectives.

MR. HENTELEFF: Can't distinguish from left to right and right to left, and stuff like that.

MR. CHAIRMAN: Mr. Johnston, Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, I was quite aware of the people Mr. Henteleff was speaking of, and I think we all agree with him. But now that I've got the explanation that the retardates come under another section of law, that's fine. But not knowing that, it did look that way, it did look that way.

MR. CHAIRMAN: Okay - passed. There is another amendment here.

MR. GREEN: I guess it's . . .

MR. PAULLEY: . . . the proclamation part.

MR. GREEN: Yes. That Section 10 of Bill 58 be struck out and the following section substituted therefor, "Commencement of this Act, except Section 9(2), comes into force on the day it receives the royal assent. Subsection 9(2) comes into force on the day fixed by proclamation."

MR. HANUSCHAK: Right.

MR. CHAIRMAN: 10 as amended-passed. Page 5 as amended passed; Preamble - passed. Title-passed. Bill be reported - passed.

Committee rise.