



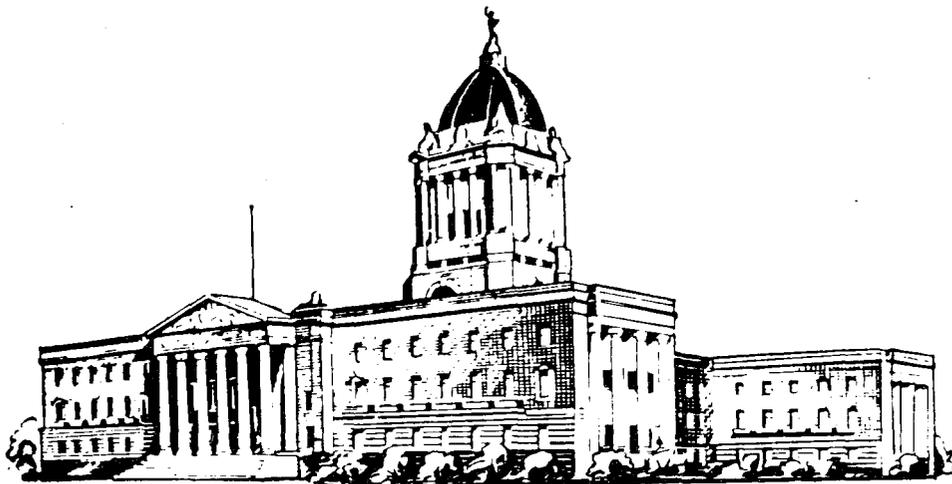
Legislative Assembly of Manitoba

HEARINGS OF THE STANDING COMMITTEE

ON

LAW AMENDMENTS

**Chairman
Mr. William Jenkins
Constituency of Logan**



8:00 p.m., Wednesday, June 18, 1975.

LAW AMENDMENTS COMMITTEE
8:00 p.m., Wednesday, June 18, 1975

CHAIRMAN: Mr. W. Jenkins

MR. CHAIRMAN: The committee will come to order. We have a quorum. Bills before the committee.

Bill No. 62 - The Statute Law Amendment Act (1975)

Bill No. 65 - An Act to amend The Health Services Act and The Elderly and Infirm Persons' Housing Act

Are there any representations from the public on these bills? Hearing none, we will proceed. What is the wish - deal with 65? All right.

BILL 65

MR. CHAIRMAN: Bill No. 65, an Act to amend The Health Services Act and The Elderly and Infirm Persons' Housing Act. Page by page? Clause by Clause? Clause 1 - The Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, before we deal with the bill, I'll basically spell out our position on the bill in the hope that it will resolve further debate on the subject matter as we go through it, whether it's clause by clause or page by page.

Mr. Chairman and members of the committee, we still think that the municipalities in this province and which is basically the grass roots of this province should still have some say in the maintenance and the operation of the hospital services and the elderly and infirm people's housing. We are very alarmed that we're going to see more and more what we saw on television tonight where patients are being brought in from Flin Flon due to matters that are well known to the committee and to the Legislature. We're alarmed and scared that the people of this province now are going to have to take a second rate type of health services in Manitoba. The government certainly has moved and declared their position, it's loud and clear. We, of our party, are still concerned and we think that the people in the local communities that have some input into the system, they should have some say in the system and they should have some way or some vehicle to make sure that the health services in this province and especially at that level should not be attacked in this particular manner. We're alarmed and scared that big governments will not be able to provide the health care standards that we are used to in this province and historically have been here over the years, so we likely, Mr. Chairman, will be opposing this legislation.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Mr. Chairman, just before . . . Am I correct, I'd like to ask whether I am correct in that this bill is a bill which eliminates the necessity for a municipality to put up 10 percent of the capital costs of elderly persons' housing and 20 percent of the costs of the hospital construction. Is that the effect of the bill?

MR. CHAIRMAN: Mr. Pawley.

MR. PAWLEY: Mr. Chairman, Mr. McKenzie isn't thinking in terms of the bill we were dealing last night. I wonder if he's on the right bill.

MR. GREEN: Well am I correct that that is what the main subject matter of the bill is?

MR. DESJARDINS: Mr. Chairman, I don't know where Mr. McKenzie gets his information or if this is a red herring. This bill does two things. It removes the 20 percent on nursing homes as already been done for hospitals, and also the cost from the public health units.

MR. GREEN: Thank you. That is what I wish to understand.

MR. DESJARDINS: I don't understand why the concern or whether it's a red herring.

MR. GREEN: I know that for many years, Mr. Chairman, the fiction was that the 20 percent costs levied on a municipality for hospital construction and this 10 percent is something which retains local control and local participation in that unit. What it really did, Mr. Chairman, is make it possible for a wealthy community to have a hospital and a poorer community which could not put up the 20 percent could not have a hospital, and therefore what this bill amounted to was giving 80 percent of construction costs to those wealthy communities who could put up 20 percent. That is what the Conservative Party wishes to retain. I want to indicate, Mr. --(Interjection)-- Well, Mr. Chairman, you know, you are entitled to put your position, I am entitled to put our position.

(MR. GREEN cont'd)

The fact is that we have the same Conservative party in the House saying that the entire costs of education should be moved from real property and levied by the province. The same Party who says that you will remove local control on nursing homes and hospitals by not requiring a 10 percent or 20 percent levy, as the case may be, which I say, Mr. Chairman, makes it possible for a rich community to have everybody else in Manitoba, including the poor communities, subsidize them --(Interjection)--The honourable member wants to know where the rich communities are, I'll tell him. There are communities, Mr. Chairman, in rural Manitoba which have higher assessments and there are communities in rural Manitoba that have lower assessments. If the honourable member wishes me to go through and name them, I will do so. It really is something that I need not do because he knows who they are. But the fact is that what he is saying is that put on a levy that is high enough to disqualify the building in a rural community but low enough so that the wealthier community is heavily subsidized by the rest of the Province of Manitoba. That is the theory that they want to perpetuate and they do it. On the same day as they previously said or - you know, I'm having difficulty keeping up with when it gets dark and when it gets light again - but I rather gather that it was either today or yesterday when they said that the entire educational costs should be taken off local property and put on the province. That would totally destroy local participation in education.

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, the record of this government is on the line . . . Bill 44 is a classic example. All I'm saying is that the municipalities of this province, had you left them a tax base and moneys that they could levy at their own level, they would still provide the services. And I tell you, it's not that bad across this province. Just look where the senior citizen housing is and the elderly and infirm housing and the hospital system across this province is comparable to anything in North America, and the municipal people were part and parcel of that system. We've had the best medical health care in all of North America right in this province. We've got it here today, and I just regret, and the people of this province will regret to see that the government now don't see fit to let the people be involved in their own health care, in the delivery of their own health care and they're going to take it away from them and do it by this vehicle. Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Thompson.

MR. DILLEN: Mr. Chairman, I come from what is considered by most people as one of the richest cities of equivalent size of any place in the Province of Manitoba. And when we're talking about local control let me tell you to the extent that local control is exercised by the Hospital Board of Thompson under an agreement that has been exercised by the Province of Manitoba at the time that the Conservatives were in power which gives the power of appointment to that board, to International Nickel Company. And in order to get elected to that board or nominated to that board should some person die or retire, is incumbent upon the balance of the board approving of that appointment. There is no elections There is no democracy.

MR. URUSKI: Self perpetuation.

MR. DILLEN: That is true. It is a self-perpetuating board. And this bill is not going to change that. But at least it is going to remove the necessity for the Town of Thompson or any other town in the Province of Manitoba from the necessity of going back to its people through bingo and dances and any other form of raising local equity to provide for the 20 percent required for the building or an expansion to an existing hospital facility. That's all this bill means. So don't come to this committee and say that we are going to have some kind of local control in Thompson. There is no such a thing as local control except that which is exercised by the Nickel Company. If my memory serves me correct, there are other communities in the same situation as Thompson. At least we have the ability in the case of school boards for that school board to run for local election and be elected by the local community. Not so with hospital boards.

We've just come through a hospital expansion and we know to what extent the people of the town were taxed in providing what is considered to be the local population equity into that 20 percent of a million dollar-plus expansion. And you know it's very difficult. We had the service clubs taxed to the limit in that community. We had the Steelworkers Union taxed to the limit in that community, in terms of participation, in terms of using dollars that could be used for other local services that they normally provide both for their membership in the case of service clubs, in the case of service clubs that provide a service to the mentally retarded

(MR. DILLEN cont'd) as an example, to any other group in the community that needed that kind of money. That was set aside solely for the purpose of providing what it considered to be local equity. It reduced the amount of funds that were available for the services that they provide. The Lions are a good example. You know they provided a contribution to the hospital for their local equity. But in turn used up funds that they would have normally used for the types of service that they would normally provide to those groups that they assist. These are the types of things that we are attempting to eliminate by this legislation, and I think it's damn good legislation that should be supported by the Conservative opposition in this government.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: Mr. Chairman, I think that even the Member for Thompson is being led astray here by the introduction of the Member from Roblin. In fact this thing is practically out of order. We've had the question of the 20 percent to the hospitals and I didn't see the Conservatives vote against that. They voted against the bill because they didn't like the setup of the health board. Now the health board is something else. I don't think that we should discuss that all over again. We know the position of the Conservative Party, they voted against this. All right.

So let me, after the introduction of my honourable friend from Roblin, let the record show that what they oppose is this bill, and this bill is a chance to remove the 20 percent owners' equity on the personal care home and also on the public health district. That's all it does. It doesn't take a single thing away from the municipality except the debt. And I think that that should be made quite clear. Now if my honourable friend wants to oppose it that's his business but, I don't think, Mr. Chairman, that you should allow us to start all over on the health care of Manitoba and the district and so on because there's nothing in this bill that provides that.

MR. ADAM: Never read the bill clause by clause.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: The comment just made by the Member for Ste. Rose is pretty accurate. They haven't had an opportunity to read the bill, it was just introduced. And that's the reason I want this bill gone through clause by clause so the Minister can give an explanation of each of those clauses. And I would like the Minister to explain clauses 1, 2, 3 and 4, what is being repealed. Because I agree with the Member for Ste. Rose, I haven't had an opportunity to read this bill, and he's going to have to do my research for me.

MR. CHAIRMAN: Clause 1 . . .

MR. DESJARDINS: Well the last remark, I was certainly satisfied to go ahead and give as much information as possible but I don't intend to do the research for the Conservative Party.

Clause 1 is removal of reference to lab and X-ray units because of the repealing Part II which has provided for the establishment of the diagnostic facilities.

Two is elimination of reference to medical nursing unit district, to district with a hospital facility under 12 beds.

And 3 is removal of provision for the Lieutenant-Governor to increase the bed capacity of a nursing unit. This is eliminated from the Act.

Then 4 is removal of the requirement for regulation for a lab and X-ray district in accordance with Clause 1.

Five is elimination of term "medical nursing unit districts" in accordance with Clause 2.

MR. CHAIRMAN: On Clause 1, the Honourable Member for Roblin. - pass. Clause 2 - pass . . .

MR. BILTON: Mr. Chairman, would the Minister again repeat Clause 2, the reason for this amendment?

MR. DESJARDINS: The elimination of reference to "medical nursing unit district" to district with a hospital facility under 12 beds.

MR. BILTON: Eliminating?

MR. DESJARDINS: They are now called hospitals.

MR. CHAIRMAN: 2 - pass. 3 - pass - the Honourable Member for Roblin.

MR. McKENZIE: I wonder if the Minister would advise us what say the local community will have in fact if the beds are going to be cut down or the facilities, the quality of health care is going to be changed, because this is the one that provided the establishment of wards and certain numbers of beds in the units. I wonder is it left to the board to establish or does the

(MR. McKENZIE cont'd) Minister decide in this particular section as to the number of beds to be allocated to a certain area?

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: No, the section that's being repealed by Section 3 of the bill was the provision which said that the Lieutenant-Governor-in-Council could allow a medical nursing unit to have more than 12 beds. Seeing as how we're excluding medical nursing units from the terminology of the Act it doesn't matter how many beds there are in a hospital.

MR. BILTON: And the . . . will have no say.

MR. CHAIRMAN: Section 3 - pass. Section 4 - pass. Section 5(a) - pass; 5(b) - pass; 5(c) - pass; 5(d) - pass; Section 5 - pass. Section 6 - Mr. Desjardins.

MR. DESJARDINS: That is again removal of lab and X-ray unit and medical nursing unit district. The lab and X-ray for a number of years now have been run by the Commission. From June of 1969 with the shared services and then I think that Mr. Tallin explained the question of the medical nursing unit districts, the term. Section 7 is the same thing.

MR. CHAIRMAN: Section 6 pass. Section 7 pass - the Honourable Member for Sturgeon Creek.

MR. J. FRANK JOHNSTON: I wonder if we could have an explanation of this section. I wonder if I could have it from the Member for Ste. Rose.

MR. DESJARDINS: Which one is that, Mr. Chairman?

MR. F. JOHNSTON: Thank you very much, you haven't read it either.

MR. ADAM: I don't talk.

MR. HENDERSON: You've been yapping a lot considering you're on that side.

MR. CHAIRMAN: Order please. Order. Would the honourable members please direct their remarks through the Chair. Section 7 - passed. Section 8.

MR. DESJARDINS: I should here say that Section 8 is a removal of regulations which enables the government to apportion part of the cost of health units to municipalities.

MR. CHAIRMAN: Mr. McKenzie.

MR. McKENZIE: Mr. Chairman, then the repealing of this section as the Minister has raised, that it eliminates the vehicle whereby the municipality paid to the government certain sums of money wholly or partially. What vehicle now is being used to replace this section so that the local people of the municipalities have some say in the quality of health care and the number of beds that'll be in the various communities?

MR. DESJARDINS: That has nothing to do with the standard or nothing to do with the beds. This is the health unit - a portion which was paid by the municipality - and they no longer pay that. It was practically impossible to administer for one thing. And there will not be any change because of this - there will not be any change for the better or for the worse in standards. It has nothing to do with that at all. It's just the cost that was charged to the municipality and that will no longer be paid by the municipality.

MR. McKENZIE: Well Mr. Chairman, another question to the Honourable Minister.

MR. DESJARDINS: Excuse me, I'm talking about public health nursing.

MR. McKENZIE: Yes. Yes. That's what I'm talking about too. But as long as the local communities had some input dollar-wise into the system or the delivery of health care they had some say in the standard, and I'm wondering now, what say have they got or how can they get involved? Or do they have to go directly to the Minister under the new section by which this has been repealed?

MR. DESJARDINS: Well, the public health was delivered by the government and the municipalities were paid - and that's all. From now on, with this other Act, which you oppose, they will have the chance to take that over and they'll have if anything more say in the delivering of this service to their . . . eh?

MR. McKENZIE: They won't contribute anything.

MR. DESJARDINS: Oh, I'll entertain an amendment if you want to say that - those that want to make a contribution, we'll accept it - if Roblin municipality was going to be - too glad to accept this amendment. I'm not against that at all. I would like to co-operate with my honourable friend.

MR. CHAIRMAN: Mr. Bilton.

MR. BILTON: Mr. Chairman, through you to the Minister. Do we understand that the health units as we have them today will be maintained when these amendments take place?

MR. DESJARDINS: This bill doesn't change anything except the pay. But the other bill

(MR. DESJARDINS cont'd) of the health district might change that because this might be taken over by a board of the district who could take over the hospitals, the nursing homes, the public health, the home care, day care, whatever they want to . . .

MR. BILTON: Under your jurisdiction?

MR. DESJARDINS: Yes, but not - no, under their own jurisdiction. Not under this bill, that has nothing to do with this bill.

MR. BILTON: Okay.

MR. CHAIRMAN: Section 8 . . .

MR. DESJARDINS: Excuse me, was there an amendment being proposed?

MR. CHAIRMAN: I hear none. Section 8 - passed. Section 9 - passed. Section 10 - Mr. McKenzie.

MR. MCKENZIE: I think, Mr. Speaker, this is where - before, the third of the cost was contributed by the municipalities, and now the entire cost is being paid by the province.

MR. DESJARDINS: That's right.

MR. MCKENZIE: Yeah. Okay, I think I've got an understanding.

MR. CHAIRMAN: Section 11(20) - passed. Section 11 - passed. 12(21)(5) - passed. Section 12 - passed.

MR. MCKENZIE: A question under No. 20.

MR. CHAIRMAN: Mr. McKenzie.

MR. MCKENZIE: I'm wondering if the Minister could explain, at the bottom part of Section 20, where this board will have the authority to acquire by purchase or lease . . .

MR. DESJARDINS: Wally, would you speak a little louder, I can hardly hear you.

MR. CHAIRMAN: The honourable members use the microphones, please.

MR. MCKENZIE: Under Section 20, Mr. Chairman . . .

MR. DESJARDINS: 20 or 21?

MR. MCKENZIE: No, I'm dealing with 20.

MR. CHAIRMAN: Oh, that was passed.

MR. MCKENZIE: Well, under Section 11. I wonder if the Minister will explain the bottom part where "The board may acquire by purchase or lease, and hold real estate suitable for the purpose." Is this held in the trust of the board or the Minister?

MR. DESJARDINS: The board.

MR. MCKENZIE: The board. Okay.

MR. CHAIRMAN: 12(21)(5) - passed. Section 12 - passed. Section 13 - passed. Section 14(a) - passed; (b) - Mr. Jorgenson.

MR. JORGENSEN: I wonder . . . the changing of the word "ratepayers" to "electors".

MR. DESJARDINS: It's reducing the vote approved from three-fifths to a majority because everybody is voting now substituting the word "elector" for "ratepayer" consistent with municipal legislation.

MR. CHAIRMAN: (Sections 14, 15, 16, 17, 18, 19, 20, 21 and 22 were read and passed)

23(a) - passed; (b) - passed; 23 passed . . .

MR. DESJARDINS: There's an amendment here, Mr. Chairman. I wish to say before this amendment is introduced, that you've received a copy of this. Now, what we wanted to do was be consistent. The Act was amended to take away the referendums and this is what it's doing with the hospitals. And I wish to say also, if there's any reason why that can't be supported by the Member of the Opposition, I'm ready to withdraw it.

Now I think it is needed to be consistent. We didn't have it at first because I think they were having referendums for different things, but mostly for the 20 percent, and now that they could go ahead if they could raise the money with the levy of two percent. So I'm not going to insist on that. I think it's keeping it in order. I wonder if - Bill, have you got it? Bill - do you want to move it? It hasn't been moved. Okay.

MR. CHAIRMAN: Mr. Uruski.

MR. URUSKI: Mr. Chairman, I move that Bill 65 be amended by adding thereto immediately after Section 23 thereof, the following Section - subsection 45(2) added -24.

Section 45 of the Act is further amended by numbering the Section as subsection 1 and by adding thereto at the end thereof, the following subsection:

"Where no borrowing by municipality 45(2). Notwithstanding Section 42, 43 and 44 or any other provision of this Act, where it appears that a scheme or supplementary scheme

(MR. URUSKI cont'd) "will require the board of a district to borrow money to pay for capital expenditures for building and equipping a hospital, or for major renovation or for addition to a hospital; but that the included municipalities will not be required to contribute toward those capital expenditures an amount in excess of the amount that could be raised by a levy of two mills on the assessable property of the district. The Lieutenant-Governor-in-Council may authorize the councils of the included municipalities to pass by-laws ratifying the scheme or supplementary scheme without submitting the by-laws for the assent of the resident electors, and the councils of the included municipalities may thereafter pass by-laws ratifying the scheme or supplementary scheme without submitting the by-laws for the assent of the resident electors."

MR. CHAIRMAN: Mr. Desjardins:

MR. DESJARDINS: Mr. Chairman, the main thing on this is to proceed more rapidly than in the past because of the time consuming step and approval of procedures is no longer being required. It's not giving the province or the Minister any rights. It is letting the municipalities decide for themselves without going to the by-law.

MR. CHAIRMAN: Mr. McKenzie

MR. MCKENZIE: Mr. Chairman, I thank the Minister for that amendment, and I'm sure that he'll have no trouble with our caucus on those kind of amendments, where you include the local people and let them have some say . . .

MR. DESJARDINS: There must be something wrong with the amendment.

MR. MCKENZIE: . . . in the development of the plan.

MR. DESJARDINS: I wonder if I should reconsider the amendment.

MR. CHAIRMAN: Well, can we pass this one first? The amendment as moved - passed.

MR. URUSKI: Mr. Chairman, there's just a technical amendment that Sections 24 to 46 of Bill 65 as printed be renumbered as Sections 25 to 47 respectively; and Section 46 as printed - or 47 as renumbered - be amended by striking out the words and figures "36 and 41" in the second line thereof and substituting therefor the word and figures "37 and 42."

MR. CHAIRMAN: The amendment as moved - passed. 24.

MR. DESJARDINS: We're going on the old numbers now, of course, eh?

MR. CHAIRMAN: We're going by the old numbers, because I haven't had time to renumber these things.

MR. DESJARDINS: Okay.

MR. CHAIRMAN: 24 - passed. 25 - Mr. Jorgenson.

MR. JORGENSEN: Mr. Chairman, I don't . . . is the significance of this amendment.

MR. DESJARDINS: The old Act was in error and this is just a housekeeping change, changing "83" to "88".

MR. TALLIN: Cross reference.

MR. CHAIRMAN: 25 - passed; 26 - passed; 27 - passed.

MR. DESJARDINS: The same thing here.

MR. CHAIRMAN: 28(a) - passed; (b) - passed; (c) - passed; (d) - passed; (e) - passed; (f) - passed; (g) - passed; (h) - passed; (i) - passed; 28 - Mr. McKenzie.

MR. MCKENZIE: The district still will be based on the equalized assessment I guess, that part hasn't been changed at all in this section then?

MR. DESJARDINS: No.

MR. MCKENZIE: That's correct, eh? That's fine. Thank you.

MR. CHAIRMAN: 28 - passed; 29 - Mr. Jorgenson.

MR. JORGENSEN: I wonder if the Minister could explain just what is being made permissive under this section rather than compulsory.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: I think that this is the section - that they had to have a separate board for a different institution and so on, and this won't be necessary from now on.

MR. CHAIRMAN: 29 - passed; 30 - passed; 31 - the Honourable Member for Roblin.

MR. MCKENZIE: On 30, Mr. Chairman.

MR. DESJARDINS: Reference is to Health Services Insurance Act.

MR. MCKENZIE: This is the elimination of the medical health service unit. It'll no longer be described in this Act.

MR. DESJARDINS: That's right. They were referring to that Act, and that's no longer

MR. McKENZIE: Yes. Okay.

MR. CHAIRMAN: 30 - passed; 31 - passed; 32 - passed; 33(a) - Mr. McKenzie.

MR. McKENZIE: Mr. Chairman, I'd just like a brief explanation by the Minister of this section.

MR. CHAIRMAN: I beg your pardon?

MR. McKENZIE: 33(a) - would the Minister just explain briefly what's the intent of this section?

MR. DESJARDINS: It's a technical change, so I'll ask Mr. Tallin. Mr. Tallin.

MR. TALLIN: To begin with, the clause originally referred to resident ratepayers, so that's one change that's being made in it.

Secondly, we're removing the - the clause used to refer to votes that were taken in local government districts, that resident ratepayers had a particular position, and that's no longer a part of the bill because it's now "electors".

And it also provided that where a local government district didn't have a ratepayer that could be appointed to the board, that they might appoint any resident. So all we're saying now, is where there are no electors in the local government district or the part of the local government district, they may appoint any resident of the district.

MR. JORGENSON: Where there are no electors?

MR. TALLIN: Well, the problem is, an elector is a person who is on an electors' list and many of them don't have electors' lists.

MR. JORGENSON: I see.

MR. CHAIRMAN: 33 - Mr. Bilton.

MR. BILTON: Mr. Chairman, before you leave that point as explained by Mr. Tallin, does that mean that the Minister will appoint this individual - or how is he elected if the electors do not elect him? How do you do this?

MR. TALLIN: Well, it's usually covered in the scheme itself as to how the members of the board are appointed. And it varies I suspect from scheme to scheme, although usually the municipal council is the person who appoints at least some of the members.

MR. BILTON: Oh, yes.

MR. TALLIN: In the local government districts, I don't know whether they would leave it, if there is a . . .

MR. BILTON: . . . one of the members of the council would be elected by the council. Is that what you're telling me?

MR. TALLIN: In the municipalities. The trouble is, this deals with local government districts solely. The local government districts sometimes don't have an active council, they have an advisory board sometimes.

MR. BILTON: Yes.

MR. TALLIN: They may give that jurisdiction to the advisory board. They may leave it with the resident administrator, or the scheme may provide that somebody has the right to appoint the member.

MR. BILTON: That would be the Minister?

MR. TALLIN: It might be. It depends on the scheme.

MR. CHAIRMAN: 33 - passed. 34(88)(10) - passed. 34 - passed. 35 - Mr. McKenzie.

MR. DESJARDINS: 35 - removing the words "medical nursing unit".

MR. McKENZIE: Mr. Chairman, under the old section the definition of a hospital used to include a medical service unit. Now, is that definition being . . .

MR. DESJARDINS: No.

MR. McKENZIE: Is the definition of hospital being amended, or are we just eliminating that from all the regulations? It included a medical service unit before, as I understand it.

MR. TALLIN: It still does.

MR. McKENZIE: It still does.

MR. TALLIN: And for purposes of this section only.

MR. McKENZIE: Fine.

MR. CHAIRMAN: 35 - passed. 36(96)(1) - Mr. McKenzie.

MR. McKENZIE: Mr. Chairman, I'd like the Minister to explain this section, please.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: Well, I don't know if there's too much explanation. This provides for the province to assist the municipalities who have incurred debts in order to grant funds to hospital boards for construction projects outstanding as of April 1, 1975, if they still had a

(MR. DESJARDINS cont'd) debt, it doesn't matter when it was built - on April 1, 1975. This is providing that the province can repay the fund to those municipalities who incurred a debt, to advance these funds to the hospitals.

MR. GRAHAM: At what rate?

MR. DESJARDINS: What do you mean, at what rate?

MR. GRAHAM: At what rate of repayment?

MR. DESJARDINS: The existing debt will be taken over. Why, do you think we should give them a . . .

MR. GRAHAM: No, but . . .

MR. CHAIRMAN: Would the honourable member use the microphone, please? We're being recorded and transcribed.

MR. DESJARDINS: The government of the province would just take over the debt.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Well, Mr. Chairman, I just want to make sure - for instance, if the municipality had another 12 years of indebtedness . . .

MR. DESJARDINS: The province would take over the debt.

MR. GRAHAM: And they would pay it off over the period of the 12 years?

MR. DESJARDINS: Annually, or if there's a way, they can . . .

MR. GRAHAM: That's all I want to know.

MR. CHAIRMAN: Mr. McKenzie.

MR. MCKENZIE: Mr. Chairman, one question. Under the plan, the municipality assembles the land for the hospital.

MR. DESJARDINS: Right.

MR. MCKENZIE: Then, under these conditions now . . .

MR. DESJARDINS: Did you say lands?

MR. MCKENZIE: Yes.

MR. DESJARDINS: No, the land is not covered in this.

MR. MCKENZIE: No. But in case of some problems along - supposing the hospital was closed because the community couldn't support a hospital any longer, does the land revert back to the municipality or does it revert back to the Crown?

MR. DESJARDINS: Well, I would imagine that the land now which is owned by the municipality would revert back to the municipality now.

MR. MCKENZIE: Yes. Regardless of . . .

MR. DESJARDINS: Providing that land - and that's the next section that you're going to see - that land wasn't transferred to the municipality for a certain grant for construction. That's what this next one is in there for.

MR. MCKENZIE: Yes. Okay.

MR. CHAIRMAN: 36(96)(1) - passed; 36(96)(2) - Mr. McKenzie.

MR. MCKENZIE: This is the one then, where the land transfer would be - the Crown, Mr. Chairman, could assess and demand the return of the property if you . . .

MR. DESJARDINS: Well, I think the best thing I can do is give you an example on this.

MR. MCKENZIE: Okay.

MR. DESJARDINS: Concordia Hospital. The city was supposed to pay the . . . bank?
--(Interjection)--Well, he can ask you or the guy from Ste. Rose.

MR. CHAIRMAN: Order, please.

MR. DESJARDINS: The best example would be Concordia Hospital. The municipality was going to give a grant - not the municipality, Metro or Greater Winnipeg - for the owner's equity and then the Concordia Hospital Board transferred the property to the City of Winnipeg for \$1.00. Well, we will ask for that property back before we go along with this. There's no way that the taxpayers of Manitoba will pay twice.

MR. CHAIRMAN: (96)(2) - passed; 36 - passed; 37(8)(4) - passed; 37 - passed; 38 - passed; 39 - passed; 40 - passed; 41(17)(3) - Mr. McKenzie.

MR. MCKENZIE: I'd like an explanation of 41(17)(3) please.

MR. DESJARDINS: Well, that's - a grant for a debt still outstanding by a municipality for a hospital and personal care home can now be recovered. --(Interjection)--Yes, if this was made under the Act.

MR. MCKENZIE: Recovered by who?

MR. DESJARDINS: By the municipalities.

MR. McKENZIE: Oh, yes. Or the Minister or the . . .

MR. DESJARDINS: Oh, no, not the Minister. The province is going to take the responsibility.

MR. McKENZIE: Yes. Yes.

MR. DESJARDINS: Again, unless they insist that they want to participate fuller and pay the cost.

MR. CHAIRMAN: Mr. Minaker.

MR. MINAKER: Mr. Chairman, through you to the Minister. Would that apply to all the facilities on a hospital site? I'm thinking in particular to the power plant addition at the Health Services Centre. I think there was some moneys owing now, which is non-medical, but is an integral part of that complex. Would that apply in this case, that they would get that cheque back?

MR. DESJARDINS: Yes, that's quite interesting, because there was a separate corporation formed. I wonder if Mr. Tallin or Mr. Edwards can answer that.

MR. CHAIRMAN: Mr. Edwards.

MR. EDWARDS: On the Health Sciences Centre, that was covered under the amendments under the Health Services Insurance Act. Here we are talking about strictly elderly and inform persons Housing Act for personal care and hospital care.

MR. DESJARDINS: Well, can we cheat a bit then, can you let him know if under the other Act, will that be recovered for that?

MR. EDWARDS: If the City of Winnipeg has still got debt outstanding on their books because of turning the equity over to the hospital, then the Province of Manitoba will assume that liability from the City of Winnipeg.

MR. MINAKER: Whether the facility was one for medical use or a backup facility similar to the power plant?

MR. DESJARDINS: Well, it is for medical . . . all medical.

MR. EDWARDS: It's all for insuring health services.

MR. DESJARDINS: My only concern was the way that there's a special corporation formed there.

MR. CHAIRMAN: 17(3) - passed; Section 41 - passed; Section 42(18)(5)(a) - passed; (b) - passed; (18)(5) - passed; (18)(6) - Mr. McKenzie.

MR. McKENZIE: This is a new section. I wonder if the Minister would explain about 18(6)?

MR. DESJARDINS: I can't hear you Wally, but I'll guess.

MR. McKENZIE: This is a new section in the Act.

MR. DESJARDINS: This is a service plan to be provided by the sponsor.

MR. CHAIRMAN: Section 18(6) - passed; Section 42 - passed; Section 43(20) - passed; Section 44 - passed; Section 45 - passed. Section 46 as amended that's the renumbering of the sections - 46 as amended - passed. Preamble - passed. Title - passed. Shall the bill be reported - passed.

MR. DESJARDINS: Mr. Chairman, I wonder - has there been a change of heart from my honourable friend, yes?

MR. CHAIRMAN: I beg your pardon?

MR. McKENZIE: I don't think he requires any . . .

MR. CHAIRMAN: Order please.

MR. DESJARDINS: Mr. Chairman, I think I'm entitled to ask, I want to know if I'm getting the co-operation of my honourable friends.

MR. McKENZIE: Mr. Chairman, I would say that the amendment has satisfied my concern in the legislation, the two mills levied at the local level will leave enough interest, you know, that they'll have some say in the way their health services will be delivered, and I appreciate the amendment.

MR. DESJARDINS: Well then, I thank my honourable friend, and I think that in the future maybe we should have some understanding before we go hog-wild and have all kinds of accusations.

MR. McKENZIE: Why didn't we have the amendment?

MR. CHAIRMAN: Order please. Let's deal with the next bill. Bill No. 62 --(Inter-jection)--Order please. We have dealt with Bill 65. We're now on Bill 62. Bill No. 62, the Statute Law Amendment Act, 1975. Section 1 - Mr. Axworthy.

MR. AXWORTHY: Well, Mr. Chairman, I just wanted to ask the Minister about the various amendments proposed in this bill. It's my understanding the Statute Law Amendment Act should be primarily an Act that contains technical amendments to bills, and I would want to know if there is anything in this bill that could be considered a change of policy or direction in any piece of legislation that would be so amended by the different statutes in this bill?

MR. CHAIRMAN: Mr. Pawley.

MR. PAWLEY: Mr. Chairman, I think one could say without hesitation that there would be no policy changes in connection with this bill - that the changes are technical changes, except there are some changes dealing with the size of boards, that would not be a policy change. There might be some, it might be suggested, border on policy change. I think when we reach them maybe the Ministers that were responsible for proposing them could indicate that they are a policy nature, because they do cover the whole array of departments of government.

MR. AXWORTHY: Okay, thank you.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Mr. Chairman, I was hoping the Minister of Corrections - could he indicate why he would want 12 members instead of seven on the Alcoholism Foundation?

MR. CHAIRMAN: Would the Honourable Minister speak into the mike, please?

MR. BOYCE: I am. Am I now?

MR. CHAIRMAN: Yes.

MR. BOYCE: Thanks. Just to give some representation from the regions on the board.

MR. GRAHAM: Are these board members paid?

MR. BOYCE: No.

MR. GRAHAM: They're all serving free?

MR. BOYCE: For the efforts that they put forth, perhaps we should consider it. If you're suggesting it, I'll take it under advisement.

MR. GRAHAM: But they do get travelling expenses, incidental expenses, do they not?

MR. BOYCE: All the expenses are tabled in the Annual Report.

MR. GRAHAM: Thank you.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I'd like to ask the Minister if under this amendment the members of the board would include any members designated by the treatment agencies that are covered by the Foundation?

MR. BOYCE: It's pretty difficult to do.

MR. AXWORTHY: Are they totally private citizens that would be appointed? Would they include any members of the government or members of the Legislature? Could you describe what the membership of this board might be constituted as?

MR. BOYCE: Well, all this amendment does, Mr. Chairman, is amend the outside of government representation. In the present Act, it calls for the Provincial Psychiatrist, the Deputy Minister of the department and the Director of Vocational Training, plus seven members, and this will now make it 12 members. I'm looking for, you know, suggestions of who could serve on this board. There are a number of people from the agencies who have sat on the board, but they don't sit there as members of the agency per se, they're asked to look at the broader aspect of the whole problem for the whole province.

MR. AXWORTHY: Mr. Chairman, I'd like to pursue that one point with the Minister. As I understand it, the Alcoholism Foundation will be changing its working principles to be providing, in a sense, an overview or umbrella foundation in which different treatment agencies will operate. I'm wondering, what degree would these agencies be represented on that policy making board? Would it be the intention - or perhaps I'd put it in a more affirmative way - would the Minister consider having as representatives or members on that board people designated by the treatment agencies that are under the rubric or under the coverage of the Foundation?

MR. BOYCE: Well, this is certainly a possibility I'd be willing to explore. There are various techniques used by various agencies of the Crown in selecting members for any board. Some are selected by a process known as slotting, where you allocate certain positions and there is provided a slate of people who are suggested may serve on a board, and from that slate people are selected. Nevertheless this isn't our intent at this present time, but we hope to be in a position by the end of this year to make more comprehensive amendments to the

(MR. BOYCE cont'd) Alcoholism Foundation Act which quite possibly could take into consideration some of the Member for Fort Rouge's concerns in this regard.

MR. AXWORTHY: Thank you, Mr. Chairman.

MR. CHAIRMAN: (Sections 1, 2, 3, 4, 5, 6, 7 and 8 were read and passed)
9 - pass - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with the Buildings and Mobile Homes Act, I'd like to ask the Minister of Labour what the particular reason for this amendment is.

MR. PAULLEY: Mr. Chairman, the reason for this amendment then - the honourable member when he was speaking in the House the other day, surveying Bill 62, quite properly pointed out that the Building and Mobile Homes Act has not been proclaimed as yet. He is correct. The reason for not doing that, I thought I had explained, was because the regulations have not yet been set up, although the board dealing with the setting up of the same have been working on it and I indicated to the House that I hope to have that information by the beginning of July or soon after.

Now, the basic principle of the Act is protection for the purchaser purchasing a mobile trailer, and we found that when we took a look at it that it did not - and it has to be inspected as to safety - and we found that it did not apply to a person who sells or leases any building that is a mobile home, to obtain a permit for the purpose issued; that is, that it is a safe vehicle or a safe trailer.

It dealt with the construction aspect of it. But what we are desiring by this amendment, Mr. Chairman, is that - it goes further it's true - but a person who sells the home will be responsible for the condition of that home, to be sure that it's in a safe condition. In other words, pieces of junk can't be sold from one person to the other that would be unsafe. Now that's the purpose of this suggested amendment.

MR. GRAHAM: Mr. Chairman, is that protection not already there under the Consumer Protection Act?

MR. PAULLEY: No, Mr. Chairman, because the inspection of mobile homes for purposes of safety rest with the Department of Labour, Mechanical Engineering Department.

MR. GRAHAM: A further question to the Minister, does he anticipate any further changes to provide some assurance for the dealer - and I'm referring in particular here to manufactured trailers which are manufactured outside of Canada - I think that probably under the interprovincial jurisdiction we have fair control in Canada, but what protection would there be for the dealer on trailers manufactured outside the Dominion of Canada?

MR. PAULLEY: What will happen, Mr. Chairman, is there will be a prohibition of the sale of any mobile home manufactured within or without Canada; and there's a protection that it has to be able to pass the inspection when we have the Act fully proclaimed with the regulations.

And also, Mr. Chairman, in order to overcome that, another purpose of this Section 9 is to have the dealers licensed so that we're sure of who's handling trailers and to make sure that they're safe trailers.

MR. GRAHAM: Well Mr. Chairman, if we are in effect by our legislation effectively prohibiting the sale of foreign trailers in this country, has the Minister then had the approval of the Federal Government in passing this type of legislation?

MR. PAULLEY: Mr. Chairman, it doesn't require the approval of the Federal authority. It has nothing to do with duties and excise taxes and the likes of that. It only has protection for the residents of Manitoba insofar as the purchasing of mobile homes that are in a safe condition, and it doesn't matter where they come from.

MR. GRAHAM: Well Mr. Chairman, again I repeat, if we by legislation are effectively preventing international trade, has it got the approval of the Federal Government when we bring in this type of legislation?

MR. PAULLEY: Mr. Chairman, that legislation was passed at the last session of the Legislature, and this change here requires the person who sells, leases or offers for sale any building that is a mobile home to obtain a permit for the purpose issued by the Minister. The other aspects were dealt with when the bill was before the House last year, Mr. Chairman.

MR. CHAIRMAN: 9 - passed; 10(1) - passed; 10(2) - passed; 10(3) - passed; 10(4)(a) - Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I wonder if the Minister of Health could explain this particular section of the Act, particularly the new wording of the Act where the question of consent over 12 years old, the judge may dispense with that consent. Could the Minister

(MR. AXWORTHY cont'd) explain the intent of that amendment?

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: Could I perhaps explain, because it's a technical amendment. This is one of the slipshod mistakes that we made. The words that are being added here at the end as separate lines were already in Clause (d) and they shouldn't have been. They should have been out as separate lines modifying Clause (a)(b)(c), not just the last clause. And this is the problem. It was the way it was structured in the printing.

MR. AXWORTHY: Fine. Okay, thank you, Mr. Chairman.

MR. CHAIRMAN: 10(4)(a) - passed; (b) - passed; (c) - passed; 10(4) - passed; 10 - passed; 11 - passed; 12(1) - passed; 12(2)(a) - Mr. Pawley.

MR. PAWLEY: Mr. Chairman, I'd like to move that . . . would you finish correcting them first?

MR. TALLIN: Yes.

MR. CHAIRMAN: And I say it's clause (b) because we don't come - until we come to 12(3). 12(b) - passed; 12(2) - passed; 12(3) - Mr. Paulley.

MR. PAULLEY: Mr. Chairman, there's an amendment that subsection 12(3) of Bill 62 be struck out and that subsection 12(4) be renumbered as subsection 12(3).

MR. CHAIRMAN: Amendment as moved - passed.

MR. GRAHAM: Mr. Chairman, I want to at this time thank the Minister of Agriculture for reconsideration on this thing, and I appreciate his amendment.

MR. PAULLEY: It's a real love-in tonight.

MR. CHAIRMAN: The new subsection 12(3) - 425.1 - Mr. Uskiw.

MR. USKIW: Mr. Chairman, pursuant to the changes that have been made in the milk marketing system within the province, we ran into the problem of how to deal with co-operatives who want to continue to pay patronage dividends to their members but whose milk does not directly flow through their plants; in which case it creates problems for them vis-a-vis the income tax people in Ottawa and vis-a-vis their membership. This facilitates it in the sense that it is imputed that milk coming from members of the co-operative, although it is sold through the Marketing Board, is in fact sold to the co-operative which is processing that milk. It's a calculation rather than a direct flow of the milk from the barn to the co-operative as such in the physical sense. I think the co-operative's intact, Mr. Chairman.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Does this refer only to ManCo or does it affect some other organization?

MR. USKIW: Well, it would affect any area where there are two systems of marketing a product, whether it's milk or potatoes or whatever, if it involves a marketing board structure alongside of a co-operative system in the processing area. So that it could be more than just milk, where there are co-operatives involved.

MR. CHAIRMAN: Section - passed. 12(3) - Mr. Graham.

MR. GRAHAM: Mr. Chairman, I think we're dealing with 12(4).

MR. CHAIRMAN: 12(3). It's now 12(3).

MR. USKIW: It's been renumbered.

MR. GRAHAM: Oh. Is this retroactive or - I haven't had a chance to check the commencement date - does this cover the past fiscal year for ManCo?

MR. USKIW: On the last page, Mr. Chairman, I think we have - yes, references as to retroactivity are Sections 4, 6, 8, 12(4), which is now 12(3). So I would say yes, that is correct.

MR. GRAHAM: Yes.

MR. CHAIRMAN: 13(1) - passed; 13(2) - passed; 13 - passed; 14(1) - passed; 14(2) - passed; 14 - passed; 15(1) - pass - oh, pardon me - 15(1)(8)(5) - passed; 8(6) - passed. 15(1) - passed; 15(2)(29) - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with the Section 29 here, I'd like to ask the Attorney-General if he has any expectation of upgrading the present \$2,000 limit on the County Courts in Manitoba - and I say that because of the fact that the last time it was amended was several years ago and we know that with the inflation factor that is present in Canada today that we are in all probability limiting to a great degree the amount of activity that can occur in a County Court. I was wondering if he's considering raising the limit on the County Courts probably for the next session of the Legislature?

MR. PAWLEY: Mr. Chairman, I have in fact corresponded with both the members of the judiciary and the County Court to obtain opinion in connection with the present level of

(MR. PAWLEY cont'd) jurisdiction. So far as the County Court is concerned, I've received response. Upon the basis of that response and from my own personal views, I think that the jurisdiction of the County Court should be greatly enlarged from that which it presently is - greatly enlarged both as to its powers and responsibilities into the amount that can be handled through the County Court. So I would look forward to considering seriously legislation for the next session dealing with the enlarging of the powers of the responsibilities of the County Court. We have a situation now where I think some of the responsibilities of the Court of Queen's Bench could be conducted to any court level.

MR. CHAIRMAN: 15(2)(29) - passed; 15(2) - passed; 15 - passed; 16(a) - passed; (b) - passed; (c) - passed; 16 - passed; 17(1) - passed; 17(2), 24.1(a) - passed; (b) - passed; (c) - passed; 24.1 - passed; 17(2) - passed; 17 - passed; 18 - passed; 19 - Mr. Minaker.

MR. MINAKER: Mr. Chairman, I wonder if the Minister could explain this repeal here, particularly the Loan Act. Does that mean that the Manitoba Development Corporation will no longer have to put its capital in the Capital Supply bill?

MR. TALLIN: The Loan Act was an Act which used to go along parallel with the Treasury Act. When the new Financial Administration Act was enacted seven or eight years ago, the Loan Act and the Treasury Act were amalgamated into the Financial Administration Act. The reference that was made here was to these provisions which are now in the Financial Administration Act and the section still refers to say that they borrow in accordance with the Financial Administration Act. --(Interjection)--Yes.

MR. MINAKER: Thank you.

MR. CHAIRMAN: 19 - passed; 20 - passed; 21 - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with the Garage Keepers Act, is this also an amendment to a statute that hasn't been proclaimed yet?

MR. PAWLEY: Yes, it is.

MR. CHAIRMAN: 21 - passed; 22(1) - Mr. Graham.

MR. GRAHAM: Mr. Chairman, I want to deal with the various sections of 22 here, and deal with this one in conjunction with one further back, which is 39. There seems to be - I mentioned in Second Reading - that we now seem to be removing from statute the Right of Appeal to the Court of Queen's Bench - the Right of Appeal under the Expropriation Act - before, I believe, there was an appeal to the Court of Queen's Bench, which now will not be there.

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: Yes. This is a very complicated legal procedure problem. The old Gas Pipeline Act and Pipeline Act referred to procedures which were set out in the old Expropriation Act. The old Expropriation Act said, when a corporation of the nature of a gas pipeline or a pipeline wanted to expropriate, they got the right to expropriate through an order of the Court of Queen's Bench. Those provisions were wiped out, because almost all the expropriations that were done by private corporations were expropriations that followed the fact of construction. Both the Gas Pipeline Act and the Pipeline Act, and an Act which is no longer on the books now but which used to be on the books, was the Provincial Railway Act, provided that construction of the pipeline or the railway could proceed after you got a permit for construction, which meant that they would go to the government and get a permit for construction, they would then build the line. If they couldn't negotiate a settlement with the owner of the land, they then had to go to the Court of Queen's Bench and ask the Court of Queen's Bench, may we now expropriate because we've already built a line? Now that was so confusing to everybody, that when the committee that drafted the Expropriation Act got together, they said, "That is just not the way to do it. If the government's going to give permission to build a line, then that permission ought also to include the right to expropriate." So they took out all those provisions about going to the Queen's Bench.

However, the amendments were never made in the Gas Pipeline Act and the Pipeline Act to fit in with the new Expropriation Act. No problems ever occurred because the pipeline companies had always been able to make a settlement, until this summer, when a pipeline finally came into the situation where they had built the pipeline in accordance with the Gas Pipeline Act, but found that they couldn't come to a settlement with the owner. Not only did he not want to accept the compensation they were offering, he didn't even want to give them the right-of-way over the land, and here they had the pipeline already built.

So they then looked at the procedures in the Gas Pipeline Act, and there was just no way they could make them work. So we had to quickly try and devise a scheme which would give

(MR. TALLIN cont'd) them a way of getting the expropriation through. The way that was selected, and for which I must take responsibility, was to say that if they've already followed the procedures in the Act, obtained their permit to construct and have constructed, then they have the right to expropriate. They then expropriated in accordance with the Expropriation Act, which requires the same procedures to be followed that a school board or a municipality or the Crown or any other authority that has the right to expropriate must follow. And that gives the right to go to the Court of Queen's Bench, but on compensation . . .

MR. GRAHAM: Just on the compensation portion.

MR. TALLIN: Right. The problem was before, that the Court of Queen's Bench had always given the expropriation because there was no other way that they could deal with the matter, that the pipeline in the old days, the railway, had been built, and so they had to authorize the expropriation. It was a fait accompli. It was a ridiculous thing to send something to a court where the court really couldn't make a decision on the merits as to whether or not they should have the right to expropriate.

MR. GRAHAM: A further question on the same matter. Will this then be bringing forward legislation which is consistent and similar to that that exists in other jurisdictions?

MR. TALLIN: Our Expropriation Act I think is a little bit more - it contains more provisions for protection of the individual owner than most provincial Expropriation Acts do. So our Expropriation Act is different in some substantial ways from other provincial acts.

MR. GRAHAM: Well Mr. Chairman, I'm not a legal person on this at all. I accept the explanation that is given.

MR. TALLIN: If what you're asking is, do gas pipeline companies and pipeline companies in other provinces have the right to expropriate? I'm afraid I can't tell you how they get the right to expropriate in those provinces.

MR. GRAHAM: Well, my number one concern, Mr. Chairman, is that most gas pipelines and pipelines are interprovincial in nature except for the odd minor spurs that are built within the province.

MR. TALLIN: Neither of these acts apply to interprovincial pipelines.

MR. GRAHAM: This is strictly within the province?

MR. TALLIN: That's right. These are mostly feeder lines from a well to a storage bed, or from the Trans-Canada Pipeline to a municipality that's getting gas service.

MR. GRAHAM: Very well.

MR. CHAIRMAN: 22(1) - passed; 22(2), 26(4) - passed; 22(2) - passed; 26(5) - passed. 26(6) - passed. 22 - passed; 22(3) - passed; 22(4) - passed; 23(1) - passed; 23(2)(a) - passed; (b) - passed; 23(2) - passed; 23(3) - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with 23(3). I believe the Minister, when he brought this in, and I quote here. He says: "This amends the provision dealing with suspension of licenses and registrations by the Registrar. Presently he can suspend forever or until driver or owner provides proof of financial responsibility. This amendment will permit suspension for any specified period." Mr. Chairman, I'm a little concerned under this amendment - at the present time, once a person provides proof of financial responsibility the Registrar should provide a licence at that time, but now he can hold it up for any period he wants to.

Now, this is the change that he is proposing, that he can hold it up for any period he wants to - and I suspect that what is happening is actually the reverse of what the explanation - or I suspect that what will happen is probably going to be the reverse of what the explanation gives us.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, as I understand the measure - and the legal counsel can correct me - this provides an opportunity to suspend for shorter periods of time . . .

MR. GRAHAM: . . . or longer.

MR. USKIW: . . . whereas under the old Act, as the existing provision, you can only suspend permanently, as I understand it.

MR. TALLIN: Or parental financial responsibility was shown.

MR. USKIW: Yes.

MR. TALLIN: Unfortunately now the financial responsibility is through The Public Insurance Corporation.

MR. USKIW: It's there.

MR. TALLIN: And it won't be given until he gets the licence back.

MR. USKIW: That's right.

MR. TALLIN: So it was a circular motion. He could keep going back and forth to one and the other, and the Registrar would say, "I can't issue your licence until you get the financial responsibility." The Public Insurance Corporation would say, "We can't give you financial responsibility until you get your licence."

MR. USKIW: That's the problem.

MR. GRAHAM: Well Mr. Chairman, I suspect that even though it was a run-around before, it may be a bigger run-around now. I sincerely hope that I'm wrong in that respect.

MR. USKIW: This should eliminate it.

MR. GRAHAM: I don't think it will.

MR. CHAIRMAN: (Sections 23, 24, 25, 26, 27, 28, 29, 30 and 31 were read and passed)

32(1) - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with the amendments to the Legal Aid Services Society, what we're having happen now, is the Minister is enlarging the Board of the Legal Aid Society from nine to 11. At the present time the present Board of nine is selected. There are four non-legal people on it and there are four members of the Law Society who the Minister selects from a list of seven that is provided to him by the Law Society of Manitoba. And on top of that, the Minister then appoints a chairman as well.

At the present time there is some concern about the operations of the Legal Aid Society - and quite frankly, sir, when the Legal Aid Society took the case of the homosexuals and the legality of their marriage, took it as a Legal Aid case, some have to doubt the wisdom of some of the actions of the Legal Aid Society.

We do know that there's a greater input of provincial money into the operations of this body. It's a rapidly expanding service, and I think in the field of legal service it is almost incumbent that we have people who are in the business of providing legal service adequately represented on that board.

So Mr. Chairman, I would like to move a motion that a further amendment be added to this Section 32, and that motion would read as follows: "That Section 32 of Bill 62 be amended by numbering subsection (2) thereof as subsection (3) and adding thereto immediately after subsection (1) thereof the following subsection:

Subsection 4(2), amendment 32(2) - Subsection 4(2) of the Act is amended

(a) by striking out the word "four" in the first line thereof and substituting therefor the word "six", and

(b) by striking out the word "seven" in the second line thereof and substituting therefor the word "nine".

To explain that Mr. Chairman, I want to tell the Attorney-General first, that I have arbitrarily chosen the figure "six" - and I say that is subject to negotiation. I think maybe "five" might be more appropriate, but I put forward the figure "six" . . .

MR. CHAIRMAN: Would the honourable member please complete his motion.

MR. GRAHAM: Well, the motion is completed, and I'm just explaining it to the members of the committee.

I would hope that we would have the same representation, or more, to the committee as we presently have. At the present time it's half and half. If we increase it to eleven as the Minister is suggesting, then maybe "five" members would be sufficient. I have suggested "six" here, but that is subject to negotiation if the Attorney-General is interested at all.

MR. CHAIRMAN: Do you have a copy of that motion?

MR. GRAHAM: Yes.

MR. CHAIRMAN: Order please. Mr. Pawley.

MR. PAWLEY: Mr. Chairman, Ben has a question I think.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Yes, I have a question of the mover of the amendment. I'm just not quite clear how that relates to the right of homosexuals to have their case presented in the most effective manner possible before the judicial tribunal or a court of law, or wherever. The honourable member did --(Interjection)-- it did relate one to the other, but it escaped me.

MR. GRAHAM: Mr. Chairman, maybe the Minister of Education is more interested in homosexuals than I am.

MR. HANUSCHAK: No. I'm merely interested in the connection between the one point raised by the honourable member and his amendment.

MR. CHAIRMAN: Remarks are to be addressed to the Chair, and through the Chair.

A MEMBER: Through a microphone, too.

MR. CHAIRMAN: I said to the Chair. Mr. Pawley.

MR. PAWLEY: Mr. Chairman, if I could take us to the amendment that is presented here in the first instance, increase in the numbers on the board of Legal Aid Services from nine to eleven. When Legal Aid was developed in Manitoba, it was the result of a birth of a co-operative arrangement between the Law Society and the government in 1970. And this Board was developed insofar as a balance was concerned, a balance which would represent the views and the interests of those that would be primarily responsible for insuring the success of the program, the legal profession in the province; on the other hand, a government which was responsible for the overall objectives of the program. Since that date, we've had the development of a number of legal aid clinics in the province - community clinics - and the number has increased through co-operative effort by both the Law Society and the government expressed through this board, it has not been a development as a result of confrontation but again has been a development through co-operation. And the Legal Aid clinics had been developed with advisory committees, those that use the service, whether it be self-help groups, Metis Federation, the Indian Brotherhood, other groups, having a board or an advisory committee which assists the community clinic, provides advice to the community clinic and sits as a board on a monthly basis, and which staff of the clinic can relate to.

So the intent here is - and let me say that this also comes by way of a joint - I believe, yes, a unanimous resolution of the Legal Aid Services Board, again comprising of both the Law Society representatives and government representatives, that two more be added to the Board; but the two that are to be appointed, it is understood, would be two that would be appointed from these various advisory committees that have been established, citizens from the advisory committees, and it would be understood that a list of proposed appointees would be provided in the same way the Law Society provides their list. Now we wanted to write right into the legislation that the two that would be appointed would be from the advisory committees, but because these advisory committees are not legal entities in themselves, we were unable to do that. So that I wanted to indicate the very clear intent that that be the case.

Now it seems to me that the Member for Birtle would be increasing the proportion of lawyers on the Board of Legal Aid Services, and I just wonder if he's caucused with the Honourable Member for Pembina, because it seems to me that during the debate in the House the Honourable Member for Pembina has frequently warned against the abuses of Legal Aid by what he feels is a grip of the legal profession on Legal Aid - in fact the Honourable Member for Birtle-Russell is intensifying that grip here, if there is in fact a grip on Legal Aid by the lawyers of the province. So I would have suspected there is a schism or a split between the Member for Birtle-Russell and the Member for Pembina on this question.

MR. CHAIRMAN: The Honourable Member for Pembina, Mr. Henderson.

MR. HENDERSON: Mr. Chairman, well I really feel that lawyers can abuse Legal Aid. I think they should be able to justify all cases. I see Legal Aid, if it isn't controlled about the type of cases they take and the like, as becoming a giant monster which lawyers can really abuse. But I don't say that having lawyers on the advisory committee, which would set out the ground rules, that there'd be anything wrong with that.

MR. PAWLEY: But do you want them to dominate?

MR. HENDERSON: No. I think probably they should have equal representation on the Board. But I still see that Legal Aid as it is set up and raised in exemption the type of cases they can take, you're getting a kind of a giant monster created and you're going to have people coming for legal aid that really can pay for it but they're going to try and manipulate it around so that it's being paid for by this here fund. And I think it's something that really should be watched because it's going to get out of proportion.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Well Mr. Chairman, I just want to point out that the amendment that the Attorney-General has made here in 4(2.1) where he says, at least four of the persons to be appointed under subsection 1 shall be persons who are not solicitors. And I would suggest

(MR. GRAHAM cont'd) that those four people, he was concerned about having representation from the various advisory groups, I suggest that he already has that avenue open to him with that point, and I wouldn't be adverse to having five instead of four there, and I wouldn't be adverse to having five from the list of nine that the Law Society would present as a slate to the Attorney-General for his selection.

MR. CHAIRMAN: We have an amendment before the House. All those in favour of the amendment.

MR. CLERK: 1, 2, 3. . .

MR. CHAIRMAN: All those opposed to the amendment. All right, just a moment. Hold it a minute. Did you get them all?

MR. CLERK: As far as I know I got four.

MR. CHAIRMAN: All those opposed to the motion.

MR. CLERK: 11.

MR. CHAIRMAN: I declare the motion lost.

32(1) - passed. 32(2)4(2.1) - passed. 32(4) - passed. 32 - passed. 33(1)(a) - passed. (b) - passed. Oh, 33(1) - Mr. Tallin.

MR. TALLIN: Last year we prepared amendments to change the indemnity provisions of the Legislative Assembly Act. In doing so some of the classes of indemnities were put into different sections, with different section numbers. When the amendments were prepared I forgot to change the cross reference to those sections which appeared in the provisions relating to what contributions should be made to the members' pension fund. And therefore these changes are to correct those . . .

A MEMBER: Imbalances.

MR. TALLIN: . . . yeah, those imbalances, I'll say they were imbalances. (Laughter)
--(Interjection)-- It was only because you increased the indemnities last year. (Laughter)

MR. CHAIRMAN: (The remainder of Clause 33 and Clauses 34 and 35 were read and passed.)

36(1)(f.1) sub 1 - passed. Sub 2 - passed. Sub 3 - passed. Mr. Tallin.

MR. TALLIN: Mr. Chairman, I wonder if I could explain the reason for this change?

MR. CHAIRMAN: 36(1)?

MR. TALLIN: Yes. Some of the hospitals have in them health units. The definition of hospital in the Hospitals Act to which the old Municipal Assessment Act now refers, defined hospital in such a way that it wouldn't include the premises which were being used for the health unit facilities. So this was intended to make it clear that for municipal assessment purposes, but not for the Hospital Act, the exemption for hospitals applied also to the health unit facilities that were included there. And that is essentially what it's talking about here, the municipal and provincial government health and social service program. It's an essential change.

MR. CHAIRMAN: (f)1) - passed. 36(1) - passed. 36(2) - passed. 36 - passed. 37 - passed. 38(1)(k) sub 1(a) - passed. (b) - pass - Mr. Graham.

MR. GRAHAM: Mr. Chairman, just a question to the Attorney-General. Have these Patent Medicine Acts of the Federal Government been passed and proclaimed as yet?

A MEMBER: Passed but not proclaimed. Not brought into force yet.

MR. TALLIN: Mr. Chairman, apparently passed but not brought into force yet. July 1/76 is the date.

MR. CHAIRMAN: (j) - passed. 38(1) - passed. 38(2) - passed. 39(1) - passed. 39(2) 15(4) - passed. 39(2) - passed. 39 (15) (6) - passed. 39(3) - passed. 39(4) - passed. 39 - passed. 40 - passed. 41(1) - passed. 41(2) - pass - Mr. McKenzie.

MR. MCKENZIE: Is that housekeeping, removing the word "graduate". Is that removing word "graduate", is that sort of housekeeping . . . ?

MR. TALLIN: Yes, it presently refers to a registered graduate nurse and the "graduate" just slipped in there some time or other by mistake. It should just refer to a registered nurse.

MR. CHAIRMAN: (The remainder of Clause 41 and clauses 42 to 46 were read and passed)

47(1)12(7) - pass - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with 12(7), can the Attorney-General explain to us the various duties of a Registrar-General and a District Registrar?

MR. PAWLEY: The Registrar-General is responsible for all the various district Land

(MR. PAWLEY cont'd) Titles Offices in Manitoba. We have Boissevain, Brandon, Portage, Neepawa. So he's responsible overall for all of the district Land Titles and for all the District Registrars.

Now, of course the Registrar-General being responsible for overall, and the District Registrars for their particular districts, are responsible for the processing of documents that give way to titles, mortgages, etc.

It's a very - great substantial knowledge and legal conveyancing is required in these responsibilities.

MR. GRAHAM: Well, Mr. Chairman, I notice that the Attorney-General is not removing, in any respect, the qualification that a person must be a barrister or an attorney. But he is removing from that one, what I consider to be a fairly important qualification and that is that he have five years experience in the practice of law. And I don't know whether, after looking at some lawyers, whether that's an asset or a liability. But maybe the Minister can give us his reason for removing a five years experience as a qualification.

MR. CHAIRMAN: Mr. Pawley.

MR. PAWLEY: Mr. Chairman, well actually the Minister of Mines and Natural Resources is very close to it. We do have an applicant that we would like to have as a District Registrar who's less than five years. But in general terms let me say, that this is not a field of the law that is very appealing. It is very difficult to obtain, especially to some extent with the salaries that are offered in addition, it's difficult to receive good applications. We would like to, for that very reason, because from time to time we do have worthy applications from those with less than five years experience, to remove the restriction insofar as the number of years that they've been practising as a barrister, they'll still go through the interview boards of course, and must stand up well.

But you can often get a lawyer with one years experience that's more competent than the lawyer with 20 years experience.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Well Mr. Chairman, I just want to make one more comment on this, and that is that we do know from the past that the operation of some of the Land Titles offices in the province leaves much to be desired, and if the Minister thinks that by doing it this way he's going to improve the service, I'm willing to give him a chance.

A MEMBER: Way to go.

MR. CHAIRMAN: Mr. Henderson.

MR. HENDERSON: Mr. Chairman, since we're on the subject of lawyers and barristers and real estate and registering a property, I'd like to know, could the Minister advise how many lawyers have had to come up before the Law Society, and how many have had their licences suspended because of their conduct in the . . . --(Interjection)-- I'll accept it but I would have liked an answer. (Laughter)

MR. CHAIRMAN: Order please. 12(7) - passed. 47(1) - passed. 47(2) - passed. 47(3) - pass - Mr. Jorgenson.

MR. JORGENSON: Mr. Chairman, 47(3) and (4), I note there's a reference with the provisions of the Planning Act. I wonder if the Minister could tell the committee just what Planning Act he's referring to.

MR. CHAIRMAN: Mr. Pawley.

MR. PAWLEY: This would be, and correct me if I'm wrong, it would be in connection with the proposed Planning Act.

MR. JORGENSON: Pardon?

MR. PAWLEY: It's in connection with the proposed Planning Act that has not received Third Reading yet. The one we're hoping to avoid from being passed into intersessional study.

MR. JORGENSON: Oh.

MR. CHAIRMAN: 47(3) - pass - Mr. Graham.

MR. GRAHAM: Mr. Chairman, can we have 47(3), (4), (5), (6), (7), and (8) held temporarily until we get Third Reading of the Planning Act then?

MR. PAWLEY: Yes.

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: Mr. Chairman, some of the provisions of this bill which are to come into force on proclamation, if the Planning Act wasn't passed then there would be no point in proclaiming them because they wouldn't fit the present Planning Act.

MR. GRAHAM: Yes.

MR. TALLIN: And they would likely then be repealed in the future.

MR. GRAHAM: Good enough. Good enough.

MR. CHAIRMAN: (The remainder of Clause 47 and Clause 48 were read and passed) 49 - passed. --(Interjection)-- 47 - 49

MR. TALLIN: 47 simply . . .

MR. CHAIRMAN: No, no, 49. Do you want an explanation on this?

MR. PAWLEY: Well, corrected a reference apparently to the Health Services Act is all that I have in the explanatory notes.

MR. TALLIN: That's right. It presently provides for the services other than those provided under the Hospital Services Act which is no longer . . .

MR. CHAIRMAN: (Clauses 49 to 52 were read and passed)

53(4.1) - pass - Mr. Patrick. Explanation? Mr. Craik.

MR. CRAIK: Mr. Chairman, 53 deals with the exemptions to the deficit budgeting by the University of Manitoba, and we haven't had any further explanation of this particular clause yet, and I think that the first thing we should do is ask the Minister at this stage of the game if he can give us some background to the requirements for this particular provision.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Yes, Mr. Chairman. The University of Manitoba Act as it presently reads does contain a section which allows the university to borrow all sums of money that may in any year be required to meet the ordinary expenditures of the university until the revenues for the then current fiscal year are available. And with the approval of the Lieutenant-Governor-in-Council borrow money for any other purpose.

Now the way the section reads, it presumes that the revenues, or that whatever sums of money the university will spend will be contained within the anticipated revenues. In other words, within the budget approved by the Grants Commission. But from time to time a university may find itself in a position that it may have to exceed that, and if that should happen then we think that it's only good common business sense that the university go to the Grants Commission and say, "Here is the budget that has been approved, and these are the unanticipated expenditures that we are being confronted with during the fiscal year." The University Grants Commission then reviews the additional expenditures presented to it by the university, and upon the approval of the Grants Commission then the university may incur the additional expenditures.

Now, the section is aimed - this by the way is an amendment to the University of Manitoba Act, and one may wonder why only the University of Manitoba - well the reason for that, Mr. Chairman, is that similar action can be taken by Order-in-Council to deal with the other two universities under the, and by virtue of the power given to it by the Governor-in-Council under the Universities Establishment Act, under which they were established.

MR. CHAIRMAN: Mr. Craik.

MR. CRAIK: Mr. Chairman, in view of the fact that there hasn't been any evident problem . . .

MR. GREEN: There hasn't . . .

MR. CRAIK: . . . is it as a result of the recently accrued deficit that this action is being taken? It hasn't come up as a notable problem up to this date.

MR. GREEN: Well, Mr. Chairman, the fact is . . .

MR. CHAIRMAN: Use the microphone please.

MR. GREEN: I'm not certain as to what the specific capital for the section is, but the section makes good sense. If the university gets grants from the Grants Commission, which are supposed to run its operation, and is dissatisfied with those grants and goes ahead and spends and incurs a deficit, there's only one place that they're going to be pulled out of that deficit, and that is by the public. And therefore, all this section does by the way, - and I stand to be corrected - municipalities cannot spend more than their current revenue. They have to levy for the revenues and only spend that amount of revenue. And we don't say that that is restricting the municipalities' revenue. They cannot run deficits. They have to levy for their revenues and spend only those revenues.

All that's being said here, and the honourable member poses the possibility that, well they may have funds of their own. Well, if they have funds of their own, or if they have some sugar daddy who's going to give them the money, then I am sure they are going to go out to the

(MR. GREEN cont'd)...University Grants Committee and say, "We want to spend over this amount but Mr. So and So is going to give it to us." And when they say that, then I would anticipate that common sense would prevail and the university Grants Committee would say, "Go ahead." The only thing that this would protect is what the Honourable Leader of the Opposition said, that you shouldn't let a Co-op do, because they're unsophisticated people. Well, if you shouldn't let a Co-op do it because they're unsophisticated people, you shouldn't let those guys do it who are very sophisticated people. And all this is doing is saying that if you're going to spend more money you have to come to the Grants Commission. And because the deficit of the university is now \$4-1/2 million - I suppose they are paying interest on that - and the Honourable Member for Riel will have to help me, who is the sugar daddy that's going to pay that \$4-1/2 million?

MR. CHAIRMAN: Mr. Spivak.

MR. SPIVAK: There is no sugar daddy in Manitoba except maybe the Manitoba Development Corporation.

Mr. Chairman, the problem here is a very real one, and if I may I'd like to at the outset of just the few remarks that I have, raise the position, or raise the point that this is one particular matter that should not have been in an omnibus section under a Statute Law Amendment. There's a principle involved here which I think is worthy, and was worthy of a very serious discussion in the House and should have been considered as a matter of an amendment through a bill, which would have given us the opportunity for some detailed discussion and the possibility of some public discussion by the appearance before the committee of people who are involved.

The problem is a very real one . . .

MR. GREEN: On a point of order.

MR. CHAIRMAN: Point of order, Mr. Green.

MR. GREEN: The Minister of Education may save the time of the House, provided that it is a saving, that after we do it we then don't have a big long debate. Because I understand that it is not urgent, that it needn't proceed, and it can go next year, and it can be made a part of a bill, and then my honourable friend can make all the speeches that he wants on it. He doesn't need it now.

MR. SPIVAK: Are you withdrawing it?

MR. GREEN: Yes, he is willing to not have it proceed. So you can move to delete it, but let's not have the speech.

MR. SPIVAK: Fine.

MR. CHAIRMAN: Motion to delete Section 53. All in favour.

MR. GREEN: Anything to have his speech . . .

MR. CHAIRMAN: We'll have to renumber. Could I also have a motion that we renumber those sections accordingly. So moved. Opposed.

MOTION presented and carried.

MR. CHAIRMAN: I'll still have to carry on with the numbers as they are because there's no way of being able to renumber at the present time.

54(1) - passed. (2) - passed. (3) - passed. 54 - passed. 55(a) - passed. (b) - passed. (c) - passed. (d) - passed. (e) - passed. (f) - passed. (g) - passed. 55 - passed. 56(1) - passed. 56(2) - passed. 56 - passed. 57 - passed. 58 - passed. 58(1)(a) - passed. (b) - passed. 59(1) - passed. 59(2) 15(4) - pass.

MR. PAULLEY: Yes, Mr. Chairman. In one section it deals with penalties - I'm saying this subject to correction by the legal counsel. There are two different penalties contained within the Workers Compensation Act. In this particular section, if I recall correctly, there's a penalty of \$500,000 can be imposed. In another section, I believe 68, if memory serves me right, the penalty is as suggested here. This is to make it uniform, one section with the other. Is that correct, Mr. Chairman?

MR. TALLIN: I'm not sure about the \$500,000. But it's a fixed amount penalty.

MR. PAULLEY: Yes. The penalty was there, or is there under the present Act, and I think it's \$500,000, and then in another section has this dealing with the one-half of the amount payable to bring that into uniformity.

MR. CHAIRMAN: 15(4) - passed. 15(5) - passed. 59(2) - passed. 59(3) - passed - Mr. Paulley.

MR. PAULLEY: Mr. Chairman, I think I'd better explain this. Last year we made

(MR. PAULLEY cont'd) certain amendments to the Workers' Compensation Act and in that Act the retroactive benefits, the increased benefits only applied to those in excess of 10 percent, a disability pension. And the purpose of this - and there's a lot of pensions - it doesn't amount to a considerable amount of money, but at that particular time representations were made that the 10 percent figure should be the figure rather than more than 10 percent, because if the collective amounts of money concerned weren't a great deal, that there are a number of 10 percenters and that is the objective of this.

MR. CHAIRMAN: 59(3) - passed. 59(4) - passed. 59(5)(a) - passed. (b) - passed. 59(5) - passed. 59(6) - passed. 59 - passed; 60(a) - pass - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with the Public Markets Company, has that company actually been out of operation or was it just an error on the part of the - I won't say who.

MR. TALLIN: Yes, it was an error in the Legislative Counsel's Branch. Somehow or other this group of Acts were thought to be public Acts which no longer served any purpose. All of a sudden the solicitor for this company came forward and said, what have you done to us? You've put us out of business without even telling us, and surprisingly enough they've been paying their annual fee to the Companies Branch.

MR. GRAHAM: They've still been registered?

MR. TALLIN: Oh yes. This is the company which runs the stockyards.

MR. GRAHAM: Very good. Very good.

MR. CHAIRMAN: (b) - pass; (c) - pass; (d) - pass; 60 - pass; 61 - pass.

MR. AXWORTHY: Explain, Mr. Chairman. Section 61.

MR. TALLIN: Oh this is just because the Concordia Hospital provides for having directors but doesn't provide for having members, so we just - sorry. Provides for having members but not for having directors in this particular case, and we're just saying that this section refers to the members.

MR. AXWORTHY: Mr. Chairman, does that mean that the nature of the corporation that runs Concordia is different from other hospitals because of that designation?

MR. TALLIN: No, it's just because of the way they call them members.

MR. AXWORTHY: So they still require the same kind of executive structure on this.

MR. TALLIN: Yes, except that the executive structure is also the - they are the members . . .

MR. AXWORTHY: They are the members of the corporation.

MR. CHAIRMAN: 61 - pass; 62(1) - pass; 62(2) - pass; 62 - pass; 63 - pass; 64 - Mr. Minaker.

MR. MINAKER: Mr. Chairman, I wonder if the Minister can comment on 63. Is there anything . . . ?

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: This is a section which provided a change in The Limitations of Actions Act which has now been superseded by another --(Interjection)-- Yes - and it no longer has any effect on the Automobile Insurance Act. It's contained in itself in The Limitations of Actions Act.

MR. CHAIRMAN: 63 - pass; 64 - pass; 65 - pass; 66 - pass; 67 - pass; 68(1) - pass; 68(2) - pass; 68 - pass; 69(1)22(4)sub.(a) - pass - Mr. Sherman.

MR. SHERMAN: Mr. Chairman, I wonder if the Minister in this case, who would be the Minister of Labour, can explain this amendment - or the Minister of Agriculture.

MR. CHAIRMAN: Mr. Uskiw.

MR. USKIW: Mr. Chairman, you will appreciate the Milk Control Board no longer has the staff that we are here referring to, that that staff has been transferred over to the Milk Producers Marketing Board, and the moneys in trust here are being accordingly allocated as I understand it. Am I correct, Mr. Tallin?

MR. TALLIN: Yes. This is an actuarial liability which has been built up for the Civil Service Superannuation Fund for certain employees and it's just being put into this. It's just the Civil Service Superannuation Fund. That's all.

MR. CHAIRMAN: (a) - pass; (b) - pass; 22(4) - pass; 69(1) - pass; 69(2) - pass; 69 - pass; 70 - pass.

Could we have a motion here because of some of the amendments that we've made in Section 71(1).

MR. TALLIN: It's the renumbering of the cross references that are contained in subsection (4) that we need.

MR. GREEN: Will the committee give the legislative counsel permission to do any renumbering throughout the Act as is necessary in order to agree with the subsection.

MR. CHAIRMAN: Agreed? (Agreed) 71(1) - pass; 71(2) - pass; (3) - pass; (4) - pass; Preamble - pass; Title - pass. Bill be reported.

Committee rise.