



Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable Thelma Forbes



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THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Thursday, April 8th, 1965

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Madam Speaker, I beg to present the first report of the Special Committee on Shared Services. Madam Speaker, if I may, in view of the length of this report, I wondered if we might dispense with the reading of the report. It will be inserted in the Votes and Proceedings and also in Hansard . . .

MADAM SPEAKER: Are we agreed that we dispense with the reading?

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Yes, that is agreeable to me, Madam Speaker. I don't know about the others. When is it the intention to discuss the report of the committee and to move concurrence?

MADAM SPEAKER: Agreed.

MR. JOHNSON: Madam Speaker, then I move, seconded by the Honourable the Attorney-General, that the report be received.

FIRST REPORT OF THE SPECIAL COMMITTEE ON SHARED SERVICES

On Monday the 17th day of August, 1964 at the Third Session of the 27th Legislature of Manitoba your Committee appointed on Wednesday, the 15th day of April, 1964, at the Second Session of the 27th Legislature of Manitoba, was reconstituted and re-appointed for the same purposes and with the same powers and consisting of the same members by the following resolution:

"WHEREAS the Legislative Assembly of Manitoba, at its Second Session of the Twenty-seventh Legislature, on the fourteenth day of April, 1964, constituted a Special Committee consisting of nine members of the Legislature to consider the advisability of introducing a program of shared services without detriment to the public schools;

AND WHEREAS the Legislative Assembly of Manitoba, at its Second Session of the Twenty-Seventh Legislature, on the fifteenth day of April, 1964, adopted the following resolution:

"WHEREAS in Manitoba, constitutional provisions, juridical decisions and political determination prescribe three general principles of government action in the field of public school education namely:

1. The separation of Church and State as that expression is understood in Manitoba;
2. The dedication of public funds to the support of a single public school system open to all children;
3. The freedom to maintain private schools supported by private funds;

AND WHEREAS it is in the public interest that all Manitoba children be afforded the maximum educational opportunities in the public schools;

AND WHEREAS the public schools stand ready to provide 100 percent of their services to private school children at any time;

AND WHEREAS a child lawfully enrolled in a private school is at present entitled to none of the services offered by his public school, while if there enrolled and attending he would be entitled to all of them;

AND WHEREAS such a policy of "all or nothing" may be replaced soon by an open door policy of shared services within the ambit of the said principles and without contravening them;

AND WHEREAS a program of shared services may entitle a child attending a private school to avail himself at a public school of such of its services as may be desired and which could be provided without detriment to the public school;

NOW THEREFORE BE IT RESOLVED:

THAT a Special Committee of 9 members of the Legislature be appointed to consider the advisability of introducing a program of shared services without detriment to the public schools:

AND BE IT FURTHER RESOLVED:

THAT in its consideration of the aforesaid the Committee shall adhere to the principles set out in the first preamble hereof;

(SHARED SERVICES REPORT cont'd) . . .

AND BE IT FURTHER RESOLVED:

THAT without limiting the generality of the foregoing the Committee shall consider:

1. The way in which existing private schools may be accredited for shared services and, without interfering with present rights in respect of new private schools or the attendance of pupils thereat, the conditions under which any new private schools may be accredited for shared services at the public schools, taking into account those limitations necessary to assure the integrity of the public school system itself.
2. The specific services at the public school which may be made available to children attending accredited private schools and the ways, means, terms and conditions of their availability at the public schools under the authority of the public schools.
3. The way in which the public schools may obtain provincial grants for shared services provided thereat.

AND BE IT FURTHER RESOLVED:

THAT the said Committees may hold such public hearings as it may deem advisable and shall report its findings and recommendations;

AND WHEREAS it is deemed advisable that a Special Committee consisting of nine members of the Legislature be appointed to consider the advisability of introducing a program of shared services without detriment to the public schools within the meaning of the above resolution and hold public hearings as may be deemed advisable during recess after prorogation and report its findings and recommendations at the next session of this Legislature;

THEREFORE BE IT RESOLVED that a Special Committee consisting of Hon. Messrs. HUTTON, JOHNSON, ROBLIN, Messrs. CAMPBELL, MARTIN, MILLS, PAULLEY, TANCHAK, and WATT be appointed to consider the advisability of introducing a program of shared services without detriment to the public schools within the meaning of the above resolution adopted by this House on the 14th day of April, 1964;

AND BE IT FURTHER RESOLVED that this Special Committee have power to sit during the present session and in recess after prorogation and to report to this House on the matters referred to them at the next session of this Legislature;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in the performance of duties ordered by the Committee in recess after prorogation as are approved by the Comptroller-General;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee to carrying out the provisions of this resolution and the said resolution adopted on the 14th day of April, 1964, and provided the same have received the prior approval of the Treasury Board."

AND WHEREAS the said Committee met on Tuesday, June 16, 1964, on Tuesday, June 30, 1964, and on Monday, August 17, 1964; to consider matters referred to them;

AND WHEREAS the said Committee has not completed its work;

AND WHEREAS it is deemed advisable that the said Committee sit during the present session and in recess, after prorogation, to complete its work;

THEREFORE BE IT RESOLVED that the Special Committee of the House appointed on the fifteenth day of April, 1964, to consider the advisability of introducing a program of shared services without detriment to the public schools, be reconstituted and re-appointed for the same purposes and with the same powers and consisting of the same members;

AND BE IT FURTHER RESOLVED that the said Special Committee have power to sit during the present session and in recess, after prorogation, and to report to this House on the matters referred to them at the next session of this Legislature;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in attending the sittings of the Committee or expenses incurred by the members in the performance of duties ordered by the Committee in recess, after prorogation, as are approved by the Comptroller-General;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee in carrying out the

(SHARED SERVICES REPORT cont'd) . . . provisions of this resolution and the said resolution adopted on the fourteenth and fifteenth days of April, 1964, and provided the same have received the prior approval of the Treasury Board. "

Hon. George Johnson was elected chairman of the Committee and the Committee set its quorum at five. Your Committee met on Friday, October 23rd, 1964, on Monday and Tuesday, November 9th and 10th, 1964, on Thursday, November 19th, 1964 and on Friday, February 5th, 1965.

Public Notices appeared in the newspapers with respect to public hearings for the purpose of inviting the public and hearing public representations with respect to the Committee's working paper on shared services proposals.

Presentations were made by the following persons or organizations or through the Secretary:

1. The Manitoba Teachers' Society
2. The Presbyterian Church in Canada, The Presbytery of Winnipeg
3. Mr. Leonard Krueger
4. Mr. Richard Seaborn, M. L. A.
5. Manitoba Provincial Committee -- Communist Party of Canada
6. The Trustees of The Winnipeg School Division No. 1
7. Blessed Sacrament School Board, Transcona
8. Manitoba Association for Equality in Education
9. The Knights of Columbus of Manitoba
10. The Baptist Joint Committee on Public Affairs
11. St. Vital Citizens Committee
12. Winnipeg Presbytery of the United Church of Canada
13. The Urban School Trustees Association of Manitoba
14. Board of Trustees of the St. Vital School Division
15. Seven Oaks School Division No. 10
16. Board of Trustees, Transcona School District #39
17. The Greater Winnipeg Society for Christian Education
18. The Citizens Committee for the Preservation of the Public School System
19. The Sacred Heart School Board - The Pas
20. Newman Alumni of Manitoba
21. The Swan Valley School Division No. 35
22. Manitoba Federation of Agriculture - District #5
23. School District of Brandon, No. 129
24. St. David's United Church - Oak Lake
25. Mr. K. C. Emberley

The following briefs having been received after the hearings were forwarded to the members of the Committee:

1. The St. Alphonsus School Board - East Kildonan
2. Mr. Lionel Orlikow
3. Co-ordinating Committee for Jewish Education
4. A Group of Citizens in the City of Transcona

Your Committee arrived at the following shared services conclusions:

1. The principle of Shared Services may not usefully be considered in isolation from its practical operations.
2. Problems in the practical operations of shared services anticipated by the briefs were many and varied, although some thought that with an effort of goodwill and common sense those problems might be overcome.
3. A limited form of shared services has been operated in the School Divisions of Winnipeg, St. Vital and Kelsey without detriment to the public school system.
4. In one school district both public and private school authorities expressed a desire to experiment with the practical operation of shared services in their district.

Your Committee recommends:

- (a) Where shared services are now offered they should be allowed to continue;
- (b) In addition to (a) where divisions or districts wish to undertake shared services on an experimental and voluntary basis they should be allowed to do so provided the

(SHARED SERVICES REPORT cont'd) ... service is a regular service normally offered, within the public schools, and under the control and management of the public school authorities, and provided further that as a protection to the public school system the private school concerned is:

- (i) an elementary school, having at least one classroom for each of the grades from I to VIII inclusive, and having a total enrollment of at least 200 pupils;
  - (ii) a secondary school, having at least one classroom for each of the grades from IX to XII inclusive and having a total enrollment of at least 65 pupils;
  - (iii) a combined elementary and secondary school, complying with both requirements set out in (i) and (ii) above; and
  - (iv) located in a school division which has a total public school population of not less than 5,000 pupils;
  - (v) or is one of the schools listed in Schedule A.
- (c) Transportation may be offered as a shared service to children going to and coming from school though it necessarily operates outside the public school proper provided that buses do not deviate from the regular service route to and from the public school.
- (d) We recommend that The Public Schools Act be amended so that all school children are given the use of authorized public school textbooks.
- (e) Where shared services are carried on now or where they may be undertaken the public school should be eligible to receive the regular grants on a proportionate basis.

SCHEDULE "A"

<u>School Name</u>	<u>Address</u>
Assumption	Transcona
Balmoral Hall	Winnipeg
Blessed Sacrement	Transcona
Calvin Christian	North Kildonan
Canadian Nazarene College	Winnipeg
Christ the King	St. Vital
Convent of the Sacred Heart	Winnipeg
Holy Cross	St. Boniface
Holy Ghost	Winnipeg
Immaculate Heart of Mary	Winnipeg
Juniorate Ste. Famille	St. Boniface
Langevin Preparatory School	St. Boniface
Mennonite Brethren Collegiate Institute	Winnipeg
Mennonite Collegiate Institute	Gretna
Our Lady of Victory Memorial	Winnipeg
Peretz Folk School - 1	Winnipeg
Peretz Folk School - 2	Winnipeg
Precious Blood	St. Boniface
Ramah School - 1	Winnipeg
Ramah School - 2	Winnipeg
Rosh Pina Day School	Winnipeg
Sacred Heart	Winnipeg
Sacred Heart	The Pas
Sacred Heart School	Brandon
St. Agnes Priory & Marymound School	West Kildonan
St. Alphonsus	East Kildonan
St. Augustine	Brandon
St. Benedict's	West St. Paul
St. Boniface College	St. Boniface
St. Charles Academy	St. Charles
St. Clement	East Kildonan
St. Edward	Winnipeg
St. Emile	St. Vital

## (SHARED SERVICES REPORT cont'd)

<u>School Name</u>	<u>Address</u>
St. Eugene	St. Vital
St. Gerard	Winnipeg
St. Ignatius	Winnipeg
St. John Brebeuf	Winnipeg
St. John's Cathedral Boys' School	Selkirk
St. John's Ravenscourt	Fort Garry
St. Joseph	Winnipeg
St. Joseph the Worker	Transcona
Ste. Marie	St. Boniface
St. Mary's Academy	Winnipeg
St. Mary's School	Winnipeg
St. Maurice	Fort Garry
St. Michael's Academy	Brandon
St. Paul's College	Winnipeg
St. Thomas More	St. Boniface
St. Vladimire's College	Roblin
St. Maurice Roche	Flin Flon
Steinbach Bible Institute	Steinbach
Talmud Torah	Winnipeg

MADAM SPEAKER presented the motion.

MR. JOHNSON: Madam Speaker . . . . may I in reply to the Leader of the Opposition state that Notice of Motion will appear in the Votes and Proceedings for concurrence of the report I imagine early next week

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

HON. STEWART E. McLEAN, Q. C. (Attorney-General) (Dauphin): Madam Speaker, I wish to present the first report of the Standing Committee on Statutory Regulations and Orders. Madam Speaker this is a reasonably lengthy report and since it will be printed in Votes and Proceedings, perhaps it might be advisable to dispense with the reading.

MADAM SPEAKER: Agreed.

MR. MOLGAT: It will be in Hansard, as well, I presume?

MR. McLEAN: Yes. Madam Speaker, I move, seconded by the Honourable the Minister of Education, that the report of the committee be received.

FIRST REPORT OF THE STANDING COMMITTEE  
ON STATUTORY REGULATIONS AND ORDERS

Your Committee met for organization and appointed the Honourable Mr. McLean as chairman.

Your Committee recommends that the quorum of this Committee shall consist of six members.

Your Committee considered the regulations referred to it, being Manitoba Regulations 12/64 to 105/64, both inclusive, and 1/65 to 11/65, both inclusive.

The Committee makes the following comments on, and recommendations with respect to, the regulations examined by it:

1. Manitoba Regulation 14/64. There is no specific authority in The Social Allowances Act to make regulations with respect to the matters covered in sections 3 to 13, both inclusive, of this regulation. The Committee recommends that the department consider the advisability of seeking an amendment to the Act specifically authorizing the making of regulations respecting these matters.

2. Manitoba Regulation 16/64. There is no specific authority to make regulations with respect to the matters contained in this regulation. The Committee recommends that the department consider the advisability of seeking an amendment to The Water Power Act specifically authorizing the making of regulations respecting such matters.

3. Manitoba Regulation 27/64. In subsection (6) of section 2 of this regulation there is a reference to "Citizenship Day". The Committee recommends that this regulation be amended to refer to a day set aside by proclamation of the Lieutenant-Governor or Governor-General for special emphasis on citizenship.

(REPORT ON STATUTORY REGULATIONS AND ORDERS cont'd) . . . .

4. Manitoba Regulation 33/64. Section 6 of this regulation under The Licensed Practical Nurses Act requires an employer of a practical nurse to give a minimum vacation for each continuous year of service. This matter is dealt with under The Vacations with Pay Act. The Committee recommends that section 6 of the regulation be repealed.

5. Manitoba Regulation 46/64. Section 2 of this regulation prohibits the hunting of birds listed in Schedule B of The Wildlife Act. Section 14 of The Wildlife Act makes it an offence to hunt, kill, or capture a bird of a species or type mentioned in Schedule B of the Act. The Committee therefore recommends that section 2 of this regulation be repealed.

6. Manitoba Regulation 48/64. Section 123 of this regulation under The Dairy Act sets out standards of milk, one of which is that the milk shall contain less than a certain amount of sediment per a given quantity of milk determined by an approved test. There is no definition or indication of what is an approved test. The Committee recommends that this regulation be amended to clarify the meaning of "an approved test".

Section 127 of the regulation provides that no patron shall sell or deliver milk that contains poison, is adulterated, or is unfit for human consumption. This is a matter of substantive law and is already partly covered by subsection (1) of section 24 of The Dairy Act. Your Committee recommends that the section be repealed and that the department consider the advisability of seeking an amendment to the Act that would cover the matters set out in section 127 of the regulation.

7. Manitoba Regulation 59/64. This regulation under The Livestock and Livestock Products Act creates a presumption at law. Your Committee recommends that the subsection enacted by the regulation be repealed and that the department consider the advisability of seeking legislation that would cover the matter by statute.

8. Manitoba Regulation 71/64. This regulation adopts as a regulation under the Act a code prepared by the American Standards Association. There is no authority in the Act to adopt such codes. The Committee recommends that the department consider the advisability of seeking an amendment to the Act specifically authorizing the adoption of codes as regulations under the Act.

9. Manitoba Regulation 90/64. Section 2 of this regulation delegates authority to regulate to the chief inspector. The Committee recommends that, if the department feels this section is necessary, it should consider the advisability of seeking legislation that would specifically authorize the making of a regulation delegating the authority.

Section 3 of the regulation authorizes an inspector to order an employer to provide additional safeguards. This matter is substantially dealt with under subsection (1) of section 6 of The Construction Safety Act and there is no specific authority to authorize an inspector by regulation to make such orders. Your Committee recommends that the department consider the advisability of seeking legislation in this respect also.

There is presently before the House a Bill which would repeal the Act under which this regulation was made and the Bill, if passed, will clarify the question of the authority of inspectors to make orders.

Your Committee recommends that it be authorized to sit during this session and during recess after prorogation.

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

MADAM SPEAKER: Notices of Motion

Introduction of Bills

MR. JAMES T. MILLS (Kildonan) introduced Bill No. 120, an Act to amend The Shops Regulation Act.

MR. JAMES COWAN, Q. C. (Winnipeg Centre) introduced Bill No. 95, an Act to incorporate The Company of the Cross.

MR. D. M. STANES (St. James) introduced Bill No. 81, an Act to amend an Act to incorporate Trafalgar Savings Corporation.

MR. GORDON W. BEARD (Churchill) introduced Bill No. 80, an Act to incorporate Thompson General Hospital.

MR. R. O. LISSAMAN (Brandon) introduced Bill No. 121, an Act respecting the temporality of the Anglican Church of Canada.

MR. JOHNSON: Madam Speaker, I beg to move, seconded by the Honourable the



(MR. JOHNSON cont'd) . . . . Attorney-General, that Madam Speaker do now leave the Chair and the House resolve itself into Committee of the Whole to consider the following proposed resolution standing in my name.

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into Committee of the Whole with the Honourable Member from Winnipeg Centre in the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. JOHNSON: His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed resolution recommends it to the House.

MR. CHAIRMAN: The resolution before the committee is: Resolved that it is expedient to bring in a measure to amend The Teachers' Pensions Act by providing, among other matters, (a) for payment from and out of that part of The Teachers' Retirement Allowances Fund to which the government contributes to that part of the fund from which all payments and refunds are made of the amount of certain interest paid with respect to certain refunds; and (b) for the payment of deferred pensions to certain persons who are transferred from the Manitoba Teachers' College staff to the staff of The University of Manitoba in the Faculty of Education; as a result of which additional payments may have to be made from and out of the Consolidated Fund to The Teachers' Retirement Allowances Fund.

MR. JOHNSON: These two amendments, I think, can be explained briefly. There will be a series of amendments to The Teachers' Pensions Act coming forth in this Bill. These two particular matters call for increased costs to the Consolidated Fund of the Province. Last year when we amended The Civil Service Superannuation Act to allow interest on refunds -- for example to widows, etcetera, which had not been there before -- we intended in the Teachers' Pensions Act to have that in concert with it. However the legislation at that time placed the interest charges upon the Teachers' Retirement Allowances Fund, not upon the Consolidated Revenue; and this is merely correcting that situation and bringing it into line with The Civil Service Superannuation Act.

With respect to deferred pensions, there are largely two categories of people involved in teachers at the present Manitoba Teachers' College. Some of these are younger people who in transferring to the University, will probably adopt or fall into the University -- will have the option, as the Bill points out -- to either remain under the present Civil Service Superannuation Fund, or transfer their rights to the University. Should they wish to transfer to the University, deferred pensions will be paid by the Consolidated Fund in due course in certain instances, and this money bill makes provisions to cover this point.

MR. J. M. FROESE (Rhineland): Mr. Chairman, is there going to be a set rate of interest or will the interest vary from year to year?

MR. JOHNSON: I believe the interest is set at three percent in both bills.

MR. CHAIRMAN: Resolution be adopted? Committee rise and report. Call in the Speaker. Madam Speaker, the Committee has adopted a certain resolution and instructed me to report same.

IN SESSION

MR. COWAN: Madam Speaker, I move, seconded by the Honourable Member for Pembina, that the report of the committee be received.

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

MR. JOHNSON introduced Bill No. 114, an Act to amend The Teachers' Pensions Act.

MADAM SPEAKER: Before the Orders of the Day, I would like to attract your attention to the gallery where there are some 30 Grades 5 to 8 students from Rocky School District under the direction of their teacher Mr. Krushel. This school is situated in the constituency of the Honourable the Member for Carillon. There are also 110 Grade 6 students from Wayoata School under the direction of their teachers, Messrs. Robson, Wur, Enns, Chastko and Stoyko. This school is situated in the constituency of the Honourable the Leader of the New Democratic Party. There are 31 Grade 7 students from Queen Elizabeth School under the direction of their teacher Miss Handler. This school is situated in the constituency of the Honourable the Member for St. Boniface. There are some 23 Grade 11 students from Dakota School under the direction of their teacher Mr. Thompson. This school is situated in the constituency of the Honourable the Member for St. Vital. And there are some 60 Grade 11 and 12 students from

(MADAM SPEAKER cont'd) . . . . . Glenlawn School under the direction of their teachers Mr. Ruff and Mr. Wilson. This school is situated in the constituency of the Honourable the Member for St. Vital. On behalf of all members of this Legislative Assembly, I welcome you.

HON. DUFF ROBLIN (Premier) (Wolseley): Madam Speaker, I lay on the table of the House a Return to an Order of the House No. 29 on the motion of the Honourable Member for La Verendrye.

HON. GEORGE HUTTON (Minister of Agriculture) (Rockwood-Iberville): Madam Speaker, before the Orders of the Day, I would like to make a statement with regard to crop insurance. I'm very pleased to announce that agreement has been reached with the Government of Canada on a re-insurance plan under the Crop Insurance Act of Canada and The Manitoba Crop Insurance Test Areas Act. It now needs only formal ratification by the Governor-General-in-Council at Ottawa. Details of agreement will be provided to the members during discussion of the Crop Insurance Bill or during the estimates of the Department of Agriculture.

In general the agreement provides that when indemnities exceed premiums and reserves plus two and a half percent of the total liability, the Federal Government will pay 75 percent of the remainder. With this spreading of the risk, we will proceed as quickly as possible to sign up farmers in additional areas. You will recall that we had hoped under a re-insurance plan to make coverage available this year to twice as many farmers as at the present time. That is we planned to extend coverage from the present 35 percent of farmers who now are in the six enlarged test areas to 70 percent of Manitoba farmers for the 1965 crop year.

As members know in any given crop year farmers must be signed up by April 30th, which is only three weeks away. We're bending every effort to sign up as many as possible, but with the short time available it appears we can't offer coverage this year to more than about 50 percent of the farmers in Manitoba.

Our sales forces will concentrate at the outset on 18 additional municipalities plus three Greater Winnipeg suburban municipalities which have agricultural areas. We'll be offering crop insurance for the first time east of the Red River. Municipalities here will include St. Clements, Brokenhead, Springfield, East St. Paul, Richot, Tache, Ste. Anne, Hanover De Salaberry and Franklin, together with the agricultural areas of Transcona, St. Boniface and St. Vital. Another sector will include the Rural Municipality of Portage la Prairie, together with South Norfolk, and Victoria to the south-west. Three municipalities south of Brandon, that is Glenwood, Whitewater and Morton will be visited by our sales staff as will the municipalities of Strathclair and Blanshard that lie south of Riding Mountain National Park.

The plan becomes operative in each area when a minimum of 25 percent of farmers sign up. As honourable members know the late spring break-up combined with recent snows and rain might make it very difficult to reach all farmers. To that end we will advertise in the local papers in the areas concerned giving the names of our local agents. We will ask farmers who are not approached and who wish to take out crop insurance to contact these agents.

One further point of immediate interest: the re-insurance plan will not increase the premiums to farmers. The level of premiums will continue to be governed directly by the experience of crop losses in each area. Under the crop insurance legislation introduced in 1959, the insured farmers paid the difference between the value of the actual yield of his grain crop that had suffered from one or more of a list of designated perils and 60 percent of the long time average yield of the test area concerned. Sugar beets were added later to this coverage. Designated perils as you know include hail, drought, flood, excessive rainfall, frost, wind including tornadoes and disease including rust and pests.

I know all members will be pleased with the latest development in the crop insurance field for it now opens the way for the extension of coverage within the next year to every farmer in Manitoba.

MR. MOLGAT: Madam Speaker, I want to thank the Minister for his statement. This is certainly something that the farmers of Manitoba will be pleased to learn.

I wonder if I could ask him a question? Did I understand correctly that the Federal Government will participate to 75 percent of the losses over the accumulated premiums? Will this be a straight contribution by the Federal Government or a long term loan or on what basis exactly?

MR. FROESE: Madam Speaker, before the Minister gets up to answer, did I understand correctly when he said that the insurance will be experience rated according to various areas or the costs will be on an experience rated basis?

MR. E. R. SCHREYER (Brokenhead): . . . . . question, Madam Speaker. The Minister named the municipalities in eastern Manitoba that will be coming under the plan now and I didn't hear the name, the municipality of Lac du Bonnet mentioned. Some parts of it are crop areas. I was wondering if that was just an omission or whether it was in fact intended?

MR. HUTTON: No, the names of the municipalities that I read out were those where insurance will be offered. Those that weren't named, they will have to wait until next year I guess.

Yes, the premiums and indemnities are established on the experience in the various areas. They are established on the basis of experience with respect to different soil types within an area. This has been the practice in the past or the procedure or the criteria that has been followed and we intend to follow it in the future. This is why within a township, for instance, you will have marked variations in both the premium and the coverage that is offered.

The Federal Government will share in the losses to the extent of 75 percent in the losses over and above those which are covered by first of all, current premiums, secondly any reserves that we may have, plus two and a half percent of the total liability in a given year, which still leaves a pretty heavy burden on the province. Just for an example, let's suppose that when we have province-wide crop insurance, we had a total liability of \$40 million; it would mean that the province would have to finance two and a half percent of \$40 million before the sections became operable which bring the Federal Government in to share. That is why when they do share, they share on a 75-25 basis because the province has already accepted a substantial risk in the provision of crop insurance.

MADAM SPEAKER: Orders of the Day.

MR. SCHREYER: Madam Speaker, before the Orders of the Day, I had wanted to direct a question to the Minister of Municipal Affairs. He's not in his seat, I would therefore direct the question to the First Minister if he's in a position to answer. I would ask him if the Government has ceased receiving nominations for the Advisory Council at Thompson and also as to the date when this Council will be constituted, formally constituted.

MR. ROBLIN: I think I'll take the question as notice and the Minister will reply when he has an opportunity.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, before the Orders of the Day, could the Minister of Agriculture give me a reply to the question I directed yesterday.

MR. HUTTON: No, I'm sorry.

MR. MOLGAT: Madam Speaker, before the Orders of the Day, I would like to direct a question to the Minister of Health, following on the questions I asked him yesterday regarding the doctor situation in Selkirk. Does the Minister of Health agree that a hospital which is receiving funds from the government can prevent a doctor from practicing in the hospital?

HON. CHARLES WITNEY (Minister of Health) (Flin Flon): Madam Speaker, the Board of the General Hospital have complete control of the medical staff or the decisions with respect to the medical staff of the hospital.

MADAM SPEAKER: The Honourable the Attorney-General.

MR. McLEAN: Madam Speaker, I wonder if we might have approval of the House to refer Bill No. 62, The Agricultural Credit Act which has received second reading of the House, to the Committee on Law Amendments which will meet next Tuesday. I realize that this normally would be by way of a motion, but I wondered if we might have leave to refer this to that -- put it on the agenda for consideration at that committee meeting on Tuesday next.

MADAM SPEAKER: Are the honourable members agreed? Agreed.

MR. SCHREYER: Madam Speaker, before the Orders of the Day, I wonder if I would be in order to direct a question to the Minister of Municipal Affairs who is now in his seat. The question is, has the government ceased accepting nominations for the Advisory Council of the Town of Thompson; and secondly, can the Minister inform us as to the date when this council will be formally constituted?

HON. ROBERT G. SMELLIE, Q.C. (Minister of Municipal Affairs) (Birtle-Russell): Madam Speaker, nominations closed last Friday. There were 22 nomination papers received which named 17 different persons. One individual was nominated four times, another individual was nominated twice. The Order-in-Council appointing the five members of the Advisory Council is passed, the five people named are -- I'm giving this from memory and I trust it will be correct: Armand Picard, who is the local manager of Mid-West Diamond Drilling; Clifford Frame who is a mining engineer on the senior staff of The International Nickel Company; Clifford Alguire, who is a senior clerk with International Nickel Company; Alex Lindquist, who

(MR. SMELLIE cont'd) . . . . is a mechanic and a member of the United Steel Workers of America and an employee of INCO; and Samuel Morris, who is an electrician and a member of the union, I believe not Steel Workers, I think he's the Brotherhood of Electrical Workers.

MR. MOLGAT: Madam Speaker, may I address a subsequent question to the Minister of Health. Is it correct then that a properly qualified doctor who is in proper standing with the College of Physicians and Surgeons can be disqualified, that is, prevented from practicing in a hospital that is recognized by the Province and which receives funds from the Province?

MR. WITNEY: Yes, Madam Speaker, it is possible. The Board have control of the medical staff in the hospital.

MADAM SPEAKER: Order for a return standing in the name of the Honourable the Member for Logan.

MR. LEMUEL HARRIS (Logan): Madam Speaker, I beg to move, seconded by the Honourable Member for Seven Oaks that an Order of the House do issue for a Return showing in the Province of Manitoba, in the year 1964, what was: (a) The number of families who received Welfare in the Mothers' Allowance category? (b) the number of children in an average family on Mothers' Allowance? (c) The average welfare paid to each Mothers' Allowance family? (d) The average welfare paid per child ward under our Child Welfare Program? (e) The total amount paid from 1959-1964 per annum under the Mothers' Allowance and Child Welfare programs.

MADAM SPEAKER presented the motion.

MR. ROBLIN: Madam, the Minister is absent today in Ottawa. I of my own knowledge see nothing troublesome about this question and so we accept it but I would hope that if we found that some of these figures were very hard to obtain that we would have the opportunity of discussing it with the honourable member to get what he wants without perhaps in this exact form.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 68. The Honourable the Member for Carillon.

MR. LEONARD A. BARKMAN (Carillon): Madam Speaker, some of the things that concern me in studying Bill No. 68 are firstly that it provides or delegates so much authority or power in regulating or controlling legislation, either through the Minister -- and in this case I must admit that the Minister rates very high in my books -- or on the other hand, too much power is given to the cabinet or by an Order-in-Council decision. Therefore I think there is reason and cause for concern regarding this bill.

I believe it should not even be the intention or the wish of the Minister of the government to have too much authority. I feel certain that this will put him into positions that any Minister for that matter, does not necessarily wish to be in. I believe we should take another look at this bill before we obligate a Minister to let subordinates rule with authority of his or on his signature; or to grant permission to him to sell departmental materials or equipment without tender to individual contractors. I'm sure that much could be said of this. Also if a Minister were given the power to light up highways like a Christmas tree as the Honourable Member of Brokenhead mentioned the other day -- which is not too bad as far as I am concerned, if we can afford it -- but the regrettable part is, as he also mentioned that the lighting set-up is getting much more or tremendously skimpy when you hit the villages and towns and I certainly agree with the point that the honourable member brought up. I have a question here also. Is it the intention of the government to take over all lighting on highways going through villages and towns in the future? Also for my part, if it is the wish of this government, I have no objection to all the municipalities being lit up, if they feel that they can afford it, especially when you consider that so much will be taken away when the new set-up that the government is proposing will come into effect.

Another point of interest -- in the Minister "calling the shot" you may say in regard to what he can call the responsibility of a road, either if it be a provincial, municipal or other type of road; and I guess possibly the same thing or nearly the same thing could be said in the case of the drainage problem.

Madam Speaker, in different sections of this bill it refers back to the power of the Minister or that the Minister will have and it also refers back to the power that the Minister will have over the municipalities in making decisions such as traffic alternates or detours or snow fencings or one that I'm very interested in is concerning the problem of hedges and the like -- how you are really going to settle this. I think the government will agree that very seldom should

(MR. BARKMAN cont'd) . . . . these authorities be exercised because they know as well as we do that the municipalities have to serve the people the best way possible and I'm sure also it should be the intention of this government to do the same. I agree that there are a number of good pieces of legislation in this bill. There are good points in the bill and I'm not trying to destroy them and I'm glad to see some of these points brought out. But so many sections suggest such harsh measures if the people involved, the people that you will have to settle with, are not possibly completely co-operative in accepting some of the decisions of the government and this could be serious. After all, we know that we cannot take away too many rights if we still believe in a democracy and section 16 I believe does just that.

Sections 12 and 20 and 21 to me smell very much like politics but I hope I am wrong. But again it puts a heavy responsibility on a Minister in the case of a municipality as already was mentioned the other day, the Minister giving only financial assistance in the construction of a road according to his own discretion. On the other hand, the case of Greater Winnipeg -- it mentions that besides giving this additional power of construction that he also can make contribution to repairs and maintenance to highways and the whole street system. I cannot see why these requests are not the same.

Madam Speaker, one point I would like to bring up from this bill is concerning the laws controlling the right for a government to tell a property owner that his buildings have to be moved or that he cannot build within a certain number of feet from the highway. While this probably cannot be helped, I agree it is a problem, I think the least the government could do is to inform people living on highways that such conditions exist. Possibly a standard form of literature or information given out to all people for that matter, living on any highway in Manitoba regardless if this certain highway may never be built. I'm sure that the government would have less people dissatisfied -- after all these peoples' plans have been made and they are either asked to cancel or to change their plan that might affect their whole life's plan.

MR. FROESE: Madam Speaker, I beg to move, seconded by the Honourable Member for Fisher that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 101. The Honourable the Member for Lakeside.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, the question of Predator Control is another of our hardy annuals or perennials. Perhaps not an annual because it doesn't come to fruition every year but certainly it comes before us quite frequently. I suppose it's not to be wondered at that it's the rural members who have taken more interest in this question through the years than those from the urban parts. It is I think a rather serious question for the rural members whether they be in the settled agricultural areas or whether they be in the outlying areas. In the settled agricultural areas livestock and poultry can be greatly affected. In the outlying areas the wildlife of the province can be depleted greatly by the activities of these predators.

My researches haven't established the fact of how early in the history of the province we had predator control on the Statute books of this province or authority for instituting predator control. My recollection is that in the earlier days that this job was left to the municipalities and as far as I recall, it was not until the year 1935 that we took the legislation out of The Municipal Act and placed it in a statute by itself, which was at that time called The Wolf Bounty Act and dealt only with coyotes or prairie wolves as they are frequently called. It did not at that time deal at all with the ones who have later on been added to the list of the predators. It was in 1944 I believe, because I did check this one fact to be sure that I was accurate, that The Wolf Bounty Act was replaced by The Predator Control Act and at that time the red foxes and bears were added.

Red foxes, partly at least, at the suggestion of the then honourable member for the constituency that is now called Pembina -- it was then called Manitou -- the late Hughie Morrison. And Hughie Morrison and I were the two people in the House who at that time engaged in some prophecy. I have repeated this before in this House. I like to bring it to the attention of the members once in awhile to prove to them that sometimes I'm right. I know that's such a rare occasion that it's nice to remind the honourable members of it. But when the legislation of that time was before us -- and probably I should say that equally, the inclusion of bears was just as definitely at the instigation of the former Member for Swan River, George Renouf. But when this legislation was before us, Hughie Morrison and I both argued that the way the situation

(MR. CAMPBELL cont'd) . . . . was developing in this province, that there would come a time when the red fox would be as great a menace in some municipalities as the coyote was. This was our basis for our arguing that they should be included among the predators. And quite frankly, the experts of the Department at the time said that there was no basis for that suggestion. And certainly the most of the members of this House of that day took the same position.

I would just like those of you who are interested in the subject, and in how well we prophesied, to look at the annual report of the Department of Agriculture and Conservation for the past year, and if you will turn to Page 173, you will find there the list, the report on predator control, and you will find that there are not only some, but many municipalities where that situation is now a fact. For instance, if you will look at the return of the Municipality of Morton, you will find that there were 16 mature coyotes, 6 pups, taken in Morton -- and how many red fox? Three hundred and twenty-one mature, 511 pups. There are some municipalities where they are quite even. There are some, of course, where the other situation exists just as drastically -- for instance, Shell River has 120 mature coyotes, 106 pups, and they have very few red foxes. Swan River, which was the bear country in Mr. Renouf's time, and still is by the way, the largest number of them -- Swan River had 413 mature coyotes, 28 pups and only 59 red fox. And the totals -- and this goes beyond the prophecy that Mr. Morrison and I made, because we confined ourselves to certain municipalities -- but the totals from this report, are that the total number of coyotes, both mature and pups, taken in the year of this report, were 8,180, and the total red foxes were 8,064; almost an exact tie. The Honourable Member for Swan River of that day, after arguing loud and long for the inclusion of bear, has been proven in the interval to have been pretty close to the truth too because we have in this report no less than 77 that have been taken. These animals are, of course, a menace in the agricultural part to livestock and to poultry, and in the more outlying areas to the wildlife of the province.

I would suggest to the Honourable the Minister that there are two other animals that should now be included. Well I use the term "animal" in the same way that the Act uses the term "animal", to include a bird, because one is an animal and one a bird, according to my terminology, but the Act uses them interchangeably in regard to nuisance animals. One is the skunk, which has been referred to already by some of the members who have preceded me; and the other is the magpie. I think that the magpie certainly should be placed on the list of the predators because it is a menace to livestock and it's an exceptionally cruel bird in that its damage is long continued and directed against animals who are unusually helpless in a way of defending themselves.

Having said that brief history, I would like to spend a moment on the fact that the Honourable the Minister gave us some statistics as the amount of money that had been paid out through the years. He was including, I am sure, both departments -- because as he remarked they have been separated between the Department of Mines and Natural Resources and the Department of Agriculture -- he was including both departments and was including, I am sure, as he mentioned the two spheres of government, as well -- both municipalities and the province. And the figure comes to something close to one and three-quarter million dollars. Well, this has changed through the years too. It started out very modestly. I went back as far only as 1938 and all that the province paid out at that time was less than \$4,000.00. Of course, inasmuch as the municipalities were paying out a similar amount that would have to be doubled, and these figures would have to be doubled all the way along. By 1941 -- and our course at that time there was only the one predator that was mentioned, and I'm taking only the agricultural area, the wolf bounty, at that time -- but by 1946, these other predators had been included as well, and it stepped up to 18,000 odd dollars. By 1952 it was up to 47,000; and last year, the total was 40,000 in round figures for the province; which would mean that between the two spheres of government that it would be roughly \$80,000.00. So that this is a sizeable amount of money. And I notice that as far as my honourable friend's estimates are concerned, this year -- because the new Act says that only the amount that is appropriated shall be spent for this program -- I took a look at the estimate; I have't it before me at the moment but I believe it was only \$49,000, \$49,500, or something of that area. Well now, that means for the whole of this program, as it is now envisaged -- unless, of course, some municipalities take part in the program as well -- and I would suggest to the Minister, Madam Speaker, as some of my colleagues have already done, that I would think that under this legislation there would be very little likelihood of the municipalities continuing in this program. I am aware that the legislation allows the province to assist the municipality and take part in a program. But it

(MR. CAMPBELL cont'd) . . . . definitely stipulates that that program -- or at least the Minister stated that that program must be the newer kind of program, the poison bait or the hunting program rather than what we usually know as the bounty program. This Act, in my opinion, does away with the bounty program effectively. I maintain, Madam Speaker, that the most effective weapon in dealing with the predators that we have been mentioning -- it will not be the case with the magpie that I have suggested should be included among the predators -- that the most effective weapon in dealing with the coyotes and the red foxes -- not the bears, it's a very different situation -- but the red foxes and the coyotes, is a sharp round-mouthed shovel with a short handle and manned by a fellow with a good strong back. This is the method for controlling the red foxes and the coyotes. It's not a sporting proposition, that's true. This is to maintain control and to dig him out.

My honourable friend the Minister said to us the other day that two levels of government had spent this amount of money -- \$1,700,000, and he said the problem is still with us. Madam Speaker, this problem will always be with us. Not as a problem, perhaps, but because of the fact that this is what the term implies. It's a control program. This is not an extermination program. This is to keep these animals under control. Because I'm sure that you can get from the very best of experts in the wildlife field that you need these animals. These are needed too. And the farmers who certainly do want them controlled, and the poultry keepers who want them controlled. They want a control program. But they don't want them exterminated either, because the balance of nature is affected and the gophers and the mice, and other rodents increase very rapidly when these animals go down too far. So, this is a control program, not an eradication program. And my honourable friend the Minister is suggesting that with all this money spent that the problem was still with us. I say that I'll venture on another prophecy now. And that is that those of us who are here in another twenty years or so will find that there are still discussions going on in this Chamber about a predator control program. And I'll bet we'll find at that time that the skunk has been added to the list of predators, because as has been mentioned here earlier, we are having difficulties in maintaining our population of both ducks and upland game birds. And the real enemy of those birds -- in addition of course to the fire-power of the hunter -- is the skunk. Because that's the fellow, both in the marsh -- you wouldn't expect to find the skunk in the marsh in the way that you do, because they're not a water animal, but they get in there through the very breeding grounds where the ducks have their preference for nesting, in through there, and of course a lot of ducks nest out in the dry land as well -- the skunks get in there and they certainly get out to maraud the nests of the upland game bird. I think that today when we're so anxious to maintain our duck and upland game population, that the skunk should be added to the list of predators. And handled how? With a bounty. Because in my opinion a bounty is still the best way of operating for control of these predators.

Now this I'm afraid, Madam Speaker, is going to mean the end for a while because I prophecy that we'll come back to it. But if this bill goes through in its present form it will be the end, in my opinion, of the bounty program for some time and I think that is a mistake. This method that my honourable friend the Minister mentions here, and says that Saskatchewan has been using for some years, has given good results. Madam Speaker, we've been using it for some years in Manitoba too, not on a wholesale basis perhaps, but to quite a considerable extent. I'm sure that my honourable friend the Member for Arthur can tell us of poison bait programs that have been carried on in his area and adjoining municipalities; and certainly my honourable friend from St. George can tell us of the hunter program up in the north. Where timber wolves are concerned I think the hunter program combined with the poison bait program is a good plan but I do not think that the bounty program should be discarded and I certainly do not think that the province should retire from the field of helping a municipality in a bounty program if that's the one that they want to envisage.

But why, why do I feel, Madam Speaker, that this will, that there will be few if any municipalities taking part in this? Because a municipality takes part in a program of this kind at its peril, at its financial peril if the adjoining municipalities do not take part. I have confessed before today Madam Speaker in this House that one of the mistakes that we made in our time when we were the government -- those enlightened days when we put the legislation on the statute books -- one of the mistakes that we made at that time was this program whereby we allowed municipalities to opt out of this predator control program. Because if you're going to have a successful program, Madam Speaker, in my opinion, you must have the co-operation and the operation to quite an extent of the municipalities themselves, and you cannot expect

(MR. CAMPBELL cont'd) . . . . . those municipalities to stay in that program if the neighbouring municipalities are out of it. Because it's not only true that these animals move from one municipality to another; that it's also true, human beings being what they are, that the animals after they have been captured move into the municipality that is paying the bounty. This I'm sure was a mistake that we made in our time because I know that none of us liked the word "compulsion". We don't like to enforce compulsion unless it's absolutely necessary but in this program I think it is necessary. And that still leaves us of course, with the problem that where the municipality adjoins another province, such as Saskatchewan or Ontario, which mainly is concerned more with the timber wolf program than the coyote or red fox, or the United States boundary. There is an added program there I know and it was really because of those margins of the International Boundary and the provincial boundaries that encouraged the people at that time to make this proposal of an opting out for the municipalities. And quite frankly I think that our government made a mistake in making that change at that time.

However, I will predict that we will be back after this program with some suggestions of improvement within a fairly short time for I do not believe that the program with the government itself handling it will be carried on as effectively as it has been in the past. My honourable friend the Minister mentions that the experts are in agreement on this. Well, the experts have been in agreement more than once on the programs that have been recommended and they have not always worked out completely as predicted.

I have in front of me one of the resolutions of The Farmers Union, going back two years ago, dealing with predator control bounty and it reads as follows: "From all indications of reports received, predatory animals have become a serious problem with farm livestock and poultry along wooded areas of the province. It appears that the campaign to control predators by hiring trained personnel for this purpose has not been successful and predators are on the increase." This was after this program had been in effect, some years under the previous government, and some years under this government. "The original arrangement whereby municipalities paid bounty also proved unfair since adjoining municipalities would not participate in the program in many cases." That was true. That's what I have mentioned a moment ago. I don't like to be too frequently confessing our sins, but I think that a mistake was made when that change was made. "We therefore request that predator bounty be reinstated in all areas of the province and that such payments be maintained throughout the year under the jurisdiction of the provincial government."

Incidentally I tried to find the Farmers Union recommendation in this regard for the past year but I believe, I didn't find it, but my recollection is that it had recommended the taking over of the program by the provincial and/or federal government. And incidentally they have suggested a bounty on magpies.

Now to the extent that the provincial government under this legislation will be in effect taking over the program perhaps it can be felt that that is to some extent meeting the prayer of the petition of the Farmers Union, but I believe from conversations that I have had with them throughout the years on this matter that they too are in favour of a continuation of the bounty system, but, along the lines that they mentioned earlier there that the bounty system, to operate most effectively must be compulsory because of the strain that the opting out provision put upon particular municipalities.

So, Madam Speaker, you can see that I have no great enthusiasm for this legislation. I feel however, that the government has made up its mind. It's likely going to pass it. I shall not even give it what one of the legal gentlemen at the committee referred to a few mornings ago as "guarded approval". I would instead give it "guarded criticism" and say that I think that it will not work as successfully as my honourable friend the Minister expects it to do. I would expect that we will have a change of heart within a matter of a few years again because I would think that the poultry industry and the livestock industry and the wildlife conservationists will be back suggesting to the government that it should once again take a good look at this matter.

It has been before us time and time again in the years that I have been in the House here. I remember that when I was a private member of the House I wouldn't then be as responsible as I feel for the later legislation that I referred to, that we at one time struck out of The Municipal Act the provision under which the municipalities were empowered to carry on predator control systems. It was very shortly after that that the appeal was so strong that The Wolf Bounty Act was instituted as a separate Act. That has varied, as I have mentioned in passing, throughout the years since then. I think if the government passes this legislation that they will find that in a fairly short time that we will be back again once more dealing with the



(MR. CAMPBELL cont'd) . . . program.

I conclude, Madam Speaker, by referring once more to the comment of my honourable friend the Minister of Mines and Natural Resources that all of this money has been spent through these years and the problem is still with us. The problem will be with us for many years yet, I'm sure, Madam Speaker. It's not wholly a problem because these folks have some good function to perform as well as some bad ones and the purpose of this measure is control, not extermination. So I think we have to make up our minds that we'll be spending money for a lot of years yet. The whole question is what is the best way to spend that money, what best combines the control that is needed so that there's an agency there to take effective action when the numbers of predators go up too high and to ease off when their numbers go considerably down. My submission is that the best authority to handle that matter is still the local organization, the municipality with the provincial government of course acting in the out-lying areas and that some day in the not too distant future we will return to that system.

MADAM SPEAKER: Are you ready for the question?

MR. MOLGAT: Madam Speaker, if no one else wishes to speak, I beg to move, seconded by the Member for Selkirk that the debate be adjourned.

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

MR. McLEAN: Madam Speaker, would you be good enough to call next the Committee on Ways and Means in which the matter stands adjourned by the Honourable the Member for Portage la Prairie.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the First Minister and the proposed amendment thereto by the Honourable the Leader of the Opposition, and the proposed amendment to the amendment by the Honourable the Member for Brokenhead. The Honourable the Member for Portage la Prairie.

MR. GUTTORMSON: Madam Speaker, the Member for Portage la Prairie is away today. Could we have this matter stand please?

MADAM SPEAKER: Agreed.

MR. McLEAN: If no one else wishes to speak in his absence.

MR. GUTTORMSON: We have no objections.

MADAM SPEAKER: Any member wishing to speak? Agreed to stand?

MR. McLEAN: Then, Madam Speaker, if you will call the next item on page 3, which stands in the name of the Honourable the Member for Gladstone-Neepawa.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Provincial Secretary. The Honourable the Member for Gladstone.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, I didn't expect that this item would be called today. I thought we were going into Committee of Supply but I suppose that I could say a few brief words on the subject matter.

Madam Speaker, when I adjourned the debate I immediately contacted some of the insurance companies and one or two of the people who had appeared before this committee to get their viewpoints on some of the matters that are referred to, or that were referred to by this committee, and I now have some of the comments that were made by individuals and some that were made by the insurance companies.

One of the most lengthy ones that I received was from an organization that is known as The Manitoba Rural Safety Association and while it's true that they deal with all matters of safety as they see it in rural Manitoba, they were particularly concerned when they spoke to this committee about the safety of farm machinery or what could be done to eliminate a lot of the accidents that are taking place on our highways by the transporting of various farm machinery from one farm to another and indeed from a town where it is being repaired back out to the farm and vice versa, and I notice that they have made strong recommendations to the committee that a reflector, a certain type of reflector should be introduced and be given wide publicity and that it would from now on and forever more identify slow moving farm vehicles.

is everybody in the Province of Manitoba would get to know by this triangular fluorescent reflectorized emblem that they were approaching a slow moving farm vehicle and I think that this is a very, very worthwhile objective, very worthwhile. I'm sure that the members who come and go every weekend as I do, not only at this time of the year but during the summer, you come across these slow moving vehicles, tractors towing various types of farm implements, and you come across them pretty rapidly at night. If there was some way of warning us a distance back that we were approaching one of these vehicles

(MR. SHOEMAKER cont'd) . . . . in time to avoid an accident it certainly would be worthwhile. And incidentally, one of the things that bothers me every weekend, and I suppose always will unless some steps are taken immediately, is the number of vehicles that are on the road today with improper headlights. It is surprising how many cars that I will meet on the weekend going to Neepawa and coming back, with only one light, and it is surprising that when I dim my lights, to find that the approaching car, the oncoming car, dims his lights, one of them will either go out completely and leave him with one light or the one will go on bright and the other on dim. It just seems like about every other car on the highway has headlights that are not in order and a real hazard on the road.

Now, Madam Speaker, there are other things that bother me that I know about personally from my own experience and I will mention one or two of them at the moment. One has to do with, and I pointed this up the other day, the suspension, the suspension of licences in certain cases, suspension of drivers' licences and impounding of vehicles in certain cases where it does not appear in my views to be warranted at all, and other cases where they should be impounded where they are not. Now I suggested, Madam Speaker, as you know the other day where this J. P., a certain J. P. suspended a man's driver's licence. He was driving his brother's car, so they didn't impound the vehicle but they suspended his licence and he was fined \$25.00 for failing to report a one-car accident. The J. P. of course did not know, or so he argued he did not know that he had the authority to recommend that the licence not be suspended and so consequently the licence was suspended, his driving privileges were suspended and it was embarrassing to him and cost him quite a bit of money to get them back again.

Another matter that bothers me, and I've said this before, Madam Speaker, are cases where a man will plead guilty rather than fight the case, plead guilty to driving while impaired -- and it is an expensive one, because the lawyer will probably charge him considerably more than his fees -- and then he will turn around in two or three days hence and make application to the Appeal Board in Winnipeg for his licence back on the grounds that it is an extreme hardship for him to operate without his licence, and invariably he is issued a restricted licence. In the case of a farmer, restricted to the use of the vehicle in his farming operations and so on.

Now I don't intend at the moment to argue as to whether the man was actually impaired, or whether he wasn't impaired. That seems to be beside the point. What I said before was that it seems that the law in this day and age encourages people to plead guilty whether they are or whether they are not in fact guilty, and they are led to believe that things will be easier for them if they do plead guilty. But then to turn around the next day and make an appeal for to have your licence reinstated seems to me to be a little ridiculous, because you pleaded guilty today and you go tomorrow and say, "Oh yes, I pleaded guilty yesterday but I really didn't mean that and today will you please give me my licence back".

It does seem a little ridiculous to me. Now perhaps, perhaps we should give a lot more thought to this breathalyzer that was introduced. I don't know what the committee thought about it. I wasn't there. I understand a bunch of them got drunk one morning in the committee there to test this breathalyzer. I don't know how successful it was. But if it is of any value in determining the amount of alcohol that a man consumes, and if it's of any value to determine your ability to drive after you have had a specific or definite quantity of alcohol, well then I think it should be tried out. I think it should be tried out. And I think that those individuals who come before the law, where they have been stopped by the Police and the Police suggest that they are impaired by their actions, that the driver should insist upon taking a test to determine. Now I know in the past I have had people say to me that they wanted, they wanted to have a blood test taken to determine whether or not they were impaired and the law officer refused to proceed with the test, the blood test. So I would recommend that consideration be given to that.

Now, Madam Speaker, I don't know whether I have anything further to say at this particular time. I see that one of the subject matters that was discussed by this committee was the driver education and training program that has been implemented to a small degree in some of the rural areas. I know that we had the Deputy Registrar I believe, Mr. Dygala, out to Neepawa on one or two occasions and I think this is most useful. As a matter of fact, some of the insurance companies now will give an insured person a reduction in premium if he has attended one of the training schools or classes and passed with certain marks. So it's evident the insurance companies recognize that these schools are of real value. I note here, Madam Speaker, that it touches on the mechanical condition of the vehicle. I touched on that before.

(MR. SHOEMAKER cont'd). . . . . I think there are quite a number of vehicles on the road today that should not be there until they have had a major overhaul in some cases. The demerit system it recommends should be given more publicity. Perhaps it should. Perhaps it should. I said two or three years ago that in court cases that I had attended, to listen in, not that I was there on a charge that was laid against me, but it seems that when you level a \$5 or \$10 charge against a teenager and his dad pays it, in many cases it would have little or no effect, whereas if they suspended his license for even 10 days it would really have an effect.

I recall an incident that happened a year or two ago when I called at the Motor Vehicle Branch to deliver a proof of financial responsibility certificate and to pick up a license plate for a friend of mine, a chap immediately ahead of me inquired as to his demerit account with the Motor Vehicle Branch, and they said that he had reached the end of the rope -- I forget what it was. But, the lady said, there will be two or three demerit marks coming off at the end of the year, if you don't get into any more trouble before that you'll be all right, and he confessed right there and then that he had got into trouble again so they had to take away his license. So I think this is very effective.

Well, Madam Speaker, with those few remarks I think we should proceed to let the bill go to the committee.

MR. MORRIS A. GRAY (Inkster): . . . . . take one or two minutes to make one or two suggestions for the consideration of the committee. Number one, outside of those who are compelled to work, to drive machinery on the farm, not a passenger car on the highway, that their age be raised to 17. I refer to those who are driving a car, a passenger car. I understand that the farmers need a boy, 15 or 16, I don't know what it is now, I think it is 14, to help out in the work on the farm. My second recommendation for consideration is this: either take drivers off the road entirely at a certain age, or if this is not advisable, to have anyone from 70 up or 75 up called in periodically for a re-test and re-examination by the department.

MR. ALBERT VIELFAURE (La Verendrye): Madam Speaker, I would just like to say a few words on this bill, and one thing that has come to my attention quite a few times in the last few years is this cancellation of licenses and to me in cases where a truck driver has his license cancelled from offences committed while driving his car, makes it rather very tough on him and in my estimation sometimes the cancellation has happened on what I would call minor charges and yet he is deprived of his total driving rights. It seems to me that if a restricted license was allowed to the man at the time so that he could operate at least his truck for -- well for purposes that are involved in the operation of the truck of course, like gravel hauling in the summer. I have noticed that twice it has happened where a man had his license cancelled and for about one month could not operate his truck for a period when the work is available. For example, it is well known that these gravel trucks are operating mostly in the summer only and in this case one of the offences was that this man had rammed into a moving train. This was one of the offences and because of that his license was cancelled and he could not operate his truck for one month and I think this was a severe punishment for what I would call a light offence.

Another point that I'd like to bring up is the cars that are left alongside the highway. For example, on Trans-Canada which I happen to travel quite often, I am aware that cars are left there for quite a long period; and not too long ago members are aware that a near fatal accident occurred because of a car that was left alongside the highway. Now I understand that it's not always easy to remove the car at the very moment but when you see the car there for more than one day, I think this is a severe danger to the travelling public and these are two points which I would like to see looked into.

MR. HARRIS: Madam Speaker, if nobody else wishes to speak, I beg to move, seconded by the Honourable Member for St. John's that the debate be adjourned.

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

MR. McLEAN: Madam Speaker, would you call the next resolution on Page 3 which is in my name.

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Attorney-General.

MR. McLEAN: Madam Speaker, I move, seconded by the Honourable the Minister of Education, Whereas The Law Society of Manitoba has for some time made, and continues to make, provision for assistance in certain legal matters to be given, without charge, to certain needy persons; And Whereas the Government has for some years made provision for retaining, at the public expense, of counsel for the defence of persons charged with certain offences who are themselves unable, by reason of lack of funds, to retain such counsel; And Whereas it has been suggested that, although the value of the provision now made by The Law Society and the Government as aforesaid is acknowledged, some citizens of the province may still be handicapped in maintaining, enforcing or defending their legal rights by reason of being unable, through lack of adequate financial resources, to obtain legal advice and assistance; Now Therefore Be it Resolved that the Standing Committee on Regulations and Orders appointed at this Session do inquire and report to the House (a) as to the extent and adequacy of the provision now made by The Law Society and the Government for the furnishing of free legal aid and advice to needy persons; (b) as to the extent to which needy persons in Manitoba may still be handicapped in maintaining, enforcing or defending their legal rights by reason of being unable, through lack of funds, to obtain legal advice and assistance; and (c) as to the measures, if any, that should be put in force, by way of legislation or otherwise, to ensure that no citizen is handicapped in respect of the matters hereinbefore mentioned.

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, during the earlier consideration of the estimates of the Attorney-General's Department some reference was made to legal assistance, and I believe at that time notice had been given of this resolution.

The resolution itself outlines quite clearly I think the general arrangements at the present time which are by way of assistance that is provided to people who require it by the Law Society, the member of The Law Society, and for a number of years provision has been made under which the Law Society provides advice, and in those cases where it is deemed necessary and essential, free legal assistance. As has been done by others who occupied my place in this House, I would like to pay a tribute to The Law Society -- to the individual members of the Society and particularly to those who have given of their time and talent and training in this program. This includes not only those who have actually performed the services on behalf of clients but those who have acted on the various committees in the administration and in the general work of it.

I was reminded -- or rather I remembered my own experience as a member of the committee just immediately following the end of the Second World War when I was here in Winnipeg and of being a member of the committee that used to go each Monday night, as I recall, to the Law Courts Building and meet there with people who required assistance. In some cases we were able to advise them because it only involved a matter of advice on some point of law or their rights, and in other cases to recommend that counsel be appointed to assist them in their particular case.

As I say, that program has been a most commendable one that I think has been well administered and well received. In those days my recollection is that perhaps the assistance was confined primarily to the metropolitan area of Winnipeg, but since that time The Law Society has been able to extend its assistance throughout the province although I would be bound to say that the bulk of the assistance has been given here within the area of Greater Winnipeg, but it has been extended and I have had some personal acquaintance of the work that has been done in centres outside on the same general principle.

Well as the program went along it seemed advisable that the government itself ought to provide some assistance, and as the terms of the resolution indicate, has been providing funds under which in certain types of cases, financial payments are made to counsel who are assigned with respect to particular matters pertaining to criminal charges. It does not apply to civil cases and does not apply to what might be called minor criminal offences, although I recognize that that's a matter where the use of the word "minor" can be qualified, but in any event the more serious indictable offences, and in those cases where counsel has been assigned, payment is made by the province and certain other provision is made with respect to transcript of evidence and like matters. In the year just completed approximately \$8,000 was spent on this

(MR. McLEAN cont'd.) . . . . . program on the basis of the present fee schedule that is applicable.

The question has arisen as to whether or not the time has come for an examination of the system that is operating, an examination of the plan as it is being carried out, and to consider whether or not there is need for any revision or alteration or change or extension that would be beneficial in the way of providing legal assistance to needy persons, and perhaps a need to consider whether the general type of assistance which is available in those more serious criminal offences ought to be extended downward to include other offences that don't come within the general category that are covered now, and also whether or not that same type of assistance ought to be made available in respect of civil cases. I say without indicating that what I particularly think ought to be done, that there are those who feel that at least these matters ought to be considered, and so we are asking the Legislature to assign to the Standing Committee on Regulations and Orders the task of considering this whole matter with a view to making a report and perhaps recommendations to the Legislature.

It will be of interest to the members of the House to know that in Ontario this same matter has been receiving the attention of the Legislature and of the Attorney-General and the Attorney-General's Department, and they have been having this matter studied by a committee over a considerable period of time. The committee is not a committee of the Legislature but rather one which is in a sense appointed by the Attorney-General, but I was interested in just a brief report that the committee had held quite a number of hearings in Toronto, Ottawa, London -- that is London, Ontario, Windsor, Sudbury and Port Arthur, and had received many communications and briefs and memoranda and other information from many groups, not only many individual people but many groups of people such as social workers, churches and others who were interested in this whole general matter. They have had under consideration, and they have been studying the free legal aid scheme that is presently in operation in Ontario and other matters that are related to that.

It is interesting also that Mr. W. B. Common, who is I believe the Chairman of the Ontario Committee and will be well known at least by reputation to the members of the legal profession in this House, has gone to England to study, he and another member have gone to England to study what they do there, to California, to Illinois, New York, and I believe one other American -- oh and to Scotland -- and they have been . . . . .

MR. ROBLIN: Don't give them any ideas.

MR. McLEAN: They have been reviewing and studying the plans and schemes which are in operation in those places, in some of which the system of free legal aid has been perhaps more developed than it has been in Canada. I mention this only to indicate what is being done in the Province of Ontario, and even though that committee has been now in existence for I believe a year and a half, they are not as yet ready to make their report. They are obviously making a very thorough study. They are perhaps a little like the Dental Services Committee in Manitoba. They are making a very thorough study and they are going to have a report that undoubtedly will contain a great deal of information.

I mentioned it as I say just to indicate the approach that has been taken in Ontario and also to say this, that it would seem to me that if this resolution of our own meets with the approval of the House, that the Committee on Regulations and Orders would be very interested I think in studying the report that is made by the Ontario Committee because undoubtedly it will have a great deal of information, a great deal of background information that will be helpful to us in considering this matter here. So I think perhaps that is sufficient to indicate the purpose of the resolution and to ask the support of the members for it.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Madam, even though the Honourable the Attorney-General has not mentioned any study being made in New Zealand or Australia, the fact that he has mentioned the studies being made in Ontario and that the Ontario Commission is going to Scotland, has sold the idea completely to myself and the Honourable Member for Lakeside who are both members of that committee.

But apart from that, Madam Speaker, I think this is an excellent idea to have this committee enquire into this very perplexing problem with all its ramifications, and in agreeing to the resolution I do so without casting any reflection whatsoever on the excellence of the work that has been done by the Manitoba Law Society in pioneering this particular service, nor do I accept the criticisms that have been made by certain members of the public as to the efficiency of counsel that has been assigned to some of these cases. I think the Manitoba Law Society has done a tremendous service to the public and every member who has contributed his services in

(MR. HILLHOUSE cont'd.) . . . any way to the aid of these indigents has done a good public service.

There is a matter, Madam, which I would like to discuss which arose the other evening during the consideration of the Attorney-General's Estimates, and that is the question of whether or no the Law Society of Manitoba has been guilty of any dereliction in duty in respect of a Winnipeg lawyer who was recently convicted of several criminal charges, and as to whether or no it would be better for Manitoba lawyers to be bonded instead of having the contributions which they make to an assurance fund continued.

Now this problem has been considered from time to time by the Law Society of Manitoba and the Law Society of Manitoba has come up with the definite and final conclusion that its present system of contributions to an assurance fund and exercising certain disciplinary measures and regulatory measures over its members is far better than any system of bonding, and with the permission of the House, Madam, I would like to be given leave to read a statement on this particular matter which has been prepared by the Law Society of Manitoba.

MADAM SPEAKER: Has the honourable member permission of the House? Proceed.

MR. HILLHOUSE: The statement reads, Madam, "Recent defalcations by a dishonest Winnipeg lawyer have resulted in a number of persons asking whether or not the public interest would be better served if it was required by law that Manitoba lawyers should be bonded. The Law Society of Manitoba has frequently asked itself the same question. Certainly this was considered as a possible alternative to the original establishment of a special fund by the Law Society in 1943, but today, as in the past, the Law Society has been forced to the conclusion that there are certain fatal flaws in any possible plan to bond lawyers, and the Society has been forced to the conclusion that the public interest and the professional interest of lawyers would not be served by requiring a bond from any person who was going to practice law in Manitoba.

"Historically, in March, 1943 the Law Society Act was amended to give benches the power to create a special fund through an annual assessment on members. The purpose of this fund was to reimburse, in whole or part, persons suffering losses through the misappropriation or conversion of money or property entrusted to a lawyer in his professional capacity" -- and I would ask the members of the House to note these words -- entrusted to a lawyer in his personal capacity.

"Any lawyer who has practiced in Manitoba from that time to the present time has been subjected to a total levy of \$450.00. In return for this investment he has received the assurance that the victims of any criminal who found his way into the practice of law in Manitoba have had their cases carefully examined, and if they suffered a loss of money by a lawyer acting in his professional capacity, their legitimate claims for losses suffered have been paid.

"The demands have been more severe in recent years. A young lawyer who began his practice five years ago will already have contributed \$265, only \$175 less than the lawyer who has been practising his profession in Manitoba since 1943. This is because there have been some relatively heavy claims on the special fund over the past five years. There is no reason to suppose that this is typical or will continue. Over the first fifteen years of the existence of the special fund, only three lawyers were subject to claims. Over the total 22 year life of the special fund, there have been only eight lawyers against whom claims were made. This is one in every 2-1/2 years. Since 1943 there have been a total of eight lawyers who have stolen money with which they were entrusted. This is out of a total of 1,250 lawyers who have practised in Manitoba during the past 22 year period. Phrased another way, over a 22 year period, 1,242 lawyers out of a total of 1,250 who practised in Manitoba have been honest. The following table indicates the total disbursements made from the special funds since 1943."

Now I'll give you the amount paid by the Society in each case and the number of clients who were involved in each case. In respect of Lawyer A, the total paid by the Society was \$64,279.55, and 31 clients were involved; Lawyer B, there was a total of \$49,368.10 paid with 15 clients involved; Lawyer C, \$32,581.53 with 29 clients involved; D, \$31,697 with 20 clients; E, \$10,290 with 7 clients; F, \$4,651 with 6 clients; G, 1,679 with 2 clients; and H, \$495.00 with 1 client.

"It is surely significant that only slightly more than one half of one percent of the persons engaged in the practice of law in Manitoba over almost the last quarter of a century have proven unworthy of the trust that their clients have placed in them. On the basis of the historical record, there scarcely seems to be any real justification for searching for new techniques to protect the public.

(MR. HILLHOUSE cont'd.)

"It could be argued that the Law Society has no real responsibility to underwrite in effect the honesty of the members of the legal profession. An entrepreneur can launch into for example house building or truck transport, and other house builders or truck transport operators will not band together to guarantee to the public that he will not defraud customers of any funds that he might hold in trust. Quite clearly, there are subtle differences between a business and a legal profession. At the same time, the Law Society of Manitoba does, through several techniques, give a substantial measure of protection to the public to assure that the trust they place in their lawyers in the practice of his profession will be justified.

"Now some of these techniques are: (1) Clients' trust funds must be kept separate. Before a lawyer gets a certificate that entitles him to practise his profession, he must produce a certificate that entitles him to practise his profession, he must produce a certificate signed by a chartered accountant which confirms: (a) that he is keeping his clients' funds separate and fully accounted for in a trust account with a bank or trust company; (b) indicates every disbursement out, and every addition to it, fully validated by receipts or cheques in prenumbered series; and (c) that procedures are followed that assures that the trust account funds are kept fully and completely separate. (2) An accountant is employed. An experienced chartered accountant has been employed on a full-time basis by the Law Society and charged with the responsibility of making continuous spot checks of lawyers' accounts. Every solicitor in Manitoba has had his accounts inspected and such inspections continually made at the expense of the Law Society. (3) The Law Society is maintained by funds from its members, funds distinct from levies from the special fund. The Society continuously impresses upon all members the importance of a very high standard of behaviour. Any breach of the strict rules concerning accounting result in prompt disciplinary action by a special committee of the Law Society charged with that duty. (4) The public and the legal profession. The Law Society urges the public to co-operate with it in discovering insipid defalcations. Information reaching the Society in early stages has resulted in the minimizing of loss by the public and clearly has reduced the charges on the special fund of the Law Society of Manitoba."

In other words, Madam, if there is any delay in the Law Society sometimes discovering breaches of trust, I implore the public to notify the Law Society immediately if they ever come across any case where any lawyer has been guilty of such a breach of trust.

Now as to the Law Society and the recent Winnipeg case. "A committee of senior members of the Bar has been appointed to investigate claims that have or will come forward respecting funds intrusted to Gingera in his professional capacity as a lawyer. He is being paid by the Law Society. There is \$165,000 presently in the reimbursement fund, and in the unlikely event that more funds should be required, the Law Society has full authority to make a levy upon its membership and to collect whatever sums are needed. Many of the Gingera transactions do not fall within the lawyer-client relationship and so do not come within the purview of the Law Society.

"A year and a half before charges were laid against Gingera, the Law Society discovered that he was heavily involved in investing money on behalf of members of the public. Mr. Gingera insisted that these transactions did not come within the relationship of lawyer and client, that he was investing their money for his "customers" in the hope or prospect of making a profit on their account. The Law Society refused to accept this assurance until Mr. Gingera, at the insistence of the Society, produced acknowledgements from these members of the public who had lent him money, that these acknowledgements indicated that the money had been left with Gingera in order that he might invest it at his sole discretion. It was not given to him to deal with as their lawyer in some transaction which involved other parties, or in other words, it was not given to Gingera in trust, and these letters are on file with the Law Society at the present time.

"The bulk of the persons who suffered losses are the persons who signed these acknowledgements and so indicated that they were dealing with Gingera as a businessman, an investor or speculator rather than a lawyer. It is clear that the special fund of the Law Society of Manitoba cannot give protection in such enterprises. Whether the losses are a product of unwise investment or speculation, or are due to fraud, it is equally clear that any bond which was designed to protect clients who deal with a lawyer on the basis of a solicitor and client relationship would furnish no protection in the great bulk of the transactions involved in the Gingera case.

"The bonding of lawyers would relieve the members of the profession from levies for the

(MR. HILLHOUSE cont'd.) . . . special fund that on the average of the last five years has cost every lawyer practising his profession in Manitoba \$53,00 a year. The Law Society would not however be relieved of its constant concern for the ethics and honesty of lawyers. If the Law Society was prepared to view the question of bonding only from the standpoint of the private and individual interest of practising lawyers, monetary considerations alone would demand that they support it. The assessment for the special fund would be replaced by a lower fee for a bond. In addition, the Law Society would be relieved of the responsibility that it has voluntarily assumed, providing an internal audit by a chartered accountant and attempting to anticipate any tendency to defraud in the very early stages. This would become the concern of the bonding company."

Now members will remember that about two years ago an amendment was brought into The Law Society Act which gave the Law Society the right to suspend a member of the profession while an investigation was going on, and that law was agreed to by all lawyers in Manitoba, notwithstanding the fact that they realized that it was contrary to the most fundamental principle of justice. In other words, a presumption of guilt until you were proved innocent.

"The Law Society has always been guided by the joint interests of the public and of the legal profession in the matter of bonding. The hard fact is that the Law Society is, at its own expense, giving better financial protection to the public than could be conceivably given by a bonding company. At present, injured clients can deal directly with the Law Society and not have their claims dealt with by a commercial organization that is primarily and understandably motivated by a search for a profit.

"In 1960-61, a total of \$64,279.55 was paid to the defrauded clients of a single dishonest lawyers. Since 1943, a total of \$195,043 has been paid by the special fund of the Law Society to a total of 111 clients. If lawyers were bonded to a maximum of \$10,000, a high maximum for ordinary bonds, the public would have been reimbursed to less than one-third of this total; and if the bond maximum was \$20,000, they would have received less than one-half of the sum that has been paid out. This could hardly be regarded as an optimum alternative for the achievement of maximum protection of the public. The hard fact is over the 22 years of experience in Manitoba the present system of working through the special fund of the Law Society has been a greater cost to practising lawyers and a greater protection for the public than would a bonding system.

"From the point of view of the protection of the public, the establishment of a system of bonding lawyers would appear to be a backward step. From the point of view of the protection of the legal profession, it would also be a backward step. If a lawyer had to obtain a bond from a commercial bonding company before being permitted to practice law, it would in effect place the keys to the entrance gate to the legal profession in the hands of a relatively few commercial organizations who would have no responsibility for the maintenance of the professional standards of the legal profession, and equally, would have no responsibility to the public at large as to how they exercise their indirect control over admission to the profession. Any law society that had concern for the public and pride in profession would have to oppose such a proposal. The Law Society is opposed for unselfish reasons, reasons related to the protection of the public and the integrity of the profession of law. The Law Society is opposed to the bonding of lawyers and favours the continuation of the special reimbursement fund of the Law Society." I'd like to table that, please.

I think from that, Madam, it is quite clear that some of the charges that have been made regarding this Gingera case particularly are absolutely unfounded, and that had there been a system of bonding of lawyers in force in Manitoba, instead of the reimbursement fund system, the people of Manitoba who had been defrauded by lawyers would not have been protected to the full extent. Under the present system there is no limit to the protection afforded the public; and under the present system, which is voluntarily accepted by all practising lawyers in Manitoba, we are quite prepared to put up whatever money is necessary to reimburse any member of the public who has been defrauded by the dishonest action of a lawyer; and we do that in an altruistic way.

MR. GRAY: As a layman, I feel that the public, and particularly those who need legal help, appreciate very much the help given so far by the Law Society. After all, a lawyer or a doctor, before they are permitted to practice, their parents make a very big investment until they go through the school and the university, and every possibility to buy a desk or open up an office and then stand at the door and wait for clients. If they would have invested this same money in a grocery store somewhere on a corner, probably they would be better off,



(MR. GRAY cont'd.) . . . . because here the doctor and the lawyer depend entirely on their health to earn their living. I think we cannot expect from the Law Society any more. I think they have given us too much.

But I would suggest another thing. As the Attorney-General -- when I say the Attorney-General, I don't mean the present Attorney-General or any individual, I mean the institution of the Attorney-General's Department -- are trying to engage the best legal mind obtainable in any community for the purpose of trying hard to prosecute -- and I use the word knowing what it is -- and in order to win the case and to present it to the court, and doing everything possible -- I don't know whether I was right to make this statement or not but that's my opinion -- of finding them guilty. Why could not the same department permit a person who has no money to defend himself, who has no means of getting someone to help him to get free -- some of them may be guilty, others are doubtful cases who go to jail on account of not being able as a layman to produce any evidence -- I would suggest to the committee to give consideration -- it may be a voice in the wilderness but pleasant to think about it -- that anyone who satisfied the Attorney-General's Department that he actually has no means to engage a legal aid, let him go to a lawyer, engage him and have the lawyer have the right to present a bill, a reasonable bill -- you could make a tariff for it -- present a bill to the government for the lawyer's time in trying to keep somebody out of jail or out of trouble. This is a humane suggestion. I don't know if it's legally possible but I think it's worthwhile considering it.

MR. SCHREYER: Madam Speaker, I move, seconded by the Honourable Member from Seven Oaks, that the debate be adjourned.

MR. McLEAN: I wonder just at this point in our proceedings, and I'm sorry that I missed just the very introduction to the document read by the Honourable Member for Selkirk, if he would be good enough to say what was the source of that document so that we would have it on the record.

MR. HILLHOUSE: It came from The Law Society and was given to me by The Manitoba Law Society.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Health, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the supply to be granted to Her Majesty.

MADAM SPEAKER presented the motion.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): May I take a few moments on this motion going into Supply to draw the attention of the House to a matter that I'm sure that we have all been interested in for the last week, namely the picketing of the Legislative Buildings by one Mr. Joseph Borowski of the Community of Thompson.

For about two weeks, Madam Speaker, a young man by the name of Joe Borowski has been camping on the steps of our Legislative Building for the purpose of bringing to the attention of the people of this province the fact that the citizens of Thompson have been denied the right normally given to all Canadians, the right of voting. In conversation with Mr. Borowski when he first came here to Winnipeg from Thompson, he had hopes that when he arrived that his vigil, together with a petition that he brought with him signed by over 1,700 people, would so arouse public opinion that the government and INCO would be forced to grant the right to vote to the citizens of Thompson.

Mr. Borowski feels, and I join him in this, Madam Speaker, that no government, no matter what the purpose, should grant to any company or organization any concessions or enter into any agreements which would deprive the inhabitants of that community the right to free expression on the affairs that they are so intimately concerned with. If memory serves me right, Madam Speaker, when the original agreement was before the Legislative Assembly for approval, that I voiced my objections at that time. I think the objections are valid and I respectfully suggest to the government of today, and may it be placed on the record for any government which follows the present one, that I doubt that whether any contractual agreement which denies citizens of their basic right should be entered into no matter what the economic advantages may appear to be at the time. Mr. Borowski's objective in coming to the Legislative Building has in part been accomplished and he has placed in the hands of the First Minister the petition signed by some 1,725 residents of Thompson.

His picketing, through the courtesies of the various news media, has received wide publicity and it acquainted most of Manitoba with the fact that his town is denied the right to vote.

(MR. PAULLEY cont'd.) . . . I may say incidentally, Madam Speaker, that not only was this matter drawn to the attention through the news media of we here in Manitoba, it was given national coverage as well.

The publicity that he has received and the petition, I hope, will result in greater pressure being placed upon this government and upon International Nickel to quickly change the method of operation in Thompson. I want to say, Madam Speaker, that I respectfully suggest to my honourable friend the Minister of Municipal Affairs who has indicated that the Advisory Board has been set up, the personnel of which was announced today, that under the terms of the agreement -- or first of all may I say, my honourable friend the Minister has suggested that this Advisory Board would act for about a period of two years and then the election, free election would be held.

But, Madam Speaker, I want to point out to my honourable friend that in accordance with the terms of the agreement between the Province of Manitoba and INCO that the provision is there that this must be satisfactory to INCO before it can be put into effect. So I would respectfully suggest to my honourable friend the Minister of Municipal Affairs that he endeavour to have the agreement changed now so that after this period of two years there will be no question of doubt that the township will be incorporated into a town or city, or whatever the population ratio happens to be at that time, so that there won't be any possibility of the agreement itself precluding this being done without the necessity of the consent.

There has already been some indication that this has happened since the government has speeded up its effort to have a Council appointed to assist the administrator. This measure certainly does not satisfy me and I'm sure, Madam Speaker, it doesn't satisfy any of the petitioners at Thompson. They are prepared I'm sure to accept it, and accept in good faith for the time being the situation that's developed and the appointment of the Advisory Committee. So I say, Madam Speaker, that the agreement or the setting up of the Advisory Committee is not wholly satisfactory for I'm sure that there are individuals on that Advisory Committee, if indeed not all of them, most of them will be using the two year period to constantly be drawing to the attention of the government the necessity of doing what is now being suggested, that two years hence free election will be held. So I would suggest that Mr. Borowski can now cease his vigil here at the Legislative Building and turn over the fight to the committee that has been established in the hopes that they, the committee, will continuously carry on the good fight.

I might say, too, Madam Speaker, that while Mr. Borowski ceases his vigil insofar as drawing to the attention of Manitobans the peculiar situation that exists at Thompson, I say now to the government, as far as this group that I have the honour to lead is concerned, this does not end this matter in this Legislative Chamber. I want to assure the Honourable Minister of Municipal Affairs that myself and my colleagues will be continuously drawing this matter to the attention of the government, no matter who it will be, until eventual justice is obtained for the citizens of Thompson.

May I suggest, Madam Speaker, it's really a shame in this province and in this Dominion when a person like Mr. Borowski is required, and does, make sacrifices in order to bring this to the attention of we who are legislators. I think, Madam Speaker, that we as a properly constituted legislative body in our great so-called free society and this democracy really should be censured for allowing such a situation to prevail in our province.

So I say Mr. Borowski is leaving his vigil with his objective only partially fulfilled. In the course of his efforts to draw the situation at Thompson to our attention, due to the method that Mr. Borowski chose, namely sleeping in the vestibule of this building, unfortunately the elements also caught up with Mr. Borowski and as a result he got a cold and a touch of the flu, but notwithstanding this, Madam Speaker, he carried on until now on the appointment of the committee. But notwithstanding his ill health, may I say it was only as the result of attempts at persuasion by myself and some other members of my group, others in this Assembly, that Mr. Borowski decided to end his vigil. He had pledged to his fellow petitioners that he would do his utmost to see that the desired elective body was established, and I say, Madam Speaker, that he will continue and the people of Thompson will continue to endeavour to shorten the two year period as announced by the government before an elective body will govern the affairs at Thompson.

So I say, Madam Speaker, I think that we in this Assembly, I think the people of Manitoba should thank Mr. Borowski for drawing this matter to our attention, even though some of us may not feel that the manner in which it was drawn to our attention was proper, but I ask, Madam Speaker, if this type of a method had not been made or entered into, whether we would

(MR. PAULLEY cont'd.) . . . . have taken as much interest or whether it would have been drawn so forcibly to our attention.

So may I, Madam Speaker, again appeal to the Minister of Municipal Affairs on behalf of Mr. Borowski and the people of Thompson to shorten the period of two years in respect of free elections at Thompson. May I say personally, Madam Speaker, I thank Mr. Borowski. May I say to the news media on his behalf once again that he appreciates their courtesies, he also appreciates the courtesies of the staff of the building, and others, who during his vigil supplied him with the few cups of coffee, the odd sandwich and the encouragement that he has received. So I say, Madam Speaker, his vigil is over insofar as the vestibule of these Legislative Buildings is concerned, but let me restate the vigil on behalf of the people of Thompson and the Borowskis of Thompson will continue in this Legislative Assembly.

MADAM SPEAKER put the question and after a voice vote declared the motion carried, and the House resolved itself into a committee of Supply with the Honourable Member from Winnipeg Centre in the Chair.

#### COMMITTEE OF SUPPLY

MR. WITNEY: I'd just like to answer a couple of questions that came from the Honourable Member of Rhineland the other day. He asked about the total investigations by field service staff. They were 27,441, and the number of investigations by field service staff related to the collection of premiums were 15,446. The balance of 12,000 field service calls are made up of investigations of unregistered persons, investigations concerning problems of residence, employer service calls and audits of employer payroll records and assistance to municipal officials and secretary treasurers. He also requested the list of the non-guaranteeing municipalities. They are the R.M. of Cornwallis, the R. M. of Dauphin, the R.M. of Gilbert Plains, the Village of Great Falls, the R. M. of Mossey River, Pine Falls, the R. M. of Fort Garry and the Town of Tuxedo. According to him the number of nurses that would be trained by the third course for licensed practical nurses, I was in error in telling him that there were about 25, the number in each class is about 54. And the number of dentists which will be graduating from the University are in the neighbourhood of 30.

The Honourable Member for St. Boniface requested some further information about third party recoveries. The gross recoveries for 1964 were \$206,041 less legal expenses applicable \$13,464, for net recoveries of \$192,577. The analysis of the cost, the legal expenses were \$13,464 and the salaries of the commission, one full-time employee and one clerk at \$8,820. While on the matter of the cost of premium collections, it is difficult to accurately calculate the proportion of costs applicable to collection of premiums it is estimated the same as last year that approximately 50-60 percent of the administrative costs of the commission can be directly attributed to the collection of premium.

MR. CHAIRMAN: 1 (a) (1), passed.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Chairman, there's some questions I thought that the Honourable Minister was going to discuss at this time, this -- apparently he felt there was a misunderstanding on this letter from the chairman of the commission to Metro. The other night the Honourable Minister told us that they had written, the department had written a letter to the Department of Veterans Affairs in Ottawa, requesting that the department, the Federal Department, might rent the premises at Deer Lodge Hospital. I wonder if he could give us an idea when this letter, the date of this letter, and if there is any reply. Has this been done just lately or has this been done for quite awhile, it's just that the Department in Ottawa is not bothering to answer it. It seems as if this has been going on for quite a while.

Another thing was this, I guess of course we'll get some of these answers when we look through the estimates, but some of them, were, -- I don't know it seems to me I'm not sure where we should get them -- was this question of this six percent of the income tax known as the Hospital Tax that has been reduced to five percent. And my question was it was felt at this time that all this money was needed and that all this money would be going to the hospital plan or the commission, and wanted to know -- apparently this tax this year is just a redistribution or reshuffling or trying to get the people that can afford to pay the tax, to pay it apparently. I would like to know if this one percent will be made up by money coming in from the treasury by money coming in from those other taxes that replace this one percent such as the heat tax and the telephone tax and so on, I think that this is something we should have on this thing. And then it was felt also, in this connection it was felt, it was some article that I brought in

(MR. DESJARDINS cont'd.) . . . . that other evening, if this information is right I think that definitely in conscience something has to be done.

I am referring of course to the people that live in another province than Manitoba, that these people pay their hospital premiums, let's say in Ontario or Quebec or in the Maritimes, and then they move here, say maybe in December of a certain year, maybe in '64, and if my information is correct, if my understanding is correct, these people must pay the full six percent or it will be five percent now, but six percent income tax. In other words they are paying, to be protected under the Hospital Plan in Canada they pay double. They are being protected in Ontario or another province for eleven months of the year, they've paid this, and now they come back here and pay the six percent. It seems to me that -- I'm not suggesting that the blame is on the Provincial Government. This is not what I'm trying to do but I'm suggesting there is something wrong somewhere and it seems to me that something should be done to adjust this, not to see any citizen in Canada and especially new Manitobans having to pay in any one year double premiums for this hospital. I think that something should be done on this.

Another thing that should be brought up at this time again is the policies and standards of the Manitoba Hospital Commission governing them in the study and approval of the budget of different hospitals. I was very surprised that the Honourable Minister was not aware that this had been done, because this is a motion that came I think from the Associated Hospitals. This is something that is very important because who can decide who can work on the budget and then being told that well you keep on, there are certain standards, send the budget in, this does not qualify because this does not meet our standards. And if this is the case, well the least that the plan should do is tell them what the standards are. And this so far has been refused. The standards and policies have been refused and I think it is impossible for anybody to be guided by some standards if you don't know what the standards are.

There is another question that I was pleased to hear. I wasn't satisfied with the answer, with the extent of the answer - the question of the hospital in the north end of Winnipeg. Now the Minister suggests this is under consideration but I was expecting and I would like to know a little more about this. Now I think that the people of that district are certainly entitled to this. We have hospitals as I said, now there'll be a Hospital in Fort Garry, in St. James, and St. Boniface is covered, the East Kildonan-Elmwood district is covered but nothing in the North End. Whatever they had does not exist any more. I think there is something that should be recognized at this time though, is the Mount Carmel Clinic. I think that they are doing an awful lot of work and I understand that these people are ready, have requested that the department maybe help them to extend, extend or to get something makeshift or temporary, anyway, until a larger hospital can be built in the north-end of Winnipeg. Apparently these people are ready to give this service. They are willing and able to give this service. They are just trying to get some help and I think that this is something I certainly would expect the Minister to give us a little more details about the future of the health plan or the hospitals in the north-end of Winnipeg.

Now coming into this, it seems odd to me that we do not follow the Willard Report as far as the Grace Hospital is concerned. Now the Willard Report okayed the Salvation Army Hospital in St. James providing that this place could be closed. If not, if we are going to keep this place there, I think there were many reasons for that, if we are going to keep a hospital there, we might as well enlarge on that and there's no use going to St. James. I think that this is going to be costly. There are certain facilities that are there. They say that an extension care hospital should be close to an acute hospital. I think the main reason for that is the different services like X-rays and so on that they have, and this is existing there. I think this was the recommendation that you should have an extended care hospital in that place, or an old folks home, or something. I think that Metro has also stated that because of the traffic situation, it would not be advisable to keep this acute hospital on Arlington. I think that something has to be done.

Now talking about this, I certainly don't intend to make any accusation but there are some things that I want to know. I would like to suggest to the Minister that he should take a very good look and close look at the commissioners of the hospital commission plan. I don't think there should be any conflict of interest, not more than they are for the people here. Now if my information is right, there's certain members are quite active on boards of medical centres, committee, and so one, and I don't think that this is fair and I don't think that this should be. Now these people can not -- no doubt there will be prejudice. Even if they mean well, they're interested in one way; they're looking at these things a little closer and I think that it's very

(MR. DESJARDINS cont'd.) . . . . important. I for one think that if this is the case, if there's any conflict of interest in this question, of any commissioner on this plan, well these people should be replaced right now. Let's not wait until something happens and then there's all kinds of accusation here. Let's make sure. Let's not place anybody in that position. I want to repeat again that this is not an accusation; this is a word of advice to the Minister; and I think that this should be done. There's two schools of thought on these things. A lot of people want certain centralization of these services and other people want to enlarge hospitals. I think that this is a very very valid point and I would certainly suggest to the Honourable Minister that he should look into this very closely.

Now there's another thing that I brought up last year and nothing was done at the time. I hope that something will be done this time. It's the question of the depreciation allowance of the equipment used in different hospitals. I think that unless there's been a change just lately, this is based on the previous cost of the last 16 years or so, and the cost of this equipment is increasing considerably. We all know that, especially over the last 16 years. It is also getting to be quite difficult to replace. Now this depreciation fund is used for the purchase of this equipment, and I would suggest to the Department, as I did last year, that certainly at least a review of this method of calculating depreciation should be undertaken very soon.

There is a possibility that this now has been settled, but in the past the air conditioning unit in a new construction wasn't always accepted. I think that this depended quite a bit on the Federal Government -- I recognize that -- but it would seem to the members of committee, I'm sure, that this is a must. In a hospital you definitely need the air conditioning. I think for a lot of reasons, and I think it's too obvious that I shouldn't have to mention this here. I wonder if there's anything new. I don't know, from what I understand, this was done in the past; at times it was accepted and at times it wasn't. I think, as I said, this is a question of the Federal Government, but I think if this is not done, if this is not a policy of the Federal Government, that we certainly should press that this should be uniform and this should be included in all new construction.

Now on the balance sheet, looking at this report of the Manitoba Hospital Commission, on the balance sheet on Page 29 I notice an amount here under approved grants for hospital construction of \$1,778,493.21. I was surprised to see this in here. Maybe I didn't do my homework well enough these previous years, but it would seem to indicate that this grant comes through the commission. I think that we should know a little more about that because if this is the case, on turning to the next page, on Page 30, we have here under hospital expenditures, hospitals within the province, an amount of \$43,332,000. I would like to know -- this is a question to the Honourable Minister -- does this include construction and renovation grants and not only operating costs? I wonder if we can have a breakdown of this figure later on -- this \$43,000,000.00.

Now I think from this famous date of -- I think it was 1958 -- to 1964, we've had an increase -- I think this was suggested, the people of the province were informed of this I think on the television program -- we've had an increase from \$25,451,000 in 1958 to \$43,332,000.00. Now since then there has been quite a few new services brought in under this MHC Plan such as the Cancer Foundation, Home-Care, free school dental clinic, and so on. I can't find them all in the estimates and I wonder what portion of these 1964 disbursements are related to each of these new services. And again on this increase, I wonder if there are any portion of these increased costs due to the inclusion of a capital grant in what otherwise might be considered as the cost statement, an ordinary operating cost statement.

Now there's another point. There's the question of waiting lists in a hospital. As I said, I don't intend to belabour this again this year. I think that probably the government is doing as well as possible. I brought this in last year and I feel the same about this. I feel that we have a contract and usually there's two parties to a contract. You have the people that are forced -- it's compulsory -- they must pay their premium; they must take this insurance; but then when it's time to collect, to deliver, sometimes it's impossible and a lot of people can't get in the hospital. Now it would be ridiculous to say right away, we'll build a bed for everybody in the province. It is probably the compulsory part that I object to and I think that certainly if we're going to go in -- and this is inevitable, I guess -- on this question of the prepaid medical plan, I think that we should certainly look at this compulsory angle because it's giving us a lot of trouble here. If somebody can't get a bed, I think that they should be certainly allowed to sue the plan, because once you pay in a contract, if you can't collect, there's something wrong somewhere. This is certainly not a fair contract.

(MR. DESJARDINS cont'd.)

But there is something that could remedy this. From what I understand, it scares the people for one thing. We see an article in the paper telling us of all the different waiting lists: 500 in this hospital; 600 or 700 in this other hospital; 300 here; and so on, but the truth of the matter is that some people that can't get a certain hospital will be on the waiting list of two or three different hospitals, and I don't think it is a clear indication of the actual people that are waiting. I think that this might suggest that there's a panic in some cases. I wonder, and I ask the Minister if the Hospital Commission have every thought of trying to co-ordinate these waiting lists, because it seems to me that this should not be that difficult. It seems to me that there could be bulletins sent to these different hospitals once in awhile; that there should be a central office -- at least for a number. Now it seems to me there would be some value in this, if nothing else but the reports that would be released to the press. I think that if some people are on two and three different hospitals, it's certainly the same people and they shouldn't be counted three or four times over.

There's another point now, and I'd like the Minister to check this information. I am told that before a teacher at the university, medicine, or any of these things, to become a full professor -- now mind you a doctor can be an assistant professor -- but if he becomes a full professor, I am told that he can not be employed at another hospital, which was the case, unless it is the General Hospital. As I say, I'd like the Honourable Minister to check this. I understand that if this doctor comes from another hospital and if he becomes a full professor at the university, he must transfer, if he still wants to work at a hospital, he must transfer to the General Hospital. I wonder if the Honourable the Minister could give us some information on this?

Now the answers -- I am a little in sympathy with the Honourable Minister when before the Orders of the Day my leader asked him a question about doctors. This is a bit like this question that I brought up the other day on another item outside of this department, on the lawyers. It seems that a doctor in Selkirk has not been proven inadequate or below par, but there seems to be an internal quarrel there and therefore he cannot use the facilities at the hospital. I don't know that I could comment on this, or give a suggestion or an answer. I know it is very difficult. But there again, this is what I'm trying to prove, to show -- it's this plan -- how wrong this plan is. It's a compulsory plan -- well now it's a question of the medical and this is not compulsory, the medical plan. These people are told that they can have any doctors at all -- or I guess you could say you're going to a certain hospital; you've got this compulsory hospital plan and you want to see this doctor. There's nothing wrong with him; he's qualified; there's nothing wrong with him; but you can't have him. Certainly this is not giving you the choice of doctors. I can't see anybody suggesting then that you have the free choice of doctor. This apparently is not done in this province. What the answer is, I don't know. This is why the Minister has all these headaches, this grey hair. This is his worry, but I think that somebody will have to arrive at the decision. I must confess that now I certainly haven't got the answers. But the fact is that these people are not granted this free choice of doctors.

Now there's some questions that I would like, or at least if the Minister could indicate where some of these questions will be answered, there's some questions such as the financial part of it, this reduction from six percent to five percent and this question of this letter to the Metro from the chairman. I would like to see these things discussed at this time if at all possible.

MR. WITNEY: Mr. Chairman, answering the question about the DVA hospital, the letter was written some time ago but I can't give the exact date to the Honourable member. I understand that DVA officials were through here recently and that at the present time the facilities at the DVA hospital are close to being used to full capacity. The exact date of the letter, or the exact date of the negotiations, I can't give to him right now but I can obtain it for him.

The six percent of the personal income tax, as I explained to him the other day, is the amount of money that is listed in the estimates, eleven million point something or another, includes the \$3 million grants and then a full equivalent of six percent of the personal income tax and one percent corporation tax. That is being able to be accommodated because we do not earmark taxes in the province. Additionally, we have received more on the basis of five percent of personal income tax over the year before.

He speaks about the hospital in the north part of Winnipeg and I have the comments made

(MR. WITNEY cont'd.) . . . the other night on the record for him, and simply assure him that all of the hospital needs of the metropolitan area will be continually reviewed by the Manitoba Hospital Commission, not only with respect to the needs of the north end of Winnipeg but also with respect to the needs in all parts of the metropolitan area. The Grace Hospital - I put comments on record for him the other night and I don't think they need any further elaboration at this time.

On the conflict of interest of the Manitoba Hospital Commission, I'm not aware of any conflict of interest between members of the Manitoba Hospital Commission, and I'm quite sure that if there was a conflict of interest that the members of the Manitoba Hospital Commission would so advise me.

The depreciation allowance - he asked the question has there been any change in policy. To my knowledge there has been no change in policy and if I am wrong in that I can correct it later on this evening. On air conditioning, again to my knowledge there has been no change in policy.

He asks about the \$43.3 million in the estimates, whether that includes the operating costs and the capital in construction costs, and the answer is "yes." The \$1.7 million that he requested information on, if I gather correctly what he was seeking, it is the approved grants for hospital construction that took place during 1964, or the portion of it that was being constructed during 1964.

The question with respect to the full professor at the University must be transferred to the General Hospital, I'll have to inquire about this because at the moment I cannot give him an answer.

He spoke about the waiting lists, and I remember that last year there was a considerable debate about this matter of waiting lists. During the ensuing year in between the consideration of the estimates, I have had the Manitoba Hospital Commission make inquiries and write to the hospitals about this problem of waiting lists and I do not think that the situation has deteriorated to any extent than it was before. We are still able to take care of all emergencies that take place in the Metropolitan area. There are waiting lists. I do believe that there is a degree of liaison between the hospitals, that quite often one of the problems that arises is that the patient wants to go to a specific hospital or the doctor wants to take the patient to the specific hospital and is not perhaps too interested in having the patient go from one hospital or to the other hospital.

On the matter of the doctors and hospital boards, the hospital boards do have control of the medical staff within the hospital. They quite often have advice from medical advisory committees but they do have control. I feel that if the hospital boards are going to be able to have autonomy in the hospital that this is one of the areas of control they must have. I am advised that in Saskatchewan where there was a question of this before the court, that one of the judges ruled that the boards of hospitals must have complete control of the doctors.

On the question of the letter to Mr. Bonnycastle, I think there was a paragraph here that perhaps will ease some of the concern that was raised by the honourable member, and it's a paragraph at the bottom of Page 4 of the letter where the paragraph reads: "The commission wishes to stress that the above are proposals only and are submitted to form the basis of discussions to develop policies and procedures in respect to possible contributions by the Metropolitan Corporation to hospital capital programs." I understand that the Metropolitan Corporation has accepted these proposals for information and that future meetings will be held.

Two of the hospitals whose projects are expected to be considered first have apparently advised that they have no complaints of the proposed arrangements that have been mentioned in this letter, and in discussion with other hospitals they have indicated that the proposals that are contained in this letter to the Metropolitan Corporation are quite acceptable to them.

With respect to the six percent, I'd like him to note that that figure is up to six percent. It could be more; it could be less. It's an average figure, six percent, and in some cases it may be necessary for the 20 percent to be raised entirely without this consideration of six percent or any figure that would represent money that would come from other revenues from the hospital itself.

I'm still a bit concerned about -- at least not concerned but puzzled about his question again with respect to standards and policies in budget setting. I am quite sure these must be well known to the hospitals and to the administrators, and if they are not that they could quite easily contact the Manitoba Hospital Commission either by telephone here in the Metropolitan area or by mail out in the country and obtain the necessary information. I think also that most

(MR. WITNEY cont'd.) . . . . of the hospitals are in receipt of copies of the standards and policies of the Hospital Commission, but again that will require some clarification. I meant to ask about this in between the period that we have been considering these estimates and negotiating to do so.

MR. DESJARDINS: Mr. Chairman, the Honourable Minister I think misunderstood when I was talking about conflict, a possible conflict of interest between the hospitals and the Commission. This was not my point at all. I was wanting to make sure that nobody was placed on the Board, on the Commission -- I'm not talking about the hospitals -- on the Commission if there was any possibility of any personal conflict of interest. This is not the same thing at all.

It's obvious that the Minister will say that the government or the Commission have at heart the welfare of the people in all the Greater Winnipeg area, in fact of all Manitoba. This is not the answer that I was seeking. I would like to know a little more about the north-end. I think that the people have been concerned about this for a long time. How long will they have to wait? What is going on? We understand that this Grace Hospital will be left in that district and a brand new hospital will be built in St. James. What about the people in the north-end? I think this is a valid question. Not too long ago the previous Minister of Health gave us a schedule of certain things that would be done. This is what I'm asking. What year? What is being contemplated? Why the big secret? This is what I'd like to know.

Now I had mentioned to the Honourable Minister a few minutes ago that I would not get into this waiting list, but then he said that things weren't getting any worse. Now I must correct him. I have a clipping from the Tribune of January 2nd, 1965 -- that's not too long ago. "The Winnipeg Hospital have record waiting lists this winter." -- Record waiting lists -- "and some administrations say their backlogs are becoming serious although elective surgery and treatment patients can usually wait for their beds. In an interview today, J. A. Robinson, Administrator of the Winnipeg Children's Hospital, said the elective surgery waiting list at his hospital has reached the 400 person mark" -- that's the Children's Hospital -- "for the first time in their hospital's history," so things are not getting any better. As I said, I wasn't going to bring this up but the Minister made a statement and either this report in the Tribune is wrong or the Minister is wrong.

Now about this list that I was talking about. I think there's something in here too. Now we go to General Hospital. "Dr. L. O. Bradley, Executive Director of the Winnipeg General Hospital, said his institution has a waiting list of several hundred. This . . . . . for good utilization and our bookings go as far ahead as four months." And at St. Boniface General Hospital, "The waiting list has reached the 600 mark, says medical director Dr. Paul L'Heureux. The tragic thing is sometimes that elective cases become urgent ones suddenly because they did have to wait." You see so this is not something that we can forget about. This is something that is very important.

Now the Minister said that no money is earmarked for anything in this province. I certainly beg to differ because we've got the words of the First Minister and we've got the words of the former Minister of Health that this wasn't the case. I know that this was not in that bill that we passed, but read this here from Hansard of March 27th, 1963 on Page 735. I was asking the total estimated amount raised by the special six percent income tax and one percent corporation tax. This was the question that I'd asked the former Minister of Health and this is what he said, "But the point is that all of the six percent income tax on taxable income plus the one percent corporation tax plus \$3 million" -- it was actually \$3,175,000 -- "is turned right over to the Commission and this is the actual figure for last year of the \$10.2 million." I asked a further question; Am I correct in taking from this answer that the total amount estimated, the amount raised all over the province by the six percent income tax and one percent corporation tax amounts to seven and a half million, the amount that he had given me. "Seven million, two twenty-five," he corrected. It seems obvious that this money -- and I can go back to Hansard, I've had this prepared, and I mentioned this earlier in the Session -- there's all kinds of statements there telling us that definitely that money is to be used for premiums, instead of premiums.

I read another clipping from The Income Tax Department telling us that this six percent was for that. This was the reason why there was six percent more in certain provinces. I think this is quite obvious so I'm certainly not ready to say that this is it. We said at the time and this is what I want to know -- we said at the time, is this money going to be used for this and we were assured that it was. Now it was six percent, and this shifting of tax apparently



(MR. DESJARDINS cont'd.) ... was to give the people a better chance, let the people that should pay it pay, and I don't know of any better tax with any more equitable way than this income tax way, but we took this one percent off the income tax and we raised the money somewhere else. Now was this done to say - All right, we're not taking -- this money is for premiums. We took this one percent off and then this other money we're replacing that somewhere else because we needed more money. We didn't reduce the taxes in this province so this money will be used for something else. I think that we should know this because if this is the case this is not what was mentioned in 1962 or '61 in the Special Session, and this is a fact.

It seems to me that after listening to some of the remarks of the Honourable the First Minister on television that he's saying how much the province is doing, the government is giving a grant and I don't -- sure it's a grant, but it certainly wasn't -- I think that this was very much misleading. This money at the time was earmarked, and we've got all kinds of statements and if you want I can find those again, telling us that this money will be earmarked for health, and then all of a sudden there's one percent taken off. If this was the case, this money has to be replaced; it has to come from other taxes. The government in its wisdom felt that this was not a fair way of collecting this income tax. They wanted to spread the thing out so they put a tax on heat. Well all right. This is their decision. This is no place to debate it here. But if this is the case, some of that money should go to this hospital fund.

It seems to me that we're just getting ready, we're saying that it costs more. This is the question that I was asking before. One time we were talking about \$25,000 in 1958 and then we go to 43, but then we are told that 43 is not really the correct amount, this is the grant for construction. This is not operating cost at all. Well I think we should get the thing straight here. This doesn't seem very fair, very honest to the people of Manitoba. I think we should tell them what we are doing. What is the increase? It seems to me that we are just getting ready to announce fairly soon that there will be an increase in premiums. It's a fact that the First Minister said -- I think I've got some of it -- the First Minister said at the time -- now this is in 1961, page 146, October 19th, Mr. Roblin said, "What we want to do is: we want to dedicate one percent of the total taxable income earned in Manitoba towards the support of the hospital system in the province, personal income tax and corporate tax."

Then on page 147 again, "Let me say to those members who expressed some doubt" -- this is the First Minister speaking again -- "as to whether this money will be spent in reducing the hospital premiums, let me relieve their anxiety at once, that's what it will be spent for." This is clear, even I can understand that. "And let those members who think that the present contribution from the consolidated fund of some \$3 million to the Hospital Plan will be done away with if this comes in, let me put their minds at rest because we will still need that money. In fact in the years to come, it is quite likely that we will need a good deal more."

MR. CHAIRMAN: I leave the chair until 8 o'clock.