



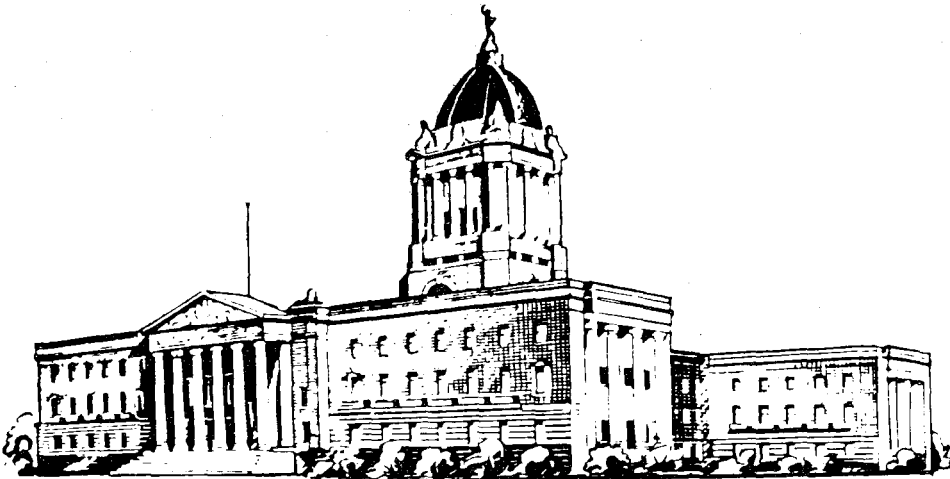
Legislative Assembly of Manitoba

HEARINGS OF THE STANDING COMMITTEE

ON

LAW AMENDMENTS

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



8:00 p.m., Tuesday, June 10, 1975.

LAW AMENDMENTS COMMITTEE
8:00 o'clock, Tuesday, June 10, 1975

CHAIRMAN: Mr. William Jenkins

MR. CHAIRMAN: The meeting will come to order. Order please. The bills that are before the Committee this evening are Bills Nos. 43, 47, 48, 52, 53, 56 and 58.

We've heard representation on all the bills except Bill No. 58, Bill No. 56 and Bill No. 48. Are there any members of the public here that wish to make representation on Bills 48, 56 and 58? Would you come forward and give me your name please and state what bill.

MR. LENTON: My name is Lloyd Lenton. Bill 48, The District Health and Social Services Act. Lenton, L-E-N-T-O-N.

MR. CHAIRMAN: Fine, thank you.

MR. MARTENS: Mr. Chairman, my name is Ed Martens. I represent the Manitoba Association of School Trustees and I'm here to make a presentation on Bill 58.

MR. CHAIRMAN: 58. Thank you. Any further delegations? Hearing none, I will call upon Mr. Lenton. Would you come forward please. Bill No. 48.

BILL NO. 48

MR. CHAIRMAN: Do you have copies of your brief?

MR. LENTON: Yes.

Mr. Chairman, Gentlemen. I am the Executive Director of the Social Planning Council of Winnipeg and I extend apologies from our President, Mr. Ernest Petrich who couldn't make this presentation in person.

Our board of directors of the Social Planning Council of Winnipeg spent an hour and a half today reviewing the bill 48, and we have the following presentation to make to the Law Amendments Committee and hope that it would receive your favourable consideration. Copies have been distributed, and I have additional copies if they are required.

The Planning Council wishes to put forward the following views:

1. The Planning Council appreciates the government's intention in this legislation to implement the white paper's policy concerning the integration of health and social services at the district level.
2. The Planning Council recognizes that it is the constitutional responsibility of the Provincial Government to maintain control over the expenditures and standards of care related to the provision of health and social services.
3. However we consider that the proposed governmental control over district health boards is excessive and will only serve to hamper meaningful citizen participation in program planning and policy-making. We consider that Section 37, subsection (1), Suspension of Board, provides the Minister with sufficient authority to intervene in the operation of district health boards should such action become necessary. We would recommend however that the Act specify the circumstances in which the Minister would consider such an action.
4. We believe that the legislation should be amended to the effect that all district health boards be composed of residents from the affected municipalities who have been duly elected to such boards with the exception of the representative or representatives from municipal councils as specified in Section 18, Municipal Representation on the Board.
5. Consequently we would recommend that the following sections of the Act relating to the organization, composition and functioning of the proposed boards be deleted. These are Sections 2, subsection (2)(b); Section 38(c)(d)(e)(f) and (g); Section 39, subsection (1)(h); and all of Section 40.

Finally we would recommend that the Act require that standards of care be clearly defined and that district health boards be made accountable for meeting these standards through an annual inspection of services and facilities.

I'd be happy to answer any questions, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Lenton. There may be some questions that members of the committee may wish to ask. Are there any questions the members have regarding the presentation? Hearing none, thank you very much Mr. Lenton.

The next presentation we have, Mr. Ed Martens on Bill No. 58. Do you have copies, Mr. Martens?

MR. MARTENS: Yes I do, Mr. Chairman.

MR. CHAIRMAN: Mr. McGill. A point of order has been raised by the Honourable Member for Brandon West, Mr. McGill.

MR. MCGILL: Mr. Chairman, Bill 58 is now on the list of those to be considered tonight. I'm wondering when that bill was added to the list. I don't see the Minister of Education here, and that bill was simply just dealt with this afternoon. So it's probably not information that is available to the public that we're dealing with it tonight. I'm wondering why the change in the list of bills that were referred to this committee.

MR. CHAIRMAN: Mr. Green

MR. GREEN: Well, Mr. Chairman, I'm not certain as to how the Clerk puts them on the list, but there is no intention that we would deal with it in such a manner that people would not be able to make representation. So we can lay it over until the next meeting of Law Amendments Committee. The Minister I expect will be here, but in any event I believe that the Clerk merely puts them on Committee as and when they are dealt with. That doesn't mean that we will prevent, or attempt to deal with it without people having an opportunity of making representation.

MR. MCGILL: Mr. Chairman, on the same point, I think it's important that the Minister of Education hear the representations that are to be made to this bill.

MR. GREEN: Mr. Speaker, is this gentleman speaking on the bill reflecting . . . well then if it is his desire that the Minister should be here, which is desirable, it's not always possible, but if it is his desire that the Minister be here - I expect that the Minister is going to be at Committee - he can perhaps postpone his presentation until the Minister gets here.

MR. MARTENS: Mr. Chairman, I would bow to your wishes. A copy of our presentation has gone to the Minister. It is entirely up to you. I will wait or make my presentation now.

MR. CHAIRMAN: Well I'm in the hands of the Committee. If the committee wishes to hear you now . . .

MR. GREEN: Mr. Chairman, I would like to say it's up to the gentleman. If he believes that the Minister has received the information and would like to make his views known to the Committee, he can do so. If he'd like to wait for the Minister, he can do so.

MR. MARTENS: To save time I will wait half an hour, or an hour or so, and see if the Minister arrives.

MR. CHAIRMAN: Okay that's fine if you wish to wait.

MR. MARTENS: We'll wait for a period of time. Half an hour or so.

MR. BILTON: Mr. Chairman, on this particular . . . the witness before us, was he notified of this meeting to be here this evening at 8:00 o'clock?

MR. CHAIRMAN: I have no idea.

MR. BILTON: If he was notified to be here I think it's something extraordinary that the Minister is not here to hear what the delegation may have to say, and I would suggest that the matter be postponed until such time as the Minister is here.

MR. GREEN: Mr. Chairman, I think if we are going to be accommodating and what have you, that's fine. If we're going to talk about extraordinariness, then I can tell you that it is not always the case that the Minister is able to be at Law Amendments Committee. I was not able to be at Law Amendments Committee last week; there was a bill of mine presented. That happens to be one of the things that is certainly not desirable but it's sometimes unavoidable. Now if the gentleman wishes to proceed, that's fine. If we want to get into a debate as to what is extraordinary or not, then let's let the public stand back and we'll debate what is extraordinary.

MR. CHAIRMAN: Mr. Bilton.

MR. BILTON: I would ask the Minister of Mines and Resources why this has been put on the list when it was not on the official list before this Committee tonight.

MR. GREEN: For the same reason - if I may answer to the Honourable Member for Swan River - that in every legislative session that I have been at, once a bill is passed it goes on the list of committees. I have already indicated that if that causes anybody an inconvenience, we have no intention of proceeding in such a way as to avoid people not having the opportunity to proceed. We'll put it on to the next meeting. It automatically, in the Conservative administration and in the New Democratic administration, and in the Liberal administration before, when the bill is passed it goes on to Committee. The Clerk confirms that, so the Member for Swan River who was Speaker during all those times when it occurred finds that extraordinary, it's an extraordinary practice that he started.

MR. BILTON: Oh don't give us the old . . . Stay with the Orders of the Day.

MR. CHAIRMAN: Order please.

MR. BILTON: Just stay with the Orders of the Day.

MR. CHAIRMAN: Order Please.

MR. BILTON : If it isn't to your way of liking, it's not right.

MR. CHAIRMAN: Order! Order please. Order. We have nothing before the House here, we have just a debate on whether this gentleman wants to present his brief now, and he said he would prefer to wait an hour.

MR. GREEN: I'm not sure that the Minister is coming. I'll have to check.

MR. MARTENS: Mr. Chairman, I would also be quite prepared to make my presentation now in order to expedite matters. The Minister has received a copy of our presentation and it is the last bill on the agenda this evening. We contacted the Clerk of the House and he informed us late this afternoon that the bill was coming before the Committee tonight. Hopefully the Minister might be here by the time the bill comes up for discussion in Committee.

MR. GREEN: Thank you, Mr. Martens. You're much more reasonable than some others.

MR. CHAIRMAN: Proceed.

MR. ED MARTENS: Mr. Chairman, and members. We are pleased to have this opportunity to appear before this Law Amendments Committee, and express some concerns of the Manitoba Association of School Trustees with respect to Bill 58. These concerns were discussed yesterday at two meetings held in the province, one here at Winnipeg and one at Brandon, at which all school boards, at least all boards south of the 53rd, were present and concurred in our recommendations.

I'd like to comment on the bill by section in the bill starting with Section 3.

We would like to suggest a change there that after the word "recreational" in the second line add "and other." And our reasons for this is that this section limits agreements between school boards and municipal councils to recreational facilities. We would request that the limitation be removed because we can see the possibility of agreements for joint use of other items such as, vehicle maintenance facilities, joint library facilities, and administration buildings, which actually now is in joint development. So that is change No. 1.

Then commenting on Sections 4 and 5 of the bill, the suggested change there is amend to read "engage the required number of legally qualified teachers for the district, of whom none shall be the son, daughter, brother, sister, husband or wife of a trustee of the district, unless with the unanimous approval of the whole board." Now our comments there are that we agree with removing from present legislation the necessity of having to obtain the approval of the Minister. Boards should have the authority to hire anybody they want but in the case of close relatives there would be less likelihood of a board being accused of nepotism if it were a unanimous decision of the whole board. Here we would respectfully also suggest that failing this that it be amended to read, "with the majority approval of the whole board." As long as it were at least the majority approval of the whole board, then we would not only be doing justice as it says, but appear to be just doing justice at all times.

The next section I'd like to comment on is Section 8 of the bill and generally we're very happy with this section. It clarifies a number of items. We'd like to further suggest that you repeal Section 128 subsection (2) of The Public Schools Act. That section states that the first meeting after an election to be held 14 days after the election. There may still be confusion since Section 128 (2) states that the first meeting be held on the first Wednesday in January. There would not appear to be any need for Section 128(2).

Then commenting on Section 9(1). Our suggested change there is a deletion of this amendment from the bill. Our reasons are as follows: There is no definition of the word "program." We think of program as a collection of courses which constitutes a year's work. If a student wishes to take a course or subject - as an example music, and you could make that even more specific, a certain kind of music - as an option to make up his year's program, and if this subject is not available in his home division does the division then have to make provision for him to attend school in another division? What does "make provision" mean? Does it include transportation costs or in fact room and board? We believe it should be a pupil's right to attend school in another division for a program he cannot get at home. But if the school board is required to make all the provisions it could mean hiring additional personnel and additional costs. Do school boards still have the right to refuse to accept a student from another division if they do not have the accommodation? This can be a real problem. Could

(MR. MARTENS cont'd) a school board abuse this section by discontinuing options and sending the students to another division? These are all possibilities within the new section which were not possible under the old Act.

Then commenting finally on Section 9(2). Again we would suggest that this section of the bill be deleted entirely at this stage for the following reasons. We are certainly in agreement with the philosophy in this section, but are not prepared to accept it as written until there is some indication of the additional grants which might be made available to boards. A proposed new School Attendance Act gives everybody six years of age, and over, the right to attend school. The present Public Schools Act limits this right to those between the ages of 6 and 21. This bill would put the cost on school boards for all people presently in the St. Amant Ward, the Portage la Prairie Home for Retardates, blind students attending the institution at Brantford, Ontario, the School for the Deaf in Manitoba, and any other institution presently being operated by the government. It would put that cost right on the local board and the local levy, unless some other action is taken to offset it.

That is my presentation, Mr. Chairman. I will answer any questions.

MR. CHAIRMAN: Thank you, Mr. Martens. There may be some questions that members of the Committee wish to ask. Mr. McGill.

MR. MCGILL: Mr. Chairman, to Mr. Martens. I wonder in Section 9(1) your comments. I understand that in Manitoba there are a number of divisions that are in the role of receiving students from other divisions and that there are other divisions that would be classified characteristically as sending divisions. How many divisions in Manitoba would be in the main of receiving students from other divisions?

MR. MARTENS: Well, the main receivers, I would say, would be those divisions such as those which have a regional comprehensive school within the division - that is seven or eight of them now. St. Boniface would be another very good example, and the biggest of all would likely be the Winnipeg School Division No. 1. The receivers would be in the minority, although this bill, if passed as amended, would enlarge that.

MR. MCGILL: Would the passage of this section place an added burden on the receiving divisions as opposed to the sending divisions? Would it work sort of in favour of those who in the main send students away from their divisions to other divisions?

MR. MARTENS: In this case, in our opinion it would work against both. Under the old Act, the receiving school division had the right to refuse a student if they could not accommodate that student. They no longer have that right, and might have to hire an additional teacher because one or two additional students entered the division - well that would be an exaggeration - if three or four entered the division and made the workload too heavy for the existing teachers, especially in certain courses where there's a very low pupil-teacher ratio.

The other area - from the sender's point of view, we are very concerned about the definition of "make provision for:" As a parent, I think I could make a very good case that this should include transportation - which it does not now - room and board if the student had to be sent away from home a distance to Winnipeg. We'd like to know what that means, to "make provision for."

MR. CHAIRMAN: Mr. Green. Mr. McGill.

MR. MCGILL: I'm sorry, I wasn't quite finished, Mr. Chairman. On Section 9(2), this is a so-called mandatory clause, and we've had some assurances from the Minister that it won't be proclaimed until there's been a full discussion of the financial implications. But, Mr. Martens, if this clause were implemented would, in your opinion, there be a better quality of education available to those handicapped students than is presently available to them at those institutions that you have mentioned? If we were able to financially provide programs and teaching laboratories and so forth for deaf students and blind students, do you think that it would be possible by division to provide a standard of education for those handicapped people that would be at least equal to that which they are now achieving in the established schools?

MR. MARTENS: Mr. Chairman, in answer to that question, I would have to say there is no simple answer. In certain cases, yes, students could be better provided for in their home divisions, especially if this was the parents' desire, if that home division had funds to do that job. In certain other cases, it would be better to send that student away. Again, this varies by the student and the family wishes, whether the student remains in the mainstream of the program with the other students, or whether the student should be sent to a special school with other students with a similar handicap or a special need. So I'm afraid I can't give you a specific answer. We would agree with the philosophy of this if we could have some assurance

(MR. MARTENS cont'd)that provision would be made financially. I can give you the worst example, or just a standard example. What would happen in Duck Mountain if they had a blind student and had to send that student - in the student's best interest - to Brantford, Ontario? It would run in excess of a mill on the special levy for that one student alone. I agree that's probably the worst example, or the most expensive example that I could have used.

MR. MCGILL: I'm aware of one division with 8,000 students that has two or three students that would require special instruction because of deafness. Do you think it would be possible with that kind of a ratio - which might apply in other divisions - to get the kind of skilled teaching services that would be necessary to maintain a reasonable standard of education?

MR. MARTENS: I believe we could in certain cases. Again, I wouldn't want to give a definite yes or no, because sometimes it is in a student's best interest to leave that student in the mainstream. By all means provide special programs to assist that student, but in the main leave that student with the other students from the community. In other situations, the student must be put into a special situation like some of the schools for the deaf, the Ellen Douglas School here in Winnipeg and so on.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: With regard to Section 9(1), it has expanded considerably the options available to children, for them to be able to go to another division where their division doesn't feel a particular program is available. Now why would the Trustees' Association be against that? I mean, in Winnipeg, it may be that there was not a program where a child could be in a school where the language of instruction is French, but there is that program in, let us say, the St. Boniface Division. Now rather than Winnipeg being required - they now have a French language of instruction school - but rather than Winnipeg being required to set up such a school, they facilitated that child by sending him to the St. Boniface School Division. Now why would you be against that?

MR. MARTENS: I'm sorry, Mr. Chairman, if I gave that indication. We are certainly in favour of the philosophy behind this, the intent of it. Our only concern is the three items I mentioned.

MR. GREEN: But you don't deal with the three items. You say, delete the section from the bill.

MR. MARTENS: Delete the section, unless we can have a definition of "make provision for", a definition of a "program", and some protection also for the receiving school division.

MR. GREEN: Well, so then you are looking for those protections which are available if you will read Section 9(1). It says, subject to any regulations made under The Education Department Act. Now any such program would involve the enactment of regulations, and if you're worried that the regulations are going to be a problem, then I would presume that you want them in the Act. But your request is that we delete the section from the bill. Now if you say that there should be regulations enacted to see to it that there is no unfair imposition on the sending school, and no unfair imposition on the receiving school - although I don't see how with the receiving school, why would they not treat it as if it was another child growing up in that division? What difference would that make? I mean, it wouldn't make any difference at all to receiving an additional student of that kind, or an additional 10 students of that kind. They would still get their grants, they would get financial support from the sending school division. Why would it be a problem for the receiving school division?

MR. MARTENS: To answer your last question, Mr. Chairman, through you to Mr. Green. It would be an imposition on the receiving school division if their program was now full. A specialized program like welding, you can only get about 12 students into a classroom.

MR. GREEN: Well then what do you do when there is a thirteenth in your division?

MR. MARTENS: You do some juggling, or you break it into two classes - not at 13 certainly. You reluctantly accept the thirteenth, and you add extra precautions for safety.

MR. GREEN: So then the receiving school division would be in no different position than if they had an additional student from their division, or an additional two students from their division. The fact is, the financial provision would be made from the sending school division.

MR. MARTENS: Yes, there's no question that the sender would have to pay the residual costs.

MR. GREEN: Well, we have this provision, I am certain, in the Greater Winnipeg School Division and the outlying divisions. I'm certain we have it, because I have used it. I say that the Manitoba School Trustees' Association, of all people, should be wanting desperately

(MR. GREEN cont'd) to provide this kind of flexibility within the school division.

MR. MARTENS: Mr. Chairman, 465(19) we fully agree with. Certainly it does not make sense to establish every program in every division for one or two pupils, and that is why we agree with the philosophy of this. All we ask for is that you give us a little clearer definition of what "make provision for" means, and give some protection to the receiving division as they now have in the existing Act, and define "program" - perhaps not as rigidly as it is defined in the present Act, but define "program" so that parents and students can't abuse this section.

MR. GREEN: So then you would amend your brief, and not delete this section from the bill, but amend this section to take into account the concerns that you have raised.

MR. MARTENS: That is correct.

MR. GREEN: Thank you.

MR. CHAIRMAN: Mr. Graham.

MR. GRAHAM: Mr. Martens, when you're talking about programs, and the moving of students from one division to another, at what point in time does a school board usually inform another school board of their intention to move students out of their school board into another division?

MR. MARTENS: It's interesting that you ask that question. That is one good thing, I should have mentioned, about the present 465. It will now require that the sender know that the student is going before he or she goes. Up until now, the sending division only knew that they had lost a student, for example, to St. Boniface when they received a bill from St. Boniface. Now in that regard, this amendment is better than the present Act. We are happy about that. I'm sorry I forgot to mention that.

MR. GRAHAM: At the same time, you are able to tell us at what point in time these divisions are notified? Is it when the school year starts, or is there two or three months advance notice?

MR. MARTENS: Well certainly planning for the upper grades, from two on, or Grade 1 on, if the student has been in kindergarten, has already taken place at this time of the year - plans for where that student will be housed next September. So where possible, I'm certain administrators would do this months in advance. But that's not always possible.

MR. GRAHAM: So then the problem of programming, and the possibility of having to add a teacher at the last minute under the suggested changes here, does give sufficient time for additional teachers to be hired if it's necessary.

MR. MARTENS: Sometimes it will, yes, and other times it won't - I'm sorry, I can't give you a definite yes or no on that.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Just on the same subject. I gather this is a continuing problem. This problem that you're talking about has nothing to do with one school division sending another school division children. If I move to your school division now, you would have to take my child into the school - or if I moved in January or February. So the problem of new students coming in in the middle of a program and adjusting, is one which this would be a minor part of.

MR. MARTENS: Yes, that would relate equally to subsection (2) . . .

MR. GRAHAM: That means they're usually special programs.

MR. CHAIRMAN: Any further questions? Hearing none, thank you Mr. Martens.

MR. MARTENS: Thank you.

MR. CHAIRMAN: We have one more gentleman that wishes to make a representation on Bill No. 48, Mr. H. Crewson representing the Manitoba Health Organization Incorporated. Mr. Crewson. Do you have copies of your brief?

MR. CREWSON: It's not a brief, Mr. Chairman.

MR. CHAIRMAN: Fine, would you proceed please, Mr. Crewson.

MR. CREWSON: Mr. Chairman, in respect to Bill No. 48, our organization which represents all of the hospitals and almost all of the non-profit nursing homes in the province, as well as other health facilities in the province, wish to indicate our support for Bill No. 48.

But there is one particular item in Bill 48 with which we would see some difficulty and would ask the indulgence of the committee to deal with it, and that is in respect to Section 22(1) and 22(2) dealing with the acquisition of facilities and the disposal of lands. In that regard, we note that Bill No. 43 under The Health Services Insurance Act has, we hope, an amendment as a result of representation last week to this committee in regard to its relationship to capital

(MR. CREWSON cont'd) expenses for which there would be ministerial approval required in the event of disposal.

We would ask for similar consistency in Bill No. 48. We felt that perhaps to simplify the matter in the minds of the boards of the many health facilities, that it would be possible to combine 22(1) and 22(2) so that it could read: "The board of a district may acquire by purchase, lease, gift or otherwise, facilities, lands or premises within the district for its purposes, and construct facilities on any land so acquired, or convert any buildings on the land for its purposes; provided, however, that where capital financing is received from the commission by the board of a district, the board shall not acquire, sell or otherwise dispose of facilities or lands or premises without the consent of the Minister; and the Minister may impose conditions on the granting of any such request so as to protect the financial interest of the Government of Manitoba in the acquisition, sale or disposal." We would see that as being consistent with the amendment that we hope will be passed by this committee in regard to Bill 43. The rationale behind it, perhaps this committee has already been exposed to. Basically, it boils down to the fact that in many cases we have the owners in the name of the board of a health facility who do not have financing that has been provided by government in terms of its capital, and we see no reason under those circumstances to have to have ministerial approval. We can understand, however, where there is financing by the government, that such approval would be reasonable, or the seeking of such approval.

The other point - and I think our people feel that this is just as important, is the fact that when you consider the number of circumstances under which the board of a district might be involved in the matter of acquiring or disposing of buildings and property, we can see where it would be quite a fantastic chore, in terms of processing approvals, for what could be relatively minor aspects. Take for example the situation in which a community has attracted a doctor; that doctor indicates that as a condition of coming to that community he wishes to have them provide for him a residence under given circumstances, and/or office space under given circumstances, and that community would wish to act, and that board would wish to act rather quickly without any long drawn out requirements for the approval. And as long as they do not involve the capital financing by the government, we would see no reason why they couldn't proceed.

Circumstances similar to that of the doctor would apply to any other type of professional personnel that might be employed by the board, and for that reason we think that to have it on the basis of approval by the Minister only where financing is involved on the part of the government is a more reasonable approach.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Crewson. There may be some questions that members of the Committee may wish to ask. Are there any questions? Hearing none, thank you.

That completes the presentations. I would now refer honourable members to their bills. Bill No. 43, and Act to Amend The Health Services Insurance Act.

BILL NO. 43 - AN ACT TO AMEND THE HEALTH SERVICES INSURANCE ACT

A MEMBER: Page by page.

MR. DESJARDINS: Mr. Chairman, I wonder if I could make a statement at this time. I think it might be easier for the members. I understand that there was a bit of confusion last week, and I apologize for that. It was certainly something that shouldn't have been and I want to assure the members, and the delegation, that we will bring an amendment on Clause 7. It was never the intention to - this wasn't meant to cover the proprietary nursing homes because that is their own property involved. I think the easiest thing is if I would read at this time the amendments that I propose to make.

That the proposed Section 96(1) of The Health Insurance Act as set out in Section 7 of Bill 43 be struck out and the following section substituted therefor: Restriction on sale of real property. 96.1 No hospital or personal care home that has received payments under this Act towards the payment of capital expenses incurred for construction or major renovation shall, without the consent of the Minister, sell or dispose of any real property that has been used for the provision of insured services; and the Minister may impose conditions on the granting of any consent given for the purpose of this section.

This is for capital only and this does not cover - it has nothing to do at all, this bill has nothing to do with the proprietary nursing homes.

MR. CHAIRMAN: Mr. Minaker.

MR. MINAKER: Mr. Chairman, through you to the Minister. I wonder if the Minister would advise that per diem rates would not be deemed a capital expense or payment.

MR. DESJARDINS: No. I think that per diem rate . . . of course the people that are receiving per diem rates will take care of their obligations as far as their capital, but you must remember first of all that I would say that we're practically looking at services for the Commission, and secondly, these people - you must remember that there is, I think it's \$5.25 now that is paid by the patient, that could be construed as a payment towards the capital. But it is not the intention, it was never meant to be, and it isn't any more now.

MR. MINAKER: Mr. Chairman, would the . . .

MR. CHAIRMAN: I wonder if we could discuss that when we come down to that section.

MR. MINAKER: All right, fine. Sure.

MR. DESJARDINS: I just mentioned that because I thought it would prevent . . .

MR. CHAIRMAN: Recommended that we proceed page by page? Page 1 - passed; Page 2 - I believe there is an amendment.

MR. DESJARDINS: Could you accept my amendment as read on 7, seconded by Mr. Green.

MR. CHAIRMAN: Perhaps Mr. Green would like to move it.

MR. GREEN: I'll do anything for my colleague, Mr. Chairman.

MR. MINAKER: Mr. Chairman, would the Minister give consideration to the addition at the end of what he has proposed, that per diem payments for services to homes will not be considered as payment for capital expenses? Would they give consideration to that? Then it would be very clear that there would be no misunderstanding in later interpretations.

MR. DESJARDINS: I think it is very . . . now. I don't think we have to modify the amendment that I just moved, Mr. Green just moved. I think that especially with this owner's equity it's not going to be required any more. It might be that part of this money for the per diem on the existing hospitals, and so on, will have to be repaid. I can assure you that this is not - this has nothing to do with the - it was never meant to be, and that it has nothing to do with the proprietary nursing home, and I think this amendment makes it quite clear. They've never received - if they have received, well then they're like everybody else, but I don't know of any proprietary nursing home that has received any money for construction or grant or payment, or anything like that.

MR. MINAKER: Mr. Chairman, the main reason for raising the point at this time was when the Minister was away at the last Law Amendments Committee hearing, that the Minister of Municipal Affairs who was presenting the - or I mean of Urban Affairs, who was presenting the bill at that time, was under the impression that any per diem payment, even to existing proprietary homes, would be considered as a capital payment. So this is why I'm wondering if the . . .

MR. DESJARDINS: If I may, Mr. Chairman. I think that the - and this is why I apologized to the members of the Committee - I think that the Acting Minister who introduced the bill for me in my absence wasn't too sure of the meaning when these questions were asked. Now I think the trouble was, there was a mistake from the start. The word "capital" should have been in there. After listening to this I think this amendment is even better. So, you know, I think with my assurance that this is not meant to be and with this - it was worded by Mr. Tallin - I think that this makes it clear.

MR. CHAIRMAN: Mr. McGill.

MR. MCGILL: Mr. Chairman, I think in connection with this amendment it certainly does add some clarity to the situation and gives some protection to the proprietary operators. I wonder if the Minister now could tell us whether there will continue to be restrictions in terms of the sale or transfer of these assets or facilities. I wonder if the department will continue to have in effect a freeze on the transfer of licences in the proprietary care field. I think this would be a matter of interest to the proprietary operators.

MR. DESJARDINS: Mr. Chairman, this is something completely apart from the bill. This is the statement I made. It wasn't meant to cover these people, and when the policy - I think that during my estimates this was mentioned and I said that we were looking at it now; I agreed that they should have more information. I think we have to be fair with these people, and the policy of government hasn't been finalized. There have been some people that have expressed their own personal views, and when this is done they will be informed, and the public will be informed, and the members of the House will be informed. But this is not

(MR. DESJARDINS cont'd) . . . something that I would want to discuss at this time. It has nothing to do with this at all. I'm just assuring that this does not cover, is not meant to bring any restriction at all on the proprietary nursing homes.

MR. MCGILL: There's no restriction on the sale of their assets.

MR. DESJARDINS: No, I didn't say that. I say that this doesn't change anything, this Act. It doesn't change anything at all. And I say that this policy will be announced fairly soon, whatever the policy with the nursing homes.

MR. CHAIRMAN: The resolution before the committee - Mr. Bilton.

MR. BILTON: Mr. Chairman, this item 96.1, I accept the amendment proposed by the Minister but I wonder if I might not go so far as to say, if I may read it as I see it: No hospital or personal care home that has received payments excepting per diem payments under this Act. I wonder if he would go for those three words.

MR. DESJARDINS: I answered that already, Mr. Chairman, from one of the members.

MR. BILTON: Well we don't hear too well at this end. The Minister is not speaking as loud as usual but I'm suggesting those three words.

MR. DESJARDINS: I'm not mad yet, Jim.

MR. BILTON: Well I'll get mad with you.

MR. DESJARDINS: No, I think that this amendment is quite clear in the statement that I made. I don't think there's any need for that at all.

MR. BILTON: Okay.

MR. CHAIRMAN: Resolution - Motion to amend Section 7 96.1 - passed; Page 2 as amended - passed; Preamble - passed; Title - passed. Bill be reported.

BILL NO. 47 - AN ACT TO AMEND THE SOCIAL ALLOWANCES ACT

MR. CHAIRMAN: Bill No. 47, an Act to Amend The Social Allowances Act. Page by page? (Agreed) Page 1 - passed; Page 2 - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with Page 2, and in particular Section 5(5), The common-law relationship. There is a change in the wording on this. Can the Minister tell me if he expects that the rewording here will eliminate any of the problems that have existed in the past and if so, how does he expect it will eliminate them?

MR. DESJARDINS: Mr. Chairman, I think that it might . . . as the people that in effect are living common law and one of the persons will claim that this is the star boarder or something, and then they want to collect social allowance, and so on. This is what we're trying to stop. They would be classified as living as man and wife.

MR. GRAHAM: Do you think that this amendment, or this change in the wording, will make it easier to prove that they are living common law? The change in wording isn't that much different.

MR. DESJARDINS: Well I don't say that it's going to be foolproof but I think that it will make it easier. I think that you can claim that they're living - if not, they will say it's a boarder, well fine, then you would insist that they pay the proper rent. I think it would help. I'm not saying that it's going to solve everything that's possible, but I think it's a step in the right direction for better administration and less abuse of the social welfare.

MR. GRAHAM: Does the Minister intend to use third party witnesses in order to prove a common-law relationship?

MR. DESJARDINS: No, this is something that I'm sure - we don't do this. This is something confidential. Mind you if we get some information from somebody, any information that we get in this field we check. But we don't intend to set up a police force to see if the people are - or to encourage peeping Toms to see if they're common law.

MR. CHAIRMAN: (The remainder of Bill 47 was read page by page and passed) Bill be reported.

BILL NO. 48 - THE DISTRICT HEALTH AND SOCIAL SERVICES ACT

MR. CHAIRMAN: Bill No. 48, The District Health and Social Services Act. The Honourable Minister. Page 1.

MR. DESJARDINS: Mr. Chairman, I wonder again if I can make a statement. Mr. Crewson representing the Manitoba Health Association has made the suggestion that we amend Section 22(1) and 22(2). Well I think that 22(2) we would be ready to amend 22(2) to make it consistent with the other, but as far as 22(1) we would have a concern that we wouldn't be ready

(MR. DESJARDINS cont'd)to amend this for the simple reason that the capital is not necessarily the most expensive thing, maybe it's the operating cost. And if something is done without being approved then we're locked in with the operating costs, and this could be quite dangerous. Now I'll let you read it. This is the amendment by the way . . .

MR. CHAIRMAN: Could we wait till we get to that section? On Page 1, I would ask you to make a slight correction. Where under "Definitions" it's (1) it should be 1 and then 1 in parentheses (1). Would you make that change on your bill. The figure 1 before the figure 1 in parentheses.

(Page 1 with correction and pages 2, 3, 4, 5 and 6 were read page by page and passed).
Page 7 - The Honourable Member for Brandon West, Mr. McGill.

MR. MCGILL: I don't know just exactly where it fits into this but I'd like the Minister of Health perhaps to explain to me how the private agencies are going to integrate under the district health system here. Can you give us some explanation of that?

MR. DESJARDINS: Well I think the intention of this board is to make it easier for the communities to prioritize and to take over the administration of certain services. Most of them now are presently done by the government. Now where you have these volunteer organizations, and so on, they would just fit in as the board wants it, and keep on working for the board, the way they are now. If it is felt that this is the best way to proceed, I can't see any difficulties in that at all.

MR. MCGILL: What about the Children's Aid Societies?

MR. DESJARDINS: Children's Aid Societies are a placement agency that would keep on the way they are now. I don't know how many would . . .I think it will be a while before the Children's Aid Societies, that service is incorporated, and I think we have a long way to go before this is done.

MR. MCGILL: You mean that the district board would be established as a single integrated delivery system without the Children's Aid Society in it?

MR. DESJARDINS: No, I didn't say that. I say the Children's Aid would deliver that service for the board the way they are doing it now for the government. I'm not saying that this is going to happen forever. There might be some reason that this could be modified. But I'm saying that it's not the intention of modifying it now and there is nothing that would prevent them from continuing the way they are now.

MR. MCGILL: What would happen to their employees? Would they become employees of the board?

MR. DESJARDINS: No I don't imagine so. I think that the board would just contract for services the same as the government is doing now.

MR. MCGILL: Would the Children's Aid Societies still retain authority over the programs which they deliver?

MR. DESJARDINS: If nothing has changed, if these boards contract for their services there wouldn't be any change at all that I can visualize.

MR. MCGILL: I just don't see how a district health board could be a single delivery system and not have . . .

MR. DESJARDINS: . . . for instance could have a contract with the Victorian Order of Nurses, and they still run their own show and they give them a payment for that. They could have a contract for delivery of certain services, they can buy certain services from the Children's Aid Societies, the way we do now, the way the government does now, and I can't see why there should be any changes.

MR. MCGILL: Well it just doesn't seem to fit with this concept where the board would be in charge of the delivery . . .

MR. DESJARDINS: Well the board is in charge. That doesn't mean that they have to deliver all the services themselves. I don't think that anything prevents a board from saying, "We're going to hire so and so to give us, or we're going to buy the services from these people." This is something that the board will have to decide, but I can't see anything in this bill that would prevent them from doing that if this is what they want.

MR. CHAIRMAN: Page 6 - passed; Page 7 - passed; Page 8 . . .

MR. DESJARDINS: That's where the amendment is.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: I move, Mr. Chairman, that subsection 22(2) of Bill 48 be struck out and the following subsection substituted therefor: Disposal of real property. 22(2) A board that has received payments from the government under this Act towards the payment of capital

(MR. GREEN cont'd)expenditures for the acquisition, construction or major renovation of facilities shall not without the consent of the Minister sell or dispose of any real property that has been used for those facilities, and the Minister may impose conditions on the granting of any consent given for the purposes of this subsection.

MR. DESJARDINS: This would be accepting the recommendation of Mr. Crewson for 22(2) but refusing the 22(1) for the reasons I stated.

MR. CHAIRMAN: Mr. Minaker.

MR. MINAKER: Mr. Chairman, can you read those - I think the first three lines - over again. It wasn't quite clear how they defined who was giving the capital or who they were receiving the capital from.

MR. CHAIRMAN: Right. I'll do that. 22(2) A board that has received payments from the government under this Act towards the payment of capital expenditures . . .

MR. MINAKER: That's fine. Thank you.

MR. DESJARDINS: This would make it consistent with the change in the other Act, the other amendment.

MR. CHAIRMAN: 22(2) as amended - passed; Page 8 as amended - passed; Page 9 - Mr. Graham.

MR. GRAHAM: Mr. Chairman, dealing with Page 9 and The Civil Service Act and the Civil Service Superannuation Act, can the Minister indicate to what extent he can envisage the shifting of employees under The Civil Service Act here?

MR. DESJARDINS: Which clause is that?

MR. GRAHAM: On 25 and 26.

MR. DESJARDINS: I think that you would have the same thing that you have now, where maybe another corporation have taken the service formerly delivered by the government, they would become the employees of this corporation, and this corporation would see that the total package would be not less than what they have under the present thing and would try to place all the employees. Under this board, they would automatically be transferred.

MR. GRAHAM: Can you see a significantly large number of employees being transferred?

MR. DESJARDINS: This is quite difficult to say, Mr. Chairman. I can assure the members of this committee that I'll probably be back with some amendments next year on this. We've asked for flexibility; we could have, you know, tried to dot all the "t's" as was mentioned in the House; we never would have got off the ground. Now it was said that we would control - there's no way that we would control. We're controlling more now, most of the service, and there is no way we're going to set up boards without - there is no way that people will agree to this. Let's say phase 1 is marrying the two, the personal care home and hospitals, and those people would not agree to us setting up a board without representation from their board, good representation. So I think that there shouldn't be any fear on that, I am sure that we want this flexibility to be able to work this on, and I'm sure that there will be some amendments.

Now as far as the number of these people, this is quite difficult because, you know, it depends. It will be left to the board, the people in the community, to see the service that they want to administer. It might be just the hospitals and personal care homes, well then there is nothing. Then they might take over people that are - now I'm going by the government - civil servants working in the public health field. They would be transferred to the board. You know, I can't - I hope that it's going to be fairly fast. The first year or so we will see how it works. There is people waiting who want this, we'll take these people first - there won't be any pressure at all. Then I'm sure that trial and error will be the best way to come back here and get the proper amendments. But I'm afraid that I can't answer and give you the numbers. It depends on how many communities are interested, and what service they want to deliver.

MR. GRAHAM: Well, Mr. Chairman, I'm a little concerned about line 3 in Section 26, where it says this may be made to apply to all or some of the employees of the board. I was just wondering if this would not create some problems to the board if some of their employees were civil servants and some weren't - could they all become civil servants, or it could create staff problems?

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: There are two Acts involved here. One is The Civil Service Act and one

(MR. TALLIN cont'd) is The Civil Service Superannuation Act. The Civil Service Act is essentially a service that the Civil Service Commission could render to the board in the employment of people, in hiring people, screening applicants and that sort of thing. Some areas of the board may already have a service of that kind. A large hospital in one of these districts might already have a personnel manager for the hospital, but they may not have a personnel manager who is interested in hiring sanitary engineers or knows anything about how to deal with that one. So the Civil Service Act may be made to apply to certain groups of employees that the present administration don't deal with normally.

With respect to The Civil Service Superannuation Act, there is a real problem, because some of the people that will be going to these boards may have been already under The Civil Service Superannuation Act; other employees of the board will be hospital employees who are covered under the hospital employees' pension scheme and they don't want to be shifting back and forth in and out of one and the other. So that this was made as flexible as possible to allow the Civil Service Superannuation Act to be made to apply to those employees who are not covered by another pension scheme.

MR. GRAHAM: Mr. Chairman, I was wondering if the Minister could pay particular attention to this, how The Civil Service Act and The Superannuation Act apply and give us a report next year, paying particular attention to whether or not it does create any problems - if there are any areas where this does come into effect.

MR. DESJARDINS: This is something I'm sure that you would want to discuss during the estimates - if I'm still the Minister, I'll be pleased to try and give you a progressive report. There is no doubt that we will look at this quite carefully. As I say, we might be back with some amendments to this Act.

MR. GRAHAM: Mr. Chairman, I only raise this at this time because it's only in Committee that we can have this discussion. We cannot do it on second reading or on third reading.

MR. CHAIRMAN: (Pages 9, 10, 11, 12, 13 and 14 were read and passed) What section, Mr. McGill?

MR. MCGILL: Well, just on the bill.

MR. GREEN: On the motion that the bill be reported.

MR. CHAIRMAN: Well, can I just finish the preamble and title. Preamble - passed; Title - passed. Shall the bill be reported? Mr. McGill.

MR. MCGILL: Mr. Chairman, I would just like to summarize our position with respect to this bill to make sure there is no misunderstanding. We agree with the concept of the single delivery system of health programs and health care. We do not however support the bill, because it is drawn in such a way which centralizes authority almost completely in the hands of the Minister and the Lieutenant-Governor-in-Council, and leaves little or no authority in the hands of the district. It isn't a bill that lends itself to amendments, simply because that trend and that principle runs all through it. So again the concept is acceptable, the bill we cannot support, and we would ask for a division on this.

MR. CHAIRMAN: All right. Shall the bill be reported?

A COUNTED VOTE was taken, the results being as follows:

YEAS 14; NAYS 8.

MR. CHAIRMAN: I declare the motion carried. Bill be reported.

BILL NO. 52 - THE DENTAL HEALTH SERVICES ACT

MR. CHAIRMAN: Bill No. 52, the Dental Health Services Act. Page by page? (Agreed) Page 1 - passed; Page 2 - Mr. McKellar.

MR. MCKELLAR: Mr. Chairman, on Section 5 - Exemption from liability. Why should this exemption from liability be in this bill. Should not it be treated the same as any other dentist that's in the profession? Why should the government be exempt? I can see no good reason why. If a dentist is performing duties for the government, why should he be let off the hook in case he does damage to a person's jawbone or some other related problem? Is this government policy right through, where they're all exempt from liability?

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: I think that we would find ourselves in the same position as a hospital, for instance. Privately, the dentist would be liable; if he's a civil servant, well then we could have the same liability as a hospital.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Section 5 says the "Minister", not the dentist.

MR. DESJARDINS: You'll see when I declare my assets . . .

MR. GREEN: At least that's the way I read it. The Minister is exempt unless the dentist is an employee, in which case the doctrine of employer liability would apply, vicarious liability. Pardon?

MR. BALKARAN: . . .

MR. GREEN: That's right. I said it in English. But the fact is that the dentist would still be liable for negligence to his patient.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: I want to go back to Page 1. I attempted to get your attention, but it was difficult at this end of the table to catch your eye.

The point I wish to bring up, Mr. Chairman, is that the other evening when we held the hearings of this committee - the presentations by both the dental workers, the Association of Dental Hygienists and Dental Workers, along with the dentists themselves - indicated some very strong concerns that the detailing of Sections (a) to (i) under Section 2(1) was not an adequate protection against the - or could lend itself to some abuse in terms of not specifying which functions specifically should or has to be performed by a dentist, that the way the Act reads it could be used or so interpreted to allow dental workers to perform all or any of these services. It was a very clear statement by the dental workers themselves, that they feel that for their own protection, that they would want to have a clearer spelling out under this provision of exactly which services would be performed by dental workers and which would have to be performed either by dentists or under the supervision of a dentist. I think to leave the Act this way - as it goes down in future years it could lend itself to that kind of difficulty, that a dental worker might under circumstances end up performing some of the services for which they don't have the training or the skill and it would be an imposition on them. So I would like to suggest, Mr. Speaker, that in this particular provision some amendment be made in order to specify more clearly which services are those which can be performed by dental workers, but those which must be performed under the supervision by a dentist or by a dentist directly.

MR. DESJARDINS: Mr. Chairman, this section outlines the services which may be provided. It does not indicate who will provide them. That will be covered in the next bill under regulations.

MR. AXWORTHY: Mr. Chairman, just in reply to that. That's the difficulty. I think that - as we've noticed in dealing with all these bills, almost everything is left up to regulation, that there should be some statutory protection, and there was not statutory protection provided for the workers themselves who felt that the bill as it now stands, as wide open as it is with all these provisions of services that could be applied. The Minister wasn't here, which is unfortunate, but I would have hoped he would have looked up the transcript before arriving. We asked the representatives of the Dental Workers Association and the Hygienists to be specific as to which provision from - I don't have the actual number here, I think it was from (d) to (i) they felt should be specifically designated as the only services that would have to be provided under the provision of a dentist.

MR. DESJARDINS: Mr. Chairman, I don't think that the Dental Association Act specifies the detailed qualification of a dentist either. I think that the reason for this - and I know that there was a lot of discussion on this - I would like to explain why these bills come in in this form. It seems you're damned if you do and you're damned if you don't. Now these bills make it clear that we could have either a private plan administered by the doctors, or a public plan, or a combination of both. Now there's one thing that I resent - and I informed the president, who I might say apologized for the statement that he made, that I didn't discuss this in good faith with him. We've had meetings after meetings with these people; I've set out a committee that worked with them and that had representation from experts. They have presented another brief; we've had people that have gone back to look at the plan in Saskatchewan and to look at the situation in Quebec where they had a private plan; where they're talking about maybe following the Saskatchewan plan, and I met them just about a week or so ago. I told them that as far as I was concerned I had no hang-up about a private or public plan, it was what would serve the public the best. And also the cost will be a big factor. Now there is flexibility in this and some of these things will be done. I think that some of the members of this House have criticized the government in the

(MR. DESJARDINS cont'd) past for going ahead without knowing what the cost will be, for going ahead too fast in certain things, and this is what we're trying to prevent at this time. There is ongoing discussion with the dentists and with other people. There is going to be a lot of work done on this and there is a possibility - well it could be either public or private or a combination of both. So if we're going to get off the ground - there has been a commitment for three years now - we've got to start training these people; we've got to first of all set up a program, and this is what we're asking. This is what we're asking. It could be a very strict bill that would force us to do something without looking at the benefit of the best possible plan, and now by presenting the bill in this manner it gives us more leeway to use the best possible plan, and this is what we aim to do. Now the regulations will bring that and be as tight as what they have in the present Dental Association Act. It will be more than that. The regulations will be very clear, and this will be done and administered by dentists. There will be the supervision of dentists.

MR. AXWORTHY: Well, Mr. Chairman, my point was not to debate the merits or demerits of a public or private plan. The point that was made the other evening was the debate between those services that would be provided by a professional dentist who had completed the full training of a dentist, and those which would be provided by auxiliaries. The Act makes no designation between which services should be provided either by a dentist or under his supervision, or those which could be provided unilaterally by an auxiliary, however well trained they may be, even if they're a dental nurse. I think that the point that was made by both dentists as well as the dental workers, is that they wanted some protection in the Act so that they would not feel under certain circumstances that they might be compelled to perform certain services for which they would not be professionally trained, and that therefore and as a result they need that protection. We've certainly seen enough problems with malpractice suits and all the rest of it. They simply say, they don't want to be forced into a position where they're doing things that they shouldn't be doing. --(Interjection)-- Well, let me complete because an interjection was made, "Who's going to force them?" There was a clear example by the member who made the interjection where in many cases dental workers working in isolated areas were in fact performing some of these services.

MR. OSLAND: But who would force them?

MR. AXWORTHY: That's the problem. I think that they really want some . . .

MR. DESJARDINS: Some of what services?

MR. AXWORTHY: Well some of the services which a dental worker should not be performing.

MR. DESJARDINS: Who said that?

MR. AXWORTHY: They did. They did.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Mr. Chairman, I'm not sure that I understand the objection. I want to see whether I can clarify in my own mind, if not for the other honourable members. There are presently laws as to who can do dental work. I assume that they are contained in . . .

MR. DESJARDINS: Regulations, not in the Act.

MR. GREEN: No, but I'm talking about laws with regard to the performance of dentistry, and what is dentistry. That law is not changed as I understand it by Section 2(1). The law with respect to how dentistry is performed, who can perform dentistry, and what dental work can be done by a non-practicing dentist or non-professional dentist, is not changed by this bill. The honourable member says that some people are now doing dental work that are not qualified to do so in the north. You know my older brother or my older sister used to do dental work. She used to tie one tooth to a doorknob and then close the door. That was unqualified. It was unqualified, but it was being done. Now that is not changed by this Act. Section 2(1) merely - Section 2(1) merely sets out --(Interjection)-- I thought you were referring to Page 1, Section 2(1). Well Section 2(1), Mr. Chairman, merely says, merely says what the Minister can make arrangements for. Now the honourable member says Section 7 modifies it all?

MR. AXWORTHY: No, I'm saying that under Section 7 there is a removal of restriction. It says nothing in the Dental Association Act prohibits or restricts a dental

(MR. AXWORTHY cont'd) assistant from providing any of these services. So therefore it means if that is eliminated under Section 7, any of the services under 2(1) could be performed by a dental worker.

MR. GREEN: I see. You are referring to Section 7.

MR. AXWORTHY: Yes.

MR. GREEN: Not Section 2(1).

MR. AXWORTHY: A combination of the two means that under Section 7 you eliminate the protection that used to be under the Dental Association Act, and therefore there needs to be some designation under 2(1) as to which of those services - either that or get rid of Section 7.

MR. CHAIRMAN: Page 1 - Mr. Graham.

MR. GRAHAM: Mr. Chairman, not too long ago in the House we had a bill, I believe it was Bill 16, which the Minister of Mines brought in and to his credit he spelt out very clearly in the Act what the intent was rather than leave it to regulations. Here we find the exact opposite seems to be taking place where the Act is very very very broad and everything will be in the regulations. So I would hope that if we are moving towards spelling out in legislation what we want in legislation, then I think we should be consistent throughout and just not apply to one Act and not to others.

MR. DESJARDINS: I might say, Mr. Chairman, that under the present situation that a dental technician can do anything that the dentist will let him do. There's nothing in the Act that gives the role of what the dental technician can do. Exactly the point covered by Mr. Axworthy is not covered now, is not covered now in regulation in this other bill.

MR. URUSKI: Mr. Chairman, Mr. Axworthy made the point that they were concerned about it. What the workers in their representations were concerned about is that they would have an opportunity to upgrade themselves so that they could work within this Act. That was their position, and not that they would be performing duties . . .

MR. CHAIRMAN: Order please. Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I'm not sure if the Minister and I were at the same meetings, because in addition to that position, which of course was true, that they were interested in upgrading. Now the Minister of Autopac, that the position they made very clear though is that because - well let's clarify something. People talk about sisters pulling teeth with strings and that anything is kind of going now, the point is we are introducing an Act which is being paid for by public funds. Therefore it is qualitatively a different kind of program. It's not the same. Therefore we should insure that there is proper protection under this Act for quality dental services. And the statement very clearly and unequivocally by the workers themselves, and by their representatives, was that they don't feel that even being upgraded as far as a dental nurse, that they should be performing the services enumerated under Section 2(1). And if you combine Section 2(1) with Section 7 which eliminates any restrictions under The Dental Association Act, they were quite concerned that there be some detailing or designation of those services that would be provided by dental workers, and those that would be provided by dentists or under supervision of dentists. The Minister says we will take care of it in regulations, but the point we're making is that that is an important enough, that the protection is significant enough, that it should be a statutory protection not something that is to the whim or whimsy of the Minister and the orders-in-council that he passes.

MR. DESJARDINS: Well, Mr. Chairman, I don't think that that is quite fair. It is certainly not going to be at the whim of the Minister. I'm not a dentist, I don't profess to be. The regulation will give you this that you haven't got now. A worker in a dentist's office could do pretty well anything. Now this will be set by regulation, there will be inspectors that will be making sure that the regulations are being followed, and so on, and you certainly will have an improvement. I can't see where that matters that much. The standards will be looked after, I can assure you of that, and in the event that --(Interjection)-- No, I'm not asking you to buy, I am saying that it's going to be in the regulations. I'm saying that you haven't even got that now. You haven't got it in the regulations, you have nothing. These people out there working in a dentist's office could do pretty well anything that the dentist will let them do.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: I would like then to ask the Minister a question. Is he prepared to withhold the enforcement or implementation of this Act until such a time as he can sit down with a combined group representing the Dentists' Association and the dental workers to make sure that the regulations detailing this program is done on a mutually consultative basis so they can get those assurances, because they did feel that they hadn't been consulted adequately enough. It seems that the dental workers themselves had not been consulted, and would the Minister be prepared to make that commitment that from the time that this Act is passed until a period of three months or six months hence, the Act would not be implemented until such a time as that consultation can take place, and those regulations and detailings worked out so that it is mutually accepted, and those assurances are given. Because frankly, Mr. Minister, they are worried, and I think it's up to this committee to take into account that kind of concern. And it's not enough for you to say, you and department officials are going to proclaim regulations unless there is an accompanying assurance that those regulations will be based upon a full understanding of the position and concerns of the people who are going to have to make this Act work.

MR. DESJARDINS: I'd have no hesitation in saying that because that has been exactly what I have done. I've discussed it with these people; discussions are going on now with the Dental Association constantly. As I say, we had a joint committee that worked in the last three months, or so, and that are still working, so these things will be discussed with them. I have no fear of that at all. In fact some of this was already discussed. I've asked some of these members point blank because they had an amendment; they had a suggestion in one of their meetings that dental technicians should not fill teeth. And I asked them if they meant that, and they said, well that could be changed, we didn't have a quorum, and so on. This is being done. I'm not saying now that we will give any of these associations a veto, and if they don't agree with it well we certainly will discuss this, keep on discussing this the way we are now.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, can I . . .

MR. DESJARDINS: Excuse me. And we will see what's going on in other jurisdictions that have different plans also.

MR. AXWORTHY: I just want to clarify the Minister's statement, and that is that he's prepared to withhold the proclamation and enforcement of the Act until such a time that there is a full discussion of the nature of the plan with the different representatives of the different dental bodies, workers, dentists, college faculty, etc.

MR. DESJARDINS: No, not of the Act.

MR. AXWORTHY: And that the Act would not be proclaimed until there is at least some acceptance or agreement as to what the definition of those regulations should be.

MR. DESJARDINS: No, I don't think there's any need for that, but there certainly won't be any program until this is done. I don't think that we have to worry about waiting for proclaiming this Act, but there will definitely not be a program - there is no program that is definite yet. As I say, I'm discussing it with them and it could well be that it could be a kind of, well, using the public sector and the private sector. That could well be. So I don't think that we have to wait proclaiming this Act, but I can tell you that the regulations, and so on, will not be, and that's the same thing. The regulations will not be done without proper discussions with them. That I commit . . .

MR. CHAIRMAN: Page 1 - passed; Page 2 - passed; Page 3 - Mr. Minaker.

MR. MINAKER: Mr. Chairman, I would like to . . .

MR. CHAIRMAN: I believe there is an amendment to . . .

MR. DESJARDINS: Who's got it?

MR. CHAIRMAN: Mr. Hanuschak, would you move the motion.

MR. HANUSCHAK: Mr. Chairman, I wish to move that Section 7 of Bill 52 be amended by striking out the word "that" in the fourth line thereof, and substituting therefor, the words "The Dental Health Workers."

MR. MINAKER: What's that again?

MR. CHAIRMAN: That Section 7 of Bill 52 be amended by striking out the word "that" in the fourth line thereof, and substituting therefor, the words "The Dental Health Workers." Then the last line would read "dental health services prescribed in the regulations made under The Dental Health Workers Act."

Mr. Minaker.

MR. MINAKER: Yes, Mr. Chairman. After that big amendment I feel now that I can voice the position of our party on particularly this section of the Act, and in general on the Act that's before us. Our party supports the government with its objectives, if we understand it correctly, of providing a better coverage of health care in our province for certain portions of our society, and with the objective I would presume to provide it with the least expensive way of providing it.

However we cannot support the removal of restriction, this Section 7, because in our opinion it will make this Act immune to the Dental Association Act, and as a result will give the Minister a carte blanche on the quality of health care in our province for years to come. If I understood the Minister a few minutes ago when we were dealing with Bill 48 he said that he would probably be back next year with amendments if he was still the Minister. And this is what we are concerned about, that it might well be, in all due respect to the present Minister, that his ideas of what the dental health worker will perform and what the dentists will perform may be very different from the next Minister, and the Minister after. We feel that the dentists should be involved in this particular service and under The Dental Association Act, and be present or supervise the dental hygienist that they presently do, and in this way provide a quality of health care that we experience today, because there are two things involved in better coverage. One can have more patients go through the chair and be handled, but they might not be getting the quality in care that they presently are. So in our opinion that would not be a better coverage.

Our other concern is that we feel that approaches that are being suggested in this Act - and we would presume it will follow the Saskatchewan plan - may not necessarily be the cheapest way to provide this service. It's our understanding that the - I don't know whether the Minister is listening or not, Mr. Chairman, so I'll wait for half a minute.

MR. DESJARDINS: Sorry.

MR. MINAKER: Mr. Chairman, it is our belief that the plan in Saskatchewan has not lived up to its expectation, and it's our understanding that there's been some \$3-1/2 million that's been reported fed into this plan in the last - well since its inception, and it's our understanding that they have only handled 10,000 patients, which becomes fairly expensive on a per child per year basis. For this reason we feel that if this section was removed from the Act, that if the government is sincere working with the dentist, and is sincere in providing a quality of health care in our province that will not be lower than it presently is, that he should, and the government should have no objections to this. It's our understanding that the Manitoba Dental Association have been in contact with the Minister and his Department from time to time, and have indicated their co-operation in wanting to work with the Minister. Yet here we have an indication in this Act that the Minister wants to have no commitments to any Dental Association Act and be completely immune to decide on what the dental workers will do under Section 2(1), which was previously discussed by Dr. Axworthy.

We are concerned also, Mr. Chairman, that by insertion of this section in this Act that in fact we're eroding our education system in our province here. They are just now stating that it's no longer a requirement to be a dentist, or to qualify or to study at the university, and so on, that one simply goes to Saskatchewan and becomes a dental worker through their plan, and comes back and proceeds to perform, or could proceed to perform many of the operations that are presently being done by dentists, and without their supervision. We are very concerned that this in fact may well happen and, as I said earlier, in due respect to the Minister he is implying that it won't, but he also implied not too long ago in this very meeting that he might not be the Minister next year. So this is our very major concern in this particular area.

Also with this proposed plan that dental workers will take on the role of dentists, they are placing a burden on the existing practices. It's our understanding that bursaries have already been offered to dental hygienists that are working in the field - I think there's 15 in number - to go to Saskatchewan to take on this course, so that not only in the interim period of the implementation of this plan, there will be obviously a decline in the level of health care in our province.

Further I would think it would be useful to make use of the educational facilities that we have here with the Dental Hygienist's course that's been set up in our own university rather than go out of the province to train these people to implement this plan. It is also my understanding - I know the dental clinic that I attend with my family there is great usage of a dental

(MR. MINAKER cont'd) hygienist in this particular clinic, and they take part in the assisting in the filling of teeth. I believe the dentist prepares the operation to the point where the dental hygienist can insert the plastic filling and carry it out, and by doing this they have been able to improve their productivity in the past few years, and I'm sure the Minister is well aware if he has read the report of the Manitoba Dental Association that they are presently improving their productivity, which results in obviously a lower cost to the end user of their professional services. It's their anticipation that - I think it is if I remember correctly - by some 1978, I believe, that they will be able to handle a good portion of the age group, I think 100 percent of the age group they're talking about, and I might be corrected on this figure, but I believe by 1985 that they are looking towards being capable of covering 100 percent of our population.

We are concerned, Mr. Chairman, with the costs and it could well be with this plan, if this takes off like the Saskatchewan plan is reported to have taken off, that it will become very difficult for the Minister and his department to control the costs. Whereas if the department worked with the dentists on this proposed plan I'm sure that he would have a controlled cost, that he could have a budget figure that he could work to, and would not be involved in the cost of becoming involved in capital outlay for equipment, cars, etc. I think there seems to be an impression that the cost to train dental workers is much less than to train dentists, yet if one looks at the figure - I believe, that the Minister used at one time was something like \$15,000 to train a dental worker - I think someone in debate had indicated that - and the cost to train a dentist was \$50,000. I've been advised the average working life of the dental worker or dental hygienist is somewhere in the order of five years, whereas the average working life of a dentist can be anywhere from 20 to 40 years, that when you look at it on an amortized basis because they are - that they are much lower in cost, when you look at it in this manner.

Mr. Chairman, the other thing that one would think is achieved by this Act is that by having a dental worker that you will get them to locate in remote areas, which it is my understanding was not the case in Regina and in Saskatoon, that the majority of their dental workers commute from these centres. In fact we were advised that one of their major expenses that they had in the first month of operation was that there was 13 car accidents occurred with these dental workers commuting out of Regina. So that the suggestion that a salaried employee will locate in a remote area is not, in my opinion, a justifiable argument to proceed in this area.

The other concern we have, Mr. Chairman, is the fact that if you're looking at 40 percent of the dentists' work in this age group we're talking about, the 3 to 12, and I believe that is approximately the percentage of the patients that visit dentists, and if we implement this dental health workers' scheme and they go out into these remote areas where there might be a demand for a dentist and it's marginal, that it would discourage any dentist locating there if 40 percent of the potential client is removed from his practice or potential practice, so that it would almost imply that it's a reverse to their stay-option proposals that they have incorporated in other areas in our society, in that it would discourage dentists to locate in these remote areas.

The other thing - and I'll try to summarize at this point - is that it is my understanding the Manitoba Dental Association has approached the Minister with certain proposals that they would like to work with the Minister and his department on. I believe that they had indicated they were prepared to have a pilot project where they would set up these clinics in some of these remote areas to work with the government in providing this better coverage.

So, Mr. Chairman, we support the principle of the bill to provide better service, better quality of health service at a less costly fashion to the people of our province, and to a particular population or an age group; but, Mr. Chairman, we would not support the bill if it's going to end up that a certain segment of our population will be getting secondary health care. They may be getting it for nothing, but they may be getting it not to the quality that they are experiencing at the present time. We still feel that the dentists should be involved. We do not want to see the quality of the dental care that has proceeded through the years be all of a sudden scuttled by this Act, not necessarily today but it could be a deterioration that would take place over a period of time because of the fact that costs got out of hand, so that as a result, in the same way that is happening in our medicare system at the present time, that more and more of the duties of the professional dentist would be given to the dental worker and then when there was a shortage of dental workers then obviously there would be a quality

(MR. MINAKER cont'd) control that we think would get out of control.

So for this reason, Mr. Chairman, we cannot support Section 7 and will be voting against it, and hoping that the Minister and the Government will reconsider their present plans and their approach to this problem. As a result, if Section 7 is deleted then Bill 53 really becomes redundant, and then we would be voting against Bill 53.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: Well, Mr. Chairman, I thank the honourable member for reading again for me the brief of the Dental Association. I see they kept him well informed, and I will refrain from debating this because as they know I want to keep an open mind. I said when this bill was introduced today that I had no hang-up the kind of a bill that it would be as long as the standards, and so on, were kept, and as long as it was serving the population of Manitoba. And I feel exactly the same, so I won't debate that.

There are certain things that are not quite correct, certain statements that were made that are not quite correct. My honourable friend stated quite correctly if we drop Clause 7 you might as well withdraw the bill, because then that would mean that the dentists would have a veto and we would go ahead with them, and this is not our intention at this time. I repeat that it could be a combination of both; it could be either all public, it could still be all private. There is nothing that has changed. It will be looked at very seriously as far as the standard - I can tell you that the standard will be improved. There's an awful lot of people that are not - and I'm not talking about, I'm not saying now that if a public bill, I'm saying with this Act that the standard will be improved.

As far as the cost, well the cost will be monitored as much as possible. This is why I said that I wanted this flexibility of taking the best, if at all possible, the best of a private plan and a public plan, or if it's quite clear that a private plan is the best that's what we'll do. But we want to be very careful. You've had a situation in Quebec where they did exactly that. They worked out and they have a private plan with the dentists, and it hasn't worked at all. Well maybe it was done too fast, I don't know, it hasn't worked at all. I know that the Province of Quebec are looking at Saskatchewan now for a possibility of implementing the same kind of plan that they have in Saskatchewan and New Zealand, and so on. Now I say that to say that these people who will come in and do the work will replace the dentists, this is ridiculous. They'll never replace the dentists. They might, and I hope that we will see the day that we can hire people to do some of the work presently done by the dentist, a private or public plan. In fact that is being done in dentists' offices now, and I say that you will see the same thing in the field of medicine also where the nurses are doing an awful lot of the work. I could tell you a couple of stories if I had a longer time.

Now as far as where we are going to educate, maybe that should be covered in the other bill, but in answer to my honourable friend, there is no decision made. The decision was this: that the Government of Saskatchewan offered us a chance to take in 20 spots, 20 places. They wanted us to be tied down to agree to accept their school to do both for the province also. That I refused for the time being. I said if you can give us those 20 without any condition in roughly six months or so we will tell you. It might be that it would be advantageous for us to have our own school; it might be that we might not need a school. So that also we've got room to maneuver, but it's going to take - if we train these people the way it's done now, it takes two years. So that's going to make two years before these people are trained.

Now as far as the 15 that my honourable friend mentioned, we were told later on - a member of my staff received a phone call from them, they said they had room for 15 for one year. And the one-year would be some that are dental technicians now. Of course we're recruiting, and that again, we could go to either a public or a private plan. Nothing will be lost. But we've got to start somewhere, this is a commitment that this government has made to the people of Manitoba, and I'm saying that this Act is needed to go ahead and implement this commitment. But the standard will be kept; it will be better than ever. The cost is going to be very important. I'd like to know, I want to know the cost in Saskatchewan. I sent somebody to try to get as much information as possible, and I can tell you that all the costs that we'll have we'll give it to you no matter if it's under another department, we'll give you the cost when we have it.

Now my friend says that the dentists said, well they were ready to start a pilot project. I'm the one that suggested that to them, asked them if they could present that. I didn't say that we accept anything at this time, but I asked them if they could present something that we would look at their suggestions. So this discussion has been going on, and it's not only your costs for

(MR. DESJARDINS cont'd) the first year that's important, it's the cost that will happen in five years, and so on. I have no doubt at all that right now if we are looking only at the first year that the private plan would be easier, but I have doubts that in five or six years that it's not going to be a different situation. But all options are open. This bill gives us an opportunity to have either one or a combination of both. But there is no way that we will accept to withdraw this amendment because then we're back where we started. We have nothing.

It's not that easy to say all of a sudden they're going to deliver, the dentists are going to take care without changing anything, without having more work done by people that aren't dentists, certain work. It will be supervised by dentists and there will be referrals to dentists, and you're talking about a lot of education and a lot of training, a lot of these things. Remember now that we're not talking about adults, we're talking about children. Children that we would probably start at the age 6 and then go on 7, 8, 9 up to 12, and then go down maybe to 3. So this is something that a lot of that work can be done, and you're not taking anything away there. Have no fear that we're going to turn the dentists out of business. We'll take all the dentists that want to come in, all the dentists that want to come in because we need an awful lot more dentists. We've tried all kinds of ways to induce them, to encourage them to go up north and go out of Winnipeg, and it has been very difficult. We cannot deliver. They are not delivering. So we need something, and it might be as I say, I would hope that they will participate in this plan. I sincerely say that but we will go ahead with this plan and this is something that we need this bill to do that and we need this section to do it. But you know the cost and all that we'll monitor, we'll be responsible, we'll give you all the information, and in the meantime I'm saying that there is no way that the standard will be lowered.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, speaking to Section 7, and perhaps remarks covering a more general assessment of the bill, I think that - at least from our point of view we're not questioning it. Both sides of this table are interested in providing quality care and also supporting a way of assisting in the payment of dental bills because it's becoming onerous. But let's recognize that we're doing one very important thing here, and that is that we have relied for a long period of time for the quality of medical and health and dental care upon the professional dentist, or doctor in many cases, to provide the standards of that profession, that there's a certain kind of ethos or a certain kind of ethic, that just doesn't include numbers of years of training but the profession themselves acquire a certain responsibility that is part of their professional code and part of their professional behaviour. We are now saying that because we're introducing public money into the whole operation we're going to replace that professional code in effect with the standards set by government, or set by the state. Now that's happening. We're saying that because we're taking away the responsibility of the dentists in this case to set those standards and to set the program.

Now without quarreling with that concept but let's just recognize how we're doing it. The Minister says we are now going to set standards by regulation, and he is asking us to take a large leap of faith that everything under those regulations will be done properly, with everyone consulted, with all good intentions displayed. I personally can say okay, that perhaps with this individual Minister I might be prepared to take that leap of faith, but regulations can be changed very easily, Mr. Chairman. They can be changed in-between sessions of the Legislature, they can be changed overnight, with nobody knowing why or how, because there is no opportunity to debate them, there's no opportunity to bring them under public scrutiny; there no opportunity to have opposing or alternative positions presented. In other words, regulations are not particularly effective in developing a set of standards that has some permanency and some continuity to them.

So what the Minister is asking us to do is to agree with him that now we are going to replace the responsibility and obligation of the dentist with the standards --(Interjection)-- Well he is saying that. He is saying, I am going to set regulations as to how the thing is going to work, and you have to trust me that they will be good ones because I'm going to consult with people. But I am saying to him that by putting this under the power of regulation, and by winnowing away, or eviscerating the power of the dentists to be involved in this, then regulations are pretty flimsy protection, and if there's going to be any kind of replacement of standards then they should be statutory ones which have that particular - at least some opportunity to be brought forward to this House to be debated, to be examined, to be scrutinized, so that to see really what the implications are because regulations don't provide that kind of protection.

(MR. AXWORTHY cont'd) That's why, Mr. Chairman, we find it very very difficult.

My colleague, the Member for Assiniboia, has been asking for a child denticare program for several years, and we were more than interested in supporting this kind of bill. But the way the bill is drawn and the way we've tucked almost everything under the umbrella of, let the Minister decide in Order-in-Council, but we don't know what government, we don't know who the Minister will be a year from now. We would hope it's the present Minister, but ministers have a very high political fatality these days, and we don't know what the government will be. We don't know who is going to be in government; we don't know what their intentions are going to be. And if they can simply change the plan by a stroke of the regulation pen, then it really creates a high degree of uncertainty and a high degree - I think a lack of protection for the sort of standards that we mentioned before, and we find this a very very disturbing quality to this whole bill. Even though the Minister asks for flexibility in defining it, I think that we can certainly have certain flexibilities in programming but we should not allow flexibility when it comes to standards. The standards should be very clearly enunciated, and should be set forward so that people know that they are going to have those standards properly exercised. I haven't heard anything that the Minister has said yet to ease my worry about what he's doing because none of us have any ability to foresee the future, and we've certainly learned from past experience that we should sometimes expect the worst because the worst happens. I'm afraid that unless we're prepared to put things in these - have better statutory protections in this bill to preserve standards of dental care, then we are living on a very flimsy and very fragile sort of assurances.

MR. DESJARDINS: Mr. Chairman, first of all let me again repeat that we are now talking of only dealing with children up to 12 years old.

MR. GRAHAM: They are just as important as the other people.

MR. DESJARDINS: Di I say they weren't?

MR. CHAIRMAN: Order please. Order please.

MR. DESJARDINS: But I don't think that the same service and the same work is the same. There's an awful lot more when you're treating with all the population than where you're restricting this to an age bracket.

Secondly, there is no legal protection. There is nothing now that it is defined by the dentists themselves, and now there will be something in the regulations, there will be something in the regulations, and my friend - I guess he's not listening so to hell with it.

MR. CHAIRMAN: . . . question. Mr. Minaker.

MR. MINAKER: I would like division on Section 7 please.

MR. DESJARDINS: You might as well have it on the bill.

MR. CHAIRMAN: Section 7 as amended.

A COUNTED VOTE was taken, the results being as follows:

Yeas, 14; Nays, 10.

MR. CHAIRMAN: Section 7 as amended passed.

(The remainder of Bill 52 was read and passed). Bill be reported.

BILL NO. 53 - THE DENTAL HEALTH WORKERS ACT

MR. CHAIRMAN: Bill No. 53, The Dental Health Workers Act. I believe there's an amendment. Page 1 - passed; Page 2 - Mr. Turnbull.

MR. TURNBULL: Mr. Chairman, on Page 2 there is an amendment.

I move that Section 4 of sub (2) of Bill 53 be amended by adding thereto the following words: "to train in private dental offices personnel as are mentioned in subsection (2) sub (2) and sub (3) of The Dental Association Act for employment in accordance with those subsections".

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: I think this is quite clear. This approach permits the training of auxiliary by dentists in their own office but does not permit the auxiliary to be registered unless approved and registered by the board. In fact that is to change as little as possible with the dentists. They can go ahead and train the same people.

MR. CHAIRMAN: (Page 2, as amended, and the remainder of Bill 53 was read and passed) Bill be reported.

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

MR. CHAIRMAN: Page by page? Before we start I believe there are some amendments. I would ask to have them distributed. Thank you.

Page 1 - Just before we proceed on Page 1 there is a spelling error in subsection 1(a) in the fourth line. The word "tenant." I just want to make this correction, and then we can proceed.

MR. AXWORTHY: Mr. Chairman, I want to raise the question in reference to these next two bills whether because the bills themselves were just passed yesterday, I believe, 11 and 10 and - today, pardon me - that in fact has this been given fair time for notice for those groups that might want to appear or represent on these bills. I realize that that's not necessarily a rule, but is it fair to, particularly in Acts of some importance like this, not to have given some previous notice to all of the groups that might be thereby interested?

MR. GREEN: Mr. Chairman, I indicated earlier in the meeting that those bills would be passed today, that if there was any inclination to wait till the next meeting of Law Amendments in case somebody wished to make representation, that that would be okay as far as I'm concerned. I do want to have a word of caution here that towards the later part of the days that are ensuing we may move directly from the House into committee, and people will have to be aware of what legislation they are interested in. Perhaps the Clerk could advise anybody who he knows is in that position, that that does happen. But in the meantime with regard to these two bills, I don't think that there would be any objection to having them come up at the next meeting of Law Amendments Committee.

MR. TURNBULL: Mr. Chairman, The Landlord and Tenant Act amendments were just passed yesterday, that is true, and I suppose one could delay forever the hearing of a bill in committee. I do know that in the past bills have been passed, and we have had two weeks or more and people have come and said they haven't had enough time, and I suppose that is always a possibility. I do know with regard to Bill 56 that the Property Managers' Association have been in touch with my office and have said that they are not interested in making a presentation on this bill. Now I don't know who else might want to make representation on these changes. That's one major group that I would have expected to be here and they're not interested, so I would think that we might be able to proceed with the bill. It is after all a bill that clarifies the existing Act and makes no changes in significant principle.

MR. CHAIRMAN: What is the will of the committee? Mr. Paulley.

MR. PAULLEY: Mr. Chairman, in all due respect to the Minister a definite request has been made by one of the members of the committee. I didn't hear any objections from the House Leader for an opportunity for people to be heard, and we will be meeting again in Law Amendments before too long, and I would suggest that the committee seriously consider the request of the Member for Fort Rouge.

MR. CHAIRMAN: Well, as your chairman I don't decide. It's entirely in the hands of the Committee if you want to proceed with the bill, or you don't want to proceed with it.

MR. TURNBULL: Well, Mr. Chairman, I move that we proceed with Bill 56.

MR. CHAIRMAN: Motion that we proceed with the bill.

MOTION presented and lost.

MR. CHAIRMAN: Committee rise.