



# Legislature of Ontario Debates

Tuesday, November 19, 1968—Friday, February 21, 1969











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, November 19, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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**Tuesday, November 19, 1968**

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## LEGISLATIVE ASSEMBLY OF ONTARIO

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Tuesday, November 19, 1968, being the first day of the second session of the twenty-eighth Parliament of the province of Ontario for the despatch of business pursuant to a proclamation of the Honourable W. Ross Macdonald, Lieutenant-Governor of the province.

TUESDAY, NOVEMBER 19, 1968

The House met at 3 o'clock p.m.

The Honourable, the Lieutenant-Governor, having entered the House and being seated upon the Throne, was pleased to open the session with the following gracious speech.

**Hon. W. Ross Macdonald** (Lieutenant-Governor): Mr. Speaker and members of the Legislative Assembly of Ontario, I extend warmest greetings and a sincere welcome to each and every one of you.

Each session of the Legislature is an important and memorable event in the life of our province. This occasion is made particularly memorable for me because, for the first time since assuming my duties as the representative in Ontario of our beloved Sovereign, Queen Elizabeth II, I have the privilege of addressing the opening of a session of the Legislature.

As my government convenes this second session of the 28th Parliament of Ontario, the people of our province continue to enjoy a full and rich life almost unmatched in the world today. Opportunities for human betterment abound on every hand. Dynamic growth and prosperity are apparent at every turn. The quality of the social, cultural and artistic life of our people improves daily. Ontario continues to be a predominant choice of those who seek to establish new homes in a peaceful, dependable, stimulating and rewarding environment.

While we enjoy the sum of the labour of past years, the people of Ontario accept with confidence the substantial, yet exciting, challenges of the days ahead. Happily, the challenges we face are those born of success, prosperity, development and progress.

Throughout its history, and especially in recent years, my government has been privileged to play a vital and significant role in constitutional and fiscal discussions involving the federal and provincial governments of this

country. My government has always viewed these events not as struggles between competitors but as joint, cooperative ventures of sovereign partners building on the wisdom of the Fathers of Confederation with one objective: a greater, stronger, more unified Canada.

My government has always sought the cooperation of the federal government in our mutual objective of assuring that the people of this province are not unduly or unfairly taxed. While our endeavours to secure such cooperation have met with little constructive response in recent months, my government expresses the hope that, in the interests of equity, fiscal stability, and national unity a more reasonable, constructive and understanding attitude toward the financial needs and constitutional position of the provinces will be recognized.

In my government's continuing recognition of its responsibilities to the people of this province, it will advance measures and propositions in the session now beginning, designed to ensure the maintenance of a vigorous and dynamic Ontario in the context of the broader interests of Canada.

In a renewed determination to hold taxation to the minimum consistent with a high level of service to the people of Ontario, and in its firm resolve to maintain the enviable credit rating of the province, my government's comprehensive programme to reduce costs and increase efficiency is being pursued with the utmost vigour. Included in the programme are increased control over that portion of spending within the direct scope of the province; tighter scrutiny by Treasury board of all matters having financial implications; re-evaluation of procedures, methods, forms and equipment; re-appraisal of existing programmes; re-scheduling and deferment of new programmes; and renewed emphasis on efficiency and economy in every branch and agency of the Ontario government.

All programmes financed in whole or in part by provincial taxpayers but administered by other public authorities, including municipalities, boards of education, universities, colleges of applied arts and technology, Crown corporations and other boards and commissions, will be subject to intense public scrutiny to ensure that maximum efficiency is attained.

In the session of the Legislature upon which the House is now embarking, my government will submit in the budget statement and in other legislative proposals, measures which will reflect a determination to achieve the fullest efficiency of government and the greatest utilization of tax revenues. All current programmes that contribute to the public good will be continued with undiminished vigour. New proposals are being designed to achieve a greater equity and efficiency in the administration of government, in our system of taxation, and in our relationship with our municipal partners.

My government has reviewed in substantial detail the constructive and definitive recommendations of the Hon. J. C. McRuer in his report upon civil rights in our province. Legislation will be introduced for the consideration of the hon. members which will implement several of the most basic recommendations contained in this report. In particular, a bill respecting the expropriation laws of Ontario will be brought forward for your consideration. In addition to including some of the recommendations made by the Hon. Mr. McRuer, the bill will also reflect the recommendations of the Ontario law reform commission in its report upon the basis for compensation for expropriation. The legislation will be designed to ensure equity and justice for all whose lands may be expropriated or affected by land acquisition programmes necessary in the public interest.

Among the measures to be placed before the hon. members will be proposals to institute regional government in various areas of the province where sufficient study has been completed.

To provide further equality of service throughout the province, amendments to The Assessment Act will improve the assessment function. Included will be the implementation of certain recommendations of the Ontario committee on taxation and the select committee of the Legislature on the report of the taxation committee.

During the session an opportunity will be afforded hon. members to give serious and

responsible attention to the machinery of collective bargaining and related labour and management matters arising out of the recommendations contained in the report of the Royal commission inquiry into labour disputes.

Hon. members will be asked to consider legislation respecting mechanics' liens and the manner in which they are dealt with in the construction industry in Ontario.

To further ensure that every person in Ontario is free and equal in dignity and rights, hon. members will be asked to approve the strengthening of the Ontario Human Rights Code.

Hon. members will have placed before them for approval revisions of the hearings and appeal procedures of a variety of statutes which give protection to the people of Ontario in their business transactions both as buyers and sellers. In addition, the far-reaching and important legislation relating to business corporations, which was introduced during the first session of the 28th Legislature, will be brought before the House.

The availability of reasonably priced homes will continue to be vigorously pursued by my government, with further expansion of the highly successful Home Ownership Made Easy programme. As further encouragement to individual home ownership and to bring home ownership within the reach of an even larger segment of our people, you will be asked to approve policies which will facilitate the construction of substantial numbers of condominium dwellings.

The goal of equality of educational opportunity will continue to be a prime objective of my government. During this session, implementation of the legislation creating larger units of school administration will be pursued, together with consideration of the report of the provincial committee on aims and objectives of education in the schools of Ontario.

Legislation will be introduced creating an educational communications authority and to implement certain recommendations of the report relating to the Ontario College of Art.

My government, mindful of the continuing requirements of social services for the people of Ontario, will place before you legislation which will allow the steady development of a programme to assist children with mental and emotional disorders.

Your approval will be requested for a number of additional progressive programmes

within the field of correctional services, including the establishment of a fresh approach to the counselling of families.

Placed before you for consideration will be a health protection Act, embodying the most modern concepts in public health legislation.

My government's vigorous programmes designed to prevent and reduce abuses of our environment in the various fields of pollution will be pressed forward with the utmost determination.

The policies of my government in assisting the agricultural community of Ontario to improve both the production of food and recompense to the farmer will be pursued with continued intensity.

Among the continuing programmes ensuring the steady growth and development of the communities and industries of northern Ontario will be legislation to create a body to coordinate all northern transportation policies. Included will be legislation affecting the mining industry through important changes in The Mining Act and related statutes as well as a thorough overhauling and updating of legislation affecting safety requirements in the mining industry.

My government will increase its efforts to ensure that our forest industries will share in the predicted increased demand for wood and wood products. The programme of acquisition of land to provide additional recreational areas, provincial parks and conservation authority facilities will be pursued with vigour.

The highly successful programme to equalize industrial opportunity will continue to extend its beneficial effects throughout our province.

To fulfill the demands of the motoring public and to encourage economic development in all aspects of the province's industry, the construction and maintenance programmes of The Department of Highways will be pressed forward throughout the province. Every region of Ontario benefits from its programmes.

Recognizing not only the increasing complexity and severity of municipal problems, but also the dynamic opportunities that lie before our municipal partners, my government will propose a number of financial and other measures designed to be of substantial assistance.

In summary, you will have placed before you an extensive legislative programme. This programme is designed to further enhance

and enrich the lives of all the residents of our beloved province and our beloved country while striving for attainment of the greatest possible efficiency.

May Divine Providence guide you in your deliberations.

God save the Queen and Canada.

The Honourable, the Lieutenant-Governor was then pleased to retire from the Chamber.

Prayers.

Mr. Speaker: I beg to inform the House that, to prevent mistakes, I have obtained a copy of His Honour's speech, which I will now read.

(Reading dispensed with.)

#### THE EVIDENCE ACT

Hon. A. A. Wishart (Attorney General) moves first reading of bill intituled, An Act to amend The Evidence Act.

Motion agreed to; first reading of the bill.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I move, seconded by the hon. Minister of Financial and Commercial Affairs (Mr. Rowntree), that the speech of the Honourable the Lieutenant-Governor to this House be taken into consideration tomorrow.

Motion agreed to.

Hon. Mr. Robarts moves the adjournment of the House.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, before the motion is put, perhaps you will permit me a moment or two to make some comments on this, the first day of the session, when the opportunity is available without the intrusion of any political considerations to mark the occasion.

I would like to draw to your attention, sir, that this is the first occasion that His Honour the Lieutenant-Governor has spoken to the opening session of the Legislature and we, as residents of Ontario, are proud of this man, and I speak, of course, as a citizen of Brant county, from which he himself comes; and I want to draw your attention, sir, to the fact that he is considered one of our first citizens.

As I look around the House I am glad to see, sir, that there are no vacancies resulting

from our recess and I particularly am delighted to see that our good friend, the hon. member for Middlesex South (Mr. Olde), has recovered and is back among us.

I will not occupy your attention unduly, sir, but I feel that, since this is the first occasion since 1961 when we have had the opportunity to discuss public affairs this early in the year, we look forward with great

anticipation to the discussion of His Honour's remarks that were presented to us this afternoon.

Hon. Mr. Robarts moves that the House do now adjourn.

Motion agreed to.

The House adjourned at 3:35 o'clock, p.m.









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# LEGISLATIVE ASSEMBLY OF ONTARIO

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WEDNESDAY, NOVEMBER 20, 1968

The House met at 3 o'clock, p.m.

Prayers.

**Mr. Speaker:** We start our session today with the following guests in the galleries: In the east gallery are members of the King City women's institute and students from Appleby college in Oakville. I am sure we welcome these people here on the first working day of this session.

Petitions.

**Mr. R. H. Knight** (Port Arthur): Mr. Speaker, I would like to present this 12,700-signature petition from the most neglected part of Ontario, northwestern Ontario.

While I recognize the petition has already done its good, I still feel that I have been charged with the responsibility to bring it to the floor of the Ontario Legislature which I am seeking to do today. I would like to formally turn it over to the Premier (Mr. Robarts) at this time.

**Mr. Speaker:** Order, order!

The member will of course realize, because he has now had some experience in the House, that petitions to be brought before the House must be brought in the proper and normal manner. If the member is not aware of the proper procedure I am sure that the Clerk of the House will give him guidance and tomorrow it may perhaps be presented in the appropriate manner.

**Clerk of the House:** The following petitions have been received:

Of the corporation of the city of Ottawa praying that an Act may pass permitting the corporation to establish a rental authority.

Of the Ontario Co-operative Credit Society praying that an Act may pass authorizing an increase in its capital.

Of the corporation of the city of London praying that an Act may pass vesting the management, operation, equipment and control of the hospitals of the city of London in a board called The Board of Hospital Trustees of the city of London.

Of the corporation of the borough of Scarborough praying that an Act may pass author-

izing the borough to pass by-laws respecting advertising devices.

Of the corporation of the town of Burlington praying that an Act may pass establishing a parking area.

Of the corporation of the city of Niagara Falls praying that an Act may pass authorizing it to exempt, by agreement, owners and occupants of buildings from the necessity of supplying parking facilities.

Of the corporation of the village of Dutton and the corporation of the township of Dunwich praying that an Act may pass permitting them to maintain a home for the care of the sick and distressed in the area.

Of the corporation of the town of Lindsay praying that an Act may pass authorizing the removal or demolition of buildings that are in a ruinous or dilapidated condition.

Of Cyril W. March, Daniel McLean and Donald Graff praying that an Act may pass reviving March Diamond Drilling Limited.

Of the corporation of the town of Parry Sound praying that an Act may pass providing that the time limited for appealing the 1963 decision of The Department of Municipal Affairs with respect to the equalization factors for that year may be extended to allow such an appeal to be made.

**Mr. Speaker:** Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary and Minister of Citizenship): Mr. Speaker, I beg leave to present to the House, the annual report of the liquor control board of Ontario for the year ending March 31, 1968.

**Mr. Speaker:** Motions.

**Hon. J. P. Robarts** (Prime Minister) moves, seconded by Hon. C. S. MacNaughton (Provincial Treasurer) that, during the present session of the legislative assembly, provision be made for the taking and printing of reports of debates and speeches, and to that end Mr. Speaker be authorized to employ an editor of debates and speeches and the necessary stenographers at such rates of compensation as may be agreed to by him. Also, that Mr. Speaker be authorized to arrange for the printing of the reports in the amount of

2,500 copies daily, copies of such printed reports to be supplied to the Honourable the Lieutenant-Governor, to Mr. Speaker, Clerk of the legislative assembly, to the legislative library, each hon. member of the assembly, to the reference libraries of the province, to the press gallery, to the newspapers of the province approved by Mr. Speaker, and the balance to be distributed by the Clerk of the assembly as directed by Mr. Speaker.

Motion agreed to.

Hon. Mr. Robarts moves that commencing on Friday next this House will meet at 10:30 a.m. each Friday until further order; and that commencing on Monday next we will meet at 2:30 p.m. each Monday, Tuesday, Wednesday and Thursday until further order.

Motion agreed to.

Mr. L. M. Reilly (Eglinton) moves, seconded by Mr. R. G. Hodgson (Victoria), that the standing committees of the House for the present session be appointed as follows: Agriculture and food committee; education and university affairs committee; government commissions committee; health committee; highways and transport committee; legal and municipal committee; labour committee; natural resources and tourism committee; private bills committee; privileges and elections committee; public accounts committee; social, family and correctional services committee; standing orders and printing committee; which said committees shall severally be empowered to examine and inquire into all such matters and things as may be referred to them by the House, and to report from time to time their observations and opinions thereon with the power to send for persons, papers and records.

Mr. R. F. Nixon (Leader of the Opposition): At the first session of the Legislature a year ago I drew to your attention, sir, and to the attention of the other members of the House, the view the official Opposition has that our committee system is entirely inadequate as it has been set up during previous years.

It is not my intention to recount to you, sir, the arguments that have been put before you in the past but to express the displeasure that we on this side of the House have that the leader of the House has not undertaken some initiative in this matter to improve the situation which in fact, under his jurisdiction, has been deteriorating since 1961.

There have been honest proposals put before the House and before the government, Mr. Speaker, which in fact would expedite the work of this Parliament. It would in fact make the deliberations on matters that are intended to come before these committees much more meaningful than they can now be made with the stylized and formal and inadequate approach that the Premier of this province takes.

Now there are many examples of this very matter that I would like to call to your attention. For the edification of the barrackers in the back row, where they will stay for another two years, surely they would listen to this matter and give it their full attention, because they are the ones who are driven out of the back rooms, they have to set down their euchre hands—

Mr. Speaker: Order!

Mr. Nixon: —so that they can come and be a majority, so that they can come and be a majority—

Mr. Speaker: Order!

Mr. Nixon: —and maintain the position that the Premier has ordered for so many years.

Now let us look at this reasonably and I ask you, Mr. Speaker—

Hon. J. H. White (Minister of Revenue): Let us be constructive.

Mr. Nixon: I ask you, Mr. Speaker, to keep the backbenchers and the new Minister of the Crown silent for at least a moment until we can—

Is the Minister getting up on a point of order?

Mr. Speaker: Order, order!

While we all realize that this is the opening of a new session and that there are many things to be said by all members, I would ask that the members give the leader of the Opposition a hearing, and thereafter I am sure there are those who will be capable of speaking to the matter.

Mr. Nixon: Mr. Speaker, I appreciate your interjection, but my view is that we must get on with the business of the House. I do not intend to hold it up at this time, but I do propose to you, Mr. Speaker, that the best suggestion to improve the committee system in many years has come from this side with the proposal that we enact the facilities for an estimates' committee which would take much of the discussion on the detailed spend-

ing procedures of this government into a committee situation, where those people who lead the various branches of the civil service would be prepared to give their views on factual matters and the Ministers would be present to state the policies as they are concerned.

There are many definite proposals that should be considered. The most important besides an estimates' committee would be, for example, that the education committee would not wait for the tardy Minister's approach to legislation, which usually comes on in April and May, but that we in fact constitute this standing committee as a continuing one to investigate the situation of education in the province of Ontario.

This is what we are here for and this is what I propose, Mr. Speaker, that we can undertake if we have a proper approach to the committees that would be constituted by the government Whip's motion.

As a matter of fact I was quite surprised that the chief government Whip made this motion. I seem to recall that the motion is usually the prerogative of the leader of the government, but it has been put by the member for Eglinton—

**Mr. Reilly:** I am quite sure the hon. member wants to be correct, and if he checks *Hansard* last year he will find it was proposed by the government Whip.

Interjections by hon. members.

**Mr. Nixon:** Well Mr. Speaker, I am glad to see that the Whip is here almost in a new identity. I understand he has new facilities and is building an empire just outside the Legislature, and we can expect a much better job from him than we have seen in the past.

**Mr. S. Lewis (Scarborough West):** It has gone to his head.

**Mr. Nixon:** Perhaps a laurel wreath would go with this!

But Mr. Speaker, if I might put to you my serious consideration that the House would be well served by the addition to the committee list that has been put before us just a few moments ago, by the addition of an estimates' committee which would expedite the business of the House.

And while I am concerned with that, it would do something far more important. It would give us a much more democratic and efficient means to examine not only the Minister but his chief advisors in the expenditures of the swollen budgets that have been

put before us in the last two years, and which no doubt will be put before us in the near future.

With this in mind, Mr. Speaker, I want to move an amendment to the motion put before us by the member for Eglinton, moved by myself and seconded by the member for Downsview (Mr. Singer), that to the list of committees proposed be added an estimates' committee.

**Mr. Speaker:** It is moved by Mr. Nixon, seconded by Mr. Singer, that to the list of committees proposed be added an estimates' committee.

**Mrs. M. Renwick (Scarborough Centre):** I move, seconded by the hon. member for Windsor West (Mr. Peacock), that the motion be further amended by adding thereto the following: housing and urban problems committee.

**Mr. Speaker:** Mrs. Renwick moves, seconded by Mr. Peacock, that the motion be further amended by adding thereto the following: housing and urban problems committee.

**Hon. Mr. Robarts:** Mr. Speaker, I would rise to say that I find it necessary to vote against both these amendments. If the hon. member wants to check *Hansard* for the opening day or the second day, for probably the last three years, the government's position will be found as far as an estimates' committee is concerned.

As far as the committee system itself is concerned, as I said last year, the committee system, its efficiency and what it is able to achieve, really rests in the hands of the members of the committees. If the hon. members read and listen to the motion, they will note it says the committees may deal with anything referred to them by this House. There has never been any intent on the part of the government to prevent any committee from dealing with any matter it wishes to, within its terms of reference.

**Mr. V. M. Singer (Downsview):** Oh, nonsense!

**Hon. Mr. Robarts:** I might say the member for Downsview said "nonsense" last year at precisely the same juncture.

**Mr. Singer:** It is the same nonsense.

**Hon. Mr. Robarts:** I am not going to go into the question of attendance at committee meetings, but we have kept attendance records quite carefully and it has been said in

this House before that the major delinquents in attendance at committees are the official Opposition.

I am greatly interested in making the committee system work better. I am interested in anything that will make the deliberations of this House and committees of the House more meaningful.

Last year I undertook to provide staff if that were necessary to the committees in carrying out their duties. Now, if these committees wish to arrange programmes of examination of various matters that fall within the terms of reference of a specific committee, this government will not block them in that attempt.

I would suggest to the leader of the Opposition that, instead of waving his arms around, shouting and making rude remarks across the floor, he should instruct some of his members on the committees to get to work and make some concrete proposals as to what they would like to do in committee; that would be a good deal more constructive than this same speech we hear every year.

The whole secret of this lies in the members' own hands so do not thump the government for it, just activate the committees and let us see what happens.

As far as the estimates' committee is concerned, the estimates are very thoroughly examined in this House. No doubt before the Budget comes down there will be some discussion in this House as to how we are to handle the estimates this session.

If, in our examination of different procedures here, we can come to an agreement—I do not object to an estimates' committee *per se*—but I do object to appointing a committee which is simply going to do in one form what then will be repeated in this House. And that is precisely what would happen at the present time.

Now, if we can work out some form of committee that would not simply lead to duplication, I would be quite prepared to look at it; but simply to establish an estimates' committee at this stage with this amendment, does not seem to me to be very practical.

I really do not think it is necessary to have a select committee of the House to deal with housing and urban problems. I might say that this suggestion has not been made to me up until this time. I do not know whether the Whips met, but ordinarily they do to go over the list of committees because we have changed them around and broadened them.

I do not know whether this suggestion has ever come forward but I think there are all kinds of areas in which housing and urban problems can be considered, and I do not think that at this stage, it is necessary we establish another committee of the House. We have enough difficulties in getting attendance and getting some meaningful work done as it is.

I recall, when I was Minister of Education, that I got hold of the chairman of the committee on education and, over a period of two or three years, we examined every area of that department and how it functioned. We brought all the civil servants before the committee to answer any questions the members might have.

That went on very nicely for about two years but I dropped it eventually because the attendance faded away and I had the officials from the department there but I really did not have much attendance from the members. But however, these things—

**Mr. Nixon:** On a point of order, Mr. Speaker, if you will permit me. The standing committee on education to which the Prime Minister refers was chaired by the present Minister of Revenue and I must say that that committee has not functioned properly since he gave up that chairmanship. Perhaps he should have been kept there rather than given his new responsibility.

**Hon. Mr. Robarts:** Well, I accept full responsibility for the appointments to this government but—

**Mr. E. W. Sopha (Sudbury):** The Prime Minister has got to live with them.

**Hon. Mr. Robarts:** I will live very comfortably with them for the foreseeable future.

But I mention this simply to illustrate my point that the committees contain within themselves the ability and the power to accomplish just about anything the members on the committees want to accomplish. Therefore, I do not think the point made by the leader of the Opposition—is well taken and I propose to vote against these two amendments.

**Mr. J. Renwick (Riverdale):** Let them make up their own minds.

Interjections by hon. members.

**Mr. Speaker:** Order! Order! Order!

The member for Riverdale has the floor if he wishes to avail himself of it.



**Mr. J. Renwick:** Mr. Speaker, I listened to the same remarks of the Prime Minister this year as we heard last year about these standing committees of the legislative assembly.

I was fascinated by the paragraph at the bottom of page three of the Speech from the Throne which says that all programmes financed, in whole or in part, by provincial taxpayers but administered by other public authorities, including municipalities, boards of education, universities, colleges of applied arts and technology, Crown corporations and other boards and commissions, will be subject to intense public scrutiny to ensure that maximum efficiency is attained.

I had thought, of course, that the intense public scrutiny would be carried on by the standing committees of this Legislature. I had assumed that under the government commissions the majority of the boards and commissions and Crown corporations would appear for this public scrutiny, which has not as yet, taken place before that committee.

I had assumed also, that the boards of education, the universities and colleges of applied arts and technology, would be appearing before the standing committee on education and university affairs.

If this is not to be the case — and the Speech from the Throne seems to be explicit on the matter—then I would ask in what way are these various emanations—including the municipalities and the other bodies listed—in what way are they going to be subject to intense public scrutiny?

**Mr. Speaker:** It would be my opinion that the matter raised by the member for Riverdale is extraneous to the discussion before the House at the moment.

I would also like to say to the members that I have had a note from the press gallery that the speaker system is not working very well and they would request that the members speak up. Perhaps the technicians listening might check on it.

The member for Scarborough Centre now has the floor.

**Mrs. M. Renwick:** Mr. Speaker, surely the concern of providing a place for the public unrest in housing and urban problems to come, rather than having them fester out there, as they are at this present time, is an overriding consideration as to whether this government could bear the burden of another committee.

The unrest that is in our society in the metropolitan area of Toronto right now has to have a place to come. The reason why

the Prime Minister has not heard from this side of the House, from my own particular seat, on this question before is that in reviewing our committees today, Mr. Speaker, I felt that it was urgent that we provide a place where the people of this province can come with their briefs, with their complaints, with their unrest.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I would like to comment on the two amendments that are now before the House.

Interjections by hon. members.

**Mr. MacDonald:** There is no doubt as to who is leader of the party, if you have not heard. News travels slowly to the Tory benches but I thought I would help them.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. MacDonald:** I do not wish to rehash the debates of earlier years, but apparently it becomes necessary as sometimes rather serious matters get lost.

Let me deal first with the question of a committee on estimates. There would be one value in a committee on estimates. Some cabinet ministers on that side of the House know their departments and, if you ask them a question, they can reply. Other cabinet ministers have not a clue. They have their ear down, trying to get fed the information so that we have to have the information from the people in the department who do know, strained through a minister who is nearly incompetent.

Do not force me to name names because I will if I have to.

There will be one value, Mr. Speaker, in having an estimates' committee and that would be, to have come before the estimates' committee, Deputy Ministers and various other experts in the department so that we could quiz them directly.

However, there are two factors that flow from that. The first is that some people think—and this is really the important point I want to make—that if you have a discussion of the estimates before the estimates' committee, there will be less discussion in the House. It does not happen.

In Ottawa they discovered that the repetition does not reduce the consideration in the House. If I have to choose between whether or not we are going to have a little greater flexibility out in a committee or deal here with the Minister, who, in the final analysis,

is responsible—if he is incompetent let his incompetence be spread before the world starting with this House—that is the important thing. I want to see the estimates considered in this House on the record as fully as this House deems necessary so that we know precisely where we are. The reason why I have some hesitation in getting drawn into the proposition of an estimates' committee is because I foresee the prospect that it will become a substitute for debate in this House, and in my view that is the top priority.

On the second issue, I am not going to repeat what the hon. member for Scarborough Centre has said. She has made the case for a committee, but unfortunately the Prime Minister has rather a closed minded approach to it. He just automatically discards it, as is the usual fashion by this government.

Housing and urban problems—you review them and where will they come up? Housing will come up, I presume, under government commissions. I suspect maybe most of them may be brought under government commissions, so that you have a committee that deals with literally 80 or 90 commissions throughout the whole range of the affairs of this province, and in it the question of housing and urban affairs gets lost.

Mr. Speaker, if this government does not know as yet that it is sitting on a time bomb in terms of unmet housing and urban problems, then it will find out in the next election. Let it now ignore a more rational, sensible approach to this kind of problem, because it will suffer the consequences at the next election. Maybe that is the appropriate way to do it them, if it is intent on being stubborn.

Mr. Singer: In the second session of the 28th Legislature, we are again embarking on the ritual rain dance that has heralded sessions of this Legislature since 1867, and before that when it was the Legislature of Upper Canada. It seems to me, Mr. Speaker, that in a time when we have so many serious problems to face, we must revise our procedures in order to deal with our problems in a sensible and logical way.

If we listen to the words of the Treasurer, and listen to the words of the Premier, the province is on the verge of a fiscal nightmare, and we are now going to spend four to six weeks listening to the debate on the Speech from the Throne, a meaningless document as it was enunciated yesterday. We are going to hear the speeches about "the hills and the valleys of my riding" coming from 117 or a lesser number of members, and we

are not going to get down to the fiscal problems that face this province, Mr. Speaker, until we have sat for another eight or ten weeks.

It would seem to me that since we are forced into the straitjacket of that kind of procedure, perhaps at this time we could depart just a little bit so that, hopefully, members of this House can get down to some of the real problems that face it. That is why the resolution, or the amendment, moved by my leader, makes abundant good sense, and the reply made by the Premier makes no sense at all.

The Premier says, for instance, that the committees can deal with anything they want. Now, collectively their decisions are the view of the government majority, and as the government majority dictates, and as the government chosen chairman dictates, so the committees act.

Hon. Mr. White: That is not so.

Mr. Singer: It is not what the members of the House want to deal with, it is what the government ordains that the committees shall deal with that is considered. Mr. Speaker, I would have hoped that the elevation of the hon. member for London South to the cabinet would have removed him from the position of director of the House, but apparently it has made no difference. His capacity is so great that apparently he can run the House and run his department as well. I wish him good luck but I am sure he is going to need it.

Mr. Speaker, an example occurs to me, or a very obvious example, about committees being able to do anything they want, and that is the committee on commissions. For several years we tried to find out what happened in the Niagara parks commission. For several years the government refused us this privilege and one day when we had a couple of hours—and that is all that was allocated to the Niagara parks commission—a vote was forced as to whether or not that matter could be discussed, and what happened?

As the discussion took place and the debate took place in that committee, it became obvious to the deputy whip, the member for Durham, that his party was outvoted, so as the debate progressed and it was obvious that the record, the tawdry record, of the Niagara parks commission was going to be made public, what did the deputy government Whip from Durham do? He ran out into the corridors and just in time as the vote was being called, he literally marched in—"go, go,

go, go"—a half a dozen back benchers who did not know what was under discussion so that they could vote against the matter becoming a public issue.

Now that is the sort of thing that in the Premier's words, means that "the committees can do anything they want". Mr. Speaker, that is a denial of democracy.

Let us get on with this. The committees only meet when the chairman calls them to meet and they can only do what the government majority will let them do.

Surely the time has come when we should become practical in dealing with the affairs of this province, and when we should have more time and more ability to examine the estimates, and to bring before us the senior civil servants who are responsible so that they can be asked questions and there can be sufficient time to do it. For that reason it makes good sense if the amendment moved by my leader be supported.

Let me comment briefly on the amendment moved by the member for Scarborough Centre. Surely we must adapt our procedures to the problems of the present day world, and anyone with half an eye can see that there is a very serious problem existing in the big cities here in Ontario.

You do not have to be any genius—you do not even have to sit in the government benches—to discover that there is a housing crisis in Ontario, and what better way could there be to deal with a housing crisis, and with urban problems, than to have a special committee of this House dealing with that at regular times and with a regular agenda? Mr. Speaker, I think it is time that we brought our procedures up to date and I would hope that the hon. members of the House would support both of these amendments.

Mr. D. M. Deacon (York Centre): Mr. Speaker, the last session was my first experience as a member of this Legislature and one in which I participated with interest because it was the first time that I had had an opportunity to compare the method of reviewing procedures and operations of government versus business. I was a member of four different committees, two of which were quite active—namely, private bills and the education committee, it being involved with a contentious bill that required a lot of hearings.

The private bills committee, of course, was on the regular business of private bills. The other two were municipal affairs and transport, which had in one case, two or three

meetings, and in the other one, I think one meeting.

In each case, it did not give those of us on that committee an opportunity to look into the operation of the department concerned, or question people about it. To my mind we are, in effect, directors representing the shareholders or people of this province and instead of a few thousand shareholders in the case of companies there are—

Hon. Mr. White: That is the C. D. Howe approach to government.

Mr. Deacon: —millions of them in connection with the people who pay the taxes in this province. They are, as the hon. Minister from London South knows, terribly concerned about the way our money is being spent—and we heard that more than we heard anything else this summer. They see the amount we are going to have to raise and they say, "Surely to goodness, can we not find more efficient ways of spending those dollars?" As it now stands, each Minister is fully occupied with his own department. He is speaking for his own department in the cabinet, which is in a way, the inner circle which is deciding how much money is going to be spent by the government. There is no one from the outside looking on, as is the case with the boards of directors of companies, where shareholders have someone from the outside looking in and questioning the way departments are being operated.

I think that we must take a new look at this committee system. We must not just be called when there is a bill before us that is contentious. We must be given an opportunity to discuss with members of the department—with the Minister present, of course—what the procedures are and the policies in each of the various branches of the department.

In one of the departments for which I was given responsibility last year, I was given, by the Minister, an absolute open hand to go in and ask questions and find out what I wanted. In the other case, I was told "hands off". The only opportunity I had to speak or question the department was when it came before the estimates of the House. This is not the time that we can really dig in and find good sound reasons and facts, because it is just wasting the time of the House. Many of these things are detailed—things that you want to assemble and then come to a conclusion as to how wisely the administration is being handled.

I do urge that the Prime Minister reconsider the roles of the committees and make

much more use of them. Perhaps cutting out our evening sessions and calling committee meetings then. On more than one occasion I had two or three committee meetings all at the same time and if our attendance was not always good, I suggest that this is one of the reasons.

I know in the case of the education committee that many times the Opposition outnumbered members of the government, as far as representation there—

**An hon. member:** Until the vote came and they dragged them in by the coat collars.

**Mr. Deacon:** But those of us who are willing to find out how departments for which we have concern are operated should be given a much greater opportunity than now is available to us in the open sessions of the House.

**An hon. member:** Well said.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I just want very briefly and as vigorously as I can, to ask the Prime Minister to reconsider his opposition to the establishment of a committee on housing and urban problems.

He cannot offer his objections that this will be one of those committees which will not be well attended. I can assure him that the urban members from both sides of this House will be in full attendance at such a committee, if the scheduling of committee sessions is properly drawn up.

He has now had an opportunity to consider the arguments of the official Opposition in support of the establishment of an estimates' committee. He may well not be able to reconsider that proposal. But I urge him to reconsider, if he cannot do so at this moment, his position on the establishment of a committee on housing and urban affairs and, at a subsequent session, at his pleasure, introduce a motion for the establishment of such a committee after he has reflected as to who, among his members, could properly be appointed to this chairmanship.

I appeal to the Prime Minister to do this, Mr. Speaker, because the urgency of this area of our provincial affairs is so great—and despite the progress that his own Minister asserts the government is making with it—I feel that the Prime Minister himself feels it is so great that it is deserving of the attention that only a committee of this House can give to that problem.

**Mr. Reilly:** Mr. Speaker, first of all I would like to say that I listened to the hon. leader of the Opposition at the last session at the same time introduce the same thoughts that he repeated here today. May I suggest to him that as far as the estimates' committee is concerned this was discussed by the representative Whips of all three parties. We, as members of the government, were not opposed to an estimates' committee, but the members of the Opposition were opposed to an estimates' committee. We could get no unanimity among the Whips themselves for an estimates' committee.

**Mr. Nixon:** Nonsense!

**Mr. Reilly:** This is not nonsense. This is fact, if the hon. leader of the Opposition wants to reflect upon it.

To hear the hon. member for Downsview suggest that the government ordains whatever committee work the committee is going to deal with is nonsense. This is nonsense, because I was the chairman of a committee in this House and I was never instructed by the government what should appear before this committee. It was left to the chairman and it was left to the members of the committee to deal with whatever they wanted to do.

**Mr. Nixon:** Subject to the majority Tories who are notoriously dull.

**Mr. Reilly:** Well let us not deal with absenteeism, because I do not think, Mr. Speaker, that we accomplish anything in this House by dealing with who attends and who is absent and what the attendance is.

**Mr. Nixon:** I agree.

**Mr. Reilly:** Because if you want to deal with this I have facts and figures that might prove a little embarrassing to the Opposition, but I see nothing accomplished to bring this up every time. What I am suggesting—

**Mr. Singer:** The hon. member left his toga off today.

**Mr. Reilly:** What I am suggesting to you, Mr. Speaker, is that as far as the estimates' committee is concerned, the members of the government and all the members in the House are rather anxious to do anything that will improve the efficiency of the House. So far today, I have heard nothing that is going to help to improve the efficiency of the House. Under the circumstances, of course, I would vote against both amendments.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker—

**Mr. Speaker:** The hon. member for Lakeshore has the floor.

**Mr. Lawlor:** Mr. Speaker, I will speak very briefly on this.

As far as the question of attendance is concerned, I noticed last year that very often—one being on a committee—we are expected to be in two places at the same time. The scheduling of these things in part accounts, I suspect, for the attendance on certain occasions.

Now a second thing touching this attendance situation. I can well recall, Mr. Speaker, two or three occasions in the education committee—which I think the Opposition, over here, attended assiduously because of the importance of the issues. We very well might have scuttled the whole of Bill 44 in it—and the whole set-up of education that went through this House last year. We used to sit around and joke a little bit about it. It is you people over there that are ineffective in producing the bodies, not to speak of producing the minds—necessary to advert to these matters.

Finally, Mr. Speaker, on the third point, why cannot the hon. Prime Minister give consideration to updating these committees anciently contained in Alex C. Lewis's book here? When pressing problems of the day arise of an extraordinary character, why cannot a committee be set to work such as in this area of housing—which is a major concern to all of us at this time—so the public may have a greater access to us? So that briefs may be heard, so that a voice is given and methods worked out that are directly referable to the members in this Chamber! So that we are made thoroughly cognizant, not that we are not already well acquainted with, the problems involved!

Again, Mr. Speaker, I would ask that the hon. Prime Minister reconsider, update, be open, and bring this Legislature into conformity with the times.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, I would just make one or two comments, one of a general nature and another of a specific one.

The first is really in the form of a question to the Premier of the province. It is a continuing question, and that is, when are we going to get down to a very hard-headed look at the total reform of the way this Legislature conducts its business? I would have liked to have seen in the Premier's statement at least an indication that he is serious

about reforming the outdated ways of doing business in this province.

You are running, if you like, a very large enterprise, spending a lot of money, and I for one am very worried that we cannot cope with the social problems, housing and urban affairs, along the same lines as this House has tried to cope with other problems over the past 25 years.

I think this year is the time to reform the procedures of the House, to reform the way in which criticism can be effective from Her Majesty's Loyal Opposition, and I would like to see that started this year. So, I would suggest to the government, Mr. Speaker, that we must move to reform the procedures of this House, to update them, so that we can better provide the services to the people of this province than we have in the past.

I am worried in particular that all meaningful democracy, to quote the member for Port Arthur (Mr. Knight), must move out of the Legislature onto the front steps of the legislative building. I believe—

**Mr. Speaker:** Order! The hon. member is speaking to a motion with respect to an amendment to a motion with respect to the creation of committees of this Legislature. As yet, he has not yet reached that particular area of discussion and I would ask him that he do so.

**Mr. T. Reid:** Yes, Mr. Speaker, I simply say that I am glad at least that we have a committee system. I would like to see it part of a much larger programme of reform in this House.

The specific suggestion I would like to make to the government is that the committees of the Legislature, the standing committees of the Legislature, not be staffed by departmental officials. I think these committees, since they are legislative committees, should be staffed through the Clerk's office. I would like to see services provided not by civil servants of the government side who see their role as providing services to government members only, but by members of the Clerk's staff.

I would like to have objective secretaries of those committees writing objective reports, instead of leaving out many valuable comments that many Opposition members make in any notes they take.

And finally, Mr. Speaker, I would hope that the government members and particularly, in this case the Minister of Education would take their responsibilities and his



responsibilities more seriously and show up at more of these meetings of the education committee.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, I will not spend any time on the question of a committee for the estimates. I believe that we had considerable dialogue on that matter at the beginning of the last session, and I think the situation has not differed from that time and so I think our position is very clear in that regard.

But this question of a housing and urban problems committee is a new suggestion to this House. I recall, during the session, that I asked this government to initiate a special discussion on the whole question of housing. Obviously this fell on deaf ears and this debate never really took place. So the suggestion that has been made by my colleague is that we do provide a forum to—

**Hon. Mr. Robarts:** Mr. Speaker, I can only point out to the member that we spent days and days discussing the whole problem of housing in this province during the estimates of the hon. Minister who is in charge of the housing corporation. So it really is not accurate to say that there is no forum for discussion of housing in this Legislature, because, of course, there is.

**Mr. Pilkey:** I withdraw those remarks on the basis that I recognize there was some discussion but I think we must have a continuing forum, not just a forum where we discuss it during the Minister's estimates. We must have a continuing forum, because this problem has not been met.

It is not only in the Metro area, I suggest, Mr. Speaker; it is right across the length and breadth of this whole province, this question of housing. And it is critical. I raised it because I experienced problems in my own area. Now do not tell me that the backbenchers of the Conservative government are not meeting these same problems in their areas.

**Hon. A. Grossman (Minister of Correctional Services):** All right, we shall not tell the member.

**Mr. Pilkey:** Okay, do not tell me, but I suspect very strongly that you do meet these problems and what better way to bring those problems to the attention of the government than through a committee instead of raising them continually here in the Legislature? As a matter of fact as I pointed out earlier, the forum is not provided on a continuous basis. So I support my colleague's motion and I

think the government should give this suggestion top priority in terms of its implementation.

**Mr. N. Whitney (Prince Edward-Lennox):** Mr. Speaker, relative to the discussions that have been held, I would like to refer back to two years ago, the 1966 session I think it was, when I was chairman of government commissions. At that time, at our first meeting, the committee made suggestions as to the particular commissions it would like to have brought before the committee.

To the best of our ability we followed the suggestion that was made regardless of the party or the politics of the member making the suggestion. During that session, I believe we had some 15 government commissions or more before us, and I might say that one of the commissions that the Opposition members were most desirous to deal with was the water resources commission.

Our member on the water resources commission was kind enough to make arrangements to take us out to their laboratory and to have a detailed discussion with key officials, describing the whole situation. We saw the testing of water, and they made a most interesting day of it. Yet on that occasion there was just one Opposition member present. So consequently I do feel that the Opposition is not giving credit to the efforts made by the government to make information available. That concludes my remarks.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I wish to make just a few comments on the need for a housing and urban problems committee. One area that has not yet been touched and one that is creating great problems throughout this province is the matter of tenancy. This would be a committee where tenants throughout the province could come to air their views and to explain to the government the cruel conditions of tenancy that are presently being forced upon them.

There is a great need for reform; there is a need for a place where people of this province can come and explain to this government—which is obviously so far out of touch—the great problems they are being confronted with at this time. And I urge every government member, and especially those who come from urban areas, to reflect for a moment about the problems of tenancy in the areas from which they come and to support the formation of a committee on housing and urban problems.

**Mr. Speaker:** The member for Scarborough West.

**Mr. Lewis:** Mr. Speaker, I would like the government and the Prime Minister to realize that the sub-amendment placed by the New Democratic Party today springs from the overwhelming magnanimity which we have for the government on occasion. It is the milk of human kindness, Mr. Prime Minister, which charges through our veins.

The fact of the matter is, Mr. Speaker, that one must exercise a little compassion for this government because it will be brought down in the next three years by the disintegration in its ranks around urban problems and housing—make no mistake about it.

What we are trying to do, Mr. Speaker, with that beneficence which is characteristic of social democrats, is to provide a certain funnel for the obvious public discontent which animates this area, and I must say, Mr. Speaker, that there is a magnificent obtuseness on the part of the government in this field.

The fact that the Ontario housing corporation no longer functions in any meaningful way; the moment this committee was raised in the House the Minister of Trade and Development fled for his very life; the—

**Mr. Speaker:** Order. May I advise the member and the members of the House that I had a note from the Minister who had an appointment in Trenton which he had to keep and, therefore, had to leave.

**Mr. Lewis:** Mr. Speaker, I accept that and I hope that he is building a house in Trenton. It would be a refreshing turn of events.

The Minister of Municipal Affairs has busied himself frantically with paper work in order to avoid joining the issue, Mr. Speaker, and the Prime Minister himself trembles quietly in his seat because he knows, as all of us know, that the sands of time are running out around the issue of urban problems.

Mr. Speaker, the Ontario housing corporation no longer functions. The area of low rental housing has not been adequately attended to. The HOME plan is exposed everywhere through the province of Ontario as a ludicrous fantasy on the part of government. It is evident, in terms of the tenant situation here, even in metropolitan Toronto, that that is reaching an explosive ignition point.

For its own sake, let alone for the sake of the people of the province, the government

would be wise to allow a committee on housing and urban problems so that there can be some frontal coping with the situation. That is what we are asking for, Mr. Speaker, and that is why we support this sub-amendment.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, in rising to support this amendment, I think that every member of this House knows of the need for compassion in this area we are talking about. I want to say, Mr. Speaker, that if I ever have a need for a heart transplant, I hope to get John Robarts', because it has never been used.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. Sargent:** When pay day comes again next election—

**Hon. Mr. Robarts:** Is that the way the hon. member is going to get my heart?

**Mr. Sargent:** —this will be one of the key points in the re-election or defeat of the government. Today will be a day to remember if you vote against this amendment.

**Mr. Speaker:** Is there any other member who wishes to speak to the motion or the amendments? Then we will vote, of course first on the second amendment moved by Mrs. Renwick, seconded by Mr. Peacock, that the motion made by Mr. Reilly be amended by adding thereto the following: "housing and urban problems committee".

The House divided on the further amendment to the motion made by Mrs. Renwick, which was negatived on the following division:

YEAS	NAYS
Braithwaite	Allan
Breithaupt	Apps
Brown	Bales
Bukator	Bernier
Bullbrook	Boyer
Burr	Brunelle
Davison	Connell
Deacon	Davis
Deans	Demers
De Monte	Downer
Edighoffer	Dunlop
Farquhar	Dymond
Ferrier	Evans
Gaunt	Gilbertson
Gisborn	Grossman
Good	Guindon

YEAS	NAYS
Haggerty	Hamilton
Innes	Haskett
Jackson	Hodgson
Knight	(Victoria-Haliburton)
Lawlor	Hodgson
Lewis	(York North)
MacDonald	Jessiman
MacKenzie	Johnston
Makarchuk	(Parry Sound)
Martel	Johnston
Newman	(St. Catharines)
(Windsor-Walkerville)	Johnston
Nixon	(Carleton)
Paterson	Kennedy
Peacock	Kerr
Pilkey	Lawrence
Pitman	(Carleton East)
Reid	Lawrence
(Scarborough East)	(St. George)
Renwick	MacNaughton
(Riverdale)	Meen
Renwick (Mrs.)	Morningstar
(Scarborough Centre)	Morrow
Ruston	McKeough
Sargent	Newman
Shulman	(Ontario South)
Singer	Olde
Smith	Price
(Nipissing)	Pritchard (Mrs.)
Sopha	Reilly
Stokes	Reuter
Trotter	Robarts
Worton	Rollins
Young-45	Root
	Simonett
	Smith
	(Simcoe East)
	Smith
	(Hamilton Mountain)
	Snow
	Stewart
	Villeneuve
	Welch
	White
	Whitney
	Winkler
	Wishart
	Yakabuski
	Yaremko-55

Clerk of the House: Mr. Speaker, the "yeas" are 45, the "nays", 55.

Mr. Speaker: I declare the amendment lost.

The vote will now be on the first amendment to the main motion, moved by Mr. Nixon, seconded by Mr. Singer, to the list of committees proposed be added an estimates' committee.

Mr. Nixon: In the interest of efficiency, we will accept the same vote.

Mr. MacDonald: Mr. Speaker—

An hon. member: Nice try, Bob.

Mr. Speaker: Order! Order!

Mr. MacDonald: Mr. Speaker, in the interest of accuracy we will not.

Mr. Speaker: Then shall we start this again? The vote is on the first amendment to the main motion. The amendment moved by Mr. Nixon, seconded by Mr. Singer, that to the list of committees proposed be added an estimates' committee. As many are in favour of the amendment will please say "aye," as many are opposed will please say "nay."

In my opinion, the "nays" have it.

Mr. Nixon: I would suggest Mr. Speaker, that for this vote we could do without ringing the bell.

Mr. Speaker: Is it agreeable to the House that the official Opposition be shown as voting in favour and all the other members against this amendment?

The House divided on the amendment by Mr. Nixon which was negatived on the following division:

YEAS	NAYS
Braithwaite	Allan
Breithaupt	Apps
Bukator	Bales
Bullbrook	Bernier
Deacon	Boyer
De Monte	Brown
Edighoffer	Brunelle
Farquhar	Burr
Gaunt	Connell
Good	Davis
Haggerty	Davison
Innes	Deans
Knight	Demers
MacKenzie	Downer
Newman	Dunlop
(Windsor-Walkerville)	Dymond
Nixon	Evans
Paterson	Ferrier
Reid	Gilbertson
(Scarborough East)	Gisborn
Ruston	Grossman
Sargent	Guindon
Singer	Hamilton
Smith	Haskett
(Nipissing)	Hodgson
Sopha	(Victoria-Haliburton)
Trotter	Hodgson
Worton-25.	(York North)



## YEAS

## NAYS

Jackson  
 Jessiman  
 Johnston  
 (Parry Sound)  
 Johnston  
 (St. Catharines)  
 Johnston  
 (Carleton)  
 Kennedy  
 Kerr  
 Lawlor  
 Lawrence  
 (Carleton East)  
 Lawrence  
 (St. George)  
 Lewis  
 MacDonald  
 MacNaughton  
 Makarchuk  
 Martel  
 Meen  
 Morningstar  
 Morrow  
 McKeough  
 Newman  
 (Ontario South)  
 Olde  
 Peacock  
 Pilkey  
 Pitman  
 Price  
 Pritchard (Mrs.)  
 Reilly  
 Renwick  
 (Riverdale)  
 Renwick (Mrs.)  
 (Scarborough Centre)  
 Reuter  
 Robarts  
 Rollins  
 Root  
 Shulman  
 Simonett  
 Smith  
 (Simcoe East)  
 Smith  
 (Hamilton Mountain)  
 Snow  
 Stewart  
 Stokes  
 Villeneuve  
 Welch  
 White  
 Whitney  
 Winkler  
 Wishart  
 Yakabuski  
 Yaremko  
 Young—75.

Mr. Speaker: I declare the amendment lost.

We now come to the main motion.

Mr. Reilly moves, seconded by Mr. Hodgson (Victoria-Haliburton), that standing committees of this House for the present session be appointed as follows:

1. Agriculture and food committee.
2. Education and university affairs committee.
3. Government commissions committee.
4. Health committee.
5. Highways and transport committee.
6. Legal and municipal committee.
7. Labour committee.
8. Natural resources and tourism committee.
9. Private bills committee.
10. Privileges and elections committee.
11. Public accounts committee.
12. Social, family and correctional services committee.
13. Standing orders and printing committee.

which said committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them by the House and to report from time to time their observations and opinions thereon with power to send for persons, papers and records.

As many as are in favour of the motion will please say "aye," as many as are opposed will please say "nay."

In my opinion the "ayes" have it.

I declare the motion carried.

Mr. Reilly: Mr. Speaker, I move, seconded by Mr. Hodgson (Victoria-Haliburton), that a select committee of 15 members be appointed to prepare and report, with all convenient despatch, lists of the members to compose the standing committees ordered by the House, such committee to be composed as follows: Mr. Olde, chairman; Mrs. Pritchard; Messrs. Carruthers, Farquhar, Gilbertson, Henderson, Newman (Ontario South), Price, Rollins, Rowe, Smith (Nipissing), Stokes, Winkler, Yakabuski and Young.

Motion agreed to.

Mr. Speaker: Motions.

Introduction of bills.

Mr. A. E. Reuter (Waterloo South): Mr. Speaker, I rise on a point of privilege. My point, sir, has to do with an issue of the

*Globe and Mail* dated today, Wednesday, November 20, and a picture that appears on the front page of the third section of the issue that was circulated last evening, sir.

**Mr. Lewis:** The member has never been so popular.

**Mr. Reuter:** This picture, sir, includes several members of the New Democratic Party—

**An hon. member:** All friends of yours.

**Mr. Reuter:** It includes myself having a private little friendly conversation with two members of the New Democratic Party, but my point, sir—

**Hon. Mr. Grossman:** That will teach the hon. member.

**Mr. Reuter:** My point, sir, has to do with the caption that appears below the picture. I want to set the records straight, sir, that my name is not Jack Stokes, I do not represent the people of Thunder Bay, nor am I a member of the New Democratic Party.

**Mr. Speaker,** it may well be, sir, that my point of privilege is expressed to the House on behalf of the New Democratic Party as well as myself, because I am sure, sir, that they realize full well that I am a true blue Conservative, one of those tried and true fully loyal Tories. I doubt very much that they would want the impression that has been conveyed by the picture to hold true that such a tried and true Tory is in fact, sir, a member of the caucus. I simply want to set that record straight.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Prime Minister.

What are the dates for the federal-provincial conferences on the constitution and on tax matters? Secondly, can arrangements be made for me to attend these conferences as an observer?

**Hon. Mr. Robarts:** Mr. Speaker, there is a constitutional conference which, I believe, is on December 17, 18 and 19. There is another meeting to be held of the Ministers of finance, but I do not believe any date has been set for that.

As far as your attendance at these meetings as an observer is concerned—frankly, I have had no communications from Ottawa as to what the procedural arrangements will be. I can assure you however that my attitude in these matters has not changed from the Confederation of Tomorrow conference. I will be proposing to the federal government

that these conferences be open to the press, open to the television cameras.

We have nothing to hide when we go to these conferences and I would like to see the meeting of the Ministers of finance opened to the press too, so that we are going to—

**An hon. member:** Let the people see.

**Hon. Mr. Robarts:** I do not have the responsibility of conferences convened by the federal authorities but if it can be arranged, I would be delighted to have you there as an observer. I would be delighted to make the same arrangements for the leader of the New Democratic Party.

We will be discussing matters of great moment to our people and I think that they deserve the fullest attention that is humanly possible to give them. I would like to think that we would involve the people of the country in these matters to the greatest extent we can and all my efforts will be directed to that end.

**Mr. Nixon:** If I might ask a supplementary question, Mr. Speaker.

The conference on fiscal matters is attended only by Treasurers and not by the Prime Ministers as well?

**Hon. Mr. Robarts:** Mr. Speaker, that is so. In some provinces the leader of the government is also the Treasurer—I believe Mr. Bennett is his own finance Minister, but—

**Mr. Nixon:** But in this case you do not expect to attend?

**Hon. Mr. Robarts:** No, I do not, really. Although if I think it might be the thing to do—I would not close the door to the fact that I would not go, but it is really called as a meeting of finance Ministers.

I recall when we set up the tax structure committee, that ill-fated committee that is now being talked about to be reconstituted, I hope with some better effect than last time. At that time I asked, I believe, to be put on that committee as well as the Treasurer, in order that I could attend the meetings. I do not think there would be any objection to the leader of the government going, but it is scheduled as a meeting of Ministers of finance.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

Is Ontario Hydro's atomic generator plant at Douglas Point now commissioned?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, it has frequently been explained to this House that it is misleading to refer to the nuclear power generation station at Douglas Point as an Ontario Hydro atomic generator plant. It is still owned for the federal government by Atomic Energy of Canada Limited and supplies power to the Ontario Hydro system at an agreed rate.

The answer to the question as to whether this plant is commissioned is "yes".

**Mr. Nixon:** The Minister might give us the date of that commissioning.

**Hon. Mr. Simonett:** Mr. Speaker, the station was commissioned on September 26.

**Mr. Nixon:** Then it would be incorrect, Mr. Speaker—if I may be permitted another supplementary question—to refer to that plant as a part of the Ontario Hydro system?

**Hon. Mr. Simonett:** Mr. Speaker, this plant is not a part of the Ontario Hydro system.

**Hon. Mr. Robarts:** Mr. Speaker, I may have misled you. I note you say that this conference is on December 16, 17 and 18. I may well have said 17, 18 and 19, but it is December 16, 17 and 18.

**Mr. Nixon:** I have a question for the hon. Minister of Health.

When did the Minister receive the report of the investigation into air pollution at Dunnville and when will that report be tabled in the Legislature?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I have not officially received the report yet. When it went to the printers about three weeks ago I was given a draft copy—that is the typewritten copy, not completely corrected. I expect that it will be tabled in the House either the last week of this month or the first week of December. That is the date I am advised the printers will have it finished.

**Mr. Nixon:** Mr. Speaker, a question for the hon. Minister of Labour.

Will the hon. Minister of Labour report to the House on the state of the strike between the Peterborough *Examiner* newspaper and the Toronto Newspaper Guild, sir, and advise the Legislature when he will bring the parties together to resume negotiations?

Secondly, is it a fact that the guild's request for a union security clause, which is now standard in most collective agreements of this

character, is proving an obstacle to negotiations?

**Hon. D. A. Bales** (Minister of Labour): Mr. Speaker, in reply to the question from the hon. leader of the Opposition, it is the practice of the conciliation branch to review the strike situations throughout the province almost on a daily basis, in order that we may determine what assistance can be given to the parties to help them resolve their disputes. This has been done in reference to the Peterborough situation. I cannot say at this time when the parties will be brought directly together again to resume negotiations.

In reference to the second part, there are a number of issues outstanding in reference to this matter between the parties. It would really be inappropriate for me to attempt to judge publicly the relative importance of those particular issues because they concern the parties themselves.

**Mr. Nixon:** Mr. Speaker, I wonder if the Minister would be prepared to say whether or not this union security clause is one of the matters at variance?

**Hon. Mr. Bales:** Mr. Speaker, I think it is fair to say that it is one of a number of issues.

**Mr. MacDonald:** Mr. Speaker, before asking my question, may I express my appreciation to the Prime Minister for indicating that an observer status can be granted to Opposition leaders and that it will be accorded to me also. He answered the question before I had an opportunity to ask it, for once.

My first question is to the Attorney General. Can the Attorney General advise the House whether the Ontario Law Reform Commission report with regard to landlords and tenants will be made available during this session and, if so, can the Attorney General give the House an approximate date on which such a report might be expected?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I expect the report in the immediate future—by that I mean very shortly.

I know that the research and study leading to the preparation of that report has been done. I might perhaps let the hon. member for York South know that I asked the law reform commission some months ago to devote special attention to the field of landlord and tenant law as part of their overall study on the real property—which is the study they are doing—and the chairman agreed to that. That work has proceeded with despatch.

I may say this—I know that the report is now in the course of preparation and I would feel it can be prepared in a matter of days, I would think. To say that we might get it this month, I am not sure, but very shortly.

**Mr. MacDonald:** My second question, Mr. Speaker, is to the Minister of Lands and Forests.

Has the government instituted expropriation procedures to increase park facilities along the Lake Erie lakefront?

Secondly will the government take steps to open the Michael road in Humberstone township, especially at this time when the Provincial Gas Company is laying a line along it?

Third, what steps has the government taken to avoid repeated violations of public rights by fencing being run out into the water by adjoining property owners?

Fourth, is the government giving any consideration to the development of the east Erie lakefront into a continuous green belt joining the Niagara River and Welland Canal?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for York South:

Question number 1—the answer is “yes”.

Number 2—opening of road allowances is under the jurisdiction of the municipalities.

Number 3—the government is not aware of any violations of public rights by fencing. If unauthorized occupation of Crown land is discovered, remedial action is taken.

Number 4—although mention has been made of such a development, no detailed proposals are under consideration at this time. The greatest need would seem to be acquisition and development of land for parks purposes in that area.

**Mr. MacDonald:** Mr. Speaker, with regard to point three, may I ask the Minister a supplementary question? Since it is widely alleged that this goes on all the time, is it not a legitimate proposition for the law enforcement agencies to check it continuously—the running of fences out into the water?

**Hon. Mr. Brunelle:** I would say, Mr. Speaker, that this matter is under active consideration and we should have some answers on this matter at a later date.

**Mr. MacDonald:** My following question, Mr. Speaker, is to the Minister of Agriculture and Food.

1. Are only two of the nine members of the cream producers marketing board actually cream producers at this time?

2. Do the regulations permit of such massive representation by non-producers?

3. If not, what does the Minister propose to do about it?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, in reply to this question, I am not aware as to the number of cream producers on the cream producers marketing board. The hon. member says there are only two of them who are actual producers—this may be the case—three, the hon. member says, as of elections yesterday. I am not worried about this.

I do know that the regulations that established the cream producers marketing board some years ago intended that the members should be actual cream producers.

There are something like 13,000 cream producers in the province of Ontario. As a matter of fact, one of these men, quite by chance yesterday, happened to be seated next to me at the cream producers' lunch at their annual meeting. He mentioned to me that he was no longer a cream producer and he suggested to his board—that is to the producers in his zone—that he should be relieved of his responsibilities, but, he said, “they simply said to me, ‘you have the time now to attend these meetings’.”

I would like to point out through you, Mr. Speaker, to the hon. members of the House, that these 13,000 cream producers in this province generally speaking run one-man farms. They do not have a lot of help around them. They are not specialized farms. Cream production really is sort of a side issue to the main objective of the farm.

It is very difficult for these men to get away to meetings either in their own county, their own zone, or in the provincial organization. So they have, of their own volition, suggested that those men, who have contributed so much throughout the years in the direction of the programme, might continue in their office as provincial directors on the marketing board.

I am sure the leader of the New Democratic Party would not want The Department of Agriculture and Food to step in and suggest to these men that they were no longer competent. They are competent, because they have had, in many instances, a lifetime of experience, not only in the production of farm separated cream, but in the development of a programme which, through its own promotion, has created the fact that butter is perhaps in the least surplus position of any of the dairy products in Canada today.

They have done a magnificent job of promotion of their product. I would say that the cream producers of this province have **not only promoted the use of butter on a very large scale, but they have held off the market sizeable quantities of skim milk which could have gone into dry powder and further aggravated the enormous surplus of this which we have in Canada today.**

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question. Do the regulations permit of a non-producer sitting as a director?

**Hon. Mr. Stewart:** The regulations, as I understand them, do not specifically say that it must be a producer. They imply that it should.

**Mr. Speaker:** In view of the impending departure of the Prime Minister on an appointment, I would ask that those members who have questions of the Prime Minister, beginning with the hon. member for Sarnia, **be given the floor. May I have the agreement of the other members for that? Thank you. The hon. member for Sarnia.**

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, my question directed to the hon. Premier: Will the Premier advise if he will permit a delegation from the council of the city of Sarnia to discuss with him the proposed designation of the Sarnia area by the Ontario Water Resources Commission?

**Hon. Mr. Robarts:** Mr. Speaker, the hon. member wrote me about this on October 30. It so happens, I have a reply ready for him today, which I will send across the floor to him. As it is a local matter, it is all explained in the letter and I will not take up the time of the House.

**Mr. Speaker:** Does the hon. member for Grey-Bruce wish to ask any questions?

**Mr. Sargent:** A question for the Prime Minister, Mr. Speaker: (1) Would the Prime Minister assure me and the people of Grey-Bruce that the Ontario Hospital Services Commission, will not close any hospitals in our area; and (2) Will the Prime Minister assure me that in the future the OHSC will let the people decide before any hospital changes are made in their areas?

**Hon. Mr. Robarts:** I would say the answer to both questions is "no". I cannot give the member any assurance of what the Ontario Hospital Services Commission might do in the exercise of the powers and discretions

given to it in the legislation which established it.

Certainly, as far as the second question is concerned, ". . . let the people decide before any hospital changes are made in their area?", the whole concept of what the member is getting at there, I assume, is before any change is made in any hospital, any place in this province, you would have to have a vote of the people concerned.

Of course, that idea is completely ridiculous. I would have to say in answer to both the questions that I cannot give any assurance that the Ontario Hospital Services Commission will not order the closing of hospitals they may not consider adequate to provide health care. I just could not give such an assurance.

**Mr. Sargent:** In that regard, Mr. Speaker, either the member for Grey South, or the Prime Minister, will have to eat their words then.

**Mr. Speaker:** Order! If the hon. member has any further questions—

**Mr. Sargent:** A supplementary question then, Mr. Speaker, of the Prime Minister: Will the Prime Minister agree that these people pay the same rates for hospitalization as other people; that they have to drive 20 or 30 miles to a hospital in the winter time; and that the OHSC is a commission not responsible to the people? The Prime Minister will have to eat those words some time.

**Mr. Speaker:** Does the hon. member wish to ask any more of the questions he has filed?

**Mr. Sargent:** A question of the Prime Minister: Will the government agree to an immediate outside audit to determine the exact financial position of the affairs of the Ontario government because of the financial nightmare facing the province?

**Hon. Mr. Robarts:** Mr. Speaker, we do not face a financial nightmare. I have no intention of introducing any outside auditors. There will be an interim financial statement furnished in the normal course of events, so the answer is "no".

**Mr. Bullbrook:** Mr. Speaker I wonder if the hon. Prime Minister would permit me a supplementary now since I have received his epistle.

**Mr. Speaker:** Not until after the hon. member has completed his series of questions to the Prime Minister.

**Mr. Bullbrook:** I am sorry, I thought my colleague was finished.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): The hon. member was wishful.

**Mr. Sargent:** Supplementary to this, in the Throne Speech it said "full disclosure". We are asking for a full disclosure in an outside audit. Will the Prime Minister go along and back up the Throne Speech in this regard then?

**Mr. Speaker:** Has the hon. member any further questions?

**Mr. Sargent:** Yes, I have, but he should answer the supplementary question.

**Mr. Speaker:** The hon. member will realize that supplementary questions are answered only at discretion.

**Mr. Sargent:** He has no heart.

**Mr. Speaker:** Perhaps the hon. member would go on to his next question.

**Mr. Sargent:** Another question along the same line: Will the government then call an immediate probe into the ten per cent increase of the Ontario Hydro this year?

**Hon. Mr. Robarts:** No, I will not.

**Mr. Sargent:** That is all. I have some further questions but—

**Mr. Speaker:** Only to the Prime Minister. The hon. member for Sarnia.

**Mr. Bullbrook:** Thank you, Mr. Speaker. I am wondering if I would be in a position to advise the people of Sarnia that their council will be permitted a delegation before the Prime Minister before there is a designation of the area by the Ontario Water Resources Commission?

**Hon. Mr. Robarts:** Mr. Speaker, there are a whole series of meetings going on at the present time and when these are completed and we see what the situation is, then we can decide whether there would be any point in receiving a delegation from the city. Not that I do not want to—if it would do any good I will—but at the moment there have been no decisions made, so it would be simply a matter of presenting a point of view, which I believe I already have.

**Mr. Bullbrook:** If I might, would the Prime Minister entertain one supplementary question? Does he recall that in my letter of

October 30 to him, I gave him my considered opinion that, in my judgment, the delegation had some points of substance to bring to the attention of the Prime Minister and his Cabinet colleagues?

Now, can I not have an assurance from the government that before there is a designation—this is of vital importance to the people in my area—that they will at least have the opportunity of meeting with the Prime Minister?

**Hon. Mr. Robarts:** Yes, certainly.

**Mr. Bullbrook:** All right. Thank you very much, Mr. Speaker.

**Mr. Speaker:** Except for the hon. member for High Park, is there any other member I have missed who has a question of the Prime Minister?

The hon. member for High Park has the floor for that, and for two other questions, so that he may leave the House also.

**Mr. M. Shulman** (High Park): Thank you, Mr. Speaker. To the Prime Minister: Does the government intend to reimburse Mrs. Janet Gurman for her financial losses caused by the government's closing of her nursing home?

**Hon. Mr. Robarts:** No.

**Mr. Shulman:** May I ask a supplementary? Is the government giving any consideration to any help in re-establishing Mrs. Gurman?

**Hon. Mr. Robarts:** Not that I am aware of.

**Mr. Shulman:** I have two questions for the Attorney General, Mr. Speaker. Will the Attorney General intervene in the case of Larry Botrie, whose family was refused compensation as a result of his death which occurred while he was attempting to aid the police?

**Hon. Mr. Wishart:** Mr. Speaker, no, there is no intention to intervene in the matter. The application was heard by the law compensation board and the unanimous judgment was delivered that compensation was not allowable.

**Mr. Shulman:** Will the Attorney General allow a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Does the Attorney General feel that the judgment which was handed down was in line with the remarks and the



intentions he expressed here in his estimates last year?

**Hon. Mr. Wishart:** Mr. Speaker, I welcome the supplementary question. I think perhaps I might be permitted to say that when this legislation establishing the compensation board was introduced last year, I believe, I did indicate that, in our consideration of it, we considered it perhaps as a preliminary step in this whole matter of compensation to victims of crime or those assisting in the enforcement of law.

I am aware, of course, of the comments of the Hon. Mr. McRuer in his report on civil rights. I did say, too, I believe, and I think my remarks are in *Hansard*, either in my estimates or at the time the board was set up, to the effect that I felt the language of the Act as it stood was wide enough to permit a discretion in certain cases where a policeman was not actually present, but this particular case I think went beyond that. There was no assistance to the policeman; it was an attempt to get to a phone to call police. So that if you opened it to that extent, you would be really compensating a victim of crime where many cases of that kind would arise.

I think I am at liberty to say that the whole matter of compensation to victims of crime is still being reviewed as a matter of policy of government.

**Mr. Shulman:** Thank you, Mr. Speaker. Now, I have a second question, sir: Does the government intend to reimburse Magistrate Gardhouse for legal expenses incurred in the hearing into his conduct?

**Hon. Mr. Wishart:** Mr. Speaker, the answer is "no." Application was made by counsel for Magistrate Gardhouse after the hearing was concluded and the application was refused.

**Mr. Shulman:** Will the Attorney General accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Why?

**Hon. Mr. Wishart:** I would say this was a matter of involving the administration of justice in which with respect to one of those persons who came before the inquiry—his conduct was called in question—

I did not want to have to say this in the House because I well realize that Magistrate Gardhouse was found not guilty of anything wrongful in his conduct. The commissioner,

nonetheless, did say his conduct was indiscreet. Notwithstanding that, he was immediately re-instated by the Attorney General to his position. But in the circumstances, it was not felt that he should be entitled to have his legal costs paid.

**Mr. Speaker:** The hon. member for Scarborough East has the floor.

**Mr. T. Reid:** Mr. Speaker, I have questions of the Minister of Education. Does The Department of Education have a standard purchasing policy for equipment that is used in secondary schools which have technical programmes? Is there a policy for tendering for all such equipment? Do schools require a course of study outlined before such equipment is purchased?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the policies with respect to purchasing and tendering are the responsibility, of course, of the local boards. The way we do this is that the department pays a grant on the receipted invoices from the boards for technical equipment. This has been basically under the federal-provincial agreement until, I guess, about a year ago last October. The manual of school business procedures sets out the maximum approval which the department will give for equipment in any given shop.

For example, for an electrical shop the maximum is \$40,000. The department pays a grant of 75 per cent of the boards' expenditures up to that particular limit and if the boards purchase more for any particular shop, in excess of this limit, they pay for the total amount themselves.

An equipment list is submitted to the department for this approval and the list is examined for reasonable consistency with the course of study that it is to relate to, making some allowance for special local needs in some parts of the province. The suggested course of study for technical schools is available to the boards and is used as a reference in purchasing equipment.

**Mr. T. Reid:** Mr. Speaker, if I could ask a supplementary question, or just ask the Minister if he would respond to my question—is there a policy for tendering for all such equipment?

**Hon. Mr. Davis:** The tendering is done by the local boards. We do not tender for the equipment. The local boards tender for the equipment the same way they do for their other procedures.

**Mr. T. Reid:** Mr. Speaker, then I am correct—again in the form of a question. Does the department not require proper tendering procedures before a specific board can get a grant from The Department of Education?

**Hon. Mr. Davis:** Well, Mr. Speaker, we require the board to carry on their responsibilities in the way they would for any purchase of any equipment or school supplies, or for construction of the facility. It is done in most instances, of course, by way of tender and this policy would apply throughout.

**Mr. T. Reid:** Mr. Speaker, I have another question for the Minister of Education. Is it the Minister's intention to propose (a) an amendment to The Labour Relations Act so that teachers are no longer excluded from the right to bargain collectively and, (b) to introduce new legislation outlining special bargaining procedures for teachers and trustees, including clauses which would first, compel both parties to call on a provincial government mediator if negotiations break down; secondly, have the dispute settled by compulsory arbitration if the mediator fails to settle the dispute; and third, forbid both strikes and lockouts in this specific category?

**Hon. Mr. Davis:** Mr. Speaker, I am just going by memory here. I do not believe we have had any specific representations on these two questions and the Minister is not considering introduction of amendments related to these two questions.

**Mr. Speaker:** The member still has the floor.

**Mr. T. Reid:** Mr. Speaker, a third question for the Minister of Education. How many school trustee candidates have been nominated for the new school boards created by Bill 44, and how many of these candidates attended the series of conferences planned for them during September, October and the first two weeks of November by The Department of Education to outline to them the role of the new boards?

**Hon. Mr. Davis:** Mr. Speaker, I am not in a position to tell the hon. member how many candidates have been nominated because the election is to be held on December 2. We have no way of knowing this at this stage. I believe that the majority of nominations were held perhaps on Monday of this week.

I can only say from personal experience in attending one or two of the conferences that were held. They were not sponsored really by The Department of Education — they were sponsored by the Ontario trustees council with

the co-operation of The Department of Education and the OTF.

Really, they were initiated to a substantial degree by the Ontario trustees council and in attending those gatherings I gained the impression that a number of the trustees who were involved in the conference, and this goes back some two to three months, were interested in becoming candidates. Now, whether in fact they did, I do not know.

To give the hon. member some indication, I think the total number to date of those who attended these conferences is in the neighbourhood of around 950 and the majority of these would be trustees. But to try and relate how many of the 950 actually are candidates for the forthcoming election, I do not know. But I hope, Mr. Speaker, the House will permit me to refer to these elections.

The member has given me an opportunity to make a general observation that we are encouraged to date by the numbers of people who are seeking election and, more importantly, from what little information we have, the interest of these people in running, and I want to make this further point: I am very anxious that the people of this province respond on December 2 and vote for these candidates because I think it is in their own interests to see that there is a great deal of interest and involvement in these elections that will take place on December 2.

**Mr. T. Reid:** Mr. Speaker, I have a supplementary question arising out of what the Minister has said. Am I correct in understanding, Mr. Speaker, that only persons who were already school trustees could get into these conferences, or were they open to someone who was thinking of the possibility of becoming a candidate but who was not, at that time, a school trustee? Were these open to these people or was it open only to people who were already school trustees?

**Hon. Mr. Davis:** Mr. Speaker, as I say, we did not organize these particular seminars. The invitations as I recall, and I am only going by memory, were initiated or developed by the trustees council and I would just assume that the bulk of these invitations would go to people who were members of the ISOC committees, and who were active trustees. I just do not know how you would invite them to a conference whether they have made up their minds to run or not. I think it would be impossible to do.

**Mr. Speaker:** The member for Sudbury has the floor.



**Mr. Sopha:** Mr. Speaker, I have a question for the Attorney General. Would the Attorney General advise the House when he might be expected to fill the office of Crown attorney for the district of Sudbury, which office has been vacant since July 14? When such appointment is made will the Crown attorney for the district of Sudbury have the additional responsibilities of acting as Crown attorney for the districts of Parry Sound, Temiskaming and Manitoulin?

**Hon. Mr. Wishart:** Mr. Speaker, I thought the hon. member might have been aware that Mr. Spencer Stewart was appointed Crown attorney for Sudbury, I think about a week ago. He is—

**Mr. Sopha:** Nobody in Sudbury knows.

**Hon. Mr. Wishart:** Well—

**Mr. Sopha:** He said this morning that he does not know it. How do you like that?

**Hon. Mr. Wishart:** I am sure he knows and he, of course, has been acting there and is the appointed Crown attorney for Sudbury. With respect to the other part of the question, for the time being at least, we would expect the Crown attorney and the assistant Crown attorney in Sudbury to serve particularly Manitoulin, at least, for the time being and Parry Sound and some of the Temiskaming area.

**Mr. Sopha:** He is going to be a busy fellow.

**Hon. Mr. Wishart:** He is not going to do it all alone as the hon. member knows. He will have sufficient assistance to see that the work is done and I think that I should point out to the House that the volume of criminal work on Manitoulin, for instance, is extremely small. Likewise, in Parry Sound—there is one day a week perhaps for the time being. But, these matters are being looked at and reviewed and the House may rest assured the Crown attorney will have sufficient assistance to see that the work is done properly.

**Mr. Sopha:** Mr. Speaker, may I ask a supplementary question? May I invite the Attorney General to inform the Sudbury *Star*, a loyal supporter of this government, forthwith that the Crown attorney has been appointed?

**Hon. Mr. Wishart:** Mr. Speaker, just on that point, I may say that the hon. member for Nickel Belt at least received the information and I know that the Sudbury *Star* has been informed.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, in view of the long discussions we have had here about committees and the mythology of the Prime Minister in regard to what motivates them, I think, possibly, this question should be addressed to the member for Carleton East (Mr. A. B. R. Lawrence).

However, I shall have to address it to the Minister of Education. Will the Minister refer to the Hall-Dennis report, or at least encourage the chairman and members of the education committee, to refer to the Hall-Dennis report early in the session and encourage the committee to hear witnesses forthwith?

**Hon. Mr. Davis:** Mr. Speaker, as the hon. member will recall in the Throne Speech, it was suggested that there should be, and will be, consideration of the Hall-Dennis report. I personally would have no objection whatsoever to the committee considering the report. I am not sure, however, of the phraseology, "the calling of witnesses". I am sure there are many people who would like to appear and give their views and so on, but I do not know that one would wish to refer to them as witnesses *per se*. I think they are people wishing to make a contribution and this, perhaps, could be a very excellent way of coming to grips with some of the suggestions in the Hall-Dennis report. I have no objections whatsoever.

I should point out to the member for Scarborough East while I am on my feet—and it is related to this, Mr. Speaker—when he was concerned about my lack of appearance at the education committee during the discussion of Bill 44. This was mentioned to one or two of his colleagues and one or two other members opposite, and the feeling was that the Minister, during these presentations, should perhaps absent himself so that they would not feel at all inhibited, as some of them did.

**Mr. Bullbrook:** The Minister never feels inhibited.

**Hon. Mr. Davis:** Oh, well I did, Mr. Speaker, I recall very well attending all those when the final legislation was finished and I was even here the last two or three weeks of the session when I was going to discuss some other matters with the member for Scarborough East, but I could not find him.

I think, Mr. Speaker, that answers the question.

**Mr. Pitman:** I think, Mr. Speaker, it more than answers the question. I wonder if I could ask the Minister whether he would be good enough to send a copy of his remarks

to the member for Carleton East so that we might get this education committee started, and so that we might thereby get this report before the Legislature.

A second question to the Minister, Mr. Speaker. Can the Minister indicate whether the Keiller Mackay commission on religious teaching in public schools will be brought before the House during this session?

**Hon. Mr. Davis:** Mr. Speaker, I would answer, hopefully, "yes".

**Mr. Pitman:** Mr. Speaker, if I might ask a supplementary question: Perhaps the Minister will not remember, but this was the first question that I asked him the first day of the last session, and I am wondering whether he can explain the reason why there is such a long delay on this matter of such great importance?

**Hon. Mr. Davis:** Mr. Speaker, I think the answer to the question is rather obvious. The hon. member has answered it himself; it is a matter of great importance and it has taken the committee a great deal of time to listen to all those who wish to make representations. I would think, not being a member of the committee, that it will be one of the most difficult reports that any group of individuals have been asked to write and I do know they have been working very diligently.

As I related to the House at the last session, they did run into delay because of the passing away of two members of the committee which was most unfortunate, and all that I can say on this occasion is that, hopefully, it will be here for consideration in this session.

**Mr. Pitman:** As a supplementary question, will the Minister have this report passed on once again to the education committee? I see the member for Carleton East is now in his seat.

**Hon. Mr. Davis:** Mr. Speaker, I think what we do with the report really should wait until we get the report. Then we can have some discussion as to how we might treat it.

**Mr. Speaker:** The hon. member for Sarnia.

**Mr. Bullbrook:** Mr. Speaker, I have a question for the hon. Attorney General. Will the Attorney General advise what disciplinary action or corrective measures have been taken by the Ontario Provincial Police relevant to the officer or officers who had issued a directive establishing a quota system of summonses, or the laying of a certain number of charges?

**Hon. Mr. Wishart:** Mr. Speaker, if you will pardon me for a moment, I had this question before me and I have been occupied with something else. I had considered it of considerable importance and I have prepared an answer to this question.

I would say that the officer who issued the particular document has been interviewed by the commissioner, interviewed immediately, and I am sure that matter has been made clear to him. But, Mr. Speaker I must disagree with the principles stated by the hon. member for Sarnia which he attributes to the nature of that directive. The document in its complete context is based upon the Ontario Provincial Police programme of selective traffic enforcement, which is not, and never has been, anything like a so-called quota system.

It is a programme based upon accident statistics designed to guide policemen in traffic law enforcement so that appropriate attention can be given to the enforcement of the traffic laws that appear to be closely involved with traffic fatalities suffered on our highways.

In the particular case that generated this question, Mr. Speaker, little publicity has been given to the fact that the Ontario Provincial Police were directing their minds to the local and difficult situation in the interests of the travelling public, and that in the area concerned in 1968, from the date of the directive, 11 people have been killed in accidents. Eleven lives in those violent traffic accidents—that was against the statistic of six people in the same period last year, an increase of almost 100 per cent.

In the light of those facts, Mr. Speaker, the police were not pursuing a quota system and all that that suggests, but stressing to the police officers that these were selective methods of law enforcement to stop the slaughter on the highways. I think they would be grossly remiss, I may say, if they did not stress the need for that type of law enforcement.

**Mr. Bullbrook:** I am wondering, Mr. Speaker, if the hon. Attorney General would entertain a supplementary question in this connection? Is the Attorney General aware of a statement purportedly made by the OPP assistant commissioner Jack Whitty, and reported in the *Toronto Star* of November 12, 1968, as follows:

Whitty said one detachment officer, whom he refused to name, issued a directive that more charges were required from his staff.

Now, sir, my first supplementary: Is the Minister familiar with this? Second, does his department agree in principle with directives of that nature?

**Hon. Mr. Wishart:** I am not familiar with it, Mr. Speaker. I may have seen the article but I do not recall it. As I take it—as it was read by the hon. member—he said that one detachment superintendent or officer had required more charges?

I think this still goes along with what I pointed out, that the effort of the Ontario Provincial Police was directed to the particular area of traffic law enforcement where they were concerned, as in this case, with the great increase in fatalities. It is not a case of just going out and laying any kind of a charge, but of seeing to the enforcement of the law where it relates to traffic fatalities on the highway.

**Mr. Bullbrook:** Is the Attorney General assuring this House that the Ontario Provincial Police, either in its hierarchy or its officers, at no time directs the officers of that department to issue more charges just for the sake of charges? That is the assurance I am interested in.

**Hon. Mr. Wishart:** I think I could give that assurance—that is as I understand it from the commissioner of the Ontario Provincial Police.

**Mr. Speaker:** The hon. member has other questions?

**Mr. Bullbrook:** I do not have any further questions.

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** I have a question for the Minister of Education. Does the Minister intend to amend The School Administration Act to include a provision for a transfer review board in each jurisdiction?

**Hon. Mr. Davis:** Mr. Speaker, there has been no decision on this matter as yet. The matter is still being discussed and will be again within the next four or five minutes. Some members of the OTF have been waiting since four o'clock to see the Minister; they are now in the gallery and I am sure on your behalf, Mr. Speaker, we would like to welcome them here. This is just how recent the discussions are.

**Mr. Speaker:** The hon. member for Essex South.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a few questions, the first to the hon. Minister of Municipal Affairs. Does the hon. Minister have, under review, the policy whereby severances of land in rural areas from a parent to a member of the immediate family are to be changed? Will such allowances be continued if the party in question is to work on the farm; and further will this policy be changed if the party is working in another endeavour and only wishes to reside on the lot so severed?

**Hon. Mr. McKeough:** Mr. Speaker, administrative policies are always under review and, because of the importance of equity in dealing with citizens who want to build homes for their families, the policies relating to the subdivision of land and the granting of consents is kept under particularly careful review. The main concerns are to ensure a good living environment, to avoid unduly high cost of services and to prevent urban sprawl from disfiguring the countryside, interfering with the agricultural economy and reducing the efficiency and safety of our roads.

In carrying out these policies, leniency has been shown where a single new lot is being created to accommodate a farmer who is retiring and whose son is taking over the operation of the farm. The same applies where a farmer's son who is helping to run the family farm decides to marry and set up his own home on the farm. There is no present intention of departing from this practice in *bona fide* cases.

I think question two is answered in that. Question three: As indicated, the current policy is to encourage residential development to locate in an area best suited to it and to avoid urban sprawl.

A family relationship in itself will be unlikely to justify departure from this policy. However, if the hon. member has any specific problems in this connection, I would be glad to have a look at them.

**Mr. Paterson:** Mr. Speaker, I have a question of the hon. Minister of Agriculture and Food. Does the hon. Minister intend to introduce, in this session, an amendment to The Farm Products Marketing Act that will make permissive, regulations concerning acreage control, and provisions similar to those now pertaining to tobacco allowable on other agricultural products?

Second, is the hon. Minister negotiating with the province of Quebec and the federal

government to minimize the imports of agricultural products that may flow into our province if our producers place voluntary limitations on the volume of their productions?

**Hon. Mr. Stewart:** Mr. Speaker, first of all I would advise the hon. member that he would have to wait and see in reply to question (a). With regard to matter (b) it is a purely hypothetical situation. I would say this, that it is a matter of constant concern to our department and to myself personally. I have had many discussions with the Minister of Agriculture in the province of Quebec as well as with the federal government's Department of Agriculture, at ministerial level, concerning the problem of agricultural commodities flowing into the province of Ontario where there are now types of mandatory control on production of those commodities.

**Mr. Speaker:** The hon. member for Huron-Bruce; does he need copies or has he his copy?

**Mr. M. Gaunt (Huron-Bruce):** No, Mr. Speaker, I think I have the wording fairly—pretty close here. I have two questions, both directed to the Minister of Agriculture and Food.

Why is the cost of commercial fertilizer so high in Ontario in comparison to the United States prices, as reported by the Federation of Agriculture?

**Hon. Mr. Stewart:** Well, Mr. Speaker, we have not had time to look into this matter entirely. It is within the terms of reference of the farm income committee which, I assume, has already given that matter consideration. It is certainly within the terms of reference of the present farm income committee which has been designated to investigate all aspects of the corn industry.

I would assume it to be likely that farmers will avail themselves of the suggestion made by the federal Minister of Agriculture when he suggested to certain people that they should take advantage of the opportunities to purchase their fertilizer in the United States cheaper than they can in Canada according to their figures. There is no import restriction and there is no duty involved.

**Mr. Gaunt:** The other question, Mr. Speaker: Has the Minister referred the specific problem of the high cost of importing British and European made tractors into Canada, which was brought to the attention of the public at the annual meeting of the Ontario Federation of Agriculture, to the farm machinery committee?

**Hon. Mr. Stewart:** Yes, Mr. Speaker, the Ontario farm machinery committee has a great deal of information concerning this price differential and I would say that, as well as other matters pertaining to this item that have been brought to our attention, some Ontario farmers, I understand, have already availed themselves of the opportunity of bringing in tractors from the United Kingdom by passing the normal channels.

I understand the Ontario Federation of Agriculture has compiled a document outlining how this can be accomplished.

**Mr. Speaker:** The hon. member for Port Arthur has the floor.

**Mr. Knight:** Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs. Is the Minister prepared to review his decision that a plebiscite should not be held at the Lakehead to consider the Hardy report because of recent developments concerning the future of Fort William city and Neebing township?

**Hon. Mr. McKeough:** The answer, Mr. Speaker, is "no".

**Mr. Knight:** Mr. Speaker, if I might be permitted a supplementary question. Does this mean that the door is completely closed on the chance for the people in the Lakehead cities, who would be affected by amalgamation as proposed by the Hardy report, to vote on this matter? Is the door closed?

**Hon. Mr. McKeough:** I have answered the question.

**Mr. Knight:** I did not hear the Minister.

**Mr. Speaker:** The Minister is not accepting a supplementary question on the basis that he has already answered the question.

**Mr. Knight:** He has already answered it. The door is closed. Thank you very much. I have a question now, Mr. Speaker, for the hon. Minister of Health. It is in three parts.

Part one: Is there a shortage of qualified personnel who are graduates of Bachelor of Science in nursing in the province? Would the Minister like all three questions, Mr. Speaker?

Part two: What is the salary cut proposed for 1969 for new nursing teachers who have completed the Bachelor of Science in nursing programmes?

Part three: Is the Minister prepared to institute an attractive bonus system to encour-

age more university graduates to enter nursing service as recommended by the Registered Nurses Association of Ontario?

**Hon. Mr. Dymond:** Mr. Speaker, I am somewhat at a loss to understand the first part of the hon. member's question. Any holder of the Bachelor of Science degree in nursing is, I presume, automatically qualified or she would not have that degree.

However, I think I know what the hon. member is getting at. There is a shortage of these people; 5.4 per cent of the almost 38,000 nurses actively engaged in nursing hold a Bachelor of Science degree in nursing. This amounts to just a little over 2,000 and we could use a great many more of them.

OHSC till the present time has—in reply to part two of the question—approved a salary differential or educational increment of \$80 per month in recognition of the B.Sc.N. degree, and this is being provided for teachers in nursing. Nurses in nursing services in hospital with a similar degree, however, received an educational increment of only \$50 per month and recently these two groups were equated and an educational increment of \$55 per month granted to both: that is reducing those who were engaged in teaching in nursing by \$25 per month. OHSC this year proposed an increase in the educational bonus of \$5 per month for the nurse in hospital service who holds the bachelor degree, thus equating the increment to those in teaching positions in nursing. Both nurses hold the same academic qualifications and it has been believed, for some time, that they should both be paid the same salary increment in respect of this.

To number three: Two years ago, The Department of Health instituted a very attractive bursary system to encourage more nurses to take advanced training in all branches of nursing, but with particular emphasis on clinical nursing. We believe the educational bonus as just outlined is a reasonably attractive system, joined to the bursary system that is provided for in preparation for higher responsibility.

**Mr. Speaker:** The member for Downsview.

**Mr. Singer:** Yes, Mr. Speaker, I have a question for the Attorney General. What action does the Attorney General intend to take with respect to Chief James Mackey, the chief of the Metropolitan Toronto Police, and his admission on November 14, that his officers have seized privately owned wire tapping equipment during the previous two weeks—and the question should have gone

on to say, that he admitted he had no authority to so act.

**Hon. Mr. Wishart:** Mr. Speaker, I do not propose to take any action. The situation is that the material seized was, I think, four or five instances over a recent period of time where the Bell Telephone employees reported to the chief, or police authorities, that they had found electronic devices attached to their telephone lines.

They turned the material over to the police and reported the matter to them. There is no evidence and no way of finding out, at the moment at least, who this belonged to and, of course, nobody is coming forward to claim it. So it is just a matter of these things being reported—equipment which has been delivered to the police. I think there is nothing indicated that we should do at the moment.

**Mr. Singer:** Mr. Speaker, a supplementary question. Is the Attorney General not shocked when the chief of police of the largest city in this province says "we have no authority to act as we did?" I would be shocked if I was the Attorney General.

**Mr. MacDonald:** He has no authority—

**Hon. Mr. Wishart:** I do not know as I agree. I mean, I did not read what the chief of police said. There is a Telephone Act—

**Mr. Singer:** I am talking about the chief of police.

**Hon. Mr. Wishart:** I am reciting the facts of the matter.

This was equipment found attached to telephone lines—found by telephone employees. It was turned over to the police. We do not know whose it is. Nobody is going to come forward to claim it. We can continue to investigate. It is against The Telephone Act, but what is to be done?

**Mr. Singer:** Mr. Speaker, I am prepared to leave it, but what the Attorney General says is not in accordance with what the chief is quoted as having said: "We picked up five bugs in the last two weeks."

**Hon. Mr. Wishart:** Mr. Speaker, if I must pursue this.

In the last session, in public, in representations made to Ottawa we have requested, we have suggested, we have urged that there be a law against electronic eavesdropping, and that some provision be made for the police to do it under strict control. Now, if that law were passed—and I understand the Minister



of Justice has made a statement he will produce such legislation, which I had also suggested should be national or federal, one law across the country. When we have that, then the chief of police will have the law he is perhaps looking for. But in the circumstances I recited, I do not know there is anything to be done.

**Mr. Singer:** One can only conclude the Attorney General is not concerned about chiefs of police breaking the law.

**Mr. Speaker,** I have another question for the Minister of Municipal Affairs.

Would the Minister state the position of his department in the manner—this question is worded—of the vacancy, the anticipated vacancy in aldermanic representation of ward 3 in the city of Toronto?

And the second part of the same question: Has the Minister received any resolution from the city of Toronto council to suggest that there should be provision in The Municipal Act to permit a by-election to be held in this particular case and in any similar situation in the future and, if so, is he prepared to take any action?

**Mr. Speaker:** Perhaps the hon. member would ask his question in the terms in which he submitted it and, if he did not add a further question when he submitted it this morning, he should not do so now, except by way of supplementary question.

The last question should not be taken by the Minister except as a supplementary question.

**Hon. Mr. McKeough:** In reply to the first question, Mr. Speaker, I would just say that as far as I am aware there is no vacancy for aldermen in the city of Toronto at the present time.

As far as the second question is concerned, the answer is "yes".

**Mr. Speaker:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Labour—

**Mr. Singer:** Mr. Speaker, with apology to my colleague, by way of a supplementary question, what action is the Minister prepared to take in answer to the resolution that he has received?

**Hon. Mr. McKeough:** I received the resolution and I have written to them.

**Mr. Singer:** Is the Minister prepared to act on what they recommend?

**Hon. Mr. McKeough:** That matter is public knowledge. It has been quoted in the press.

**Mr. Singer:** Well, I am asking the Minister here.

**Hon. Mr. McKeough:** Does the member want me to put it on record here?

**Mr. Singer:** Would the Minister tell us whether he is prepared to act or not?

**Hon. Mr. McKeough:** I am prepared to act.

**Mr. Singer:** Is the Minister going to act in this session?

**Hon. Mr. McKeough:** I have indicated so to the city of Toronto.

**Mr. Singer:** Then why did the Minister not say so, instead of shadow-boxing?

**Hon. Mr. McKeough:** It is in the paper. Does the member want everything repeated ten times?

**Mr. Singer:** What is the Minister hiding?

**Hon. Mr. McKeough:** Mr. Speaker, why does he not answer the questions intelligently and then we would not get into this mess.

**Mr. Singer:** That is what I was asking for, Mr. Speaker, an intelligent answer.

**Hon. Mr. McKeough:** Mr. Speaker, I just wanted to know. He added to the question all the way through it.

The second question, "Has the Minister received any resolution from Toronto?". My answer was "yes".

Why does not the member ask what my answer was, instead of going through all this gibberish and then coming up with innumerable supplementary questions?

**An hon. member:** And then he accused the Minister of shadow-boxing.

**Hon. Mr. McKeough:** Yes, who is shadow-boxing who?

**Mr. Speaker:** Order! Perhaps the members will allow the member for Windsor-Walkerville, who has been very patient, to ask his questions now.

**Mr. B. Newman:** Thank you, Mr. Speaker. I have a question of the Minister of Labour and it reads as follows:

What steps is his department taking to assist the one thousand or so workers of the

Ford Motor Company, Windsor, who will be on a temporary lay-off, which, for some, may last as long as one year? And, by the way, this lay-off will affect 451 people next week.

**Hon. Mr. Bales:** Mr. Speaker, the answer to the question of the hon. member for Windsor-Walkerville:

The department, through its training services, will be supporting and co-operating with the federal manpower department in whatever steps it may take in response to the situation in Windsor. From the announcement that I received, this contemplated conversion will start next May.

**Mr. B. Newman:** If I may put a supplementary question, is not the department at present actively working on some type of programme for the 451 that will be laid off next week?

**Hon. Mr. Bales:** Mr. Speaker, the matter of 451 people had not come to my attention previously. I received notification of the conversion two days ago.

**Mr. B. Newman:** I will send over to the Minister the newspaper clipping that specifically indicates the numbers that will be laid off. And a lot of these, Mr. Speaker, do not qualify for supplementary unemployment insurance benefits, so they may find themselves severely handicapped.

A second question of the Minister: What steps is his department taking in an attempt to settle the three-month-old strike at the Dominion Forge Company in Windsor?

**Hon. Mr. Bales:** Mr. Speaker, my officials are keeping in close touch with the company so that we can render all assistance possible to them, and we have done this over a period of time.

**Mr. B. Newman:** Has the Minister not been called in by both labour and management in an attempt to settle this?

**Hon. Mr. Bales:** Mr. Speaker, I think I indicated that to you; we have been in close touch with them constantly on this.

**Mr. B. Newman:** Thank you, Mr. Speaker.

**Mr. Peacock:** Mr. Speaker, I have a point of order which I have been holding on to for

some time until the end of the question period, but I would like to put it to you now.

I felt myself to have been somewhat misled—and perhaps you yourself were—by the explanation given during our earlier discussion on the motion to establish a committee on housing and urban affairs, to the effect that the absence of the Minister of Trade and Development was due to his preparations for a trip to Trenton. It has just come to my attention, Mr. Speaker, that in fact he is on his way to preside over the inauguration of the Quaker Oats Company's entry into the frozen baked goods business. He will be participating in the enjoyment of cream puffs from a plant financed perhaps in part by his agency, instead of being in his place to deal with the business of housing when we were talking about it.

**Mr. Speaker:** It is unfortunate that the hon. member did not accept the explanation which I was able to give of the Minister's absence, which I believe was quite correct. It has been elaborated on, of course, by the hon. member.

At this time I would like to recognize a distinguished member of the House of Representatives of the Dominion of New Zealand, Mr. John Luxton, who is in Mr. Speaker's gallery, who, with his wife is returning from the Commonwealth Parliamentary Association gathering held in Nassau a short time ago.

Orders of the day.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, tomorrow we will call the first order, the motion will be moved by the member for Prescott and Russell (Mr. Belanger) and seconded by the member for Fort William (Mr. Jessiman).

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

**Mr. Speaker:** I just wish to explain to the members that I did not wish to bring them back at 2:30 tomorrow, and I had forgotten the exact wording of the Prime Minister's motion.

The House adjourned at 5:40 o'clock, p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, November 21, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, NOVEMBER 21, 1968

The House met at 3 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome guests from the following schools: In the east gallery, students from Wilcox public school, Toronto; and in the west gallery from Georgian Bay secondary school, Meaford.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE MUNICIPAL ACT

Hon. W. D. McKeough (Minister of Municipal Affairs) moves first reading of bill intitled, An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, section 1 is a technical change; section 2 is the main reason for the bill. It straightens away the hours of voting on December 2 next, along with Bill 44. I sent a memorandum to all members of the Legislature, or a copy of the memorandum about this, and our notice to bring this bill in.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, there does not seem to be much competition on this side of the floor, but I do have a question for the Premier (Mr. Robarts).

Does Ontario Hydro status require it to get government approval before proceeding with its announced plan to build a \$28 million head office to be located on the corner of University Avenue and College Street and to be completed in 1971? And if so, has the government granted, or is it considering, such approval?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, section 38, subsection 1 of The Power Commission Act gives the Ontario Hydro Electric Power Commission authority to acquire land and erect any buildings it

may deem necessary for its own purposes, and this can be done without any reference to the Lieutenant-Governor in council. Therefore, the answer to the first part of your question is "no". No sanction of this government is necessary for Hydro to proceed.

However, the member might be interested to know that no final decision has yet been reached by Hydro to go ahead with the building. They have owned the property since 1963. I am told that approval has been given for the complete design and working drawings, and no approval beyond that stage has been granted, but the building is being planned.

Hydro is presently paying out about \$1.2 million a year in rentals for accommodation for their headquarters staff and, of course, this is the staff they propose to accommodate in this building. Their plans are related to what is foreseen as the expansion of Hydro up until, I believe, about 1990. This building, as it is being planned, will be larger than their immediate needs and the surplus space will be rented out until it is required by Hydro itself.

Members will know that our power requirements from Hydro are increasing at the rate of about ten per cent a year, which means in the next ten years they have to reproduce everything that we have been able to create in the history of Hydro to date. They foresee the need for this expansion and that is the basis of the planning of this building.

**Mr. Nixon:** Mr. Speaker, if the Premier would permit a supplementary question.

Does he believe that that particular plot of ground in the heart of the capital city should be used for this purpose rather than directing the head office to be located outside the Metropolitan area?

**Hon. Mr. Robarts:** Mr. Speaker, I think, in the first place, I can only have a general opinion on the subject because I am not particularly conversant with the administrative problems. I do know however that they have a very large head office staff. They feel that it should be in this location, close to government. I do not see any reason why this site

would not be suitable for them. This property is going to be used for offices. I suppose, if they do not build an office there, somebody else will and Hydro has installations of all kinds, sorts, sizes and shapes scattered all over this province and—

**Mr. E. Sargent (Grey-Bruce):** In other words, the Premier was going to—

**Hon. Mr. Robarts:** There is that great brain at work again.

**Mr. Speaker,** I find it difficult to understand the hon. member's interjections, but as I say, Hydro certainly has not concentrated its building in the city of Toronto. I do not know what the Toronto members think about this eternal running down of the capital city that takes place here.

Certainly, Hydro has a great number of installations in many, many different parts of the city and, if they think, in the interests of the efficiency of the operation of Hydro, their head office should be adjacent to Queen's Park, the centre of government and to the financial institutions of our province, I frankly do not see any objection to it.

**Mr. Nixon:** Mr. Speaker, if the Premier would permit a further supplementary question.

I can see the validity of his point in having them close to the financial institutions because they are going to have a lot to do with them, but they are autonomous of government based on the Prime Minister's own comment. So, I would ask the Prime Minister, if in fact they decide to go ahead, would he use his authority, through the vice-chairman, to postpone this decision until the present fiscal nightmares recede?

**Hon. Mr. Robarts:** Mr. Speaker, I think that is inherent in what Hydro is doing. What they are doing is planning the building. They have not let any contracts. But it will take some considerable time to design it and the only control we have as a government, over the operation of Hydro is, of course, that we have to secure—we have to guarantee—

**Mr. Nixon:** We back every dollar they borrow.

**Hon. Mr. Robarts:** We have to guarantee every dollar they borrow. And while we are in this debate, which is far from the question, I can certainly assure the hon. members of this House that the borrowing policies, practices and the timing of borrowing by Hydro is very closely co-ordinated and

worked out with the Treasurer and Treasury officials here. Because, if we are to have an orderly financing of the needs of this government and of Hydro, we need a high degree of co-operation.

This is what we have been trying to get with the federal government but have been unable to do so. But within those matters that we control, I can assure you there is a very high degree of co-operation.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Minister of Revenue (Mr. White).

Is the Minister reviewing Ontario's succession duty laws with a view to implementing the same exemptions to spouses as recently granted at the federal level?

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, all tax statutes are under review in the light of the Smith committee and the select committee reports.

**Mr. Nixon:** Oh, he is going to be a great Minister; he qualifies!

I am sure that such intensive review is necessary after the previous jurisdiction under the Treasurer has just been accomplished. We have to think of something to keep the new Minister busy and this might perhaps be as useful as anything else.

I would like to ask, Mr. Speaker, if the Minister of Lands and Forests (Mr. Brunelle), who is now in his seat could answer this question: Can the Minister report overall utilization figures for the provincial parks for 1968 compared to those figures for 1967?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. leader of the Opposition, may I say that we are in the process of completing these figures and hope to have them available soon. We will be very pleased to supply a copy to his office.

**Mr. R. D. Kennedy (Peel South):** In view of the disastrous effects on people and property in the proximity of Malton airport, if the presently proposed expansion takes place, would the Prime Minister inform the House if the province can do anything to insure reconsideration by the federal government of this totally unacceptable scheme?

**Mr. Speaker:** The hon. member for Humber has a similar question, which perhaps he will now place?

**Mr. G. Ben (Humber):** Yes, Mr. Speaker. My question of the hon. Prime Minister is:

As the Ontario spokesman for 1.5 million people who will be adversely affected by

the extension of the Toronto International Airport, what is the Premier doing to have such an extension halted and, in the alternative, sir, promote the construction of a new international airport at Camp Borden with connecting GO transit lines to Toronto?

**Hon. Mr. Robarts:** Mr. Speaker, in answer to both these questions, I would say first it is my understanding that the federal government is not bound by our zoning by-laws. Their powers of expropriation override any provincial power, and they are not bound by an open by-law. Against that background and the fact that international airports are entirely within the jurisdiction of the federal government, anything we do must be against that background of facts.

I have been asked to meet a group of ratepayers who will be affected and I propose to meet them. In the meantime, the government is looking very closely at all the various facts being produced by this situation. We are concerned with the living conditions of the people who reside in that area. Land values would be affected, as well as the comfort of living. I can assure you we intend to look after their interests in the best way that we can.

At the moment, there are at least five departments in this government who are interested in this whole proposition: The Department of Municipal Affairs; The Department of Highways; The Department of Health as far as pollution and noise, if I may put it that way, are concerned; The Department of Energy and Resources Management; and The Department of Transport.

We have been approached by officials of The Department of Transport of the federal government and we are in consultation with them. We are in the position, now, of trying to sort out the ramifications of the proposals the federal government has made. As far as I am aware no final decisions have been made. The whole matter is being investigated and we are gathering up all the information being produced from various sources, and advanced by various interested groups.

We have been approached by the federal government and we intend to sit down with them and discuss the whole matter. Then we will decide what position we, as a government, will take. I make these comments against the background of the fact that it is a federal responsibility. That their jurisdiction in expropriation, in zoning by-laws and in land-use policies, overrides that of the province or the municipalities involved.

**Mr. Ben:** Will the Prime Minister accept a supplementary question?

**Hon. Mr. Robarts:** Yes.

**Mr. Ben:** Do I take it then that, aside from the concern expressed by five departments, the Prime Minister's government has made no statement to the federal government expressing its objection to the proposed expansion of the Malton International Airport?

**Hon. Mr. Robarts:** Mr. Speaker, I can only repeat what I have said. We have made no positive statement that we, as a government, object to what the federal government is proposing. What we are doing at this stage is sitting down with the federal government to examine all the ramifications and effects of what they are proposing. Those proposals may be changed; they may be altered; we do not know. Certainly, I am informed that no final decision has been made by the federal government.

In other words, the whole proposition is presently being examined and we are taking part in that examination to see how it affects the interests of this government in the various departments I have mentioned. For instance, The Department of Highways must, of course, be very interested because of the highways we have built to provide service to Malton. We do not know whether they will be adequate, for instance, if this expansion takes place.

In addition to that, there are the interests which I believe the two hon. members who asked the questions are trying to put forward, and there are the interests of the residents about the area who will be affected, and of course we are very concerned in their interests in this matter. That is why I am making arrangements to meet with them so that they may tell this government their exact points of view. Every time you pick up a newspaper there is another report from somebody dealing with this matter. I do not think all the information that will be available about the matter is necessarily before us at the moment. When we have all these opinions—and even before that—we will confer with the federal government and then decide what our position is.

**Mr. Ben:** The Minister is saying there is no foresight on the part of the government.

**Mr. Speaker:** The hon. member for Sarnia has the floor.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I have a question for the hon. Premier.

Would the Premier advise whether his government has established a policy relative to uniform municipal taxation with respect to international bridges, as mentioned by the Minister of Municipal Affairs (Mr. McKeough) to the private bills committee of this House during the first session?

If the answer to the above is yes, would the Premier advise whether his government contemplates proposing legislation in this session with respect thereto?

**Hon. Mr. Robarts:** I do not know that I am exactly aware of what the Minister of Municipal Affairs said to the private bills committee of the House; on the other hand, I can tell the member where the matter stands at the moment.

As I explained to the House last year, in Ontario we have about every form of arrangement in international bridges that the mind of man has been able to devise. It is once again a split jurisdiction. The federal government is involved in international bridges because of their international aspects. We are involved, of course, because the Canadian end of the bridge will be in some municipality or in some part of the province of Ontario. I have been in communication with the former Prime Minister of Canada, and the present Prime Minister of Canada, and we are in the process of instituting studies which will cover not just the one bridge the hon. member who asked the question happens to be interested in—and I know the problem in his riding—but we have a whole series of international bridges extending across the St. Lawrence River, the Niagara River, the Detroit River and the Fort Frances—is it the St. Mary's River?—and the river at Fort Frances, in any event.

So we find it necessary to take a rather broad approach to this problem. These studies are not complete, and therefore I would have to answer the member's first question in the negative. We have not yet established a policy relative to uniform municipal taxation. On the other hand, I would say that our studies in this regard are proceeding and I hope that we will have a solution which will be satisfactory to all the various interests involved.

**Mr. Bullbrook:** Mr. Speaker, if the Premier would permit, recognizing that his obligation is a broad one—I suggest most respectfully, would he not agree that it is a rather lengthy one? In this respect, Mr. Speaker, the Minister of Municipal Affairs at the time of the presentation of my private bill last year, ad-

vised that the government had this under contemplation at that time. I wrote to the Premier some three months ago—

**Mr. Speaker:** Order! The member is placing a supplementary question, not making a speech. If he would place his question please.

**Mr. Bullbrook:** I thought that I properly premised this speech, sir, would you not agree?

In essence, Mr. Speaker, am I able to assure the people of my riding that there will be some legislation instituted in this session relative to their particular problem?

**Hon. Mr. Robarts:** Mr. Speaker, I could not possibly give him such an undertaking. As I point out, this government does not have control over this situation.

It took 30 or 40 years, at least, to build up this legal tangle involving international bridges and I do not think it can be expected to be solved in six months.

It is a very complex matter indeed and it involves some states in the United States. It involves the federal government of the United States. It involves the government of Canada. It involves the government of the province of Ontario. It involves certain municipalities and it involves certain private companies that were given permission to operate international bridges at various times in the distant past. I have no magic wand that I can wave to cut through all the legal complexities that surround the issue.

I think you can assure the people of your riding that we are very aware of their problem and we will look after their interests as this matter unfolds.

**Mr. Bullbrook:** I have a question, Mr. Speaker, for the hon. Attorney General (Mr. Wishart).

Would the Attorney General advise the term of appointment of one Bruce Goulet as a member of the police commission of the city of North Bay?

Two, would the Attorney General advise whether this man's appointment is the beginning of a policy by the department of appointing other than magistrates and judges to the police commissions?

Three, would the Attorney General advise of Mr. Goulet's qualifications for such office?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the question comes in three parts, making actually three different questions.



The appointment of a member of the police commission—board of police commissioners—is at the pleasure of the Lieutenant-Governor in council and they may serve for one year, two years, three years or longer.

That is the first part of the question.

The second part inquires, Mr. Speaker, if this is the beginning of a policy by the department of appointing other than magistrates. I would like first, Mr. Speaker, to point out that the Minister is not called upon to answer a question as to government policy in my view and I think that is clear in the rules. However, I would not refuse to answer it on that ground.

Actually there have been a number of appointments of persons other than magistrates to police commissions. In particular, I recall in my own city of Sault Ste. Marie four years ago, in addition to the mayor and the district judge, a citizen who happened to be an ex-mayor was appointed. He is still serving. That is about four years ago. That policy—if it is a policy—has been adopted in a number of other municipalities.

I think perhaps I might enlarge a little bit upon that. The Police Act used to call for the appointment of the head of a municipality, a district or county judge and a magistrate, so that there were three persons. I just do not recall the date of the amendment which changed the requirement that it be a magistrate to "one other person," but it was four or five years ago at least. We have not been bound, therefore, to appoint magistrates, and have been exercising the latitude which that amendment gave to appoint other citizens. Generally in that regard we look for a citizen who has had experience perhaps in municipal affairs or business affairs, a citizen of character, one who is knowledgeable and who has the respect of the citizenry.

We have been following that quite generally, but I would not say that we have abandoned entirely the option to appoint a magistrate. In many commissions magistrates have served for years and have served with great distinction and have offered great service to their communities. I think generally we have been moving from the magistrate to the citizen.

As to the third question about the qualifications of Mr. Goulet, I have not had time to get that information but I would be glad to get it and perhaps I might present it to the member. I take it it is for his own information. I would be glad to do that.

**Hon. A. F. Lawrence** (Minister of Mines): Mr. Speaker, I rise on a point of order, or what I believe is a point of order, sir, and it involves a sort of two-pronged question to you.

1. I wonder if you could inform the House if there is any procedure whereby a member's seat could be declared vacant by the House due to a rather cavalier attitude respecting the duties and responsibilities of that member in attending the proceedings of this House?

2. I was wondering if you had given the members of any particular group of this House leave of absence to absent themselves from the House, because I draw your attention, sir, to rule 23 of the rules of this House, and I quote:

Every member is bound to attend the service of the House unless leave of absence has been given by the House.

**Mr. Speaker:** I would be most pleased to take the Minister's first point under consideration. With respect to the second point I am quite sure that the reason for absence of those to whom undoubtedly he refers is probably substantial, and probably as good as that reason used by any other members who find it expedient to absent themselves from the proceedings of this House from time to time.

**Hon. A. F. Lawrence:** In pressing the point, sir, I was wondering if the members of the NDP group in this House had received your permission to absent themselves from the House today?

**Mr. Speaker:** It has not been the practice in this assembly for members to request leave of absence from the Speaker. That is usually done through the party Whip's office and I would anticipate that the same procedure was followed by the group in question today.

The hon. member for Scarborough East.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, I have a question for the Minister of Education.

Who are the members of the Minister of Education's committee which has been meeting since June, 1968, to examine existing concepts, standards, methods and facilities for training secondary school teachers? And when will the committee's report be tabled in the Legislature?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, I am not sure whether the phraseology used by the hon. member really is quite appropriate. I do not think the terms of reference for the committee were really

quite that broad, as I understand it. This committee really arose out of the decision to discontinue the summer courses at the OCE and is composed of a group of individuals who are recommending to us ways and means of keeping a flow of teachers into the secondary schools at the same time as we discontinue the summer school programme.

The chairman of the committee is Mr. T. D. Boone, director of education, Etobicoke; Mr. J. B. Callan, representative of the Ontario secondary school headmasters' council and principal of Nepean high school; D. F. Daddon, the dean of the OCE, Toronto; H. B. Henderson, regional superintendent of The Department of Education; St. Catharines; N. J. Hill, representative of the Ontario teachers' federation, St. Marys; Mrs. J. Aceti, executive officer, Ontario secondary school teachers' federation; J. F. Kinlin, superintendent of curriculum, The Department of Education; R. D. MacDonald, representative of the Ontario school trustees' council, Tillsonburg; A. H. McKague, superintendent of supervision, The Department of Education; Vernon Ready, dean of McArthur College of Education, Queen's University, Kingston; J. W. Singleton, representative of the association of Ontario directors of education and the director of education for the Burlington board; W. S. Turner, dean of Althouse College at Western; G. L. Woodruff, director of teacher education, The Department of Education; and David Steinhauer, secretary and also assistant director of teacher education in the department. I will get the member a list if he would like.

**Mr. T. Reid:** Mr. Speaker, I was wondering if the Minister might answer the second part of my question. When will the committee's report be tabled in this Legislature?

**Hon. Mr. Davis:** Mr. Speaker, this is not what one would really call a formal, shall we say, committee; it has been a group working on this particular problem. I really had not contemplated tabling it as such, but I would certainly consider this, or making it available to members of the education committee or to the hon. member—just whatever procedure would be appropriate. It is apparent that it is now under discussion in the department to see just what steps we can take and certainly I will give the members the information contained in it.

**Mr. T. Reid:** Mr. Speaker, I would like to clarify one of the Minister's remarks. He mentioned that the wording in the question was a bit strong. I would let the Minister

know that the wording is taken from his own report of September, 1968, on the functions of that committee.

The second question for the Minister of Education, Mr. Speaker, is this. What justification is there for the Minister of Education's decision that average building costs per pupil for elementary schools for new projects should be allowed to increase by 14 per cent between 1967 and the first half of 1968?

**Hon. Mr. Davis:** Mr. Speaker, the actual costs of construction between the two years has increased in the neighbourhood of from two to three per cent. This is the actual increase in the average building cost. The remaining 11 per cent, and this is a guesstimate, results from a number of elementary boards that constructed, say, a five- or six-room school four or five years ago, and have added library facilities or resource facilities, perhaps gymnasiums, or what have you, to their existing facilities. The actual cost of construction for elementary schools during that period of time is between two and three per cent. The additional percentage that will reflect itself, perhaps, in the information the member obtained from the Minister's report, reflects the addition of such items as libraries, and so on, to what had been existing units.

**Mr. Speaker:** The hon. member for Grey-Bruce. The hon. member for Grey-Bruce was on his feet a short time ago and he is next if he wishes to ask a question.

**Mr. Sargent:** Mr. Speaker, a question to the Attorney General. I know I have the unanimous support of the NDP on this today.

What steps are being taken to require owners of guns to possess an identification card obtained from a proper authority?

Second, what steps are being taken to forbid the sale of any firearms to any individual not possessing such a card?

Third, will an Ontario gun code be drawn up?

Fourth, will the government consider having a firearms amnesty day during which the owners of unregistered hand guns would be able to surrender these weapons without criminal charges being laid?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member on April 23 and on June 7 of this year asked the same question of me.

**Mr. Sargent:** I will bet the Minister is completely wrong.

**Hon. A. Grossman** (Minister of Correctional Services): I will bet on the Attorney General.

**Hon. Mr. Wishart:** The question on June 7 was:

What steps does the government plan to institute in regard to a gun control law, such as prohibiting purchase by mail and making guns harder to get, and would the government consider a week of amnesty to be able to turn in illegally held weapons?

I answered at that time, Mr. Speaker, as I answer it again today, that the matter of control of guns—"offensive weapons," as they are described—is a matter for federal jurisdiction and control. There are numerous sections in The Criminal Code starting at section 82 and running some 10 sections or more, under the headings of Offensive Weapons, Possession of the Weapons, Carrying of the Weapons, Carrying Concealed Weapons, the Registration of Weapons, and Firearms.

This whole matter is in the code. I pointed out in my answer in June of this year that a bill had been presented in the federal House, on which we had offered some advice and comment to the Minister of Justice at Ottawa. The bill, which I have here, was Bill C195. It was given first reading in the federal House on December 21, 1967. It had not been concluded when the last session of the Parliament at Ottawa prorogued, but I understand it is again before the House. It will be introduced again and it has wide provisions with respect to the control of firearms. As to the matter of amnesty, that is not within our jurisdiction either.

This question has really been asked now three times, and answered the same way.

**Mr. Sargent:** The Ontario Junior Chamber of Commerce wants to sponsor an amnesty day. Would the Minister suggest to me that I tell them that it is "no dice," that he does not encourage it?

**Hon. Mr. Wishart:** I would not suggest that the member tell them "no dice." I would suggest that he tell them that it is a matter within federal jurisdiction of this whole area.

**Mr. Sargent:** The same thing about wire-tapping too?

**Hon. Mr. Wishart:** Yes, wiretapping too. The criminal law applies to the whole country. These laws are in the field of criminal law; all our criminal law is contained in The Criminal Code which is a federal statute. Anything relating to criminal offences is federal.

**Mr. Sargent:** Another question to the Attorney General, Mr. Speaker.

Will the Attorney General consider putting into force, in Ontario, a programme whereby persons arrested for minor offences be given summonses at station houses, instead of being taken immediately into court?

**Hon. Mr. Wishart:** Mr. Speaker, the procedure with respect to arrests—

**Mr. Sargent:** Of minor offences.

**Hon. Mr. Wishart:** Yes, I will come to that, just give me an opportunity.

The procedure with respect to the issue of summonses, rather than arrests, is, again, all laid down in The Criminal Code of Canada and those are the procedural rules, which are federal.

Now I know the hon. member is talking—if he will give me his attention—the hon. member—

**Mr. Sargent:** I was—

**Hon. Mr. Wishart:** The hon. member refers to—

**Mr. Sargent:** We do not believe all—

**Mr. Speaker:** Order! Order!

**Hon. Mr. Wishart:** When you do not hear it, you cannot very well believe it.

The hon. member speaks of minor offences and I take it he is speaking of those quasi-criminal or minor matters which are within Ontario jurisdiction.

With respect to those, we did make provision by amending our Summary Convictions Act by which we provide that—with respect to those things which lie within Ontario statutes, such as The Highway Traffic Act, The Liquor Act, and so on—the officer may, in a sense, arrest. He may arrest and bring the person before the police station or to such premises and there, the senior officer may release such person on his own recognizance. We have that with respect to Ontario offences, and those, I think, are what the hon. member means by minor offences.

We have no authority to do this with respect to the federal offences in the code. The procedures are laid down in the code. I would say this, we again have made representation to Ottawa, through the Minister of Justice there, sometime back that this would be a procedure which might very well be adopted.

**Mr. Sargent:** Thanks, in a supplementary way.

**Hon. Mr. Wishart:** And may I just add this. The Criminal Code, I think the hon. member knows, is also now before the federal Parliament. I am not sure that it contains this provision but the criminal code is being reviewed. The new statute we expect will appear shortly.

**Mr. Sargent:** Mr. Speaker, is the Minister aware that in another jurisdiction in 147,000 cases of summonses issued they saved \$1 million in court appearances? It would seem to be a good thing to try in all minor offences in this province.

**Hon. Mr. Wishart:** I wish you would make representation to Ottawa and support us in this.

**Hon. Mr. Grossman:** He is not talking to Ottawa.

**Mr. Sargent:** A question to the Attorney General.

Mr. Speaker, is the Attorney General aware that Mr. Justice McRuer recommends that in every single one of the provinces, 500 justices of the peace should be fired and a fresh start should be made? Does the Attorney General agree, and if so, what steps are being taken?

**Hon. Mr. Wishart:** Mr. Speaker, I am quite aware of the recommendations made by the hon. Mr. McRuer in his report on inquiry into civil rights. I did make some previous comment about this.

Mr. McRuer suggested, as the hon. member represents, that the justice of the peace procedures and training, their approach, and so on, left a great deal to be desired. He said that they perhaps should all be removed from office and, I think he said, rehired.

**Mr. Sargent:** Mr. McRuer did not say that.

**Hon. Mr. Wishart:** Well, reviewed, in any event and sorted out. I am not sure just what he did mean, quite frankly. Certainly I do not think he directed his mind immediately to the practical consequences of such action.

I will say that along with our review of his other recommendations, this is one that we must review immediately. Every justice of the peace in the province has been asked to furnish us with the material showing the extent of his work, the service he is rendering and we are reviewing it from other approaches too. This is one of those recommendations which we are reviewing. But to simply dismiss them all and to leave the gap

which would then exist in our administration of justice is not a practical approach at all.

We are reviewing it and will be coming to certain conclusions before long.

**Mr. Sargent:** Mr. Speaker, on page 1114 of the report on civil rights, Mr. Justice McRuer reveals that the city of Toronto is in direct contravention of its general licensing by-law in allowing a club licence for \$300—

**Mr. Speaker:** Order!

**Mr. Sargent:** Club licence for \$300 to be sold for \$13,500—

**Mr. Speaker:** Order! Order!

The member may not place a question unless it be supplementary to a question which has been submitted to the Speaker's office. The member cannot as far as I can see, relate this to the question he just asked the—

**Mr. Sargent:** This is another question.

**Mr. Speaker:** Is it a new question?

**Mr. Sargent:** Yes, better sharpen up. He has it there some place.

**Mr. Speaker:** What number is on the question that the member is asking?

**Mr. Sargent:** I do not have the master list here, sir.

**Mr. Speaker:** The question that the member has asked has not been given Mr. Speaker. That question has never been submitted as far as I can recall.

**An hon. member:** Page 1114.

**Mr. Sargent:** All right. A question to the Prime Minister. He has it, Mr. Speaker, but—

**Mr. Speaker:** It has not been submitted to the office.

**Mr. Sargent:** I will sit down but I want to ask this question of the Minister of Economics and Development.

**Mr. Speaker:** Perhaps if it would be directed to the Minister of Trade and Development (Mr. Randall) it might be more directly answered.

**Mr. Sargent:** You change them so often around here, how are we supposed to know?

**Hon. Mr. Wishart:** Mr. Speaker, I still have one more question from the hon. member which was submitted yesterday, but the hon. member was not in his seat to read it

when the time came. I wonder if I could not dispose of his question before he proceeds to question other Ministers.

**Mr. Speaker:** Perhaps I also have that question.

**Mr. Sargent:** You probably know the answer to that one.

**Mr. Speaker:** I also have that question. I would be glad to give it to the member in case he has not got it so that he may ask this one—this is the one with respect to tenants' rights.

**Mr. Sargent:** What steps are being taken—that is to the Minister of Economics and Development—

**Mr. Speaker:** No, your office was advised that that was redirected to the Attorney General's office.

**Mr. Sargent:** I am sorry. What steps are being taken to make new laws giving the tenants such rights as a board of tenants' affairs, a law to enable tenants to defend themselves in court against eviction, and unfair leases?

**Hon. Mr. Wishart:** Mr. Speaker, almost a year ago I think it is now, I asked the Ontario law reform commission in its study on the whole field of property law to devote special attention to the field of landlords and tenants. We again made that request after checking with the commission just toward the latter part of the session in June of this year.

The work has been pushed forward. The studies are complete. The report is being prepared. I understand it is about ready for the printer and I am awaiting receipt of it. I expect it will contain recommendations on all these matters relating to landlord and tenant.

I might mention that a question of this nature was asked yesterday by the hon. member for York South (Mr. MacDonald). I gave him this answer. The hon. member was not here at that time.

**Mr. Sargent:** Mr. Speaker, a question of the Minister of Trade and Development: Would the Minister advise if a loan was granted from the Ontario development corporation to Caswell Hotel in Sudbury; how does Caswell fit into the terms of reference of the Ontario development corporation; and how much was the loan?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, let me first say

I am very delighted that the hon. member for Grey-Bruce has included me again this year as a member of the team to participate in "Eddie's happy hour".

The answer to the first question is no, not to Caswell Hotel (Sudbury) Limited. A conventional loan was approved to Caswell Management of Canada Limited operating Caswell's Hotel Bernard at Sundridge.

The second answer: Conventional loans are available to soundly based and well managed companies in a resort area for the purpose of providing facilities which are required and which do not now exist in sufficient quantity in the area.

The additional facilities include an increase in conference accommodation and an improvement in the ski facilities, both of which will benefit other resorts in the area.

And, three: a conventional loan of \$100,000.

**Mr. Sargent:** Mr. Speaker, may I ask a supplementary question? Would the Minister answer me these three points then? This man is a top Conservative, he gave money to the funds up north—

**Mr. Speaker:** Order!

**Mr. Sargent:** Are the terms of reference that they have not been able to get financing from any other source? Is that correct?

**Hon. Mr. Randall:** That is right.

**Mr. Sargent:** So, the Minister is suggesting that the millionaire firm of Caswell could not get loans from IDB, or anyone else. Holiday Inn could not get loans from IDB, or anyone else, but the ODC—

**Mr. Speaker:** Order! Will the member place his supplementary question?

**Mr. Sargent:** He has answered the question.

**Hon. Mr. Randall:** On a point of order, Mr. Speaker. I have not answered the question, I did not get a chance.

**Mr. Sargent:** Let us get an answer somewhere.

**Hon. Mr. Randall:** Let me first say, Mr. Speaker, that when this application comes in it is treated as any other. It goes before the members of the Ontario development corporation. It goes before an outside board of directors, who do not care what a man's politics are. It goes before the Treasury board and is approved by council. I might say that there have been no partisan politics in this province since the Hepburn regime.

Interjections by hon. members.

**Mr. Sargent:** Would the Minister answer another supplementary question?

How much of this loan is completely forgivable? Of the \$100,000, how much will he pay back?

**Hon. Mr. Randall:** I do not know: I would have to get this information—

**Mr. Sargent:** The Minister knows it is nothing, does he not?

**Hon. Mr. Randall:**—and I will be glad to answer it tomorrow.

**Mr. Speaker:** Does the hon. member for Grey-Bruce wish to place any more questions of his that I hold?

**Hon. Mr. Randall:** Mr. Speaker, I have another question here from the hon. member.

**Mr. Speaker:** The hon. member has adopted the procedure of filing with the Speaker's office a great number of questions and then asking only a few of them on certain days.

**Hon. Mr. Randall:** I may not be hearing them all then.

**Mr. H. Wor-ton** (Wellington South): Mr. Speaker, I have a question of the Minister of Trade and Development.

When does the Minister plan to announce the sale of houses to the tenants in the Green Meadows subdivision which is managed by OHC in the city of Guelph?

**Hon. Mr. Randall:** Mr. Speaker, the answer to that question is: Ontario housing corporation will today be writing to each individual tenant in the Green Meadows subdivision in the city of Guelph advising them of the terms and conditions under which they may elect to purchase the dwelling which they now occupy.

There are three basic conditions which tenants must meet in order to qualify. These are as follows:

(a) Their financial circumstances must be such that they meet the gross debt service requirements of The National Housing Act.

(b) They must have been tenants in good standing for a period of not less than twelve months.

(c) Their family size must be such as to constitute full occupancy of the dwelling.

**Mr. Wor-ton:** If I may ask a supplementary question, would the Minister give us a copy of the conditions under which the houses are sold?

**Hon. Mr. Randall:** Yes, I might add to that—

**Mr. Wor-ton:** Because I think it is a good deal and I would like as much information as possible.

**Hon. Mr. Randall:** I might say this, that the tenants will be offered five different purchase options as follows—and I will see that you get a copy of this.

First, they can pay cash if it is possible. Second, a five per cent down payment on house and land, with balance amortized over a period up to 35 years. Down payment on dwelling only, with repayment of balance on dwelling and total cost of land over a period of up to 35 years. Down payment on dwelling only, with balance on dwelling repayable over a period up to 35 years. Land on a leasehold basis, with option to purchase at the end of five years.

The purchase price has been established at \$16,000 for land and dwelling, with a \$2,000 forgiveness clause effective five years from the date of purchase, provided the dwelling is not resold during that period.

I might add that the additional \$2,000 is to prevent speculation on resale of the property for at least the first five years. If the property is sold after this term the \$2,000 is forgiven and during the five-year period no interest or payments on the principal are required on that \$2,000.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport (Mr. Haskett).

Will the Minister consider subsidizing the research of Dr. Pearl Winesberger at the University of Ottawa into the effect of sound on living cells due to the increasing concern regarding the biological effects of noise, particularly in relationship of human behaviour and safety?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the department is not considering subsidizing this project. We are not involved in research of this kind.

**Mr. B. Newman:** If I may ask of the Minister a supplementary question: Does he not consider that there is a relationship between the effect of noise and behaviour concerning specific relation.

**Hon. Mr. Haskett:** I am not aware of this specific relation.



**Mr. B. Newman:** Mr. Speaker, if the Minister is not aware, it would be a good thing to have some research done on it.

**Mr. Speaker:** Order! If the hon. member wishes to ask a supplementary question, he may do so, but he may not comment or make a comment on—

**Mr. B. Newman:** Mr. Speaker, I have another question of the Minister of Transport: Will the Minister amend The Highway Traffic Act to permit a wider use of the discretionary powers as a result of the question of the legality of the wise decision of Magistrate Joseph P. McMahon in giving an intermittent licence suspension to a man who pleaded guilty to an impaired driving charge?

**Hon. Mr. Haskett:** Mr. Speaker, this case involves an offence under The Criminal Code of Canada, Section 223, and not The Highway Traffic Act of Ontario. I am informed that the decision by Magistrate McMahon has been appealed to a higher court.

**Mr. G. W. Innes (Oxford):** I have a question for the Minister of Education.

What are the annual publishing and distribution costs of the magazine *Dimensions*? What is the intended purpose of this publication? Does the Minister believe that this purpose has been fulfilled?

**Hon. Mr. Davis:** Mr. Speaker, dealing with the latter part of the question first: The purpose of *Dimensions*—I have copies here, I am sure the hon. member reads it regularly—is an effort on the part of the department to involve many members of the profession, the teachers, the trustees, the home and school groups, the government officials, business executives and so on with, shall we say, some of the new thoughts on education.

They do not relate to departmental policy or departmental announcements. They relate basically to new ideas and some philosophy as far as education is concerned. This was requested from some of the organizations two years ago. While it is difficult to say that it is in fact fulfilling this purpose at this early stage, I can only say that the requests for this material exceed the supply at the present moment. I think this is one indication that it is being relatively well received in the community that it serves.

The cost, Mr. Speaker, just to use round figures, is in the neighbourhood of \$69,000 per year. This means 12 issues, so that the average cost per issue would be approximately \$5,750.

**Mr. Speaker:** The hon. member for Downsview.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, I have a question for the Minister of Trade and Development.

Has the Ontario Housing Corporation revised his standard form of lease?

**Hon. Mr. Randall:** A revised form of lease for use in all Ontario Housing Corporation developments has been prepared in consultation with The Department of the Attorney General. This document has been prepared within the framework of our existing legislation. It is now at the final draft stage and will shortly be put into effect. At that time I will be pleased to make a copy available to the hon. member.

I might say also that the Law Reform Commission is currently reviewing The Landlord and Tenant Act, as he probably knows. Any pertinent revisions to the Act which may arise as a result of this study will be incorporated into future Ontario Housing Corporation leases.

**Mr. Singer:** Mr. Speaker, by way of a supplementary, would the Minister advise when he anticipates the new form of lease will likely be?

**Hon. Mr. Randall:** Mr. Speaker, I was first told it was going to print today, so I think it is almost imminent. I would think we would use it within the next 30 days or so.

**Mr. Singer:** I will look forward to receiving a copy.

I have a question for the Attorney General.

In view of the decision of the Ontario Law Enforcement Compensation Board in the case of Larry Botrie and in view of the Attorney General's statement to the first session of the 28th Legislature in relation to the meaning of The Law Enforcement Compensation Act, does the government intend to bring in appropriate amendments to make meaningful the government's apparent intent when it first introduced this legislation?

**Hon. Mr. Wishart:** Mr. Speaker, this again is a question of enquiring as to government policy, which I have the right to refuse to answer. I am prepared to answer the question but I draw the attention of the House to the matter, as I wish to preserve my right.

Second, I would like to say that this same question, in almost the same language, was asked as a supplementary yesterday by the hon. member for High Park. I answered at



the time, and I am going to read part of that reply. I said:

I welcome the supplementary question, and I think perhaps I might be permitted to say that when this legislation establishing the compensation board was introduced last year, I did indicate that, in our consideration of it, we considered it perhaps as a preliminary step in the whole matter of compensation to victims of crime or those assisting in law enforcement. I am, of course, aware of the comments of the hon. Mr. McRuer in his report on civil rights. I am at liberty to say that the whole matter of compensation to victims of crime is still being reviewed as a matter of policy of government.

We did indicate last year that the bill we introduced was to compensate those injured or killed or damaged in assisting a police officer in law enforcement, and that they would be compensated. We indicated that, in our thinking, that was perhaps the first step and that the matter was being studied further. As to what the policy is, I am not in a position, at this moment, to announce.

**Mr. Speaker:** The hon. member for Kitchener.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have a question of the hon. Prime Minister.

Has any policy been decided on with respect to the problems of public beaches on the Lake Erie shoreline?

Has the government given any study to the report made by Professor John N. Jackson, head of the geography department of Brock University on the request to the Niagara regional development council which concluded that the beaches are public now?

Will the government convene a conference to hear the public views on this problem so that legislation can be enacted which will balance the rights of the cottagers with the recreational needs of the general public?

**Hon. Mr. Robarts:** Mr. Speaker, I think this question has been dealt with before in the House.

It is a very complex legal matter involving the rights of the owners of these properties, and how far they extend. It has been necessary to search the titles to a great many properties in order to determine just what the legal rights of the owners are. The studies involved in getting answers to these questions, we hope to have concluded relatively soon. At that time we will decide, and will bring to the House, a policy. I would hope that would be during this current session.

As far as Professor Jackson's report is concerned, it has been studied. It is part of the

study material presently being examined. I do not think it is necessary for us to hold a conference to get public views in this matter. They have been expressed in all sorts of ways. They are before us now, so it is not the intent of the government to convene a conference because we do not think it is necessary.

**Mr. Speaker:** The member for Perth.

**Mr. H. Edighoffer (Perth):** Mr. Speaker, I have a question for the Minister of Correctional Services (Mr. Grossman). There are two parts:

1. Why did the department not consult the Perth county council before it advertised for the position of general clerk at the Perth county jail, due to the work already done in this field by the county clerk and his staff?

2. Is the Minister aware that the Perth county clerk's office would be saving the provincial government \$4,678 each year if it continued to administer the clerical work of this jail?

**Hon. Mr. Grossman:** Mr. Speaker, when the department took over the operation of the county jails, it did so in the knowledge that many improvements were necessary in all areas of the operations. Over the years there have been problems which have emphasized that efficiencies in all aspects and sections of the jails were most necessary, and that no phase could be treated as a part-time job; particularly, Mr. Speaker, when one considers the security needs of a jail.

There have been instances where jail staff have been severely criticized because of delay in processing, inaccuracies in recording, and so on. In fact these criticisms have sometimes been quite valid. The jail is dealing with people. It is our responsibility to ensure that these people do not suffer because of inefficiencies in the operation of the institutions.

In this particular jail, and indeed many more jails, correctional officers were not able to devote their entire working day to their correctional duties but shared clerical duties—that is, keeping inmate, admitting, and discharging records, calculating fines, and so on. The governor, particularly, was frequently responsible for minor clerical duties. When the department analyzed the total work needed to be done—not just the work that was previously carried out by the clerk-treasurer and his staff, but all the clerical work, including that previously done by the governor and correctional officers—we de-

cided that this was sufficient to warrant the employment of a full-time clerk.

In the light of this background it is obvious why we would not consult the Perth county council before advertising the post. It was our own responsibility and we accepted it.

In answer to the second question, Mr. Speaker, we received a letter from the county council offering to have this work done for us for \$50 a month, and we wrote back explaining the full duties of the position and detailing the specifications. We said, and I quote from the letter:

I feel certain that the council, when reading these specifications, will realize that we cannot presume on the generosity of the office of the clerk-treasurer to fulfil all of the requirements of this position.

Since receiving these specifications, the Perth county council have not renewed their offer, and, in my opinion, very wisely. If they do wish to do so—if they wish to commit their staff to carry out all the duties that are required by this position to our complete satisfaction, and in keeping with the degrees of efficiency required—I am sure that we would be happy to accept their offer. As a matter of fact it is a most generous offer, having regard for our requirements.

However, the hon. members Mr. Speaker will recognize the importance of correctional staff working entirely at their own responsibilities. They will remember many occasions in the past when we have had problems in the local jails—escapes, and so on—when correctional staff who were responsible for the security of the public had been distracted from their tasks and were performing as part-time cooks, part-time record clerks, part-time accountants, part-time telephone operators, part-time typists, and so on. It is our view we can no longer permit correctional work to be done by people who are doing it as a part-time function, and particularly those who should be fully engaged, all day, in what we consider vital work.

**Mr. Speaker:** The hon. member for Kingston and the Islands.

**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, with your permission I would like to announce to the House that one of my constituents, Mr. Donald MacDonald, of Wolfe Island—who by the way is no relation, I understand, to the leader of the NDP—was awarded the world's championship prize for forage seed at the Royal winter fair this year. His entry was for birdsfoot trefoil seed and

was the best of all forage seeds at the fair. Mr. MacDonald has grown this type of seed for a number of years and this achievement has brought honour to himself and to all farmers in our section of eastern Ontario.

It is also a pleasure for me to announce that Mr. Harvey Knox, of Glenburnie, won the world's championship for barley seed at the Royal winter fair. Glenburnie is just four miles north of Kingston, in Frontenac county.

I think these two awards are indicative of the high calibre of farms and farmers in our area of Frontenac county and I feel sure that you will join me in congratulating these two gentlemen on their success this year.

**Mr. Speaker:** Orders of the day.

#### SPEECH FROM THE THRONE

**Clerk of the House:** The 1st order, consideration of the Speech of the Honourable, the Lieutenant-Governor at the opening of the session.

**Mr. J. A. Belanger** (Prescott and Russell): Mr. Speaker, I beg leave to move, seconded by the member for Fort William (Mr. Jessiman), that a humble address be presented to the Honourable W. Ross Macdonald, Lieutenant-Governor of the province of Ontario. May it please your honour:

We, Her Majesty's most dutiful and loyal subjects of the legislative assembly of the province of Ontario now assembled, beg leave to thank Your Honour for the gracious speech which Your Honour has addressed to us.

Mr. Speaker, it is a personal pleasure and a great honour to have received the privilege of addressing this House on this occasion. It is also a privilege for me to be in this House at a time when our new Lieutenant-Governor has delivered his first Speech from the Throne. I am sure I speak for all members of this House when I say he is a welcome guest in our Chamber. Also at this time I would compliment Mr. Speaker on his excellent work during the last session.

As well, my congratulations to this government's newest Cabinet Minister, the Minister of Revenue (Mr. White). I am sure his youthful and energetic abilities assure an excellent performance in the demanding post of Minister of Revenue.

Mr. Speaker, this present occasion is the third highlight of my political career this year. On March 14 I delivered my maiden speech in this Chamber. Earlier this month, I took part, for the first time as a member, in

the annual meeting of the Ontario Progressive Conservative Party.

I count our annual meeting this year an historical event. Some 2,000 Progressive Conservatives gathered from every corner of our vast province to elect new association officers and to honour three of the outstanding leaders of our party.

Observing that event, with its throngs of dedicated and enthusiastic supporters, listening to the words of our past leaders, Mr. Drew and Mr. Frost, and particularly to the words of our present leader, the Prime Minister (Mr. Robarts), I was easily able to understand why our party has elected the government of Ontario for 50 of the 68 years of this century.

Interjections by hon. members.

**Mr. Belanger:** A quality product is always successful. A quality product will continue to be successful because it adapts itself with energy and imagination to the needs of its customers. When our customers, the Ontario electorate, come to the election counter they are shrewd buyers. They will not buy pigs in pokes. They are not shopping for impractical dreams or flashy packages. They look for and buy a quality political product and expect to be served, not mastered, by their government.

Mr. Speaker, I have spoken of a product because I am a small businessman from a rural riding—the riding of Prescott and Russell in eastern Ontario. I am a Franco-Ontarian. Most of the people in my riding are Franco-Ontarians and French-speaking. I am proud to represent them. I am equally proud to represent the Anglo-Saxons of my riding. As well, I consider it a particular point of pride to represent all of those newer Canadians from overseas who have chosen to add their energies and culture to the riding of Prescott and Russell. But, old or new citizens, they are shrewd customers in the political store and have chosen—and will continue to choose—the Progressive Conservative brand—the quality product.

Mr. Speaker, the fact that our party has formed the government of this province for more than 50 years of this century is a result of Progressive Conservative policies that have obviously met with the approval of the electors.

Why have our policies met with approval? Because they have been progressive policies—policies of reform—policies that have placed Ontario in the front rank of the world's most advanced jurisdictions. Harnessing the

imagination, enthusiasm and individual initiative of its people, the Progressive Conservative governments of Ontario have created a community where there is more opportunity and greater prosperity than in any other province of this country.

Mr. Speaker, I also want to point out another simple but fundamental fact of our party's policies that keeps us in harmony with Ontario citizens. That is our respect and guardianship of individual freedom. This has been a cornerstone of our political philosophy. To quote a few examples: in 1950, the hon. Leslie Frost said:

We maintain that the government should be the servant, not the master, of the people. We hope to assist the initiative of our people with a minimum of regulation and interference on the part of the government.

At a later date, our present Premier, who is also a Canadian statesman, reinforced the keystone of our policies when he said:

It is our belief that the role of government is to create economic and social opportunities for its people so that they can maintain their independence from the state.

Mr. Speaker, these statements of political philosophy from Progressive Conservative leaders, past and present, are keenly appreciated by the people of my riding of Prescott and Russell. The riding I represent is mainly a rural riding, though a portion of it—one township in fact—forms part of the new Ottawa-Carleton metropolitan area. Because the majority of the citizens I proudly represent are farmers, I have a deep interest in the individual initiative and freedom that is so strongly encouraged by our government. We all know that our farming population has always nourished and will continue to sustain the same spirit of individual enterprise.

A century and a half ago, Ontario's first settlers were farmers. In the middle of the last century a farmer produced enough to feed himself and his family with a little left over to barter for those few items that he and his wife could not create by hand. Today, each Ontario farmer produces enough food and fibre for himself and 40 other people. If technology continues to advance at the same pace, each farmer will be supplying the needs of 150, perhaps 200, people by the year 2000.

Mr. Speaker, although agriculture is Ontario's oldest industry, it is not by any means an old-fashioned industry. Today, there is a new look in rural Ontario. Farms are larger,

new crops are being grown, mechanization is filling the gap created by the migration of rural youth to urban areas. New farm structures are changing the very skyline of the rural community.

Paved roads are moving back the community boundaries. The one-room school has given way to central schools which offer educational opportunities equal to those in urban Ontario. Much of this progress and improvement is the result of the creative policies of our Progressive Conservative governments.

Of course, Mr. Speaker, our agricultural community is not without its problems. In 1966, the census of Ontario revealed that only 26 per cent of our farm operators grossed over \$10,000 a year and only 7.5 per cent grossed over \$25,000 annually. If only a quarter of Ontario farmers are able to generate gross returns of \$10,000, what is the future of the other three quarters? This is a problem that must be solved.

I am confident that solutions will be found by this government and that those solutions will also protect the freedom of enterprise so dear to our farmers. I look forward with very special interest, on behalf of the farmers of Prescott and Russell, to the report of the special committee on farm income which is expected in the next few weeks.

I am proud to use the slogan, "province of opportunity" when I speak of Ontario because it is a slogan that is literally true. It has been true in the past, it is true today, and I am confident it will remain true in the days ahead. I am confident that my government is accepting the challenge to ensure that opportunity exists for those people who live in rural Ontario, whether or not they are farmers.

Much has been said about the "good life" in the country—the freedom, the independence, the enjoyment of fresh air and clean water. But space, fresh air and clean water are not enough to keep body and soul together. They are not enough to finance the family's education or provide the necessities and the extras that make life worthwhile. Unless rural living generates an income that will provide the "good life," the social benefits will be few and the pleasures of rural living meaningless.

Mr. Speaker, I will specify a few of the problems facing the farm community, not only in Prescott and Russell, but throughout the farming areas of our province.

New disposal methods which will prevent air, soil and water pollution must be de-

veloped. It may be that zoning or planning restrictions will have to be considered. Vast amounts of chemical fertilizers, pesticides and herbicides are being used in rural Ontario. We must develop fool-proof safeguards and control mechanisms that will prevent misuse, protect the user and the public, while at the same time permitting the farmer to benefit from these materials.

In any industry that involves considerable capital, management must have access to adequate credit on a continuing basis. This is especially true of agriculture, where historically the business must be refinanced every 25 years and the returns are seasonal. Our policies, I am sure, will ensure sufficient capital is available in both short- and long-term forms.

Specialized training must be provided to those who will manage the farms of the future. Present facilities are operating to capacity in turning out 400 diploma graduates each year. We cannot in future afford poorly trained farm managers.

Mr. Speaker, I have detailed some of the problems facing us in this critical area of agriculture. At this time also I want to make quite clear the fine record of service the agricultural industry has received from the Progressive Conservative governments of this province.

Our government has provided agricultural representatives, engineers, home economists, dairy fieldmen, rural development counsellors, and farm management specialists. Research facilities of every kind are available to the farmer-businessman. Colleges of agricultural technology are strategically located throughout the province. Marketing legislation provides our farm people with the machinery to conduct their own marketing in an orderly fashion. Twenty marketing boards handling 40 commodities now operate under authority of The Ontario Farm Products Marketing Act and The Milk Act of Ontario. Market development officers at home and abroad are constantly in search of new markets and assist our producers and processors to develop these outlets. Young farmers wishing to embark in full-time farming, either alone or in partnership, can arrange first mortgage loans through the junior farmer establishment loans board. Capital grants are available to assist in the expansion of farm business operations.

A specific example would be the capital grants made by The Ontario Department of Agriculture and Food for farm structures and farm drainage. In the period April 1, 1967,

to November 15, 1968, the counties of Prescott and Russell generated 683 applications and grants totalling more than \$315,000 were paid. Under the ARDA programme for farm water supplies and field enlargement, Prescott and Russell received an additional 265 grants totalling nearly \$47,000.

Mr. Speaker, we can all be proud of Ontario's tremendous progress in agriculture. The productivity of our better farms is unequalled in any other country. But, Mr. Speaker, we face a constant challenge in this field. We must chart a continuing course of progress for rural Ontario—a course that will provide a rich, a pleasant, and a rewarding life for those who choose the rural life. That is the challenge, Mr. Speaker, and I am certain we intend to meet that challenge by providing the economic climate necessary to a healthy agricultural industry.

Mr. Speaker, as I have indicated, agriculture is the primary industry of my riding of Prescott and Russell. But that industry and our urban centres cannot transport and communicate without an up-to-date highway system. You can therefore imagine with what great delight the people of my riding greeted the Minister of Highways (Mr. Gomme's) announcement of this past week. On November 15, 1968, the Minister announced that tenders will be called this month for the first contract on the \$70 million Highway 417, a magnificent new four-lane freeway between Ottawa and the Quebec border.

To add to our delight the Minister disclosed that the estimated construction time of this 63-mile freeway has been cut to half the original estimate. To quote the Minister: "We are now working on a target date of six years for completion." The first contract will call for clearing a 4.8-mile section of the right-of-way between the Base Line Road at Ramsayville and the Eight Line Road in Gloucester township. The tender closing date has been set for December 18 and the contract will be awarded shortly so that work can be completed in May.

At this point I would like to congratulate the Minister and the government also on the completion of Highway 401, the Macdonald-Cartier freeway.

The Minister has also stated that a further contract for grading of Highway 417 will be called in the spring and additional contracts will be scheduled to maintain a continuous sequence of construction.

Mr. Speaker, it is a fact of modern life that new and improved highways bring economic development and fresh potential to the

region concerned. Because my riding of Prescott and Russell is not among the most prosperous ridings in Ontario, you may be sure Highway 417 is regarded as proof positive of this government's intention to do everything possible to improve the economic circumstances of every part of this province.

Further proof of this government's concern for the less favoured areas of the province is evident in the admirable efforts of the Ontario development corporation. Established for the specific purpose of stimulating economic development, the ODC has four specific objectives:

1. To provide equalization of opportunity for all Ontario municipalities in order to attract new industry.
2. To provide for an expansion of industry and employment, particularly in areas of slow growth.
3. To provide opportunities for gainful employment for our young people in the smaller centres of population.
4. To provide a wider base of industrial assessment for our smaller municipalities.

A recent example of this valuable assistance in Prescott and Russell was a loan to North Craft Industries Ltd., of Hawkesbury. This loan of \$62,000 will help greatly in the immediate provision of 30 new jobs, plus ten more new jobs within two years.

In addition to loans of various kinds, the ODC programme provides extremely helpful further assistance through its staff of consultants. This assistance includes financial, business and technical advice, and special help on engineering, production and other technical problems. On-the-spot advisory services by teams of consultants sent to various centres in the province, and management training workshops tailored to assist the small businessman.

Mr. Speaker, as I said, my riding is less favoured with prosperity than many others.

But, the people of Prescott and Russell are not seeking handouts. They are looking for the opportunities and circumstances that make it possible for them to help themselves. Because their basic circumstances are not as favourable as some others, they must look to this government for continuing programmes that tend to equalize their chances with the more favoured parts of the province. As our leader, the Prime Minister, has said, "We must always recognize the need for the state to do those things for individuals which cannot be done by the individual."



Mr. Speaker, up to this point, I have spoken of my pride in the part of which I am a member: of agriculture, of highway development and economic development, and of my heartfelt pride in the riding of Prescott-Russell. I now wish to speak as a Franco-Ontarian.

Au début des années 1600, au temps où des postes de traite et des postes de missionnaire existaient le long des cours d'eau ontariens, et que quelques 45,000 Indiens étaient les seuls occupants de ce qui devait devenir l'Ontario, mes ancêtres, les Français, furent les premiers à s'y établir. Ils y avaient effectivement bâti des communautés qui s'étendaient aussi loin vers l'ouest que le district Windsor-Détroit, et cela près de cinquante ans avant que le Canada soit sous la domination britannique.

Un plus grand nombre de colons vinrent s'y installer en 1784 au temps où plusieurs loyalistes de l'Empire uni, pourchassés vers le nord, étaient à la recherche d'un refuge après la révolte américaine contre la Grande Bretagne. A eux, se joignirent pour le défrichage de nouvelles terres, des groupes d'écosais, d'irlandais, de hollandais, de suisses et d'allemands.

Vers 1812, quand nous étions menacés par la guerre anglo-américaine, la population avait déjà atteint le chiffre de 80,000. A la Confédération canadienne en 1867, elle était de 1.5 million. Aujourd'hui, nous autres Franco-ontariens comptons un total de presque 725,000 âmes . . . ou approximativement 10 per cent de la population totale ontarienne. Après le groupe anglo-saxon qui forme la majorité de la population, les Franco-ontariens constituent le groupe le plus nombreux parmi les nine autres origines ethniques principales de la province. En tant que citoyen d'origine française, je me considère privilégié de faire partie de cette mosaïque ontarienne si riche et si variée.

Monsieur l'Orateur, c'est avec fierté que je vous présente les données des groupes ethniques principaux qui enrichissent dans une grande mesure, la vie culturelle de notre province: Anglo-Saxon 60 per cent, 4,142,000; Français 10 per cent, 724,000; Allemand-autrichien 7 per cent, 487,000; Italien 4 per cent, 306,000; Hollandais 3 per cent, 216,000; Polonais 2 per cent, 167,000; Ukrainien 2 per cent, 139,000; Israélite 1 per cent, 77,000; Scandinave 1 per cent, 70,000; Indien Canadien 0.8 per cent, 56,000.

Nous devons nous considérer heureux en Ontario, de partager ce riche héritage.

En tant que Franco-ontarien, j'ai sincèrement apprécié la déclaration gouvernementale faite en août 1967, selon laquelle ce gouvernement a annoncé sa ferme intention d'établir un système d'écoles secondaires de langue française financé par des fonds publics. J'ai constaté avec intérêt les pas de géant accomplis dans ce domaine depuis cette déclaration et les mesures qui ont été adoptées pour mettre en oeuvre cette importante décision.

Un Comité désigné pour étudier la question des Ecoles Secondaires Publiques de langue française a examiné les méthodes visant à étendre l'instruction en français au stage secondaire. Une recommandation qui résulte de cette étude propose que les cours déjà offerts en langue française dans ces écoles soient développés de façon à pouvoir inclure un programme d'études complet là où le nombre des élèves d'une région donnée justifie une telle pratique.

Les lois permettant de réaliser ces mesures d'importance historique apporteront certainement une énorme amélioration dans les possibilités éducatives des Franco-ontariens. Les Bills qui s'y rapportent prévoient les dispositions légales pour l'établissement d'écoles élémentaires et secondaires. Bien que le principe d'une instruction bilingue avait été reconnu précédemment, jusqu'au jour où ces bills furent présentés par le Ministère de l'Éducation (M. Davis), il n'existait point de statut spécifique garantissant des écoles françaises en Ontario.

Quels sont les buts d'une instruction secondaire de langue française? Quels sont les besoins formulés par la communauté Franco-ontarienne dans ce domaine? Je répondrai à ces questions d'une façon aussi brève que possible.

1. Le diplômé bilingue d'une école secondaire de langue française devrait avoir acquis une connaissance de français qui soit aussi complète que le permet le niveau d'aptitudes intellectuelles d'un étudiant moyen. Le Français est sa langue maternelle et devrait lui être enseigné compte tenu des besoins culturels aussi bien que pratiques. Sa connaissance et son aptitude de manipuler la langue française doit lui permettre de vivre une vie pleine en tant que Canadien d'origine française et doit aussi lui permettre de bénéficier et de participer activement à la vie culturelle des Canadiens francophones et de la communauté francophone universelle.

2. Le diplômé bilingue devrait avoir une bonne connaissance de l'anglais pour qu'il puisse:

(a) Communiquer d'une façon adéquate avec ses compatriotes anglophones;

(b) faire face aux conditions compétitives vis-à-vis de la main-d'oeuvre anglophone possédant les mêmes aptitudes professionnelles;

(c) prendre part aux activités politiques, civiques et sociales au sein de sa communauté.

3. Après avoir acquis les connaissances linguistiques fondamentales, le diplômé bilingue devrait posséder une bonne compréhension des normes d'évaluation et des aspects culturels de ses concitoyens anglophones.

Bref, Monsieur l'Orateur, notre ultime objectif, qui est actuellement à la portée de notre main, est d'assurer à tout étudiant francophone de l'Ontario la possibilité de recevoir une éducation dans sa langue maternelle à partir du jardin d'enfants jusqu'à l'université et plus.

Parlant d'éducation française, je suis particulièrement heureux de constater déjà des signes de coopération sincères entre anglais et français dans le domaine de l'instruction secondaire. Je désire citer l'exemple de la Commission de "l'Ottawa Collegiate Institute" qui a accepté d'assumer la responsabilité, à partir de cet automne, pour les sept écoles secondaires privées de langue française d'Ottawa. Il faut dire que ce fut là une décision admirable prise entièrement et uniquement sur l'initiative des autorités locales d'Ottawa. Il faut ajouter que dans d'autres régions de l'Ontario, des groupes francophones et anglophones ont aussi mis sur pied des comités conjoints dans le but de trouver le meilleur moyen possible d'administrer des écoles secondaires de langue française.

Au cours des dix-huit derniers mois, ce gouvernement a fait face à plusieurs événements et a su prendre d'importantes décisions qui ont pour la communauté Franco-ontarienne, une grande signification. Ces événements et ces décisions ont contribué à faire disparaître les anciennes animosités qui ont affecté plus d'une fois les relations réciproques dans le passé. Cet acte magnifique du grand Homme d'Etat qu'est le Premier (M. Robarts), acte qui avait institué la Conférence sur la Confédération de Demain en novembre 1967, mit en marche le processus d'un progrès d'envergure nationale.

L'Ontario, de par les actes et les intentions déclarés de son gouvernement, ainsi que par les grandes qualités d'Homme d'Etat de son Premier est devenu le symbole et le

champion des intérêts des Canadiens francophones résidant dans toutes les provinces, en dehors du Québec.

Comment se fait-il donc que tant de choses se soient accomplies dans cette province? La raison en est simple, mais pourtant extrêmement importante, c'est parce que bon nombre d'ontariens anglophones veulent et aspirent à ce que notre province reflète plus fidèlement les idéaux que nous a tracés notre héritage historique.

Ils reconnaissent qu'il existe au Canada deux cultures linguistiques fondamentales. Ils comprennent que la diversité est la source même de notre force et de la richesse de notre vie.

Le mois passé à Cornwall, le Premier avait réitéré cette attitude en disant que "Le Gouvernement de cette province s'est engagé à assurer à tous nos citoyens une citoyenneté pleine et égale quelle que soit leur origine linguistique ou nationale. Ce faisant, nous avons reconnu les aspirations légitimes de nos résidents francophones et leur droit de pouvoir s'exprimer dans leur propre langue. Nous avons prouvé de plusieurs façons et dans de nombreuses occasions, à tous les Canadiens, que le gouvernement de l'Ontario est prêt à adopter comme il l'a d'ailleurs fait, des mesures constructives à cette fin."

Quelles sont certaines de ces mesures? Je citerai comme premier exemple la Fonction Publique de l'Ontario.

L'établissement par le Ministère de la Fonction Publique et le Ministère de l'Éducation de cours de langue française à l'intention des fonctionnaires dont les fonctions exigent une connaissance du français.

Toutes les lettres reçues en français par le gouvernement seront répondues dans cette langue.

Tous les ministères gouvernementaux seront encouragés à fournir des services bilingues dans les bureaux régionaux situés dans des zones où il existe une concentration suffisante de citoyens francophones.

Le gouvernement étendra les services de son bureau de traduction dans le but spécifique de résoudre le problème de communication en français.

Il existe encore un domaine assez sérieux où le gouvernement ontarien a aussi adopté des politiques saines concernant l'usage du français et de l'anglais dans l'administration municipale. Il préconise l'emploi des deux langues dans les communautés qui comptent un nombre suffisant de citoyens francophones; elles se situent principalement dans



l'est et le nord-est de l'Ontario, dans les comtés et les districts de Stormont, Glengarry, Prescott et Russell, Carleton, Nipissing, Temiskaming, Cochrane, Sudbury et Algoma. Cette catégorie comprend aussi des communautés établies au sud-ouest de l'Ontario telles que Penetanguishene sur la Baie Georgienne, Welland et dans certaines parties du comté d'Essex.

Les municipalités seront appelées à adopter un certain nombre de mesures spéciales comme l'emploi d'un personnel bilingue suffisant pour servir le public d'une façon efficace dans les deux langues, oralement et par écrit. La place me manque pour vous donner les détails des nombreux aspects de cette politique, mais je citerai pourtant un exemple typique qui est la préparation de formules officielles locales dans les deux langues comme par exemple, les avis de cote foncière, les formules d'impôt, les factures d'eau et les listes des électeurs.

Ces projets représentent dans une certaine mesure pour les autorités municipales, la reconnaissance de la situation existante dans un certain nombre de municipalités. Un bon nombre de gouvernements locaux de l'est de l'Ontario ont conduit une grande partie de leurs affaires en français, pendant plusieurs années. Les municipalités d'Eastview et de Hawkesbury ont servi leur public dans une très grande mesure dans les deux langues. Dans le cadre des efforts qui se poursuivent actuellement et qui visent à assurer des possibilités éducatives pleines et entières aux Franco-ontariens, ces nouvelles mesures dans le domaine municipal s'accompliront de plus en plus aisément.

Encore un domaine d'importance majeure est l'administration de la justice. Il faut admettre pourtant que l'usage des deux langues dans ce domaine pose un problème assez difficile. Toutefois, une étude approfondie a été entreprise sur trois possibilités:

1. La possibilité que le gouvernement s'engage à supporter les dépenses qu'il faudra encourir pour des interprètes et des services de traduction qui seront nécessaires dans tout procédé de plaidoirie ou de justice dans les tribunaux qui se trouvent sous la juridiction provinciale.

2. Des documents judiciaires bilingues dans certains districts judiciaires comptant une population francophone suffisante.

3. L'encouragement des juges, des avocats, des greffiers, des shérifs, des huissiers et des sténographes juridiques de profiter des cours de langue.

Monsieur l'Orateur, je me permets de terminer cette partie de mon discours en citant de nouveau le Premier dans son adresse à Cornwall, l'été passé. Il a fait le résumé de notre progrès avec ces quelques mots pleins de sagesse:

Beaucoup a été accompli au cours de la dernière année pour les citoyens francophones de l'Ontario et du Canada. Quand les programmes et les politiques adoptées par tous les gouvernements du Canada auront atteint leur pleine maturité, nous aurons déjà traversé une immense distance vers l'élimination des inégalités qui ont existé pendant de si longues années. Ces changements prennent un sens encore plus significatif quand on considère qu'ils sont dûs à la bonne volonté d'un peuple travaillant à l'unison, dans un esprit de coopération et de compréhension. Nous nous sommes cherchés l'un l'autre et nous avons reconnu nos communes aspirations. Ensemble donc, en tant que résidents d'une grande province, nous continuerons toujours à consacrer nos efforts pour édifier un Canada plus fort et plus uni que jamais.

Mr. Speaker, I would like to repeat in English some of what I said in French. I think it very important and speaking as a Franco-Ontarian, I would like everybody to hear what I said in French.

Back in the early 1600's, when trading and mission posts were built along Ontario waterways, an estimated 45,000 Indians were the sole occupants of what was to become Ontario.

My ancestors, the French were the first permanent white settlers. In fact they had built communities as far west as the Windsor-Detroit district some 50 years before Canada came under British rule. Further settlement came in 1784 when large numbers of United Empire Loyalists trekked north for refuge after the American revolt against Britain. Joining them in breaking new land were groups of Scots, Irish, Dutch, Swiss and Germans.

By 1812, when we were threatened by the British-American War, the population had reached 80,000. By Confederation in 1867 it had grown to 1.5 million. Today, we Franco-Ontarians alone total some 725,000, or roughly ten per cent of the Ontario population. Following the majority group of Anglo-Saxon origin, we Franco-Ontarians are the largest of Ontario's nine other main ethnic groups. As a citizen of French origin I consider myself fortunate to be a part of the rich and varied ethnic mosaic of Ontario.

Mr. Speaker, it is a matter of pride to me to list the major ethnic groups that contribute so importantly to our province's cultural scene. Ontario is now composed of: Anglo-Saxon 60 per cent, 4,142,000; French 10 per cent, 724,000; German/Austrian 7 per cent, 487,000; Italian 4 per cent, 306,000; Dutch 3 per cent, 216,000; Polish 2 per cent, 167,000; Ukrainian 2 per cent, 139,000; Jewish 1 per cent, 77,000; Scandinavian 1 per cent, 70,000; Native Indian 0.8 per cent, 56,000.

How fortunate we all are in Ontario to share in the richness of this heritage.

As a Franco-Ontarian I greeted this government's announcement of August, 1967, with sincere appreciation. I refer to the announcement that it is this government's firm intention to establish a publicly financed system of French-speaking secondary schools. Since that announcement I am happy to note the giant strides that have been taken to carry out the intention.

A committee on French-language public secondary schools has examined the methods of expanding secondary school instruction in French. A major recommendation resulting, suggests that courses already offered in such schools in French, be extended to include a complete programme where the number of students in an area makes such a move practical.

The legislation to accomplish this historic step forward vastly improves the Franco-Ontarian's educational opportunities. The bills set out the legal provisions for the establishment of both public and secondary schools. While the principle of bilingual education had been previously recognized, until these bills were presented by the Minister of Education, no specific statutory guarantee had ever been made for French-language schools in Ontario.

What will be the objectives of French-language secondary schools? Just what is it that the Franco-Ontarian community itself has said is needed? I will answer these questions as briefly as I can:

1. The bilingual graduate of a French-language secondary school should have gained a knowledge of French that is as complete as the level of intellectual abilities of the average student will allow. French is his mother tongue and should be studied with cultural as well as pragmatic aims in view. His knowledge and command of French must allow him to live fully as a Canadian of French descent who can benefit from, and actively take part in, the cultural life of the

French-speaking Canadians and of the members of the French world community.

2. The bilingual graduate should have a sound knowledge of English which will allow him to: (a) communicate effectively with his English-speaking compatriots; (b) meet the competition of English-speaking workers of equal occupational skill; (c) take part in the political, civic and social activities of his community.

3. The bilingual graduate should have gained an understanding, after having gained the basic linguistic skills, of the value systems and cultural patterns of his English-speaking countrymen.

To sum up, Mr. Speaker, the ultimate objective, now within our grasp, is to assure every French-speaking student in Ontario the opportunity to receive his education, from kindergarten through university and beyond, in his mother tongue.

In this field of French-language education it is particularly gratifying to me to see already examples of voluntary co-operation between English and French in the area of secondary education. I refer to the example of the Ottawa Collegiate Institute board in agreeing to assume responsibility as of this fall for Ottawa's seven French-language private secondary schools. This was an admirable decision taken entirely on the initiative of the local Ottawa authorities. As well, in other parts of Ontario, groups of French and English have set up joint committees to find the most satisfactory way of operating French-language secondary schools.

In the past 18 months there have been many events and significant decisions taken by this government which held great importance for the Franco-Ontarian community. These events and decisions helped to wipe out old animosities which have too often tainted relations between us in the past. That magnificent act of statesmanship by the hon. Prime Minister, when he instituted the Confederation of Tomorrow conference in November, 1967, launched the process on a national basis.

Ontario, through the acts and statements of intent of this government, and the statesmanlike concern of the hon. Prime Minister, has become identified as the champion of French-speaking Canadians in all provinces outside Quebec.

Why are we accomplishing so much in this province? The reason is simple but important. Many English-speaking Ontarians are ready and eager to have our province more

faithfully reflect the mainstreams of our heritage.

They recognize that Canada has two basic linguistic cultures. They understand that diversity is the source of our strength and the richness of our life.

In Cornwall this past summer the Prime Minister reiterated our attitude when he said:

The government of this province has committed itself to the assurance of full and equal citizenship for all, regardless of national or linguistic origin. In doing so, we have recognized the aspirations of our French-speaking residents to express themselves in their own language. We have demonstrated in many ways and on many occasions before all Canadians, that the government of Ontario is prepared to take and is taking constructive steps to achieve this end.

What are some of the steps taken? I will take the Ontario public service as my first example:

The establishment, by The Department of Civil Service and The Department of Education, of language courses for civil servants whose duties require a knowledge of French.

All letters received in French by this government will be answered in that language.

All government departments will be encouraged to provide bilingual services in those field offices located in areas where there is a sufficient concentration of French-speaking people.

The government will expand the facilities of its translation bureau, particularly to deal with French communications.

In a second critical area the government of Ontario has instituted sound policies with regard to the use of French and English in municipal administration. This government is encouraging the use of both languages in those communities having a concentration of French-speaking citizens. In the main, such places are in eastern and northeastern Ontario, within the counties and districts of Stormont, Glengarry, Prescott, Russell, Carleton, Nipissing, Temiskaming, Cochrane, Sudbury and Algoma. Also in this category are communities in southwestern Ontario such as Penetanguishene on Georgian Bay, Welland and parts of the county of Essex.

Municipalities will be urged to adopt a number of specific policies such as the employment of enough bilingual staff to deal effectively with the public in both languages in oral and written communications. I will

not detail the many aspects of this policy, but a helpful example is the provision in both languages of local official forms and notices such as assessment notices, tax forms, water bills and voters' lists.

To some extent these plans for the municipal field represent recognition of existing situations in a number of municipalities. For many years several local governments in eastern Ontario have effectively conducted much of their business in French. Eastview and Hawkesbury have provided most municipal services in both languages. With the efforts underway to ensure a full range of educational opportunities to Franco-Ontarians, these new policies in the municipal field will become easier to accomplish.

Another major area of concern is the administration of justice. Admittedly, the use of two languages in this field is a difficult problem. However, thorough study of three possibilities are underway:

1. The provision that the government shall meet the expenses incurred for interpreters and translation services in any pleading or process before courts of provincial jurisdiction.

2. The provision of bilingual court documents in a designated judicial district having a large enough French-speaking population.

3. The encouragement of judges, lawyers, clerks, sheriffs, bailiffs and legal stenographers to take advantage of language training facilities.

Mr. Speaker, I will close this section of my speech with a further quotation from the hon. Prime Minister, again from his address in Cornwall this past summer. He summed up our progress with these wise words:

A great deal has been achieved during the last year on behalf of the French-speaking people of Ontario and Canada. When the programme and policies of all governments in Canada reach maturity, we will have travelled a considerable distance toward removing inequalities which have existed for many years. The changes are all the more significant because we have achieved progress through people of goodwill working together in a spirit of cooperation. We have sought each other out and recognized the aspirations of each other. Together, as residents of a great province, we are working for a stronger and more united Canada.

A final point, Mr. Speaker: As a Progressive Conservative, I note with pride the fact that among the government members of this

House, there are more French-speaking members by far than the combined total among the other two political parties represented. You see, Franco-Ontarians are very shrewd customers as well. They also know and obviously appreciate a quality product.

Mr. Speaker, turning from the particular concerns of a Franco-Ontarian to the more general and immediately current interest of the Speech from the Throne, I wish to compliment this government on the wisdom and economic moderation of its legislative forecast.

I note that one Toronto newspaper, the *Star*, has referred to the forecast as an austerity programme. If that newspaper believes that austerity consists of not attempting to buy more than one can immediately afford, then perhaps its description is correct. But, a more accurate assessment came from the *Globe and Mail* of Wednesday, November 20, 1968, when its lead editorial commented on the Throne Speech with these words:

It certainly promised full speed ahead with a number of costly programmes already underway.

The *Globe and Mail* also pointed out that while Ontario is going through a difficult financial period, its credit position is excellent. The editorial went on to say:

In some respects its (credit position) a good deal better than that of Ottawa, which has not only returned to the trough too often, but has compromised its respectability with the financial community by promising . . . and failing to produce . . . a balanced budget.

Mr. Speaker, I see nothing austere in a programme forecast that will change and improve expropriation laws; expand the HOME programme; amend The Assessment Act to secure greater efficiency; increase control over spending by the province, the municipalities, school boards and universities; review of the machinery of collective bargaining; establish a plan to provide a basic standard of services to all municipalities; make further moves to strengthen the Ontario Human Rights Code; establish an educational communications authority; assist children with mental and emotional disorders; propose a Health Protection Act to prevent and reduce abuses of our environment in the various fields of pollution; legislate to improve the production of food and increase the financial return to farmers; co-ordinate all northern transportation policies; revise The Mining Act, and offer a programme to provide additional recreation areas and more parks.

Mr. Speaker, if this is austerity, if this was, as some of the media said, a "no-news" Throne Speech, I question the news judgments involved. I sometimes feel that the media, at least in Metropolitan Toronto, are so close to Queen's Park and the flood of good news that flows from this government, that they have become jaded with riches and in their frustration are often reduced to nit-picking. In this respect they are similar in character to the Liberals and NDP.

Speaking of the NDP, Mr. Speaker, I also offer my congratulations to their leader, the member for York South (Mr. MacDonald), on his recent survival at Kitchener.

Interjections by hon. members.

Mr. Belanger: We would have missed his lengthy criticisms, just as one can learn to miss a nagging wife.

As we have experienced over the past quarter century, the NDP's bark is much more impressive than its bite—

Interjections by hon. members.

Mr. Speaker: Order! Order!

We have had a very quiet and fruitful afternoon and I would like it to continue and let this member make his speech without a continual undertone of noise.

Mr. Belanger:—especially when it comes to elections. As I suggested, we would have missed the bark.

Mr. Speaker, this province is the envy of every state and province in North America when it comes to legal aid. This humane and socially progressive system proves this government's concern for the well-being of the people it serves. Naturally enough our legal aid programme will have some teething troubles. One cannot expect otherwise of such a magnificent and far-reaching programme.

I merely wish to add a word of caution—a word of caution on the dangers of abuse. At the same time, I am sure this government is aware of the danger of abuse and will exercise every care as it keeps a watchful eye on the system.

On another topic I warmly welcomed the announcement by the hon. Robert Welch, Provincial Secretary, that there would be a full review of Ontario liquor laws. The Minister indicated his desire and willingness to seek an enlightened policy with respect to the control, sale and licensing of liquor. The present review will, I am confident, bring progressive new proposals and recommendations in line with the changing requirements

and customs of the people of Ontario. In this review it is my hope the matter of Saturday evening closing hours will receive attention.

As many of us unfortunately know, licensed premises must close at 11.30 p.m. Saturday night. This highly annoying regulation leads me to slightly change the words to an old popular song—Saturday night is the lousiest night of the week.

The present Saturday night closing should be extended to at least 1.00 a.m., if not 1.30 a.m. Perhaps Saturday evening has no special significance to our wealthier citizens, but I can assure this House that it is immensely significant to those people of more modest incomes who make up the majority of our population. It is particularly significant in a riding such as Prescott and Russell, where much of our rural population regard Saturday night as a time of social communication and good fellowship. They do not enjoy being sent home early like children suffering under parental discipline.

Another particularly annoying matter in this area is the fact that to acquire a dining lounge license a specific portion of an establishment's gross income must come from the sale of food. As I understand it this portion is 25 per cent. In some cases it may bend to allow a slightly smaller percentage but, in many cases, it remains an unrealistic figure.

Mr. Speaker, it is simply impossible for many otherwise suitable establishments to meet this food-percentage requirement. It may be reasonable in highly urban areas. In more rural areas of the province, such as mine, there is not enough trade in the matter of meals to ever allow otherwise suitable premises to secure a dining lounge license. I am sure the hon. Provincial Secretary (Mr. Welch) will give his most serious consideration to these two annoying items I have mentioned. In both cases the regulations are not in tune with the times, or the people, or the particular social and geographic situation.

Mr. Speaker, in closing my speech I intended to sum up the many, many achievements of the Progressive Conservative governments of Ontario—accomplishments that have brought this province to its number one place in Canada.

Interjections by hon. members.

**Mr. Belanger:** But, rather than toot our own horn, I will end with a simple quotation from our sister province of Quebec.

On July 17, 1966, a Montreal periodical, *Le Petit Journal*, had this to say about our province:

Without Ontario, Canada would be an under-developed country and our standard of living in Quebec would be considerably lower. Fortunately, Ontario does exist and no customs office separates Ontario from Quebec. Furthermore, Ontario's prosperity is far from being harmful to us.

**Mr. J. Jessiman (Fort William):** Mr. Speaker, it is a great honour and privilege for me, on behalf of the people of Fort William riding, to second the motion of the hon. member for Prescott and Russell for the adoption of the Speech from the Throne presented by the Honourable, the Lieutenant-Governor of Ontario. I believe this is the first occasion which this honour has been given to a member of the Legislature from Fort William riding.

First of all, I would like to add my congratulations to the many our new Lieutenant-Governor has already received upon his appointment as Her Majesty's representative in Ontario. Despite the negative attitude from the hon. member for Sudbury (Mr. Sopha), I think that the office of Lieutenant-Governor is one that is worthy of maintaining. Some members opposite feel that just because something is old, it is irrelevant, and they want to change things simply for the sake of change.

Unkind critics of the member for Sudbury have suggested to me that maybe he really only likes to read about himself in the press.

Personally, I believe that the office of Lieutenant-Governor gives to us a link with our past traditions, which I do not think we have any reason to view with shame or misgivings, and in fact adds a great deal of colour, interest and history to the opening of the Legislature.

Also, Mr. Speaker, I would like to congratulate the hon. member for London South (Mr. White) on his appointment as Minister of Revenue. I think all would agree that he is one of the more active and interesting orators in the House and his background and experience in economics and business and as a writer qualify him for the important position he now holds in the affairs of this province.

I would like, too, at this time, to say to you, Mr. Speaker, that we in this chamber have been very impressed with the way in which you have carried out your responsibilities. Certainly your duties require a great



deal of patience and are not made easier by some of our actions. Nevertheless, your fairness in rulings, your subtle humour and your firmness in handling the operations of this House all characterize a broad ability which all members respect.

While it is not always customary to say nice words about members of the Opposition parties, and in particular the leader of the Opposition, I would on this occasion, break with that custom and thank the hon. member for Brant (Mr. Nixon) for the kind words he extended to our colleague, the hon. member for Middlesex South (Mr. Olde). All of us, I am sure, are happy to see him up and around again, in good health, and serving his constituents so vigorously and well as he has done since 1963.

Mr. Speaker, I want to comment briefly on those events which took place at a roller skating rink in Kitchener last weekend. Firstly, let me congratulate the member for York South (Mr. MacDonald) on his retention of the leadership of his group. While we in this party do not get overly excited about things that take place in minority class political groups—sprinkled with a handful of opportunists, some of them absent this afternoon—most of us have a high regard for the member for York South and it is good to see him return to his same place at the opening of this Legislature even though he may be missing right now. However, in his absence, Mr. Speaker, I do think that it should be placed on the record, that 31 per cent of the delegates, or almost one out of every three, rejected him as their leader, and it is also significant that over 25 per cent of his own caucus, or one of every four socialist members of the Legislature, say to him, "Donald, go home, we do not need you."

Why then, do his own people, his own friends, rise up to smite him? I suggest, Mr. Speaker, that one of the major reasons is that the hon. member for York South has created a believability gap that is reaching gigantic proportions. We remember in the election campaign of 1967 his slogan—67 in '67. Well, he got 20 seats—a full 47 short of his prediction. His error gap or believability gap was 70 per cent off. He said the socialists were going to win in 1955, in 1959, in 1963 and in 1967. In fact, the socialists won none. Thus, the believability gap is now 100 per cent. I will send the member for York South a copy.

Now, he talks about winning in 1971. What nonsense! No wonder his friends want to push him out. They do not believe him and neither

do the people of Ontario and particularly the people of Fort William.

Quite frankly, with friends like the ones he normally has sitting beside him and behind him, the socialists in my view will be quite lucky to win seven seats in 1971. This is not my own view or the view of our side of the House, but this is what 31 per cent of the delegates to his convention said and 25 per cent of his own MPPs say. To quote the member for Riverdale (Mr. Renwick), "There is no will." And further, as the member for Riverdale said in Toronto on November 12, "Face up to the fact that MacDonald's leadership as it has been is not good enough for victory in 1971."

Mr. Speaker, just one more comment on the three-ring circus of socialist politics. The member for Riverdale charged in St. Thomas on November 4 that all full-time paid representatives of the United Steelworkers and United Packinghouse Workers were told to get out and support and work for the member for York South in his bid to retain his group's leadership. If they did not, according to the member for Riverdale, they would lose their jobs. This is a very serious charge. Here, we have a group that pretends to support the working man, yet through fear and coercion their union representatives are told to work for MacDonald or they lose their jobs. Says the member for Riverdale, and I am quoting him now from an article—

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, on a point of order, I hope all information brought to this assembly will be accurate information. The statement made by the member for Riverdale in St. Thomas was a statement carefully prepared, carefully assessed and accurately stated, not what the member for Fort William said, "that all paid members of United Packinghouse Workers and the United Steelworkers of America. . ." It simply stated members of District No. 6—not all members, Mr. Speaker—and members of the national office of United Packinghouse Workers, whose correct name now is Canadian Food and Allied Workers, I believe, Mr. Speaker. Thank you

Mr. Jessiman: I thank the member for those kind words but I am sending over, Mr. Speaker, the actual photostatic copy out of the paper, and I quote:

"Any staff representative of those two unions who supports me or campaigns for me does so at the risk of his job."

We in this party have argued for many years that the membership of organized labour, the rank and file, have been taken to the cleaners by the NDP. We have argued that money forced out of the rank and file by—

- (a) The political check-off system;
- (b) The so-called political action groups within the unions who use rank and file funds without their consent to distribute socialist propaganda;

Interjections by hon. members.

**Mr. Jessiman:** Squirm, Donald, squirm.

(c) Union organizers whose pay cheques are made up out of the rank and file membership fees are forced to work in election campaigns without consent of the rank and file—most of whom do not and will not support the NDP—is against all principles of common decency and the right of the union members to be free to vote and support political parties of their own choosing without coercion or arm twisting.

Now we find the disease of political fear and coercion being used by the leader of the NDP and his friends in a purely internal affair of the NDP group. In other words, here we have union dues which partly go to pay the salaries of union organizers—

Interjections by hon. members.

**Mr. Speaker:** It is understood that in the House on occasions such as this there would be a certain amount of interference with the speaker, but this is most unseemly and I would ask the members, particularly on Mr. Speaker's left, to give this member the opportunity of making his point. As we all know here, in due course every member will have an opportunity to speak in this debate and the rebuttals can be made.

**Mr. Jessiman:** Let the record show that the charge being made that union representatives must support and work for the member for York South or lose their jobs was not made by a Progressive Conservative, or by a Liberal, but by the deputy leader of the New Democratic Party, the member for Riverdale.

Now, Mr. Speaker, I want to turn to the subject of northern Ontario. We have heard a great deal of talk by the Opposition in connection with government policies for this part of Ontario. Much of this talk is simply centred around slogans designed to capture votes. Most of the talk is negative, but all of this talk, all of this electioneering, is very separatist in its nature.

Let me say at the outset that the people of

northern Ontario do not want an eleventh province. Despite the Opposition parties' attempt to fan a movement in this direction so as to capture a few votes, northern Ontario is, and will remain, an integral part of Ontario—economically, culturally and socially.

In a few minutes, I am going to outline some of the areas which the Ontario government has brought forward, imaginative and constructive proposals for the development of the north country. But before I do, I want to read into the record that the federal Liberal member for Kenora-Rainy River on November 18 asked the Prime Minister of Canada to place on the agenda of the federal-provincial conference in Ottawa next month, the question of northern Ontario and northern Quebec becoming an eleventh province. Also, another separatist in northern Ontario—in fact the man who is making the most noise—is a character by the name of Donald McKinnon. He is well known to the leader of the Opposition—he was the provincial Liberal candidate in 1967 for the riding of Cochrane South. I might mention here that he got some 3,000 votes out of a total of 20,000 that were cast.

Now, Mr. Speaker, I want to turn to the positive record of the Ontario government and its policies of the north. I intend to deal at some length this afternoon on this record and to say that we in this party have not neglected the north as the Opposition members like to believe. I will be the first to admit that many programmes need to be expanded and new programmes will have to be pursued and implemented. But I also suggest that we have accomplished, through good government, programmes that are both more realistic and more extensive than the election campaign groaning of Liberals and socialists. They offer pessimism when our party offers opportunity. They offer campaign oratory and promises; we offer action and progress.

Now to the defence of that record.

It is only fitting that at the start we review and examine the educational opportunities opened up to the north by the Ontario Progressive Conservative government.

Mr. Speaker, 50 years ago, northern Ontario was a rough, demanding country with drifts of snow and perishing cold in the winter and a summer of sultry heat and voracious flies. One had to be an intrepid hunter, explorer, miner or adventurer to risk the hazards of climate and terrain.

Now the northland has a new image. As life in northern Ontario has progressed beyond the elemental struggle for survival, man



has conquered his environment and brought the riches and refinements of civilization to the new north. At the hub of the learning, growing process is education.

Two new universities, Lakehead University in Port Arthur and Laurentian University in Sudbury, have very special opportunities to offer to the students of northern Ontario.

Lakehead University, for example, in co-operation with the Fort William and Port Arthur school boards and symphony orchestra, have set up a unique programme in musical education, under the direction of Boris Brott, the brilliant young Canadian who, at 24, became assistant conductor of the New York Philharmonic. This year, the Princeton string quartet, as Lakehead's musicians in residence, are giving a total of 2,400 teaching hours to the local elementary schools and will play a total of 240 concerts in northern communities from Kenora to Marathon. In this way the children and the citizens of the northland are benefiting from the best in musical training and appreciation.

As part of an effort to push the boundaries of habitable territory even further north, Lakehead has taken over a Department of Lands and Forests outpost 100 miles north of the Lakehead, near Lake Nipigon for study of the boreal forest. At the Black Sturgeon research centre, northern Ontario students will undertake environmental studies in forestry, biology, zoology and archaeology.

Mr. Speaker, among Lakehead University's new programmes designed for the needs of the local community, is a chemical engineering diploma programme oriented around and towards the pulp and paper industry. Lakehead also offers courses in mining engineering technology and a variety of courses in forestry. It has also recently initiated its first master's degree programmes in four disciplines — English, physics, psychology and mathematics. The new science and technology building houses an IBM model 40 computer which can be used by staff and students.

Symbolic of the high degree of imaginative planning that characterizes the development of the north and of this university is its \$24 million programme of construction on the shores of a man-made lake that will provide skating in the winter and swimming in the summer.

Mr. Speaker, to finance these projects, the government of Ontario, through its Department of University Affairs, is providing during the 1968-1969 fiscal year a total of more than \$13 million in capital and operating grants.

Laurentian University in Sudbury, being bilingual, expresses in a different way the quality and needs of the new cultural atmosphere of the Ontario north. This university is now offering a bilingual degree in all its programmes—the first in North America to do so—fulfilling one of its aims of encouraging our dual French-English culture both inside and outside the classroom. It is receiving provincial government support during 1968-1969 of a total of more than \$9 million. The Laurentian faculty of arts and science now has seven colleges, including Algoma in Sault Ste. Marie and Nipissing in North Bay.

Besides courses in chemical, civil and metallurgical engineering, Laurentian offers one of Ontario's first undergraduate degrees in social work, which will prepare qualified social workers for community services, government and industry. In another co-operative venture with the Sudbury community, Laurentian's labs are being used for cardio-thoracic research.

This will give some idea of the new climate and attitude that prevails in the north. Spurred on by the momentum of the victory over the hostile environment, man has gone on to higher aspirations of development and improvement in his universities and colleges and the total life of the community.

Mr. Speaker, as a result of this new sense of challenge in the north, the government of Ontario, in co-operation with the federal government and with the enthusiastic support of Canadian industry and Ontario's northern universities, has envisioned a mid-Canada development corridor. The Lakehead cities are the only large population centres so, not unnaturally, the conference next August on this topic will be held in Port Arthur. Such a plan could realize dreams that last century's most visionary explorer could never have foreseen: dreams of a northland vigorous, expanding, challenging, to meet the needs of Canada's people, both in terms of the land and its burgeoning natural resources.

Mr. Speaker, The Department of Education, in pursuing its policy of ensuring equal educational opportunity for all children throughout Ontario, has given special attention to our rich and developing northland. This is well exemplified in its handling of the special circumstances of the north in the reorganization of school jurisdictions that is now in progress. Here, the particular problems arise from the nature of the area—a mix of highly developed urban centres with mining and other communities that are scattered and somewhat isolated in large tracts

of territory. For this reason, as you know, guidelines for the special concerns of the north in this process of reorganization were provided in an independent document that was published separately.

In the coming year 1969, much effort will be devoted in the north to this reorganization of boards and administration. In the territorial districts, new boards of education for the divisions and new separate school boards for enlarged zones will assume operational control of the schools on January 1, 1969, and will appoint their own supervisory officers. The Department of Education will provide all possible assistance in the reorganization and will adjust its supervisory services for school boards in isolated areas which will not be included in new divisions or zones. It is our aim that these changes shall bring a new impetus and vigour to education in northern Ontario, just as in the south.

I want to refer at this point to an aspect of education in the north to which the government attaches great importance—the colleges of applied arts and technology.

Along with the establishment of new colleges in other parts of the province, The Department of Education has now in operation campuses of colleges of applied arts and technology at the Lakehead, Kirkland Lake, Haileybury, South Porcupine, Sault Ste Marie, Sudbury and North Bay. In these new colleges, approximately 2,650 full-time day students and 2,000 part-time and extension students are enrolled. And in addition to these I have just mentioned there is, in Kenora, Confederation College, operating a number of classes.

Among the varied courses offered in these institutions, there are programmes in the fields of trade, technician training, technology, applied arts and science, and business. In most cases plans are well developed for permanent buildings and on some campuses construction is under way or has been completed.

I should like next to draw the attention of the House to a number of educational developments which have special local significance. One of the most important groups of citizens in our society today is our Indian people. We in the northern part of this great province harbour the province's largest percentage of these first citizens. Many people have pointed out that we have an Indian problem.

Mr. Speaker, I would point out to you that this is not the case. I feel that we have a white problem in that so many varieties of

missionaries, social workers, and politicians with preconceived ideas who work for Indians, do more harm than good, because they are working for their own satisfaction, seeking publicity which is always available when one assists minority groups.

The government of this province has shown a tremendous desire and has made great strides in assuring that the social benefits of our society are available to these people, in spite of the feelings of the federal government and their complete lack of co-operation in this particular field.

One has only to look at the recent members' tour of northwestern Ontario. There we saw the Minister of Social and Family Services (Mr. Yaremko) break away from those enjoying the beauty and the interesting tours to visit and examine first hand the problems of these sincere people.

This dedicated Minister of the Crown accompanied by the member for Kenora (Mr. Bernier), spent every available moment talking, looking, and planning ways to place these, our first citizens, on a level in our society that is taken by the rest of us for granted.

Steps are being taken to provide improved education for Indian residents of Ontario. The educational centre at Moosonee is nearing completion and it will be officially opened next June. This centre serves the elementary school children in certain subjects outside the scope of the public and separate schools and it offers academic upgrading and manpower training to adults. The director supervises a total staff of 23. The board of governors employs people of Indian descent wherever possible.

On the CNR main line to the north of Lake Nipigon, new schools, each of two rooms, have been erected during the past summer at Auden, where a one-room school has been replaced, and at Ferland, where previously no school existed. In both these localities the federal and Ontario governments share the financial responsibility.

It is gratifying to note, throughout the north as well as the southern part of the province, that Indian bands are asking for an appointed representative on school boards and these requests are being granted and guaranteed by the boards which provide education for Indian pupils.

In northeastern Ontario several boards have organized French-language schools in temporary or leased accommodation, for French-speaking pupils who formerly attended private, French-language schools.

These schools will also augment the French-language instruction which has been given for several years in such places as Chelmsford and Sturgeon Falls where both English-speaking and French-speaking pupils have enjoyed the benefits of a composite school programme. The board's concern in 1969 will be planning for permanent accommodation for the French-language schools and for some in which both English and French will be used.

Commencing in 1969, parents of elementary school pupils living outside the boundaries of school sections and zones where daily bus service is not available, may apply for a travelling or living allowance to the school board providing the education.

In isolated communities in the northern districts, 25 teachers are working in one- or two-room schools under the northern corps. The department subsidizes their travel and provides a northern allowance in addition to a salary paid by the board. Six schools, each of one or two rooms, have qualified for this assistance for the first time in the current school year.

May I turn now to another aspect of education in the north, which is one of the special concerns of the Ontario government there as it is elsewhere in the province—the services for the blind and deaf. In 1963 the first home-visiting teacher of pre-school deaf children was appointed. The initial service was so successful that six such home-visiting teachers are now at work. I should point out, I think, that the teachers who have received special training for this activity average almost 1,000 miles a month by car plus air travel.

Two teachers concentrate their efforts in northern Ontario. The programme has two

purposes: To prepare young deaf children for admission to school, and to assist the parents in the training of their own young deaf child at home.

The Department of Education intends to expand this programme gradually so that home visits may be more frequent. In this way, young pre-school deaf children in northern and rural Ontario, and their parents, will benefit from the assistance of professionally trained teachers of the deaf while remaining together as a family in their own homes.

The provincial Department of Education also helps maintain schools for retarded children in 11 northern Ontario districts. Since April, 1966, we have provided educational programmes in special classes within Ontario Department of Health hospital facilities, for groups of children who include the mentally retarded and those who are physically, socially and emotionally disturbed. One of these schools is located in the Ontario Hospital at Port Arthur.

With the co-operation of The Department of Health, occupational therapy, kitchen, library, ceramics and sewing areas are being made available to the school for instructional purposes.

Mr. Jessiman moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Robarts: Mr. Speaker, tomorrow we will resume this debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, November 22, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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FRIDAY, NOVEMBER 22, 1968

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery, from St. Philip Neri separate school, Downsview, and Winchester Street public school, Toronto; and later on today in the west gallery, Don Mills junior high school, Don Mills.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## RELIEF FROM LIABILITY OF MEDICAL PRACTITIONERS

**Mr. E. Sargent** (Grey-Bruce) moves first reading of bill intituled, An Act to relieve medical practitioners from liability in respect of voluntary emergency medical services.

Motion agreed to; first reading of the bill.

## ETHICS OF ELECTED REPRESENTATIVES

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act respecting ethics of elected representatives.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill prohibits certain conduct on the part of legislators, and requires disclosure of interests and activities that cannot reasonably be prohibited but whose nature and extent should be public knowledge.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management concerning the Ontario Hydro development at Pickering. I wonder if he can tell the House how far behind in the construction they are of the atomic energy site in Pickering?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, relative to the original in-service date established at the time the Pickering generation station was authorized, the first unit is ten months behind, the second unit five months behind, and the third and fourth units are predicted on time. The reasons are: first, late delivery of important components; second, effect of our strike last year.

Mr. Speaker, it may be noted that the same information was given by me to the leader of the Opposition in this House on May 7, 1968.

**Mr. Nixon:** Mr. Speaker, surely in reply to the gratuitous comment in addition to the answer you will permit me to say that much time has elapsed since that particular occasion; and surely, with the good weather that we have had in the summer and fall, we would have hoped for an improvement in the situation.

Interjections by hon. members.

**Mr. Speaker:** The Minister to whom the hon. member for York South (Mr. MacDonald) is directing his question is not in, I believe, this morning and will not be in until Monday.

**Hon. J. H. White** (Minister of Revenue): Mr. Speaker, on a point of privilege. In the Metro final edition of this morning's *Globe and Mail*, on page one, there is an article headed, "Ontario Suggests Federal Budget May Prevent Succession Duty Cut". This heading is completely inaccurate. The lead reads as follows:

Because of "the radical changes brought about by the Benson budget" Ontario will be forced to reconsider raising the exemptions on succession duties to \$96,000 from \$75,000, Provincial Revenue Minister John White said last night."

This lead is completely misleading. It is misleading because the word "reconsider" is used instead of "review" and because one only of the 56 recommendations of the Smith committee and select committee report was singled out. The method I chose to ensure that what I did say would be accurate and

non-controversial, was to read the question of the leader of the Opposition and quote my reply. And I would like that to be very clear.

**Mr. Speaker:** The hon. member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

When are the HOME lots going to be offered for sale to the public in Hamilton?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, we always have the answers.

**Mr. D. C. MacDonald (York South):** Has the Minister got the houses?

**Hon. Mr. Randall:** Just listen carefully. Do not get confused.

HOME lots in the Ralston neighbourhood in Hamilton will be offered within a week of Ontario Housing Corporation receiving Central Mortgage and Housing Corporation's approval of the lot values which have been proposed for the area.

As hon. members know, the primary purpose of the HOME plan is to make lots available to potential homeowners on a leasehold basis. However, it is necessary to establish a land value at the inception because every lessee who decides, after a period of five years, that he wishes to purchase a lot, may do so at the original established value without regard to any increases in land values in the area which may have taken place during the intervening period.

Land values are also required for the very small number of homeowner applicants who wish to purchase lots at the inception either on a cash basis or over a period of up to 35 years.

We expect to receive Central Mortgage and Housing Corporation's approval within a week, and as the Ontario Housing Corporation mobile sales office is already on the site, lots will be advertised and offered to the public within a matter of days from receiving the approval.

**Mr. MacDonald:** Why does the Minister not answer the question?

**Hon. Mr. Randall:** I answered the question.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Thank you, Mr. Speaker. I have a—

**Mr. Speaker:** Order, order! The hon. member for Wentworth has the floor.

**Mr. Deans:** Yes, Mr. Speaker, I have a question for the Minister of Highways. I hope that he can get to the point much more quickly than his friend, the Minister of Trade and Development.

**Mr. Speaker:** Order! The hon. member will place his question.

**Mr. Deans:** In the interest of public safety, will the Minister order the closing of Murray Avenue where it enters the Queen Elizabeth Highway at Grimsby?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, before answering this question I want to tell the House that the hon. Provincial Secretary (Mr. Welch) has pursued this matter with myself and our department on several occasions.

**Mr. MacDonald:** That is irrelevant.

**Hon. Mr. Gomme:** He just happens to be the member down there.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Gomme:** The Ontario Municipal Board, by order No. PFM-9327/59, approved the closing of Murray Avenue and Kerman Avenue in the town of Grimsby with certain conditions which included the following:

The Department of Highways construct the following service roads in this particular area: 1. On the north side of the Queen Elizabeth Way between Ofield Road and Murray Avenue; 2. On the south side of the Queen Elizabeth Way from the west limit of the township of North Grimsby to Murray Avenue; 3. On the south side of the Queen Elizabeth Way from Murray Avenue to Patton Street; 4. A connection between Elizabeth and Ontario Street on a right-of-way to be provided by the town of Grimsby; 5. And subject to the construction by The Department of Highways of a number of slip-ons and slip-offs, an interchange to provide the necessary movements off the Queen Elizabeth Way to the abutting adjacent service roads.

The department during the resurfacing of the Queen Elizabeth Way to the west of Grimsby in 1968 provided left-turn lanes at Kerman and Murray Avenues in the median strip in order to improve the safety of the intersection. Any left turning vehicles are then able to be cleared of the through lanes while awaiting an opportunity to make the left turn.

At the present time, the department is preparing contract drawings for the construction of the necessary service roads, structures and interchanges in this area and the contracts will be called as soon as plans have been prepared and the necessary clearances obtained.

**Mr. Deans:** I wonder if the Minister would accept a supplementary question? Does he anticipate that this would be done prior to next summer's heavy traffic?

**Hon. Mr. Gomme:** Mr. Speaker, I have already explained when we intend to do it.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have a question of the hon. Minister of Transport.

Has the department studied the safety problems of those rebuilt small cars which are now being popularly used on sand dunes and rough terrain and are known as "dune buggies"? Has the department investigated the death of Paul Lightowlers of Ayr, Ontario, who died on August 19, 1968, from injuries received in a crash of a dune buggy? Is consideration being given for special licensing and inspection of these vehicles so that the enjoyment by the owners and drivers is balanced by the public interest and safety?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, if these reconstructed vehicles referred to as "dune buggies" are operated on the highways they must be registered and must comply with all the requirements of The Highway Traffic Act. In the case of a reconstructed vehicle, before it can be registered, a certificate of fitness is required.

I am sorry, I do not have particulars with respect to the fatality mentioned by the hon. member at this time. I will look it up and if I can find the details I will inform the hon. member.

The department does not have plans for special licensing or regulations respecting these vehicles at this time.

If I have been deficient in any answer, sir, I would be happy to discuss the matter further with the hon. member because I would like to answer his question as fully as I can.

**Mr. Speaker:** The member for Sandwich-Riverside (Mr. Burr)? His question will have to be deferred until the Prime Minister (Mr. Robarts) is present.

The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the hon. Minister of Mines.

Has a decision been made yet on a universal mining claim tag for the province to permit prospectors to purchase tags at their local mine recording office for staking in any other part of the province, as we recommended in the estimates last session and as subsequently endorsed by the Northwestern Ontario Associated Chambers of Commerce?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I am not too sure what the "royal we" is to which the hon. member is referring, but I can say in answer to the question that government policy will be announced in this House in due course.

**Mr. Shulman:** I have a question of the Attorney General, Mr. Speaker, in five parts.

1. Is Mr. Douglas Latimer to be appointed Crown attorney for Halton county?
2. Did his position as president of the Halton Progressive Conservative Association have anything to do with his appointment?
3. What is the salary he is to be paid?
4. What was the salary that was offered to special Crown prosecutor Ronald Thomas, former acting Crown attorney, to take the same position?
5. Why was Thomas not offered the same salary as has been offered to Mr. Latimer?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, Mr. Latimer was appointed on November 21, 1968; his appointment is to become effective on December 15, 1968.

The answer to the second part of the question is "no".

The starting salary for Mr. Latimer is \$16,775. That is the minimum starting salary for a Crown attorney, class 2, which has a maximum of \$20,010.

The salary offered to Mr. Thomas was \$14,349. That is the first step of the starting salary in a Crown attorney, class 1, which moves to a maximum of \$16,755.

The answer to the fifth part of the question: Mr. Thomas was not offered the same salary as Mr. Latimer because Mr. Latimer had seven years' more experience at the Bar having been called in 1957, while Mr. Thomas was called in 1964. The one man, therefore, has four years' experience, the other man had eleven years of experience at the Bar and was an assistant Crown attorney for a number of those years. In our view these are factors we have to take into account. In saying that I would like to say, Mr. Speaker,

that this is no reflection on our appreciation of the abilities of either man; it is simply a matter of experience.

I do make clear the point that we were able to classify Mr. Latimer as a Crown attorney, class 2, which carries its salary as fixed, and the other man would have to start at Crown attorney 1?

**Mr. Shulman:** Would the Minister accept a supplementary question? Can the Minister inform me if Mr. Thomas did not, in effect, have more experience as a Crown attorney than the man who was given the opportunity?

**Hon. Mr. Wishart:** No, I would say, certainly not. As I pointed out, the one man has seven years' more experience than the other.

**Mr. Shulman:** I asked if Mr. Thomas did not have more experience as a Crown attorney.

**Hon. Mr. Wishart:** Mr. Thomas has served in our office, on our staff in this building, and only occasionally as Crown attorney.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs.

1. Is it illegal for a municipality to give assessment advantages or grant bonuses in order to attract industry?

2. If the town of Trenton has been carrying on these activities, as indicated in the report of the Eric Hardy Consulting Company Limited, would the Minister indicate what steps he proposes to take?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, in answer to the first part of the question, it is, of course, illegal for a municipality to give assessment advantages or grant bonuses in order to attract industry. Section 248(a) of The Municipal Act forbids this practice. I unfortunately do not have a copy of the report of Eric Hardy Consulting Limited which you have referred to. We tried to get in touch with Mr. Hardy this morning to get a copy of the report. He is out of town. When I do have a copy of the report I will get in touch with the member.

**Mr. Pitman:** May I ask a supplementary question? Could the Minister indicate what steps he would be likely to take if indeed the statements included in this report are those as reported by the press? Perhaps he

might also indicate what steps his colleague, the Minister of Trade and Development, might take, in view of the fact that this municipality is receiving grants under the EIO programme?

**Hon. Mr. McKeough:** I think the second part of your supplementary question should be directed to the Minister of Trade and Development.

As far as the first part of the question is concerned, it is rather hypothetical. When I have the report and have had a chance to look into it then I will decide what we will do about it.

**Mr. Speaker:** The hon. member for Grey-Bruce has some questions.

**Mr. Sargent:** Mr. Speaker, a question to the Minister of Trade and Development.

I think that he either owes the House an apology or—

**Mr. Speaker:** Order. The hon. member will place his question.

**Mr. Sargent:** Regarding a question yesterday Mr. Speaker, on a—

**Mr. Speaker:** Well, we are now in today's question period.

**Mr. Sargent:** On a point of privilege!

**Mr. Speaker:** We are in the question period for today. If the hon. member wishes to rise on a point of personal privilege he is entitled to do so but he is not entitled to do so in the guise of asking a question.

**Mr. Sargent:** I will leave the question for a moment then. On a point of privilege, the situation with regard to yesterday's question: The Minister told the House a half truth, and then in a report in the *Globe and Mail* this morning, he told the press that it is their practice to loan ODC loans to well established firms if they could prove the need for it—and they are well established. He can mislead the House but he should not mislead the newspapers. Mr. Speaker, he did not tell the newspapers that this money is not available to any firm or persons who can borrow some place else. This is a well established firm, but they received a loan from this government, through ODC, which is forgivable.

This is what he did not tell the papers. I think he owes this House an apology. Why can Holiday Inn and Caswell borrow money from the government when they have other sources of money?

**An hon. member:** Like cash in the bank.

**Mr. Sargent:** Like cash, and on top of that, the government makes it forgivable; at the end of the six-year term they get their money back. It does not cost them anything.

**Hon. Mr. White:** The member would not have a little vested interest?

**Mr. Sargent:** So I think the Minister owes the House an apology or he should tell the press that he did not tell them the whole truth.

**Mr. Speaker:** Order. The hon. Minister now has the opportunity if he wishes, to comment on it.

**Hon. Mr. Randall:** Mr. Speaker, as usual, I think the hon. member for Grey-Bruce is thoroughly confused. In the first place I did not see the *Globe and Mail* this morning and I am not at all confused. I know exactly what I said. If it is a forgiveness loan I would remind you that we have given forgiveness loans to companies that have several millions of dollars, perhaps more than Mr. Caswell will ever have. If Mr. Caswell has gone into a designated area he is entitled to the same treatment as some of these companies that have many millions of dollars of capital.

Now, any man who has a balance sheet can walk into the Ontario Development Corporation; he can present it and we say to him, "Have you tried to borrow money from two other sources?" If the man says "Yes, and I was turned down", we ask "Have you gone to the Industrial Development Bank?" If he says "Yes, and I was turned down", then we will take a look at it and see if there is some way we can lend him money. There is nothing wrong with this.

**Mr. Sargent:** Mr. Speaker, this is a complete—

**Mr. Speaker:** Order. The member will retain his seat and give the Minister the opportunity of making his explanation. The Minister gave the member the opportunity of making his point of privilege.

**Mr. Sargent:** He is not telling the truth, Mr. Speaker.

**Mr. Speaker:** Has the Minister anything further to say?

**Hon. Mr. Randall:** Mr. Speaker, as far as I am concerned I explained my position so he can go ahead.

**Mr. Speaker:** Order, order!

**Mr. G. Ben (Humber):** Point of order, Mr. Speaker. I resent, as a member of this House, being insulted by the hon. Minister rising here and giving us a lot of balderdash about borrowing money when people to whom he lent money were making profits that ran into three figures, into millions; that is, hundreds of millions of dollars.

**Mr. Speaker:** Order, order!

**An hon. member:** That is a point of order?

**Mr. Speaker:** Order, order! The hon member has made his point of order. He will return to his seat.

Does the hon. member for Grey-Bruce wish to proceed with his questions?

**Hon. Mr. Randall:** Mr. Speaker, may I rise on a point of order? I listened to my hon. friend in the back row there say that these companies make hundreds of millions of dollars. May I remind him that the amount of money a company earns has nothing to do with whether they qualify to go into a designated area. The more money they have the better. We like to see them in a designated area because they have got staying power.

**Mr. MacDonald:** Well why does not the Minister encourage them to use their own money instead of dipping into the public Treasury?

**Hon. Mr. Randall:** Keep your mouth shut a minute and I will answer you too. Do not get excited.

**Mr. MacDonald:** Mr. Speaker, on a point of order, is that parliamentary language? Mr. Speaker, on a point of order.

**Mr. Speaker:** The hon. Minister is on a point of order at the moment. When he has finished his—

**Mr. MacDonald:** On a point of personal privilege, Mr. Speaker.

**Mr. Speaker:** When the hon. Minister has finished his point of order, then the hon. member will be entitled to raise his point.

Interjections by hon. members.

**Hon. Mr. Randall:** Forget it!

I was making the point, Mr. Speaker, that in the federal designated-area programme, many companies that went into my hon. friend's riding in Grey-Bruce were companies

of very substantial means and they qualified for that designated-area programme—

**Mr. Sargent:** We are not talking about that.

**Hon. Mr. Randall:** Regardless of their wealth they qualify because they met the requirements of a designated area. And the same applies for ODC.

**Mr. Speaker:** The hon. member for York South.

**Mr. MacDonald:** Mr. Speaker, I ask for your guidance. Is it parliamentary for one member to tell another member to shut his mouth?

**Mr. Speaker:** It is not usually considered so.

**Mr. MacDonald:** Thank you very much, sir.

**An hon. member:** Only when the government does it.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I have a point of order and it is a serious one. It is that I think the point of order relates to the matter in which the questions are put and the questions are answered, and the answers of the Minister of Trade and Development—two answers, Mr. Speaker; first the written prepared answer and, secondly, the answer given spontaneously by him—indicate to me that the procedures and rules of the question period should be completely reviewed and overhauled and that the answers of the Minister should be spontaneous and unwritten, and those will be the answers which appear on the record as being true answers.

**Mr. Speaker:** May I say to the hon. member that I am also of the opinion that there can be improvements made in the question period. And I can assure him that when Mr. Speaker's House committee meets, I hope next week, we will be glad to discuss it and see if there are any changes we can suggest to the House in that regard.

The hon. member for Port Arthur—on a point of order?

**Mr. Knight:** On a point of privilege and in connection with the subject at hand, I feel that because of the manner in which Mr. Speaker's office rules on the questions which are submitted beforehand, I may have been discriminated against today. I had a question which I wished to put to the House here pertaining to the fact that the Speech from the Throne was not given in French as well as in English, and I was told that the question was not accepted by Mr. Speaker's office. The

reason given to me was that questions which start with the phrase "in view of" would not be accepted and also that the preamble to my question was too long.

However, I find if we check yesterday's roster of questions we will find that my hon. colleague, the member for Downsview (Mr. Singer), in his second question, which was addressed to the Attorney General, opened with the form "in view of", and not only that but he had a second "in view of" on the second line, and had a preamble which was considerably longer than mine. So I feel that in some way I have been cut off from a question which I deem to be extremely important.

**Mr. Speaker:** I would be pleased to clarify the matter for the member for Port Arthur. The reasons which he has put to the House and which perhaps were conveyed to him by my staff were not the reasons for the question being sent back for revision. We have heard considerable this morning about politics in answers, and it is my view, acting on behalf of all the members here, so far as is in my control, originally at least, that these are not to be political meetings.

It is true we must have party politics in it, but the reason the question was sent back to the member was that the preamble which he had was obviously an attack on the government by way of a question. All the question period is for, is for asking the question. I requested that this "in view of" preamble be taken out and the question itself be left there. That is the ruling that was made by Mr. Speaker, and I think it is a fair ruling, and a ruling which we have used in the past, myself and my predecessors in office. It is a ruling which, unless there is some different direction from the House, we will continue to enforce.

I also realize there is the problem of the answers to these questions, and as I said to the member for Windsor West, I do think there is some need for a re-examination of our procedures and I am quite prepared to initiate that. I have already had the leader of the third party, the member for York South, in touch with me with respect to these matters.

I would have been delighted to have had the member's question this morning because it was a question submitted both in English and in French and I was glad to see it. I was practising my French on it. But I felt that it should have the preamble which was, as I say, politically aligned, taken out, and just the question left.



**Mr. Nixon:** If I might comment on the point of order—

**Mr. Knight:** Mr. Speaker, I thought some French should come into it, so I would just like to say merci beaucoup, M. l'Orateur.

**Mr. Nixon:** I was never under the impression that the rules governing questions prohibited an attack on the government. In many ways, that is the main function for Opposition, and while I am not familiar with the wording that you disapproved, surely the fact that it contained an attack on the government is irrelevant to the question.

**Mr. Speaker:** It is not irrelevant because the whole purpose of the question period, as I understand it, is to ask questions of urgent and public importance. That was the question which followed the statement, which was embodied as part of the question. If any member wishes to ask a question, it certainly can be an attack on the government but it must be a question and not an allegation or a statement of fact, and our rules so read.

Interjections by hon. members.

**Mr. Sargent:** Let us get down to some honest business.

**Mr. Speaker:** The member for Peterborough has a point.

**Mr. Sargent:** I am on my point with the Minister; I was the motivator of this.

**Mr. Speaker:** Yes, but these are all questions which have arisen out of it, so the member will please yield to the member for Peterborough, and we will come back to him so he may proceed with his question.

**Mr. Pitman:** Mr. Speaker, on this point of order, I do not want to prolong discussion on this matter, but I think that one matter has been overlooked and that is that these questions are expected to be of urgent public importance.

**Hon. Mr. Randall:** That is right.

**Mr. Pitman:** They are expected to be on matters which are of importance at the time of the question. I would disagree with the leader of the Opposition that they are necessarily a matter of clobbering the government for some of its misdemeanors, although this may very well come out of the answer. But I think the main point is that it should be relating to events that are taking place at the time when the question is being asked.

This is what bothers me very greatly; it seems to me that the one way a member can relate his question to current events is by beginning the question with "in view of"—

**Mr. Speaker:** There is no ruling that you may not use "in view of".

**Mr. Pitman:** I am very pleased to hear that, Mr. Speaker, because that was certainly the impression that was left in the previous session, that this was an inappropriate and unacceptable way—

**Mr. Speaker:** Provided the preamble has to do with the question, but if the preamble "in view of" has to do with extraneous matters of an allegation or a statement of fact, then it is not allowed by the rules. But if a member must use "in view of" as the basis for his question, there is no such ruling against it, and I have allowed "in view of" questions just as I have allowed "why" questions, which I think are quite proper.

The hon. member for Grey-Bruce has now returned to the floor.

**Mr. Sargent:** Mr. Speaker, if the Minister can get up and completely evade the truth and mislead the House and the press, then I should not be here; no one should be here.

**Mr. Speaker:** Order. The hon. member is either on a point of order or—

**Mr. Sargent:** This is very important. This Minister has continually, along with the Prime Minister—

**Mr. Speaker:** Order. Is the hon. member making a point of order? If so, he will state it.

**Mr. Sargent:** I am suggesting this Minister is misleading the House and I will show you why regarding this loan of the ODC. Make no bones about it because it is available from the ODC people who have no other source of financing, this is true. On top of that, it is a forgiveness loan; it is a gift to them from the government, the people of Ontario. Why would anyone go to IDC or to any other institution for a loan if he can get free money from the government?

**Mr. Speaker:** Order. The hon. member started out with a point of order or privilege that the hon. Minister was misleading the House. Now he is making a speech.

**Mr. Sargent:** He has misled the House. He has not told the House or the newspapers that he took the word of Caswell or Holiday Inn, a multi-million dollar chain, Husky Oil—

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, I submit this is entirely out of order. This is a debate, it is not a question.

**Mr. Sargent:** The Minister would suggest that?

**Hon. Mr. MacNaughton:** Yes, I would—

**Mr. Sargent:** Because you boys are intelligent, this guy—

**Mr. Speaker:** Order, order! The hon. Treasurer has the floor.

**Hon. Mr. MacNaughton:** I submit to you, sir, that it requires a ruling from you because this is getting beyond the bounds of propriety, common sense or anything else, this type of harangue. As a matter of fact, while I am on my feet, may I speak about the privilege of every member of the House and that is, that these allegations of untruths, part truths, misleading information, must be substantiated in a better form than they are being substantiated here this morning.

**Mr. Sargent:** I am trying to.

**Mr. Speaker:** The hon. member is rising on a point of order; the hon. member is on his feet on a point of order and the hon. member for Grey-Bruce has the floor.

**Mr. Sargent:** The Minister then can justify his position—

**Mr. Speaker:** The hon. member will confine himself to his point of order.

**Mr. Sargent:** All right. My point of order is this, that he has not told the House in honest terms why these loans were granted to Holiday Inn, Husky Oil, Caswell—multi-million-dollar firms—when the terms of reference of the ODC are not to lend money—

**Mr. Speaker:** Order. The hon. member has now made his point. He will return to his seat. If the hon. Minister wishes to reply to it he has the opportunity. If not, the hon. member for Humber has the floor on a point of order.

**Hon. Mr. Randall:** Mr. Speaker, all I would say is that there is a great deal of confusion in the mind of the hon. member for Grey-Bruce. He is confusing a loan in which the ODC collects interest for the loan, in the same way as a client would get a loan if he went to any other institution. He is also confusing the money given away on a forgiveness basis to companies going into designated areas.

**Mr. Sargent:** I am not talking—

**Hon. Mr. Randall:** Just wait a minute. The value of the company's assets has nothing to do with the loan being made, provided they go into an area where we want them—into a designated area. I do not care if it is the Bank of England, if they go into a designated area, they can get a forgiveness loan and Caswell fell into that category. Because the hon. member says he was a Conservative from away back makes absolutely no difference to us. You can bring anybody in—I do not care—their political faith makes no difference to the board of ODC or to me, and I do not see those loans until after they come to Cabinet and that is where I defend them, in Cabinet, if Cabinet wants to turn them down; so if there is any confusion it certainly is not on this side of the House.

**Mr. Sargent:** I received—

**Mr. Speaker:** Order, order!

May I suggest in order that the valuable time of some 100 members of this House be not further taken up with this, that the hon. Minister arrange an appointment with the hon. member for Grey-Bruce and go over these matters. And then, if they are not understood, it could form the basis of a further question in the House.

**Mr. Sargent:** Thanks.

**Mr. Speaker:** The hon. member for Humber has a point of order.

**Mr. Ben:** I will pass.

**Mr. Speaker:** Has the hon. member for Grey-Bruce a question?

**Mr. Sargent:** A question to the hon. Minister of Trade and Development. What will be the cost of the Expo '70 exhibit in Japan? How many trips are planned this year and who will be going on these junkets from this department?

**Mr. Speaker:** The hon. member will please follow his wording. The wording is "How many trips are planned this year and who will be making the trips from this department?"

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member's question, the total cost of Expo '70 participation in Japan will be in the order of \$2.6 million.

Secondly, there will be two trips to Japan this fiscal year, made by J. W. Ramsay, J. C. Purvis, and F. Moritsugu, who are the three men responsible for building and running the



Ontario pavilion for Expo '70—and as the hon. member already knows, I was there this year to participate in the ceremony of digging the hole and getting the building under construction, so that we would finish three or four months ahead of time and stop paying double time and overtime to get the job finished.

**Mr. Sargent:** People cannot get houses in this province and you are running across the country—

**Mr. Speaker:** Order, the hon. member will proceed with his next question.

**Mr. Sargent:** A question for the Minister of Municipal Affairs. Will the Minister advise what is to be done about apartment owners who have raised their rents to cover the cost of the shelter tax payment to apartment tenants?

Secondly, does the government plan an enquiry and investigation into this widespread practice during the past few months in Ontario?

**Hon. Mr. McKeough:** Mr. Speaker, in reply to the first part of the question, the member is aware, I am sure, that there are no rent controls presently in effect in the province of Ontario.

The answer to the second part of the question is “no”.

**Mr. Sargent:** A supplementary to that question: Is the Minister aware that even before this Act was put into effect rents were apparently being raised—even before you made this public?

Another question for the Minister. Will the Minister advise when will—

**Hon. Mr. McKeough:** I might say that is one of the most helpful statements we have had in a long time from the hon. member.

**Mr. Sargent:** Well, I do not know. You see what could happen if the Chair would let us develop these things but he has the old dagger all the time in here.

**Hon. Mr. McKeough:** You had better call the Sergeant-at-Arms.

**Mr. Speaker:** Order!

**Mr. Sargent:** A question regarding the Beaver Valley area: When will the plans for Beaver Valley be completed?

Secondly, how many such cases in Ontario are presently delinquent?

Thirdly, when is the chaos in your department going to be rectified?

**Hon. A. Grossman** (Minister of Correctional Services): Is that in the question?

**Mr. Sargent:** That is in the question.

**Hon. Mr. McKeough:** Mr. Speaker, my reply to the first part of the hon. member's question is that much work has been done toward the completion of an official plan for the Beaver Valley. While no deadline has been set, the municipalities have been, and are being urged to prepare a plan to guide future development so that substandard conditions and unduly high municipal expenditures can be avoided.

In recognition of the urgency involved the government undertook to finance, at no cost to the municipalities involved, a planning appraisal of the area. This appraisal was completed by a firm of planning consultants and was submitted in its final form within the past three weeks. Copies have been sent to the municipalities concerned and a meeting is being arranged in the near future to settle the details of carrying out the planning programmes.

In regard to the second part of the question, Mr. Speaker, I would say that a number of communities in Ontario have come to appreciate the need for effective planning programmes to establish the development policies they need. However, I do not have information which would indicate how many have not yet succeeded in carrying out such programmes to completion. I would say this, however, Mr. Speaker: Many of the communities in this province are working sincerely and diligently to discharge their responsibilities in this regard and it seems harsh to characterize their efforts as being delinquent.

In reply to the third part of the question—when is the chaos in this department going to be rectified?—I suppose I could only say, Mr. Speaker, that it ill behooves a member of this House in my opinion to characterize the work of a group of hard-working civil servants in my department as chaotic. I resent that, I do not choose to answer.

**Mr. Sargent:** He does not choose to answer. Maybe he will not answer a supplementary question then? Is the Minister aware that the county council of Grey county said this is costing them several hundreds of thousands of dollars for your delinquency? Is the government prepared to give them a subsidy to that effect? Talk about chaos!

**Hon. Mr. McKeough:** Mr. Speaker, I think I might just say that I am aware very

much of what is felt by the county council. We have had innumerable meetings with officials in Grey. I may say, Mr. Speaker, that I am very helpfully kept informed of the thinking of the people of Grey county council, of the members of the local municipal councils, by the very capable, efficient, understanding member for Grey South (Mr. Winkler).

**Mr. Nixon:** Who is not here today.

**Hon. Mr. McKeough:** Perhaps he is up looking after the people of Grey South.

**Mr. Sargent:** He is in deep trouble, too.

Interjections by hon. members.

**Mr. Speaker:** Order. Does the member for Grey-Bruce wish to place any more questions? The member for Dovercourt has a question of the Minister of Education.

**Hon. Mr. McKeough:** Mr. Speaker, on a point of order, the hon. member for Grey-Bruce asked three questions on Wednesday. He has now chosen to put two of them. May I ask if the third question is being withdrawn or how long are we going to go on with this little game? Is the question withdrawn, Mr. Speaker?

**Mr. Speaker:** The question is not withdrawn.

**Hon. Mr. McKeough:** So we go on with this little farce day after day—

**Mr. Sargent:** This man is being paid a handsome salary to do his job and he, along with the Attorney General yesterday, was complaining about having to answer questions again. Who does he think he is—

**Mr. Speaker:** Order, order!

**Hon. Mr. Grossman:** Mr. Speaker, I rise on a point of order. I think, sir, that it would be very helpful for the orderly conduct of this House if you gave a ruling on this matter of hon. members opposite getting together a list of questions so that the Ministers have to get their staff hurrying about to get answers, and then some hon. member deciding to put those questions when he pleases, which may be three weeks from now—three months from now—or never at all. I think this is abusing the whole question period.

**Mr. Speaker:** Of course, I would point out to the hon. Minister and the members that the shoe also fits another foot and that is, if the hon. Minister is not present then the

hon. member who is asking the question is not able to put it and sometimes, that goes on for a considerable time.

So at the present time, I have no intention of changing the procedure until this matter has been further discussed by my committee.

**An hon. member:** Three cheers for the Speaker.

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I would make the suggestion that both members are present, the member asking and the Minister who has the reply. The member opposite does not wish to put the question. Would it not be appropriate for the Minister, before the orders of the day, to give the answer in any event? The matter would be cleared up right then and there. And there could be no complaint because both people are here.

**Mr. Speaker:** I think that is an excellent suggestion and I will be glad to have it considered when my committee—and I hope to call them next week—are discussing this. Then we will refer it to the party leaders and we will hope to clear up some of this confusion.

But my position, hon. members, is this: that there is a very great divergence of opinion among the 116 other members of this House as to what is, first of all, a matter of urgent public importance before the orders of the day; secondly, as between the hon. members and Mr. Speaker as to how they should be worded; and thirdly, as between the hon. members of the Opposition and members of the Treasury benches as to the manner in which a question should be answered.

These are matters which either have to be decided and strict rules followed, or we must carry on in perhaps not quite as riotous a fashion as we have. But we must carry on and give sufficient leeway both to hon. members and to Ministers to make their points.

As I have said, we will try to discuss this next week with my committee, if we can find time to meet and there are improvements which can be made. There is no question about it.

**Mr. S. Lewis (Scarborough West):** On a point of order, Mr. Speaker. The bounds within which you are prepared to consider improvements in the context of your committee excludes the one area which members of this party at least feel very strongly about: that is, to completely chuck the question

period as it is presently constituted by way of written submissions and written replies, and substitute for it the rather more useful, adult, and effective, question period which is spontaneous both from the Opposition and by way of ministerial reply. Then, the question period will not be reduced to a ludicrous state day after day. We can have some effective exchange of opinion in the House and one would hope that that might be incorporated in your terms of reference.

**Mr. Speaker:** Unfortunately, Mr. Speaker and his committee can take no action in that regard until the rules of the House, which now prescribe how questions are to be answered, are changed. As I understand it there has been, over a long period of time, a great discussion and enquiry into the rules, and as yet Mr. Speaker has had no return from the various committees who have been dealing with the matter. But it is a point which I think should be and will be and is being considered by that particular body.

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order. The hon. member for Grey-Bruce remarked a moment ago that the Attorney General yesterday complained about answering questions.

**Mr. Sargent:** Yes.

**Hon. Mr. Wishart:** He seems to be slightly confused.

**An hon. member:** What else is new?

**Hon. Mr. Wishart:** The only thing I complained of was his failure to ask the questions he submitted to you, Mr. Speaker.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** The situation yesterday, Mr. Speaker, was that of the five questions he submitted he asked four and I simply urged him to ask the other one. I was not complaining about answering it. I never have complained. One of the questions, I did point out, had been asked twice before, but I was not complaining about answering. I was urging him to get his questions before me so they could be answered.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, I have a question for the hon. Minister of Education.

What is the percentage of the provincial contribution of the capital cost of new construction of schools, and what is the per-

centage of the provincial contribution of the maintenance costs of schools?

**Hon. Mr. Davis:** Mr. Speaker, I would like to answer this, and also make one observation with respect to the point made by the hon. member for Scarborough West when he suggested the question period should consist of questions without any forethought and answers without any forethought. I always feel very strongly that while Ministers here are expected to give answers off the cuff there is every—

**Mr. Lewis:** On a point of order, Mr. Speaker. I cannot speak for the answers. They may come without forethought but the questions would be thoughtful.

**Hon. Mr. Davis:** Exactly. This is just the point. The questions would all be arranged in the minds of the hon. members opposite and then you—

**Mr. Lewis:** And, if the Minister is master of his department he could cope with it.

**Mr. Speaker:** Order, order, order!

Will the hon. Minister return to his seat when the Speaker is on his feet?

Now perhaps the hon. Minister will confine himself at the moment to answering the question which was put to him, and thereafter if he has a point of order I will be glad to give him the floor.

**Hon. Mr. Davis:** Quite right, Mr. Speaker, quite right.

Mr. Speaker, with respect to the question asked, I quite agree with the speaker.

**Mr. Sargent:** Bit confused there—

**Hon. Mr. Davis:** No, just trying to save a longer dissertation. This is a difficult question to answer, I might point out, Mr. Speaker.

**Mr. E. W. Martel (Sudbury East):** Particularly in the way it has been prepared.

**Hon. Mr. Davis:** Well, in that we were somewhat involved in the preparation, this would perhaps increase its complexity. I quite agree.

But in the case of elementary and secondary non-vocational projects—and you have to divide the non-vocational from the vocational—the average provincial contribution would be approximately 70 per cent of 80 per cent of the total, or on a provincial average in the neighbourhood of 56 per cent. The secondary vocational projects which are

available up until March 31, 1969, are being supported at a 75 per cent rate.

There are some exceptions, to this, Mr. Speaker, in that there are certain vocational units being built in some sections of the province—basically in northern Ontario where they are serving neighbouring communities—that are not part of the initial school district where the contribution could be 100 per cent of those portions of the structure; the balance would be at the 75 per cent rate. So, Mr. Speaker, it is difficult to give a total provincial average unless you would break it down into these various areas.

Dealing with the second part of the question, I am not sure, Mr. Speaker, just what is meant by “provincial contribution of the maintenance costs of the schools.” If the hon. member is referring to day-to-day maintenance—painting and so on during the summer months or as part of the operation—then this is not calculated in any provincial grant as it relates to capital purposes.

**Mr. De Monte:** Would the Minister accept a supplementary question?

In connection with the maintenance costs of schools, there are certain grants given to the schools, and is part of these grants spent on maintenance? By maintenance, I mean capital maintenance.

**Hon. Mr. Davis:** Mr. Speaker, if we mean by maintenance the day-to-day caretaking and so on of the schools, this is not calculated in here. We have special grants for renovations of existing school structures but I do not think we would consider this as being maintenance.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. J. Jessiman (Fort William):** Mr. Speaker, before I go into my final 40 pages I would like to compliment the member for Scarborough Centre (Mrs. M. Renwick) for rising like a tigress defending her mate and questioning the authenticity of the remarks that I made in regard to a meeting. I would like to read to you, Mr. Speaker, and those present, from the *Globe and Mail* of November 5, datelined out of St. Thomas, and the

headline is, “Renwick Charges Unions Told to Help MacDonald.” I read:

All full-time representatives of two large Ontario unions had been warned to help Donald MacDonald retain the leadership of the Ontario New Democratic Party or lose their jobs, his opponent, James Renwick charged here Monday night. Mr. Renwick, president of the national NDP and deputy leader of the Ontario party, told an Elgin county NDP rally the orders were relayed to district representatives of the United Steelworkers by Lynn Williams and Stu Cook, and to international representatives of the United Packinghouse Workers by Iona Samis and Jim Bury.

“This is a public political party, not a private club to be manipulated by power brokers,” Mr. Renwick told the crowd of 50 as Mr. MacDonald waited his turn to speak. The two men face a party convention at Kitchener November 15 to 17. “But any staff representative of those two unions who supports me or campaigns for me does so at the risk of his job,” charged Mr. Renwick, who announced his candidacy for the leadership on October 8.

Replied Mr. MacDonald, “I’m glad to say that’s a charge that usually comes from the other parties, that the labour unions manipulate our party. Mr. Renwick should know better. The labour unions were supposed to be against him when he ran for national president. But he was elected. He said the matter was one which should be discussed in private by the party, not washed in public like linen.

“Mr. Renwick is indulging in a bit of crying because he is not getting their support. He is using a heavy, emotion-laden form of arm-twisting, a lament for his own loss of support.”

“I will get considerable support because of this arm-twisting,” interjected Mr. Renwick. “Donald has been on the phone ever since I announced I’d run, phoning the caucus members, phoning riding presidents, seeking personal loyalty rather than loyalty to the party.”

“I sure have been on the phone,” snapped Mr. MacDonald. “What sort of a game do you think we’re playing? Tiddly-winks?”

Two questioners from the floor tried to get Mr. Renwick to substantiate this charge. He said he would not reveal his source, which produced a few groans from the audience.

**Mr. E. W. Martel (Sudbury East):** What type of game was Camp playing?

**Mr. Jessiman:** I read this into the records, Mr. Speaker, and I will now proceed. Going back to the continuation of yesterday, and referring to the emotionally disturbed children who are now housed over at the psychiatric hospital in Port Arthur.

Excursions are arranged for the children to local stores, industries, the circus, banks, and so on. Many of the benefits enjoyed by children in the regular public schools are being provided for the children in the school programme at the Ontario Hospital in Port Arthur.

In discussing the activities of The Department of Education, I want to stress here the programmes of the youth and recreation branch, which also plays an important role in programmes for northern Ontario. Working with municipal councils, school boards, private agencies and single interest groups, this branch encourages local action to develop a wide variety of opportunities for recreation and informal education.

We can single out five areas of service in which the northern Ontario youth and recreation branch is active: First, it plans consultative visits to communities by district representatives and programme specialists; second, the branch offers resource material on the organization and programming of recreation and adult education activities; third, it provides assistance in designing, organizing and conducting programmes of training for full-time, part-time and volunteer leaders of recreation activities; fourth, the branch assists in organizing programmes of training for executive members of voluntary organizations; and, as its fifth main service, the youth and recreation branch in northern Ontario authorizes grants to municipal councils and to school boards in unorganized territories for municipal expenditures on recreation. In the coming year, programmes will be extended to isolated communities in northwestern Ontario for which transportation will be provided by Department of Lands and Forests aircraft.

The Department of Education continues to give active leadership in training for business and industry and manpower retraining. More than 100 courses are provided to help people meet the challenge of change by upgrading their work skills. One interesting example of such opportunities are the courses that are offered on a number of Indian reserves by the Kenora centre.

There has been much favourable comment regarding the beneficial side effects experienced on the reserves as a result of the Ontario manpower retraining programme. General health and welfare have improved,

and, probably most important, adults now appreciate the value of the education acquired by the younger generation.

An experimental project has been initiated recently for the hard-core unemployed in Timmins to determine the most effective methods for motivating and training people with such a background.

Steps are now being taken to provide additional services to adults in the more remote areas of the province. Ontario expects to commence full-time courses in English as a second language at Fort Albany and Kasechewan where the population is predominantly Cree. Ontario plans to offer part-time courses at approximately five other major reserves by utilizing the potential of daytime teachers in a night school programme. These part-time courses will be concerned primarily with English as a second language and basic training for academic upgrading at the levels of grades one to six. At Quetico and Elliot Lake, English as a second language is being offered on a total immersion basis. This approach is being used for a number of persons who have arrived recently from Czechoslovakia.

A course for operators of heavy duty equipment is being offered at the Quetico training centre. The graduates of the course are finding ready employment in northwestern Ontario.

If I have dwelt here on education in northern Ontario, it is because it is an area of special concern to me and those I represent; but the expansion of educational effort can be seen throughout the province. It is in keeping with the needs and aspirations of our people and of Canada as a whole, the needs and aspirations which have made education, in the eyes of the economic council of Canada, for example, the top priority of the nation.

I might add, Mr. Speaker, that these accomplishments have been made by members of a government and a party who do not think action can be initiated by firing off a press release or making incorrect or emotional statements and then catch the next motor boat to go fishing.

These, then, Mr. Speaker, are educational programmes of substance, pushing back both the frontiers of knowledge and the frontiers of our northern environment and bringing to the north country facilities and learning comparable to those offered anywhere in Canada or Ontario.

On the equalization of industrial opportunity—for many years, the second greatest challenge facing the north is industrial development. To expand our population and to



interest people in moving to the north, we must provide jobs. It is in this area that the new equalization of industrial opportunity programme announced by the Prime Minister (Mr. Roberts), in September of 1967, and I might add, derided by the Opposition, has been welcomed by the north. As of November 19, this year, the total amount of loans authorized under EIO is \$1,666,613. This has meant, at commencement, almost 400 jobs, sir, and in five years it will mean close to 600 jobs. It has almost meant an increase in plant area of 178,000 square feet.

EIO loans under study at the present time for the north amount to some \$2,000,290. In addition to these, interest-free forgivable loans, term loans have been authorized for an amount of \$810,000.

Mr. J. E. Stokes (Thunder Bay): How much did they make available to get Norply going?

Mr. Jessiman: During October 1967 and November 19 of this year, the Ontario Development Corporation consultants provided on-the-spot advisory service to 211 companies and individuals in the north, including Norply of Nipigon, I might add.

The EIO programme has reached into communities all across northern Ontario—places such as Port Arthur, Hearst, Glenorchy, Red Lake, Fort William, Falconbridge and Kenora.

Mr. Speaker, the question has often been asked: What has mining done for northwestern Ontario?

First of all, to start off on a general basis, the mining industry now produces better than \$100 million worth of mineral annually from operations in the northwestern Ontario region and the output has been growing quite consistently over the last several years! From the way things look at the present time, I think we can look forward to greater and more spectacular advances in the years ahead.

With the short time allocated to me, I would just like to list some of the highlights in northwestern Ontario mining in recent years.

One—the huge Griffith mine was officially opened at Bruce Lake in June of this year.

This \$62-million project is particularly important to northern Ontario.

Operating 365 days a year on an around-the-clock basis, the Griffith mine is providing new employment opportunities for over 350 men and will have an annual payroll of more than \$2 million in that locality. With ore reserves estimated to be sufficient for 30 to

50 years of production, the property is also creating a continuously increasing need for local services, supplies and facilities.

The official opening ceremony, which incidentally I had the pleasure of attending with the Prime Minister and the Minister of Mines (Mr. A. F. Lawrence), also the member for the Kenora area (Mr. Bernier) and other officials, represented the culmination of two full years of concerted effort on the part of many companies and individuals. Up to 850 men were employed during the peak of this programme including 150 Griffith pre-production personnel. The contractor established a 100-man engineering force, producing 1,400 drawings and specifications, and purchased \$10 million worth of equipment for the plant. The project also involved the construction by the CNR of a spur line from Red Lake Junction, the erection by the Ontario Hydro-Electric Power Commission of a new electric power generating station at Ear Falls and 115,000-volt transmission line to the property, laying of a natural gas pipeline from Vermilion Bay on the Trans Canada Highway, building of a \$5-million ore dock at Fort William, and the provision by the Ontario Housing Corporation of 100 housing units at Ear Falls.

I am delighted to say that this mine means new life for our great northwest and a considerable boost to Ontario's whole economy. I am certain that our hopes for a long and prosperous life for this new mining venture will be fulfilled.

Incidentally, I was happy to learn that right from the beginning every possible step has been taken to see that our waters will not be polluted by the operations of the Griffith mine. It is also good to know that a complete sewage disposal plant is being installed at Red Lake to keep this beautiful body of water safe for recreation and pure for drinking.

As members can well imagine, pollution has always been a matter of major concern to the mining industry, although perhaps the industry has not always been given credit for recognizing its responsibility in this respect. I think that I would be one of the first to agree that this far too prevalent attitude of the public is unfair and unwarranted in most cases. I know, and I wish that other members of the public-at-large realized, that many millions of dollars have been spent by the mining industry in an effort to keep air and water as pure as is possible in an industrial environment.

Two—Steep Rock iron mines. Although Steep Rock has been through rough times

finding markets for its ore, it is heartening to note that the company is now operating on two long-term contracts. One, with Algoma Steel for 1.1 million tons of pellets a year for 22 years and the other contract with Detroit Steel Corporation for 250,000 tons of pellets a year for ten years.

Three—the Caland Ore Company. This company which is a wholly-owned subsidiary of Inland Steel Company, continues to mine and ship ore from the open pits. The company's pelletizing plant produces more than 3,000 tons of pellets daily. Approximately 400 employees are on the payroll.

Four—the Algoma Steel Corporation. It goes without saying that this company consumes vast quantities of iron ore and other raw materials in its production of steel. With a huge appetite for more than three million tons of iron ore annually, new sources of supply are continually being developed.

The Michipicoten iron range near Wawa, Ontario, has long been a major supplier of iron ore for Algoma's blast furnaces and it is here that the company recently opened another open pit to mine siderite ore.

The Ruth and Lucy mine, with a projected minimum production of 50,000 tons of ore per month, came into production after extensive diamond drilling by the Algoma ore division's exploration department during 1967.

Five—the new Fort William ore dock. This important facility was officially opened in September of this year.

Finally, I would like to comment briefly on the Ontario government's contribution in this field. There is no doubt about the fact that the current administration has done a tremendous amount to help the great north-west move forward.

It is not necessary to go very far afield to pick up evidence of this. Let us look at access roads, for example. The road from Pickle Crow mine to Lingman Lake, 265 miles to the northwest, was started as one project of the federal-provincial roads to resources programme. Since that agreement has, unfortunately, expired the work will be continued as part of Ontario's own northern resource roads programme which is financed out of The Department of Mines budget. Still closer to home and under the same programme the road from Balmertown is being driven northward to connect with the Pickle Crow road. When the job is completed it will be possible to travel the circular route from Highway 17 through Red Lake to Pickle Crow and back to Highway 17 at Ignace via

Highway 599. I mention only these roads although in the past few years a great many others have been constructed to open large areas in this part of the province for full development of their natural resources. Since the inception of the programme in 1951, there has been more than ample proof that the relatively very modest investment has paid off handsomely in the development of our natural resources.

Let us now take a look at the geological branch of The Department of Mines. This is certainly the fastest growing branch of the department, and about half the total departmental budget is devoted to its work. That, I think is exactly as it should be because, without the information that our highly qualified geologists present to the public in the form of reports and maps, it is almost certain that active prospecting activity would become almost entirely the province of major companies, which alone could afford the necessary geological reconnaissance work required as a preliminary to intensive prospecting activity.

This year The Ontario Department of Mines carried out 30 geological projects throughout Ontario and, of that number, 13 were in the part of the province west of Wawa. Field parties were at work in the Favourable Lake area, in the North Shoal Lake area, in Macnicol, Tustin, Bridges and Docker townships, in the Sturgeon Lake area, the Rainy Lake area, Finlayson Lake area, Crooks township and Red Lake, the Beardmore area and the Manitouwadge area.

Operation Kapuskasing was conducted two years ago as a pilot project in which the use of helicopters made it possible to cover 28,000 square miles in a single season. It was such an unqualified success that the same technique was used again last year in operation Lingman Lake in the extreme northwest part of the province to survey an additional 23,000 square miles. This year a similar airlift survey was mounted in operation Pukaskwa at the eastern end of Lake Superior.

During September of this year, more than 70 members of this Legislature were privileged to participate in a tour of northwestern Ontario hosted by The Department of Lands and Forests and its Minister (Mr. Brunelle). The tour was headed up by our Prime Minister.

The tour provided all of us and particularly the more recently elected members of the Legislature, with a first-hand opportunity to observe the extent of development in this part of the province and to acquaint themselves



with many of the challenges facing residents in the northern latitudes.

During the tour we travelled more than 2,000 miles from the capital of this province to its westernmost edge and back, visiting many of the area's villages, towns and industries. As the member for Fort William, I am very pleased to record that the hospitality accorded tour members was entirely expected and traditional to the area.

I had a few words here to add, but unfortunately the member who was present on the tour is not present in the House and I will not direct at him in his absence my words on his conduct in Fort William.

I might mention, Mr. Speaker, that it was also during this members' tour that the Prime Minister opened the Minaki air strip, which is the first of the "highways in the sky" programme. For the construction of the Minaki airport the provincial government contributed \$30,000. This new programme is intended to assist in the construction of small airports throughout northern Ontario, and eventually, the provincial government hopes to have air strips constructed in the north to form an air corridor for tourist and commercial aircraft. It is my understanding that new air strips under the programme are planned and already under construction at Kirkland Lake, Nestor Falls, Sioux Narrows, Bugle Lake, Cochrane, Big Trout Lake, Sandy Lake and Wawa.

Mr. Speaker, last July the OHC board of directors toured to Ear Falls where 100 rental housing units are being built under the Housing for Industry Programme to assist in the development of a new mine in the Red Lake area. This was followed by a board of directors' meeting at the Lakehead—the first such meeting to be held outside Toronto—and its purpose was to acquaint board members with the special programmes of the northern communities.

During the year, two programmes designed to acquaint northern residents with the corporation and to provide corporation officials with a first hand view of the needs of Ontario's northern communities, were organized. The first was a unique housing workshop on wheels which covered 1,400 miles with meetings in Moosonee, Cochrane, Timmins and Englehart, with a side trip to Kirkland Lake. On October 10, the workshop was held in Fort William which was attended by members of council, planning boards, community organizations and municipal officials from throughout the northwestern Ontario economic region.

A programme aimed at providing more than \$4.6 million worth of student accommodation in post-secondary institutions in northern Ontario is underway by OSHC. At Lakehead University in Port Arthur 480 single student units are under construction. The first three houses accommodating 144 students, together with a social centre, will be ready next month, and another 96 will be ready early in the New Year with the whole project scheduled for occupancy before next September.

On August 7, a contract was awarded for 250 single units at Laurentian University which are scheduled to be ready in August, 1969.

A proposal call will be issued shortly for a 200-single-student bed project at the Northern College of Applied Arts and Technology in Kirkland Lake. Preliminary discussions have been held with Confederation College of Applied Arts and Technology in Fort William which may be interested in having OSHC build a 150-student bed project.

During the past year OHC has brought on to the market two offerings of Home Ownership Made Easy lands in Sudbury and Teck township and nearly all of these have been marketed. The corporation has purchased additional land in Sudbury which is now in the planning stage.

A contract has been signed for the servicing of 94 building lots in Espanola which will be available for prospective home owners next spring. In Longlac a servicing contract has been signed for the development sites for 12 town houses for low income families and the servicing of nine lots for prospective home builders. The corporation holds additional land in this municipality which will be developed when approvals are received. As well, OHC has holdings in Timmins and New Liskeard, and is assembling land in Sturgeon Falls, which will be offered next year.

OHC's housing development programme was active in 26 northern municipalities during 1968. This activity resulted in the completion and occupancy of 176 family units in five communities, and the completion and occupancy of 100 senior citizen units in five communities.

Another 72 senior citizen units are under construction in five communities and 197 family housing units are under construction in six communities.

A total of 226 senior citizen units in nine communities and 528 family units in 16 com-

munities are in various stages of development up to the contract-signing stage.

OHC's northern Ontario rental housing programme for families and senior citizens as at October 31, 1968, represents a construction cost of about \$35.745 million.

OHC's planning and research section is carrying out surveys in 15 northern municipalities, some of which are being surveyed for the second and third time.

Mr. Speaker, when one speaks about agriculture generally most people in Ontario would think that we confine our remarks to areas in eastern Ontario and southwestern Ontario primarily. However, I think it should be pointed out that there is very wide agricultural activity taking place in northern Ontario.

A full scale socio-economic survey of northwestern Ontario, which is now under way, was first proposed by the Ontario ARDA directorate, and was approved by ARDA with the two levels of government sharing the cost equally. One important aspect of this is an extensive multi-purpose study of the entire economic base for northwestern Ontario. This is being done by the rural development branch of the Ontario Treasury. A second study undertaken by The Department of Lands and Forests is designed to develop ways and means of improving living standards of Indian people. We have great hopes for this overall programme once the initial surveys have been completed and the northwestern Ontario regional development council is provided with this information.

Mr. Speaker, the Ontario Department of Agriculture and Food has also a number of assistance programmes for livestock producers designed to improve the herds through transportation assistance, beef, sheep and swine sire programme policies, artificial insemination, and so on.

The department was primarily responsible for the organizations of the five northern Ontario feeder cattle sales in Little Current, Thessalon, South River, New Liskeard and Rainy River. These sales handle in the neighbourhood of 10,000 cattle each year.

Thirteen areas in northern Ontario now have veterinary service as a result of provincial subsidies to the tune of \$4,000 per year veterinarian plus five cents per mile. Veterinarian services labs exist in Kapuskasing, Hearst and Cochrane.

Northern Ontario milk producers were the first to benefit from pooling when the On-

tario government created the Ontario Milk Marketing Board in 1965. There are three such pools in the north.

Crop insurance is another area of positive government action and has been provided for a number of crops in northern Ontario. Since 1965, adverse weather assistance has been provided to northern Ontario farmers to the extent of more than \$4 million.

We maintain the New Liskeard demonstration farm and college of agricultural technology to train young farmers and to develop new varieties and new techniques for the north. The extension department has the highest ratio of professional staff to the number of commercial farmers in all of Ontario. There are 14 extension workers in the north, six of them bilingual.

Each year a special fund of \$250,000 is designated for assistance in the purchase of such items as fertilizer equipment, weed sprayers, livestock, and so on, and administered by the regional agricultural representative upon the advice of local farmers' committees.

In 1967-1968 \$135,000 worth of capital grants were made to northern Ontario farmers. To date nearly \$1.5 million in grants have been paid to northern Ontario communities under The Communities Centres Act.

More than 200 young farmers have been established under the junior farmer loan with loans totalling \$2.75 million in northern Ontario.

Community pastures have been established at Thunder Bay, Timiskaming and on Manitoulin Island.

A beef ranching programme of 5,000 acres is now in operation in the Cochrane area.

More than \$44,000 was granted to the Thunder Bay co-operative livestock abattoir and this plant is now provided with full-time meat inspection.

Hundreds of northern Ontario Indians have been trained in forestry or transported to southern Ontario for seasonal labour as a part of the farm labour programme of The Department of Agriculture and Food.

These, Mr. Speaker, are again just part of one Ontario government department's activities in the north. These are just a few policies I mention to illustrate this government's awareness of a need to assist the north.

Now, Mr. Speaker, I realize I have spent some time in outlining Ontario government programmes for northern Ontario, but I am not nearly finished and I make no apology.

If, in the last session of this Legislature, we were treated to four hours and ten hours of listening to the frivolous remarks by the member for High Park (Mr. Shulman) and the oratory of the member for Sudbury (Mr. Sopha), and I do not mean to embarrass the member for Sudbury by linking his name with the other—heaven forbid—I think the government record in this session deserves a good hearing. One department — that of Lands and Forests — deserves special mention. I would just like to go over some of the highlights of this department and its work in northern Ontario. I think, Mr. Speaker, that we should be proud of our provincial parks system that now includes 96 parks which have an area of more than eight million acres. In 1967, I am told, we had an increase of more than four per cent of park visitors and it has now reached the all-time high of 10,192,553.

To cope with this increasing demand of recreation, Ontario during the 1967-1968 fiscal year has reserved a further 531 acres of land and lakes for future development.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would ask the hon. member one question.

**Mr. Jessiman:** Also public demand for increased recreation areas has resulted in—

**Mr. Nixon:** Perhaps he did not hear me, I wonder if the hon. member would permit a question?

**Mr. Jessiman:** —of a master plan for Algonquin Park and I understand similar master plans are being developed for other parks.

**Mr. Nixon:** Mr. Speaker, I rise on a point of order.

**Mr. Speaker:** Would the hon. leader of the Opposition please state his point of order?

**Mr. Nixon:** The member just speaking indicated the figures for park attendance ending in the fall of 1968.

**Mr. Jessiman:** 1967.

**Mr. Nixon:** Ah, that is why I asked him to repeat it and he would not pay any attention to me. I am sorry, Mr. Speaker, but I asked the specific information from the Minister yesterday and he said it was not compiled.

**Mr. Jessiman:** Mr. Speaker, I am sure the leader of the Liberal Party should know that it could not possibly be compiled yet.

Also, public demand for increased recreational areas has resulted in the recent announcement of a master plan for Algonquin Park and I understand similar master plans are being developed for other parks.

In the area of recreational planning, the department has initiated a number of long-range plans and research plans, and work in fact has been started on an outdoor recreational plan for Ontario.

At the same time, Mr. Speaker, public pressures for increased recreation on the parks branch is also evident on the fish and wildlife branch which must meet public demand for more hunting and fishing areas.

I might mention, Mr. Speaker, that possibly if the leader of the Liberal Party went on a complete tour and possibly did a gate check of each he might have the—

**Mr. Nixon:** I visited ten parks including one right on the member's back doorstep and he had never visited it.

**Mr. Jessiman:** How does the member know? He did not follow me. He should not speak unless he knows.

**Mr. G. Ben (Humber):** I notice the member does not deny the statement.

**Mr. Jessiman:** Game management plays an important role in providing additional and productive hunting areas and with most of the land privately owned, it has become necessary to acquire suitable areas of land for this purpose. Another method adopted by Ontario is through a land-owner assistance programme to improve relations between hunters and land owners and to restore hunting on private lands. The programme will be well underway this year and includes assistance to improve land for wildlife and increased protection by conservation officers where land is open for hunting.

The government is also concerned with deer range improvement and studies have indicated that deer populations can be increased where there is adequate shelter provided and suitable browse available.

The ever-increasing demand made by the public on the fisheries resources of the province makes the need for sound fisheries management even more necessary. Under this programme, Ontario's lakes are being inventoried as a first step. More than 3,000 lakes have been surveyed to date with the programme providing direction for an accelerated programme of management.

These are just a few of the many programmes currently underway within The Department of Lands and Forests—a department so vital to the development of northern Ontario. I could, of course, go on and on and spell out in detail the northern activities of the fisheries research branch, the timber branch, which incidentally only last week marked the billionth tree produced by the department, and the forest protection branch which performed the singularly excellent task of the successful spraying of the spruce bud worm over some 270,000 acres in the Shebandowan Lake district.

I might mention at this point, Mr. Speaker, that this is rather an important part of the function of Lands and Forests. There was a local area of infestation that, thank goodness, was controlled, in the south and west of Fort William. It was with special concern and delight that the Prime Minister of this province came to the Lakehead and flew over the area and we went out and examined it at ground level. Since then, I personally have been back with the foresters.

I am no biologist but certainly I used their knowledge and went back with them and the infestation has been controlled. We do not have to go back many years to where we had a tremendous outbreak of spruce bud worm on the northwest shore of Lake Superior and there were millions of acres of devastation caused by the worms. So this is of very special significance.

Mr. Speaker, in 1956, the Ontario Progressive Conservative government set up the Ontario Water Resources Commission. Since its inception, this commission has approved projects in Ontario totalling \$1,600 million. Today, in order to execute its responsibilities, the commission has developed regional offices. One has already opened in Kingston to serve eastern Ontario. Another has been opened in London to serve southwestern Ontario and negotiations now are currently underway for the opening of a third regional office at Fort William to serve the Lakehead and northwestern Ontario.

In the last few years, we have heard a steady scream of criticism from the Opposition benches about water pollution, and in order to inform them as far as northern Ontario is concerned, I really should put on the record in detail the activities of this commission and its work in our part of the province. However, while they deserve to have these facts given to them, I will just briefly list the areas where OWRC projects are currently under development in northern Ontario:

Sioux Lookout, Balfour township, Bruce Mines, Chapleau, Beardmore, Smooth Rock Falls, Himsworth township, Black River, Matheson, Hearst, Nakina, Rayside township, Schreiber, Blezard township, Latchford, Longlac, Geraldton, Shackleton and Machin, Emo township, Ignace, Ear Falls, Red Lake, Lake Timiskaming.

Also, the OWRC is currently involved in municipal water and sewage facilities in Port Arthur, Fort William, Red Lake, Kenora, Ear Falls and Fort Frances, and negotiations are underway on Terrace Bay, Marathon and Shebandowan Lake.

This gives hon. members some idea of the government's progress in the field of sewage treatment and waterworks in northern Ontario.

Mr. Speaker, as the Progressive Conservative member for Fort William, when I speak of the great city of Fort William, synonymously I must include the beautiful city of Port Arthur—my apologies, the member has vacated—and the immediately adjoining municipalities of Shuniah and Neebing. The united Fort William and her adjoining municipalities and districts have a population of over 110,000 people. The Canadian Lakehead, as it is always referred to, although not a legal designation, has grown in use over the years as a description of these two historic ports, situated at the western end of the greatest inland waterways in the world—the Great Lakes-St. Lawrence Seaway—and are directly connected to the Atlantic Ocean. A mid-continent seaport, Mr. Speaker, the Lakehead has the honour of being the highest seaport in the world at an elevation of over 600 feet above sea level.

At its historic beginning in 1678 as a transshipping point, it was known as Fort Kaministiquiwa. I might explain it, Mr. Speaker, Kaministiquiwa is an Ojibway word meaning river of many miles. It was known as Fort Kaministiquiwa and built to protect the transshipment eastward of valuable furs and the interchange of goods going westward out of eastern Canada. Since that time this great inland port has grown to become the third largest seaport in Canada with annual shipments of almost 20 million tons. The concentration of 25 grain elevators with capacity to store over 110 million bushels, which is one sixth of the total crop capacity of the prairie provinces of Canada, makes the Canadian Lakehead not only the third largest seaport in Canada, but the granary of the world.

Grain is not the only commodity creating this robust economy in the Lakehead, Mr. Speaker.

Mr. Nixon: They have a lot of trouble keeping the grain moving down there.

Mr. Jessiman: Yes, the federal government sure has trouble selling it, does it not? We did fine when we were in there.

It is the pivot point and service centre for a vast untapped natural resource empire stretching north to Hudson Bay. The Lakehead is the funnel, directing materials to the hungry industrial consumers of the continent and foreign lands. Fort William, situated exactly halfway across the great domain, is closer to Chicago than it is to the Queen city of Toronto, and the newsprint manufactured from one of our local mills supplies all the requirements of one of the largest papers of Chicago.

Mr. Speaker, again referring to the cities of Fort William and Port Arthur that have gradually grown to produce one solid business and social unit, it is difficult to speak or refer to one without the other. Side by side, as husband and wife, these two great cities are almost identical in population with close to 50,000 each. When the recommendations of the Hardy report on the study of regional government are implemented, we soon will be united, I hope, in a beautiful marriage because of the great distances to other centres.

From the Manitoba border, just west of Kenora, to Queen's Park is a distance of 1,200 miles. Mr. Speaker, is it any wonder that a feeling of loneliness is often mistaken for a feeling of neglect? In distance it is almost twice as far to travel to Toronto as it is to travel to Winnipeg from my home town. At this time I would compliment Air Canada on its recent inauguration of jet service between the Queen City and the Canadian Lakehead effective November 1. We are now just over one hour of air travel from the Canadian Lakehead to Toronto.

The Lakehead airport, although situated in Fort William, services the whole area of Thunder Bay with several flights daily both east and west. Internationally we are also connected by many airlines to the United States, and like Toronto we have outgrown our present facilities and larger accommodations are planned in the not-too-distant future to service this great area.

In sports and recreation, Mr. Speaker, we take no back seat to any part of the province of Ontario. It is only normal to associate the Lakehead with hockey because of our long winter season and outdoor rinks. We are proud of our record of achievement in this field of recreation. With the expanded NHL,

with many new teams, it is almost impossible to name one that has not a player on it from our Canadian Lakehead and area. In the past five years, our little league teams from the Lakehead have won three of five Canadian championships—a record unsurpassed in this great province. In the field of sports, Mr. Speaker, we are located in the heart of the northwestern chain of mountains, which are actually a continuation of the Laurentian escarpment. Within five miles of our cities, we have four fine ski resort areas with vertical drops as great as between 800 and 900 feet, comparable with any skiing facilities in the Dominion of Canada—certainly the finest in the province of Ontario. The ski slopes are serviced with both T-bar and chair-lift equipment, and rapidly the Canadian Lakehead is becoming the ski capital of Ontario. We have been well represented on the Canadian ski teams that have participated in world amateur skiing, and in the not-too-distant future, I am sure, sir, that we will be producing world champions in the province of Ontario, and particularly at the Canadian Lakehead.

As a past president of the Fort William Chamber of Commerce, I state in the past Centennial year, Mr. Speaker, it was our privilege in Fort William for our male choir to become not only the Centennial choir champions for the province of Ontario, but also to represent Ontario in the great Centennial sing in Nova Scotia, and win the Canadian award for male choirs for the whole Dominion of Canada. Our male choir then, sir, represented Ontario in conducting a tour of Europe, and the same choir, Mr. Speaker, attended a function for the Premier and gave a resounding rendition of "Well, Hello Johnny". Also during our Centennial year, the Fort William city band won the Canadian championship for its class of band for the Dominion of Canada and brought great acclaim to our city. Not to be outdone, the Fort William men's pipe band participated in the Canadian championships and represented our province in Scotland and in Europe and brought great acclaim by performing for Her Majesty the Queen on this trip.

Mr. Speaker, last July, the hon. Minister of Tourism and Information (Mr. Auld) unveiled in Kenora one of the most revealing and action resulting tourist information studies. This report has received acclaim from tourist associations and the general public as a whole, as a report on which to build an industry that will triple the revenue in the areas examined. But, Mr. Speaker, conducting a study is one thing. What we need is immediate action to bolster our tourist business if



we are to get our rightful share, and I would suggest to the Ministers of Tourism and Information, Lands and Forests, Trade and Development, that they combine their efforts on behalf of the whole northern part of the province and as a starter use one office in the northern states to invite tourists to visit us. This is a dual use of existing offices in the United States at this present time. We should stock Lake Superior with Coho salmon, so that the "Coho fever" would extend into Ontario instead of stopping at the south side of our Great Lakes. I have witnessed what has happened since Wisconsin, Michigan, and Minnesota have combined and planted the Coho. Before it is too late, let us spend a million to make ten million in this area. Let us recognize that tourism is our third largest industry and really put an effort on; let us extend the tourist season to 12 months instead of two or three. If we are serious about giving the north a real shot in the arm, then let us take advantage of what we have most of in the north, beautiful wilderness, and let us develop it to its fullest.

Mr. Speaker, it will not be long before we have regional government in the Lakehead. But, if we are to recognize the importance of adopting the concept of regional government in the same way that we have received and adopted the new boundaries in education, then I would suggest that we also recognize the necessity for allowing the responsibilities of area administration of all departments of government to be placed in the area concerned. Decisions for the north are then made in the north—by true northerners who understand the problems as they exist in the north. What we need is a type of satellite Queen's Park located in the north. Let us also consider transferring, if not all, then at least more of The Department of Lands and Forests to northwestern Ontario in the area where the crop is grown and harvested. And Mr. Speaker, let us also recognize the nickel capital of the world, Sudbury, and make it the area from where most of The Department of Mines should be operating.

Mr. Speaker, on Tuesday of this week, we all listened with a great deal of interest to the Lieutenant-Governor's speech, and of particular importance for those of us from northern Ontario was the announcement of a plan to co-ordinate all northern transportation policies. My understanding is that this new body will provide money to dispense grants for building roads and landing fields, and will generally be able to grant up to \$15,000 a mile to companies who want to

build roads to such resources as mines and forests.

Also, I noted with interest the promise of a revision in The Mining Act to overhaul our laws affecting safety requirements in the mining industry, and also a programme to provide additional recreation areas and more provincial parks, particularly, I hope, in northern Ontario. On the whole, the Throne Speech was realistic, practicable and sensible. Generally, it has received applause throughout Ontario. We realize that socialists will be unhappy because the government has decided not to go on and adopt any of the NDP's large spending programmes.

Mr. Speaker, in connection with the government's northern Ontario policies, I would just like to quote briefly from an editorial which appeared recently in the *Dryden Observer*.

No matter where one lives in Ontario, the tendency is to fear that the rest of the province may be enjoying benefits out of proportion to those of one's own area. There is little evidence, however, to suggest that any section of the province is being too seriously short-changed.

The Robarts government has shown itself sensitive to requests for recognition of area problems. Despite what political opponents may say, and it is their privilege to say what they please, Mr. Robarts seems determined to lead Ontario to successful development in every field of endeavour.

Election-time criticisms of the government's attitude to northern and northwestern Ontario have been found, with some exceptions, groundless. On a per-capita basis at least, these parts of the province are getting their share.

Mr. Speaker, I have attempted here today to place on the record just some of the Ontario government's policies that have been responsible for opening up one of the last frontiers in North America. I think that the people in northern Ontario should have a ready reference of what the government is doing in such important areas as education, municipal reorganization, agriculture, water resources and so on.

There are those critics, and we hope there always will be, who argue that the government does not do enough, fast enough. I count myself among them. It is from constant pressure, constructive criticism and the continuous strivings for new programmes

that we in northern Ontario can ensure that we receive our fair share of government assistance and spending. But I would also say that there are different types of critics—those who are responsible and constructive, and those who go off in all directions, promising everything, making wild and unsubstantiated charges and whose only goal is destruction. They have promises for everything and policies for nothing, and that in my view is why they will continue to remain on the Opposition benches in the Legislature of Ontario.

Mr. Nixon moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, on Monday we will continue with the Throne Debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.35 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, November 25, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, NOVEMBER 25, 1968

The House met today at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery Elia junior high school, Downsview and Barton high school, Hamilton; in the west gallery from R. H. King collegiate institute, Scarborough.

Petitions.

Presenting reports.

Mr. Olde of the select committee appointed to prepare the lists of members to compose the standing committees of the House, presented the committee's report which was read as follows and adopted:

Your committee recommends that the lists of standing committees ordered by the House be composed of the following members:

**AGRICULTURE AND FOOD:** Belanger, Burr, Downer, Edighoffer, Evans, Farquhar, Gaunt, Gilbertson, Gisborn, Haggerty, Hamilton, Henderson, Hodgson (York North), Innes, Jessiman, Johnston (Carleton), Kennedy, MacDonald, Makarchuk, Morningstar, McNeil, Newman (Ontario South), Olde, Paterson, Mrs. Renwick (Scarborough Centre), Root, Rowe, Ruston, Smith (Simcoe East), Snow, Spence, Villeneuve, Whitney and Young — 34.

The quorum of the said committee to consist of seven members.

**EDUCATION AND UNIVERSITY AFFAIRS:** Bullbrook, Johnston (Parry Sound), Johnston (Carleton), Kennedy, Kerr, Knight, Lawlor, Lawrence (Carleton East), Lewis, Martel, Morrow, Newman (Windsor - Walkerville), Newman (Ontario South), Pitman, Price, Mrs. Pritchard, Reid (Rainy River), Reid (Scarborough East), Rollins, Rowe, Smith (Hamilton Mountain) — 21.

The quorum of the said committee to consist of five members.

**GOVERNMENT COMMISSIONS:** Apps, Bernier, Boyer, Bukator, Carton, Deans, Demers, Downer, Evans, Ferrier, Gaunt, Good, Hodgson (York North), Jessiman, Johnston (Parry

Sound), Kennedy, Lewis, MacKenzie, Meen, Morningstar, McNeil, Olde, Price, Mrs. Pritchard, Renwick (Riverdale), Rollins, Sargent, Shulman, Smith (Hamilton Mountain), Smith (Nipissing), Snow, Sopha, Stokes, Trotter — 34.

The quorum of the said committee to consist of seven members.

**HEALTH:** Apps, Belanger, Ben, Brown, Demers, De Monte, Dunlop, Gilbertson, Johnston (St. Catharines), Morrow, Newman (Ontario South), Potter, Mrs. Pritchard, Mrs. Renwick (Scarborough Centre), Rowe, Ruston, Shulman, Smith (Hamilton Mountain), Smith (Nipissing), Trotter, Winkler — 21.

The quorum of the said committee to consist of five members.

**HIGHWAYS AND TRANSPORT:** Belanger, Ben, Bernier, Burr, Carton, Davison, Deans, Farquhar, Gilbertson, Hamilton, Hodgson (York North), Innes, Jackson, Jessiman, Johnston (Carleton), Kerr, Knight, MacKenzie, Martel, Meen, Morin, Morningstar, McNeil, Newman (Windsor - Walkerville), Olde, Root, Rowe, Snow, Spence, Villeneuve, Whitney, Worton, Yakabuski, Young — 34.

The quorum of the said committee to consist of seven members.

**LABOUR:** Apps, Bernier, Boyer, Braithwaite, Bullbrook, Demers, De Monte, Gisborn, Haggerty, Jessiman, Johnston (St. Catharines), Kerr, Lawrence (Carleton East), Makarchuk, Morningstar, Newman (Ontario South), Pilkey, Smith (Simcoe East), Smith (Hamilton Mountain), Sopha, Winkler — 21.

The quorum of the said committee to consist of five members.

**LEGAL BILLS AND MUNICIPAL AFFAIRS:** Boyer, Bullbrook, Carton, Deacon, Demers, Dunlop, Good, Henderson, Johnston (St. Catharines), Kerr, Lawlor, Lawrence (Carleton East), Meen, Morin, Price, Renwick (Riverdale), Singer, Sopha, Winkler, Yakabuski, Young — 21.

The quorum of the said committee to consist of five members.

**NATURAL RESOURCES AND TOURISM:** Allan, Apps, Bernier, Boyer, Davison, Demers,

Edighoffer, Evans, Farquhar, Gilbertson, Haggerty, Hodgson (Victoria - Haliburton), Innes, Jackson, Jessiman, Johnston (Parry Sound), Johnston (St. Catharines), Knight, MacDonald, Makarchuk, Martel, Morin, Newman (Ontario South), Paterson, Potter, Reid (Rainy River), Rollins, Root, Smith (Simcoe East), Spence, Stokes, Villeneuve, Whitney, Yakabuski - 34.

The quorum of the said committee to consist of seven members.

**PRIVATE BILLS:** Belanger, Bernier, Breithaupt, Bukator, Bullbrook, Carton, Deacon, Deans, De Monte, Downer, Edighoffer, Evans, Ferrier, Gaunt, Gilbertson, Hamilton, Henderson, Hodgson (York North), Jackson, Johnston (Parry Sound), Johnston (St. Catharines), Kennedy, Kerr, Lawlor, Lawrence (Carleton East), MacDonald, Meen, Morin, Morningstar, McNeil, Newman (Windsor-Walkerville), Olde, Peacock, Pilkey, Pitman, Potter, Price, Mrs. Pritchard, Rollins, Root, Sargent, Singer, Smith (Simcoe East), Smith (Hamilton Mountain), Sopha, Villeneuve, Whitney, Winkler, Worton, Yakabuski - 50.

The quorum of the said committee to consist of seven members.

**PRIVILEGES AND ELECTIONS:** Allan, Belanger, Bernier, Braithwaite, Downer, Dunlop, Hamilton, Henderson, Johnston (Carleton), Lawlor, Meen, Newman (Windsor - Walkerville), Olde, Potter, Price, Renwick (Riverdale), Rollins, Shulman, Singer, Smith (Nipissing), Worton - 21.

The quorum of the said committee to consist of five members.

**PUBLIC ACCOUNTS:** Allan, Apps, Breithaupt, Deacon, Gaunt, Lawrence (Carleton East), Morrow, Peacock, Potter, Renwick (Riverdale), Smith (Simcoe East), Snow - 12.

The quorum of the said committee to consist of five members.

**SOCIAL, FAMILY AND CORRECTIONAL SERVICES:** Belanger, Ben, Braithwaite, Breithaupt, Brown, Burr, Carruthers, Demers, Dunlop, Hodgson (Victoria - Haliburton), Jessiman, Kennedy, Morningstar, Morrow, Mrs. Pritchard, Mrs. Renwick (Scarborough Centre), Rowe, Ruston, Smith (Hamilton Mountain), Trotter, Villeneuve - 21.

The quorum of the said committee to consist of seven members.

**STANDING ORDERS AND PRINTING:** Boyer, Bukator, Carruthers, Davison, Downer, Farquhar, Hamilton, Henderson, Hodgson (Victoria-Haliburton), Johnston (Parry Sound), MacKenzie, Martel, Morin, Morrow, Paterson,

Reid (Rainy River), Smith (Simcoe East), Snow, Whitney, Yakabuski, Young - 21.

The quorum of the said committee to consist of five members.

**Mr. Speaker:** Motions.

Introduction of bills.

#### THE EXPROPRIATION ACT, 1968-1969

**Hon. A. A. Wishart** (Attorney General) moves first reading of bill intituled, The Expropriation Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, the bill which I have just had the privilege of introducing represents a result of our exhaustive review of the recommendations of the Hon. J. C. McRuer in his report on civil rights and the recommendations in the report of the Ontario Law Reform Commission relative to the basis for compensation on expropriation.

While I would not ordinarily take the time of this House, Mr. Speaker, to go into detail on the first reading of a bill, I did feel that the exceptional nature, the fundamental aspects of this bill, merit a brief comment which may assist the members in reviewing the subject matter of the bill.

The various recommendations that have been made have all been considered and the great majority of them are now represented in this legislation. They have been codified in some aspects to meet, in a practical way, the significant problems which are inherent in expropriation matters, while at the same time the fundamental principles inherent in the recommendations have, I believe, been maintained. If I may, I will review some of the principal features which are dealt with by the bill.

Before any expropriation can take place under the new law, an interested owner can require that an inquiry be held in public as to the fairness, soundness and necessity of the particular expropriation.

This would give all of those owners interested, and the expropriation authority, an opportunity to review with public dialogue the various aspects of any proposed expropriation.

The enquiry officer would then make his report upon the proposed expropriation and this would be submitted to an approving authority which would be a politically responsible group representative of the people. We have attempted to ensure that in every

case of expropriation, the ultimate approval would have to be given by an elected individual or group of individuals, since we agree with the proposition that the taking of property for the public interest must by its nature be the decision of a person elected by the people.

The approving authority after considering the enquiry officer's report would make its decision as to the expropriation. It will be noted that the expropriating authority is a completely different agent from the approving authority.

In short, we have provided that there can be a file of necessity, in every case where property is taken by way of expropriation, that this is a public hearing, and that the final decision following a report by the enquiry officer will be made by an elected person or persons who are responsible to the electors.

This bill, Mr. Speaker, will also introduce the principle of equivalent reinstatement for the owners of residences, which must be expropriated for the public purpose. Under the bill, the land compensation tribunal will have the authority to award an amount of additional compensation, over and above market value, where the property taken is a residence and where equivalent accommodation may not be provided by the market value of the expropriated property with the other allowances that are now going to be made available.

This is a new principle which may cause some difficulties for expropriating authorities. But we feel it will provide a new and welcome degree of equity in dealing with homeowners. The new bill codifies the basis of compensation for expropriation and expressly provides that it will be based upon the market value of the land, damages attributable to disturbance, damages for injurious affection and any special difficulties in relocation. Market value is defined as the amount that would be obtained by the willing seller on a sale to a willing buyer in the open market.

Other sections clarify the principles inherent in this new and broad approach to compensation.

Hon. members will be interested in the fact that damages for disturbances will specifically include moving, legal and survey cost on relocation, together with the 5 per cent allowance for residence owners who must find new homes. Many procedural changes have been made to further ensure that property owners will be dealt with on a fair and reasonable basis. Expropriating authorities will have to pay to the owners 100 per cent

of the market value of the property within three months of the expropriation or before taking possession, whichever is the earlier. At the same time, the authority will make an offer of the total amount it is willing to pay to that owner, including amounts for disturbance, injurious affection and relocation.

When making that offer, the expropriating authority will be required to provide the owner with a copy of the authority's appraisal report, upon which that offer is based. In return, the owner will not have to disclose his appraisal report unless and until the matter goes to arbitration and at that point there will have to be prior disclosure.

Provision is made in this bill for payment to the owner of his legal and appraisal costs, which are reasonably incurred in those cases where the owner, after arbitration, recovers more than was offered by the expropriating authority. If the owner recovers less, then the board will have a discretion to award costs to either party on a less generous basis.

The bill reflects the recommendation of the Hon. J. C. McRuer as to the establishment of a land compensation tribunal which will be a new board constituted to deal particularly with these compensation matters. The board of negotiation which has been a most useful and effective remedy, will be retained as the first step in promoting settlement in these compensation disputes, while there will be an ultimate appeal to the court of appeal from decisions of the land compensation tribunal. There are many other features of this bill, Mr. Speaker, upon which I could comment, particularly since they are of such significance and interest to the people of this province. However, I have taken enough of the time of the hon. members and I am sure that we will all be able to pursue the principles and the details of this bill together in the near future. I commend this to the hon. members, for we feel that it represents the enactment of many principles upon which all members of this House are in complete agreement.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, if you will permit me on first reading, a question to the Attorney General on the statement and the bill that is before us: It appears to me from the Attorney General's remarks the bill that we have now read for the first time today embodies many of the corrections to many of the objections that have been stated from this side over the years. For this reason, we welcome it—we welcome it enthusiastically.

I would like to ask the Minister if it is roughly parallel to the federal Expropriation

Procedures Act, which is before Parliament at the present time?

**Hon. Mr. Wishart:** Well Mr. Speaker, quite frankly I do not know. We have some knowledge of it, but I have not seen the federal bill and I would rather speculate that we go broader and farther.

#### THE MUNICIPAL ACT

**Mr. I. Deans** (Wentworth) moves first reading of bill intituled, An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

**Mr. Deans:** Mr. Speaker, the purpose of this bill is to try to safeguard the interests of the tenants, and I hope it will receive the same kind of wholehearted support that the bill which was introduced by the hon. Attorney General has just received.

The purpose of the bill is the control of leases and rents and to establish a rent control board. It is a piece of permissive legislation and would allow municipalities to establish, where necessary, rental control boards to ensure that the people of this province are no longer going to have inflicted upon them the many great impositions.

**Mr. Speaker:** The hon. member has stated the purpose of his bill and he does not need to go into an explanation of it at this stage. Second reading is the appropriate place for that.

If the hon. member has anything further to say with respect to the bill, which he thinks would be within the rules and of importance to the members, he is free to do so.

**Mr. Deans:** Yes, I would say that in this bill there is provision for a fine of \$2,000 in the event that a conviction is registered against any person who should see fit to ignore it.

**Mr. Speaker:** I do not think the consideration of the bill clause by clause, or what is in it, is a proper statement at this particular stage of the bill's history; we need merely a statement as to its purpose and I think the hon. member has given that.

#### COMMISSIONER TO INVESTIGATE ADMINISTRATIVE DECISIONS AND ACTS OF OFFICIALS

**Mr. V. M. Singer** (Downsview) moves first reading of a bill intituled, An Act to provide for the appointment of a commissioner to

investigate administrative decisions and acts of officials of the government of Ontario and its agencies and to define the commissioner's powers and duties.

Motion agreed to; first reading of the bill.

**Mr. Singer:** Mr. Speaker, the purpose of this bill is my fifth effort to try and bring the government around to providing an ombudsman for the province of Ontario. As you know, sir, an ombudsman would be an official who would be able to protect the citizens of this province against arbitrary, unfair and unusual acts by the civil service, and for which the citizen now has no other remedy.

#### RELIEF OF MEDICAL PRACTITIONERS, REGISTERED NURSES AND OTHERS FROM LIABILITY

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to relieve medical practitioners, registered nurses and others from liability in respect of voluntary first aid and medical services.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill is similar to one introduced earlier in this House but differs in that it protects not just doctors but all good Samaritans from legal action.

**Mr. Speaker:** The hon. Prime Minister has a statement.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, this afternoon the hon. Minister of Municipal Affairs (Mr. McKeough) is in the Lakehead, meeting with the municipal councils of the cities of Fort William and Port Arthur and the adjoining townships of Neebing and Shuniah. The purpose of his visit it to announce the intention of the government to present legislation during this session of the Legislature for the amalgamation of the two cities and parts of the townships of Shuniah and Neebing into one municipality.

It is the conclusion of the government that the immediate and, of perhaps greater importance, the long-term interests of the Lakehead community will be best served through the policies and administration of a single municipal jurisdiction.

The decision in favour of amalgamation is the culmination of a series of studies and deliberations which followed the completion of a local government review in March of this year. The research findings of the review,

together with the briefs submitted by local municipal councils, organizations and individuals have been given extensive analysis by the staff of The Department of Municipal Affairs and other departments and agencies of the government affected by the recommendations.

During the weeks ahead, further consideration will be given to the matter of precise boundaries, finances, and the organization and structure for representation and municipal services. In this connection, the Minister of Municipal Affairs will look to the inter-municipal committee established last spring to maintain a continuing liaison with the Lakehead and district municipalities. The inter-municipal committee represents the Lakehead municipalities and the district of Thunder Bay, and has performed a most important function as liaison with the government. I should like to express the appreciation of the government for the dedication and hard work of the members of this committee. Their continued co-operation ensures that the more detailed aspects of the proposal for amalgamation will be resolved in a manner which will meet the needs of the people of the Lakehead area.

Mr. Speaker, as you are aware, the local government review also proposed a "district municipality", which would be a regional government consisting of the proposed Lakehead city and the district of Thunder Bay. The government does not plan the immediate establishment of a full scale regional government for this district. Rather, any steps to implement this recommendation, would have implications for all of the districts which make up the northern part of our province. Accordingly, on September 12, during the tour of northern Ontario by members of the Legislature, I announced the appointment of an inter-departmental committee to examine government at the district level in northern Ontario. This committee will report in mid-1969 on the application of the recommendations contained in the Lakehead local government review, to the municipalities and unorganized territories within the districts of Ontario.

Any action to bring about a regional government for the Thunder Bay district will be determined, at least in part, by the findings of the inter-departmental committee.

I might add that this committee will schedule meetings in several locations in northern Ontario so that the elected municipal officials in the districts will be able to meet with the committee to discuss the proposed

regional organization and the special interests of the people of the districts.

Mr. Speaker: Did the hon. member have a question?

Mr. G. Ben (Humber): No, Mr. Speaker, this is with reference to introduction of bills.

I have a question of you, Mr. Speaker. I have just received from the Clerk a copy of a bill by the hon. member for Wentworth (Mr. Deans), and I have one in exactly the same form, word for word. Is there any procedure whereby I could dispense with the usual notice and have it put in now?

Mr. Speaker: Not only do we usually need the notice, but the order has been closed and I would suggest that the hon. member's purpose would be equally well served by introducing it tomorrow and they will be printed for consideration—may I just check with the Clerk?

Mr. S. Lewis (Scarborough West): The hon. member is following more closely, but he is still following.

Mr. Speaker: The Clerk also advises me of something that should have been patent to me; that if it is word for word then it is out of order because we cannot have two bills which are word for word.

I am afraid the hon. member was not on his feet quickly enough. The hon. Minister of Justice.

Hon. Mr. Wishart: Mr. Speaker, on November 21, the hon. member for Sarnia (Mr. Bullbrook) asked a question in three parts. I answered the first two and I promised him an answer to the third part which had to do with the qualifications of Mr. Bruce Goulet in connection with his appointment as a member of the board of police commissioners for the city of North Bay.

I am advised, Mr. Speaker, that Mr. Goulet is president of the United Nations Association of North Bay; is past president of the North Bay Chamber of Commerce; for many years was chairman of the public affairs committee of that chamber and in this capacity he has worked closely with the municipal council and has been keenly interested in provincial and federal affairs. He is a member of the department of industry of North Bay, which is a committee of the council and is interested in the industrial development of the North Bay area.

He is chairman of the Dominion Day committee as well as chairman of the Centennial



committee for that city. He is at present a member of the Rotary club and chairman of the crippled children's committee, which as we all know is one of the main programmes of Rotary International. He is also a member of the Canadian Legion.

In 1967, Mr. Goulet was selected "Man of the Year" for North Bay. This is an honour which is not always conferred annually but only when there is someone deserving of such recognition.

**Mr. E. W. Sopha (Sudbury):** How many votes did he lose by last fall? Was he beaten badly?

**Hon. Mr. Wishart:** Surely the hon. member is not suggesting that he should not have involvement in public affairs?

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question of the hon. Minister of Social and Family Services. Is the Minister investigating the role played by the Metropolitan Toronto Catholic children's aid society in the case of Theresa MacIntosh, who died October 10?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, we are naturally concerned about this case. But it is still before a coroners' jury and, as you know, the inquest will resume Wednesday. It would be unfair to comment in any way while the jury is discharging its very serious responsibilities.

Mr. Speaker, may I ask your indulgence to have the other two questions put to me by hon. members of the House? The member for Thunder Bay?

**Mr. Speaker:** If the hon. leader of the Opposition and the hon. member for York South (Mr. MacDonald) would agree; I believe the Minister has to leave to keep an appointment. The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I do have a question for the Minister of Social and Family Services. Has the Minister received a request for a capital grant from the Lakehead Association for the Mentally Retarded sheltered workshop?

Is the Minister prepared to consider their request?

**Hon. Mr. Yaremko:** Mr. Speaker, I do have such a request and it is presently being considered.

**Mr. Speaker:** The hon. member for High Park (Mr. Shulman) is not in his seat so his

question will not be answered. The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question for the Prime Minister. What arrangements will be made to celebrate the 150th anniversary of the birth of the Hon. George Brown, that great Liberal?

**Hon. Mr. Robarts:** Well, Mr. Speaker, as the hon. members are doubtless aware, this centenary is on Friday of this week.

**Mr. Nixon:** That would not be centenary. It is sesquicentennial.

**Hon. Mr. Robarts:** At one stage of the game we had hoped to have a dinner, but through a whole series of circumstances that became impossible. I might say I invited the Prime Minister of Canada to that dinner, but he could not make it. I thought he could attend to represent the Liberal Party of Canada.

I will have a full rundown on some ceremonies that we plan to conduct here and outside the buildings. If hon. members will be patient I will announce these to the House after I have had an opportunity to discuss them, Mr. Speaker, with the leader of the Opposition and the leader of the New Democratic Party. We will probably be able to do that before the House sits tomorrow and then we will be able to lay the full programme out before the members.

We intend to honour the birth date of this great Canadian in as auspicious a way as possible.

**Mr. Nixon:** Mr. Speaker, I am sure the Premier would agree that the time is growing quite short and perhaps we ought to have undertaken some planning at an earlier date.

**Hon. Mr. Robarts:** We undertook a lot of planning at an earlier date but there have just been a whole series of events that conflict; you know sometimes you run into these situations. However, Friday is the actual anniversary day and I will tell hon. members all about it when we get the final "i's" dotted and "t's" crossed and then we will announce the programme in the House.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I was informed some two weeks ago, or thereabouts, that there was going to be such a celebration on November 29, so I do not feel that I have been left out of the picture.

**Mr. J. B. Trotter (Parkdale):** The Prime Minister does not seem to know about it—or very little about it.

**Mr. M. Gaunt** (Huron-Bruce): Maybe the hon. member knows more than he does.

**Mr. MacDonald:** Maybe it is the Secretary of the Cabinet who is pursuing the details.

**Mr. Trotter:** Maybe the civil servants tell him.

**Hon. Mr. Robarts:** I am quite certain the leader of the Opposition has heard about this too.

**Mr. MacDonald:** I have two questions, Mr. Speaker.

The first one is held over from Friday—to the Minister of Health. Was the government informed of the recent decision to increase doctors' fees before it was publicly announced? What further outlay from the public Treasury, through OMSIP expenditures, will result from this fee increase? Does the Minister feel that such an increase can henceforth be made unilaterally without consultation or negotiation?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I received a letter from the OMA on October 18 of this year indicating that an increase in fees of approximately ten per cent would be implemented April, 1969.

The answer to the second part, it is not possible to answer this question until we know the detailed changes which are being proposed.

The third part. I am still hopeful that arrangements can be made with the profession to agree on a fee schedule that machinery for negotiation can be established to our mutual satisfaction.

**Mr. Speaker:** The hon. member for Scarborough West. The Minister of Labour (Mr. Bales) is not present at the moment.

**Mr. T. Reid** (Scarborough East): Scarborough East or Scarborough West?

**Mr. Speaker:** The hon. member for Scarborough East, yes!

**Mr. T. Reid:** Mr. Speaker, I have a question for the Minister of Education. What safety specifications, if any, for school buses does the Minister of Education require before school children can be transported in those buses to and from school?

The second part of the question: What physical health and fitness standards, if any, does the Minister of Education set for bus drivers who transport children to and from school?

**Mr. Speaker:** Perhaps the hon. member for Peterborough would place his question at the same time. They are not related but they have to do with the same subject matter.

**Mr. W. G. Pitman** (Peterborough): Thank you, Mr. Speaker. In view of the recent traffic deaths of two Peterborough students, would the Minister consider an investigation of school bus routes in each school jurisdiction to ensure that these buses are making use of the safest as well as the most direct routes?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, to answer that part for the member for Scarborough East first: The question of specifications for school bus transportation fall within the jurisdiction of The Department of Transport. I regret I did not see this question until just a very few minutes before the House sat so I was not able to contact the Minister of Transport (Mr. Haskett) so that he might be able to give the hon. members this material; and of course this applies to the second part of the question as well.

With respect to the question from the member for Peterborough. One of the basic responsibilities of the new divisional boards when they commence their operations within a very few weeks will, of course, be to review bus routes. The boards have always taken the question of school safety and safety of the children with respect to bus routes, as one of their very prime considerations and I fully expect that they will do this when the new divisional boards are created.

I think we all regret, Mr. Speaker, the very unfortunate occurrence, the tragedy of last week. I can only say that as far as the boards are concerned generally, we have had a very excellent safety record in this province. I am very satisfied that they make a very conscious effort to see to the safety of the young people. Really these questions are their prime considerations.

**Mr. Speaker:** Perhaps the hon. member for Scarborough East would allow me to transfer the question to the Minister of Transport so that it may be answered.

**Mr. T. Reid:** On your ruling, sir!

I have just asked the Minister of Education if he does not feel that he should have been making recommendations to the other department of this government; that he should not have been sitting on his seat for so long in this regard; that he has a direct

responsibility to offer some leadership in this area.

**Hon. Mr. Davis:** Mr. Speaker, with great respect to the member for Scarborough East there are specifications. They are there within The Department of Transport right now and if the hon. member would perhaps just have the patience, and to a degree the courtesy, to transfer the question to the appropriate Minister, I am sure he would get an appropriate and courteous answer.

**Mr. T. Reid:** And meanwhile, two more children—

**Mr. Speaker:** Order!

A supplementary from the other member who placed a question.

**Mr. Pitman:** A supplementary question. I was wondering whether the Minister might consider grants to local school boards for carrying on investigations of this sort. It would appear to me that as these larger jurisdictions are organized, a great deal of education is going to be achieved by bussing students back and forth.

I investigated this particular accident—

**Mr. Speaker:** Order: Perhaps the hon. Minister might investigate just simply railroad crossings—could there be a special grant to investigate railroad crossings as they affect school buses in local jurisdictions?

**Hon. Mr. Davis:** Mr. Speaker, I do not purport to be knowledgeable in the whole question of transportation, but I would suggest that it should not, surely, require a special grant to investigate any hazard or questionable part of a school bus route; that the board must automatically consider this and make every effort to ensure that buses are taking the safest possible route. I do not see where any special grant would really reveal anything that they do not presently know.

**Mr. Speaker:** The hon. member for Sudbury.

**Mr. Sopha:** Mr. Speaker, I have a question for the Provincial Secretary.

**Mr. Speaker:** The hon. member for Sudbury has the floor.

**Mr. Sopha:** Thank you, sir. Would the Provincial Secretary inform the House, in a general way, if specific figures are not available of the nature of the increase in revenue over the same period last year to the liquor control board of Ontario during the Quebec

liquor strike? If possible, could the House have an indication of the increase in profits during the same period?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, I will have to take this question as notice.

**Mr. Speaker:** If the hon. member for High Park would care to ask the question of the Minister of Social and Family Services, who advised me he was leaving the House at 3.05, the floor is now his.

**Mr. Shulman:** Mr. Speaker, will the Minister institute a comfort allowance for those disabled persons with no income who are confined to Ontario's hospitals for the chronically ill?

**Hon. Mr. Yaremko:** Mr. Speaker, our programmes and their application to persons such as the chronically ill are always under review and they are presently.

**Mr. Shulman:** Will the Minister give more information?

**Mr. Speaker:** The hon. member for Sandwich-Riverside has two questions from last week. Perhaps, he would place them now.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Prime Minister: Has the government given consideration to a November 4 letter from Windsor city council stating its firm opposition to a provincial tax on drugs?

**Hon. Mr. Robarts:** Mr. Speaker, I am quite certain that letter has been given consideration. I do not recall whether it came to my desk or not, but certainly we give full consideration to all such recommendations and the hon. member can be assured that this opinion of the Windsor city council will be given every consideration.

**Mr. Burr:** Thank you, sir. A question for the Minister of Health: Does the Minister share the opinion of Doctor J. Z. Sullivan of The Department of National Health and Welfare that motor vehicle exhaust pollution is not a health problem in Canada and is unlikely ever to become one?

**Hon. Mr. Dymond:** Mr. Speaker, the answer is "no", I do not share the opinion and as evidence of that, the government of Ontario has already got legislation on the statute book and regulations in effect requiring that all motor vehicles sold in Ontario, in this present model year, must be equipped with the air pollution control equipment as

recommended and approved by the United States government.

I would advise the House and the industry now, through this means, sir, that in 1970 the regulations will be even more stringent.

**Mr. Speaker:** The hon. member for Dovercourt has a question from last week.

**Mr. D. M. De Monte (Dovercourt):** Yes, Mr. Speaker, a question of the Minister of Health.

What is the percentage of the provincial contribution of the capital cost of new construction of hospitals? And a second question: what is the percentage of the provincial contribution of the maintenance cost of hospitals?

**Hon. Mr. Dymond:** Mr. Speaker, the answer to this question is much longer than the question.

The province accepts responsibility for two-thirds of the approved capital construction costs. And now, since the federal government is no longer paying anything towards capital construction of hospitals, the province must find this entire two-thirds.

In the case of northern Ontario hospitals, because of their location and their responsibilities, an additional grant was paid over and above the usual two-thirds and this grant amounts to \$2,000 per active treatment bed or bed equivalent and \$1,000 for each chronic or convalescent bed or bed equivalent in municipalities of 12,000 and under and \$500 and \$250 respectively in municipalities over 12,000.

In the case of teaching hospitals the total cost is provided and, of course, this is subject to whatever grants we are able to squeeze out of the federal health resources fund.

In the case of hospitals that serve two purposes; that of teaching and community service as well, the two-thirds approved cost applies in respect of the area dedicated to community service; and 50 per cent grant is applied to that part of the hospital used for its teaching function.

The other 50 per cent hopefully, was to come from the federal health resources fund but in light of the decision made recently, which represented a direct change in the rules made in 1965, we can hardly tell what percentage will come from the federal government. We are quite convinced and quite certain now, of course, that it will be much less than 50 per cent, and therefore the provincial share will be much higher than 50 per cent.

In the case of regional rehabilitation hospitals, the full approved cost is paid.

In the case of ambulance facilities—that is, facilities in connection with a hospital to house an ambulance—the full approved cost is paid.

The province's contribution to the cost of hospital maintenance is 32.5 per cent of the whole.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. Deans:** Mr. Speaker, I wonder if I might be permitted a brief comment on the remarks of the hon. member for Humber before I ask my question.

**Mr. Speaker:** The hon. member has the floor for the purpose of asking a question. This is not the appropriate time to comment on speeches or remarks by other hon. members.

**Mr. Deans:** Fine. I will ask only the second part of my question to the Minister of Highways.

Will the Minister consider, in the interest of minimizing traffic fatalities, re-applying to the Ontario municipal board for immediate emergency permission to effect the closing of Murray Avenue to Queen Elizabeth Highway?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, I answered the hon. member's question. He left out the first part this time and I can say again that we are proceeding with all possible speed on the engineering, the plans and specifications to live up to what the board has asked us to do.

**Mr. Deans:** Mr. Speaker, if I may ask a supplementary question?

The question I asked was, "Would you reapply to the board in order to hasten the closing"—the board gave permission some ten years ago—

**Mr. Speaker:** Order.

**Mr. Deans:** It has taken that long—

**Mr. Speaker:** Order! The hon. member has placed his supplementary question. Now the Minister has the opportunity, if he wishes, to answer it.

**Hon. Mr. Gomme:** Mr. Speaker, we do not think that is necessary at the present time because we are proceeding as fast as possible.

**Mr. F. Young (Yorkview):** Mr. Speaker, I have a question of the hon. Minister of Transport.

1. Would the Minister advise the House when the 45-mile-per-hour "construction" speed limit will be removed from completed portions of the Queen Elizabeth Way east of the Highway 27 interchange?

2. Would the Minister agree that the maintenance of the 45-mile-per-hour speed limit is inconsistent with his statement to the House on April 7, 1967? *Hansard*, p. 1183.

3. With respect to construction speed zones generally, why is the same speed limit maintained at all times, whether or not construction is in progress, instead of being adjusted to actual conditions, particularly at week-ends when construction work ceases?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, in that we must rely, I am sure the hon. member understands, on The Department of Highways for information in applying construction zone speed limits. I find it necessary to defer the answer until tomorrow.

**Mr. Speaker:** Has the hon. member a supplementary question?

**Mr. Young:** No, I am sorry, I had another question for the Attorney General, but I will ask that tomorrow.

**Mr. Speaker:** Yes, the Attorney General is not here.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Health: It is in three parts:

1. Are staff members at the Penetang Ontario Hospital allowed to employ patients as domestics and for staff home labour?

2. What pay are the patients given for this work?

3. Is it the policy of The Department of Health to allow staff an extra perquisite in the form of cheap labour?

**Hon. Mr. Dymond:** Mr. Speaker, I do not understand what the hon. member means by the first part of his question. If he wants to clarify it, I shall try to get the answer.

The second part: Patients can be placed in homes of staff as part of the industrial therapy programme. Staff asking use of such services are charged at a rate that is based on a comparison for work the individual is able to do with the outside labour market. This amount is paid to the industrial therapy fund out of which all patients involved in

the programme receive incentive payments. The answer to the third part of the question is no.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Dymond:** Yes.

**Mr. Shulman:** Do I misunderstand the Minister? Is his answer that the money is all paid into one fund and then is divided among all the patients and that none of the money goes directly to the patient doing the work?

**Hon. Mr. Dymond:** It is paid into the industrial therapy fund, sir, and divided among the patients who qualify for withdrawals from this fund.

**Mr. Shulman:** In the form of a second supplementary question, Mr. Speaker, can the Minister—

**Mr. Speaker:** The hon. Minister said that he would not accept a further supplementary question. The member might perhaps go on to his other question.

**Mr. Shulman:** A question to the Minister of Correctional Services.

When is Mr. William Lumley to be transferred from Sarnia jail to a reformatory, as promised in a letter from The Department of Correctional Services of October 31, 1968?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, in answer to the hon. member's question; the decision to transfer this man from the Lambton county jail to a reformatory, was made by the classification committee on October 31, 1968. Arrangements were made for his transfer to take place on the next routine trip to this area made by the departmental bailiffs.

For security reasons, it is not deemed advisable to give publicly the exact date of the transfer, but if the hon. member so wishes, I am prepared to provide him with this information on a strictly confidential basis. In the interest, Mr. Speaker, of the rehabilitation of persons concerned, I would again appeal to the hon. member to please continue the practice followed by the hon. members of this House during the last session of not publicly identifying inmates by name.

**Mr. Stokes:** Is the Minister aware of the hazardous driving conditions that prevail on highway 585, which runs from Nipigon to Pine Portage? When will the Minister in-

struct his department to start on a programme of reconstruction of highway 585 as promised during the last session?

**Hon. Mr. Gomme:** Mr. Speaker, I just received this question as I came into the House and I will have to take it as notice and supply the answer.

**Mr. N. Whitney (Prince Edward-Lennox):** Mr. Speaker, I rise on a point of privilege relating to the statements in the *Toronto Globe and Mail* last Friday, also in the *Belleville Intelligencer* of the same day, as stated by the hon. leader of the NDP, following their return from a visit to Picton. It is my opinion that certain statements were made which were derogatory in their nature to certain of the people I represent, some named, some not named. I would like to quote first from the *Globe and Mail* statement, and then briefly from the *Intelligencer* statement.

**Mr. Lewis:** On a point of order, Mr. Speaker, for clarification: When a statement of privilege is made in the House, sir, must it not relate directly to the member as he is affected rather than those he represents? Would the member not have appropriate time in the Throne debate to raise this kind of thing?

**Mr. Speaker:** My understanding of the hon. member's opening preamble with respect to this point of privilege was that it affected not only the people he represented but himself as their representative. So far as I am concerned, as long as he brings himself within my interpretation of what he has said, I think he is in order. But he is not in order merely to comment upon newspaper statements about things in his riding.

**Mr. Whitney:** Mr. Speaker, in order to supply the background, I will quote briefly from what appeared in the *Globe and Mail*:

New Democratic Party leader Donald MacDonald yesterday described Mayor Harvey J. McFarland of Picton as a millionaire contractor made wealthy from public funds and leading a "Tory-dominated establishment" against striking workers at Proctor-Silex Canada Ltd.

In the early hours of yesterday's session of the Legislature, the 20 NDP seats were empty as Mr. MacDonald led 18 caucus members to the strike site. In a press conference after he returned, he described the trip as an attempt to dramatize a situation the NDP will fight to the end.

The MPPs joined picketing at the plant, obeying a court injunction limiting pickets to six at a time.

Mr. MacDonald described Mr. McFarland as owner of the company's land and building and said he collects \$58,000 a year in rent.

"Mr. McFarland made his wealth from the public purse," Mr. MacDonald said, referring to highways contracts Mr. McFarland has bid on and carried out for the government. "He is a source of funds for Tory candidates in the area. He is a well-known Tory and a source of slush funds.

"Both old parties traditionally produce highways millionaires when they are in power."

Mr. MacDonald said he did not talk to—

**Mr. Speaker:** The hon. member is going far too long in his quotation. If he has a point of privilege, he will now bring himself to it and cease reading from a report which I am sure all members have read.

**Mr. Whitney:** I question the statement "Tory-dominated establishment". Constituents of mine are being made to appear as a coerced people, which they are not. In Picton and Prince Edward county we have our political organizations and municipal councils regularly elected, our service clubs and other organizations dedicated to public service.

Among all of the people in the area we know of no group of any kind which has been organized on behalf of the company. On the other hand, outside organizers of the international union of electrical workers aided and abetted, it would seem, by the NDP, have and are attempting by every means at their disposal to organize and influence public opinion on behalf of the union.

In the absence of organized opposition of any kind, these people by their own statements and actions have been defeating their own purposes. The truth is that the people of Prince Edward have not and will not be coerced by anyone and I resent any implication to the contrary as expressed by the NDP leader.

Secondly, there was a reference made to Dr. Dockrill, a constituent with whom I may not always agree. But I regret to hear a statement was made in the *Globe and Mail* that his bank had cut off his credit or was threatening to cut off his credit because of his alleged—

**Mr. Speaker:** The hon. member is now straying again to particular cases of people



in his riding. If he can relate this to personal privilege as far as he is concerned, as their representative there, then he is in order. Otherwise, he is not.

**Mr. Whitney:** Well, I feel that it is in the nature of a personal privilege that when a man's personal financial condition is told to the world, through a newspaper announcement by someone who briefly visited there, and who—the quoted party—denies in another place that he made exactly that statement. I feel it is a matter of privilege to divulge what he said following that statement in the press.

**Mr. Speaker:** Now the hon. member has stated his reasons for rising on that point of privilege. I disagree with him. It is not a point of privilege as far as the hon. member is concerned—the matter he is now discussing.

**Mr. Whitney:** Well, in conclusion, I would say that as far as the statements which were made regarding public funds and so on, I am simply going to briefly state that at times local Conservatives are annoyed because the gentleman in question contributes to the Liberals. Sometimes Liberals are annoyed because he contributes to the Conservatives.

He does work for the federal government. He has done work for many governments. He has done work practically all over Canada. In fact I would ask the hon. member for High Park if he knows that sometimes he may even have contributed to the CCF government in Saskatchewan, under T. C. Douglas, sometime in the past.

Consequently, I object to such statements.

**Mr. Speaker:** Did the hon. member for Scarborough West have a point of order or privilege?

**Mr. Lewis:** On a point of order, Mr. Speaker, I am sorry to revert to a matter of such banality. I missed the Minister of Health's earlier reply. I wonder if he would indicate to the House—did he say in his answer to the question, that the Ontario Medical Association fee schedule was now a *fait accompli* for April 1 1969? The Legislature could have no effect on that decision, is that his answer?

**Hon. Mr. Dymond:** Mr. Speaker, my answer is in *Hansard*.

**Mr. Speaker:** The hon. member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I would like to draw to the attention of the

House the efforts of a young man in my riding. A 16-year-old 4-H club member scored a major upset in the seed grain show at the Royal winter fair last week when he won the reserve ear corn championship with a sample of Ontario-grown corn. The Royal winter fair seed show officials said that never in the long and colourful history of the Royal has Ontario corn placed as high in the show against the powerful high-quality entrants from the United States.

This was a first championship ever, of any sort, for Canadian corn at the Royal. The high-placing Ontario corn was grown and entered by Robert Baillargeon of Stoney Point in the township of Tilbury North, in Ontario's southwestern corn belt. The entry stood first in the 4-H ear corn class and then went on to runner-up for the world championship ear corn. This is the first time Bob Baillargeon has exhibited at the Royal. His brother Raymond, 18, showed at the Royal last year, and this year took second to his brother's winning entry in the 4-H club.

Both boys are members of the Tilbury 4-H corn and soya bean club. They are the sons of George and Cecile Baillargeon who own and operate a cash crop farm. The Baillargeon family grow corn, wheat, oats, soy beans, tomatoes and cucumbers.

**Mr. Speaker:** I would like to say to the hon. members and to the hon. member who has just given us this account of excellence in young farmers that I think the House is glad to hear these things, but I think that they can be dealt with much more expeditiously than by reading a newspaper report on it, and I would ask the hon. members to cooperate with me in the future. I will be glad to allow them the opportunity of making us aware of and praising the achievements of their people but I would ask that they keep it to a reasonable statement of what has happened without the family and other background, which is totally unnecessary.

Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would like to begin by once again offering my compliments to you,



sir, and to say that I am very glad that the leader of the government has taken the decision to reconvene Parliament in the autumn of the year so that our business, I hope, can be carried on in a more efficient manner and with the possibility that we might complete it before we get into the warm months next July.

I would suggest to you, sir, that if the business of the province does require a longer period of time for our perusal and discussion—as I personally believe it does—we ought to look for a more efficient and even longer session in the autumn of the year.

I have felt for some time, that there are two things wrong with the ordering of our business; number one, we are here too long, and number two, we are away from the Legislature too long. When the business is compacted into one session beginning in February and extending until the completion of the business, there is a tendency for spirits to flag and for our connection with our own areas to get a bit thin as we are away week after week and particularly with very lengthy night sessions as a part of our responsibility.

I have felt myself, Mr. Speaker, that there is a lack of urgency even in this particular fall session and that we should be undertaking a more careful discussion particularly, of the financial affairs of Ontario rather than the rather lackadaisical approach that has been evident in the first few days. My colleagues, particularly those from out of town, would support a move to resume night sessions at least two nights a week very early in the fall session so that they might—having come some distance to partake of their duties here—be able to work at them more diligently and more steadily so that the business can be accomplished in a shorter period of time and in a more orderly way.

I know that those members who come a shorter distance from home would not support any particular efforts on our part to have night sessions resumed. Nevertheless, if we are going to carry out the business efficiently and to make good use of the members who have come long distances in order to represent their areas I would suggest that night sessions might very well become a part of our order in the near future.

Now, the speech itself, that we are discussing this afternoon and I expect we will be discussing for some days, touches all the basis of safety as far as the administration is concerned. But there is one area that I would like to read to you, sir. It is found on page three where we are assured that the

province will place and I quote, “renewed emphasis on efficiency and economy in every branch and agency of the Ontario government”. While this, of course, is much to be desired I hope you would agree with me, sir, that it is something that we would expect on the day-to-day ordering of provincial business and not entered into on rare occasions by the Premier (Mr. Robarts) and his Cabinet in order to relieve tax difficulties that they themselves are responsible for.

So, if this is, in fact, to be an economy session, a tax session, a budget session, then surely, while there are other areas of business presented to us in the House even today, we should be turning our attention to an examination of the budget and to the spending programmes of the government.

Before I get into that in too much detail, I want to extend my congratulations to the member for London South, the new Minister of Revenue (Mr. White). Frankly, I was convinced when the new portfolio was set up that it was not necessary to have a separate individual exercise the responsibility. The Treasurer has been able to balance both of these areas of responsibility for many years, since Confederation as a matter of fact, and it appeared to me that the new member of the Cabinet was very much of a supernumerary and his appointment smacked of the political pay-off for the fact that he has been conducting those Monday night sessions in London on behalf of his colleague from London North, and that really friendship was coming through and the London establishment needed something to strengthen it.

I now feel that there is some usefulness in his appointment, small though that may be: the example he is setting to his spendthrift colleagues and confreres, chief among them the Prime Minister himself.

I was really gratified to read in the *Globe and Mail* last week that he is going to travel on GO transit as long as possible and then when the pressures of his duties require him to have an automobile and a driver, it will be a stripped-down standard Chev and that he, unlike his colleagues, is going to second one of his clerks from his office to drive him. Surely this is the kind of example that the other members of the Cabinet would be glad to receive. It is in these small areas—these rather picayune approaches to savings—that I suppose the funds will be gathered that are going to be significant in this, one of the tightest financial situations Ontario has experienced since Confederation—probably the worst one. So if there is some use for this new Minister, this

may be it. But once this example has been set I would tell you, sir, that his usefulness diminishes once again to zero, and we could very well, on the road to economy, dispense with his services and pick up a little bit of indemnity that could be added to that fund that he is so concerned with.

You know it is interesting, in reading about the accounts of the peregrinations of the Premier and his white-lipped and trembling colleague, the Treasurer (Mr. MacNaughton), who is not with us today, that when they go to Ottawa to confront the government of Canada with the tremendous needs for more fiscal abatement, the Premier and Treasurer travel in our own provincial plane with an executive configuration, and they are driven in those large black cars with the flags flying to meet the Minister of Finance and his colleagues in Ottawa, who, I suppose, go by cab to the meeting. I would not dream for a moment of reverting to that old argument that was so effective in depression times—when my predecessor as leader of the Liberal Party undertook to turn back the gross expenditures of the Conservative administration that he had displaced, by auctioning off the government cars—because really I feel that the government members have to be moved about the province and I have no particular objection to this. They are a rather fearful lot, though. They covet the big black Cadillacs with the snapping flags on the fenders but they—

**Hon. J. P. Robarts (Prime Minister):** We do not buy Cadillacs.

**Mr. Nixon:** That is right, there are no Cadillacs and I think this is significant. They set their sights down just a little bit and the Minister of Highways (Mr. Gomme) is able to make do with a nice black Buick Electra. Beside the license plate on the back there is the coat of arms of Ontario. It just makes your blood heat up a bit to see that moving down the road—with the double lamps in the back so that he can read state papers.

I do not know whether he has followed the example of the Minister of Education (Mr. Davis), who has a hot line in the back seat of the automobile—I do not know who answers him when he pushes the button—but I think there are two phones there. It is significant, though, that the Minister of Revenue is setting the kind of example that I think would do the whole administration good if they were to examine it carefully and follow it, if they could bring themselves in all humility to do so. This is something, of course, of some concern, because we are

looking for \$300 million, we are told by the hon. Treasurer, and unless we make up this particular amount, then we are facing the kind of fiscal nightmare that both the Treasurer and the Premier have described in such a lurid detail across the province.

I would like to ask you, Mr. Speaker, and my colleagues along with you and the other members of the House, to cast your minds back to the election campaign last October in which our friends opposite were so successful in returning to the seats of the administration with 69 members. I can well recall the barrage of propaganda that was put before the people of the province during the spring and summer months at their own expense, and for a few weeks during the election campaign from the swollen slush funds of the Conservative Party itself. We were told in great detail about the high administrative quality of the Premier and his administration. We were told that Ontario was not only a place to stand and a place to grow, but that good government deserved our support, and that we, in Ontario, were very fortunate to have the services of the Premier and his colleagues, who were giving us the best government of anywhere in Canada or in North America.

It seems strange to believe that that silver-haired fox who travelled across the province in the steps of Leslie Frost, who was reassuring those who were having some doubts about the administrative capabilities of this administration that all was well, when less than eleven months later this same man and his chief lieutenant, the Treasurer, had the temerity to state publicly that we in Ontario faced a "fiscal nightmare".

Interjections by hon. members.

**Mr. Nixon:** Now if I was to use a phrase like that, that same man would have accused me of broadcasting doom and gloom and you may well recall his urgings to me, as the leader of the Opposition, and my colleagues, to give up the predictions of difficulty that we were making a year ago and to go along with the Conservatives to a greater and more prosperous co-prosperity sphere or whatever it was that he called it. Now we find ourselves in the difficulties that the Premier and Treasurer and probably the best fiscal advisors in the civil service of any province in Canada cannot find means to solve.

It is on this topic that I would like to spend a few moments this afternoon, because we are approaching two important conferences: the constitutional conference, the dates for which have been set, and a

financial conference immediately after that. I think it is necessary that we examine the difficulties the Premier has led the province into and that we look at some of the alternatives that he must research himself if, in fact, the government of Canada is going to be taken at its word and that they are not to increase the abatement beyond the 28.3 per cent which is now available to this province.

I would like you to remember, sir, that the policies of the government of Canada have been unchanged for two years. I will remember the return of the Premier from the last fiscal conference when he had been told by the then Minister of Finance that the government in Ottawa was not prepared to recommend further abatement, unless it was accompanied by specific further responsibilities.

Whether we support this or not—and I will get to that in a moment—it seems incredible that the Premier would come back two years ago from a conference of this type, and you may remember the anger with which he expressed his understanding of the rigid position the government of Canada took then, and how quickly this anger was lost in the forthcoming election campaign when he had to give the continuing impression that all was well in Ontario.

One of the significant political facts in this province is that for many years the largest single source of income has been the abatement from the government of Canada—\$650 million this year alone. It accounts for a large measure of the public services extended to our citizens and taxpayers as if through the generosity of this administration alone. It is an old fashioned, but applicable rule of modern democracy, that the administration which provides these services should have the responsibility for taxing for them as well. Yet the Minister of Revenue who is sitting back there in smug complacency, saying that he is going to drive a stripped-down Chev, gets his largest cheque from the government of Canada—\$650 million this year alone.

Mr. Speaker, we know that within the next two months it may very well be that the leader of the government will send the Treasurer and the new Minister down to Ottawa to intercede for Ontario and on behalf of the difficulties that we are now encountering in paying our bills.

Imagine Ontario in a situation where we are running at what the former Treasurer might have called a \$300 million shortfall

which, in fact, must be made up if we are going to withstand even the debt limits—and they are large debt limits—set by the Royal commission on taxation, which said we must not allow our debts to go beyond nine per cent of our gross provincial product.

I have already suggested that a part of these negotiations should be based on a valiant attempt to get a share of the two per cent surtax that has been imposed by the government of Canada in such a way that we now cannot share in it. My calculations are that this, in fact, would add \$40 to \$50 million to the amount that is presently available under present abatement agreements.

I personally have some misgivings about the need for the imposition of the tax in the way that the Minister of Finance saw fit to do it three weeks ago in the budget that he brought down. And I am not prepared, as the people opposite seem to expect, to defend them chapter and verse in every one of these decisions.

I suppose we must take for granted that the government of Canada, faced with a \$700 million deficit, feels that they are hard-pressed to put their own house in order and they expect other governments across Canada to accept the same responsibility.

We have been treated in recent months to the 25th anniversary of the Conservative Party in power in Ontario. We have been embarrassed at their attempts to get sort of a monkey gland transfusion three weeks ago down in the Royal York. With the help of John Bassett, they were able to turn out a few very attractive young people indeed, but still in the back rows there was Erskine Johnston picking a fight with the new president and there was the rumour that the London establishment was not in favour of Mr. Eagleson becoming the president and the fact that the Premier had supported Wallace McCutcheon for the leadership last year.

It does not indicate to me that the leader of the government is much of a swinger. I do not think we are looking for a swinger, we are looking for somebody who is prepared to accept provincial responsibilities, prepared to accept blame along with the responsibility, when it is his to accept. I cannot help but recall the campaign a year ago when either the Premier was ill advised by those who must have known the difficulties that were approaching in the financial situation in Ontario or he was so innocent that he felt that in all good time this would be worked out. The federal policy was rigid—in my view too

rigid — but still was expressed two years ago and there is no indication of any change as far as I can see, although I have not been present at the negotiations undertaken by the Treasurer and the Premier in recent weeks.

I hope and I trust that I will be able to hear some of these negotiations as they take place in the next two months. And I would say to you, sir, that I received a very kind letter from the Prime Minister of Ontario this morning saying that he would do his best to see that at least I and other representatives of the Opposition would be able to attend the constitutional conference. But the government sitting opposite here has reduced itself to a search for threats that can be used to force from the government of Canada further fiscal equivalents without additional responsibility.

First, there is the comment that maybe we would tax fuel for Air Canada. You may remember when the tax was imposed last year, we on this side felt that it was too small and it could, in fact, become a source of revenue more than it had at that time been considered.

The other threat, the one that I felt was quite unconscionable, was that the administration, the Premier of Ontario, was prepared to opt out of constitutional negotiations unless, in fact, fiscal matters were settled more to his liking. I do not believe that the constitution of our country should come up for that sort of negotiation. I believe that Ontario has taken the lead in years gone by—and it was just a year ago now that the Confederation of Tomorrow Conference was being held—and surely it is a very crass and unacceptable approach to fiscal negotiations that either the Premier or his white-lipped and trembling friend, the Treasurer, who has just joined us, would stoop to the level of trying to extract from the government of Canada any sort of an agreement on that basis. Surely it is very difficult for us on this side to support the government if they are going to take that sort of a stand; it is simply intolerable, their position has been unnecessarily rigid and they have been unable to accept the responsibility which is surely theirs.

I do not want to take time on this occasion to list for you, sir, the areas where cost-cutting should really be a factor. We believe that the Centennial museum is one of those areas which has grown through the unnecessarily enthusiastic approach of the Minister of Education and the Minister of Tourism (Mr. Auld). It has gestated well beyond the Centennial year into 1969 and 1970, and swelled

well beyond its original concept in price to something in excess of \$30 million.

In an effort to economize last year the Treasurer announced with fanfare a centralized purchasing agency and this was rigorously criticized by the *Financial Post* a few weeks ago in which they went so far as to say the centralized purchaser was nothing but a straw man because he was not being supported by either the Treasurer or the other departments of government. These are areas of concern that do not fit in with the statement made by the Treasurer—at least we assume it was written by the Treasurer—when he promised renewed emphasis on efficiency and economy in every branch and agency of the Ontario government. After 25 years of Tory government, we would expect that to be a part of his everyday responsibility and nothing that he is going to take on just as a special occasion.

Mr. Speaker, there are areas in which surely the government must take specific action and I would like, sir, to list for you those areas which we as Liberals would support. First, there must be a full external assessment of provincial spending programmes to eliminate waste. Where practical, direct cost-cutting programmes can be inaugurated. We will support them, but the elimination of waste is something that we do not feel this government has undertaken in any practical and forthright way. We would say, Mr. Speaker, that the example of an external examination can be found in the records of your own administration.

It was in 1956 that the former Premier, Leslie Frost, began to be fearful of the direction in which the open-ended programmes that he and his predecessors had begun and which have been added to by the present administration were taking the province of Ontario. Those were buoyant times, and being the far-sighted gentleman that he was on occasion, he went down into the financial community of Toronto and there found a person who in his view and the view of the former Provincial Treasurer, the member for Haldimand-Norfolk (Mr. Allan), was best equipped to survey objectively the business of government and give the recommendations which might make it operate more efficiently. Downtown he found Walter Gordon who was then a non-political activist, who had the credentials that would permit such a survey and review.

The Gordon report still stands on the desk in my office and it is interesting to read excerpts from it where he indicates ways in

which the efficiency of government could be improved. I know that book sat on the shelves of the government opposite for many years without the implementation of any significant part of these recommendations. But the time has surely come when a similar external review is required. After all, since 1962 we have had a Royal commission on taxation, and the select committee, chaired by the new Minister of Revenue, which reported just a few weeks ago.

Both of these had, as the emphasis to their terms of reference, means of increasing the tax income of the province. There was no survey of the programmes or the efficiency of government and we on this side are tired of hearing the Ministers one by one say, "Trust us, we will do the best that can be done."

I believe that the Treasurer should welcome this external survey and assessment, not only of our programmes but of the business of government. I believe it is in this area that cuts can be made, that efficiencies can be achieved which the entrenched government opposite is unwilling to undertake. After all, the programmes that would have to be cut are their own pet projects. The means of doing business are those which have evolved down through the years and they cannot remember a time when they were done any other way. But after 25 years of Tory patronage they are deeply entrenched in each community with those people who are their supporters and who do not want any change in the business of government. That is why an external assessment must be made and why the only real solution will be the defeat of this government and its replacement by a Liberal one.

Now, if the first point is a full external assessment of provincial spending programmes, the second one must be a reversal of the present rejection of an estimates committee of the Legislature. Such a committee is absolutely necessary to allow the people's elected representatives a more realistic opportunity to examine the 1969-1970 Budget. It is incredible to me that we are not supported in this project by the other Opposition party. The leader of the NDP, seeing hidden difficulties, looks into the future and is afraid that an estimates committee might be tied into a package deal with a reduction of the rights of the members of this House.

I can assure you, sir, that we in Opposition will never countenance a reduction of the free right to debate these matters in the Legislature. We put forward the estimates committee as a sincere alternative, a pro-

posal, which would give us an opportunity to question those people who advise the Ministers in just the way that the leader of the NDP described it himself, with this particular amendment to the committee motion which was before the House two or three days ago. This is the sort of approach that surely the Opposition should undertake together. There is no room for a narrow partisan approach which has been characteristic of the NDP approach in these matters in the past.

As a matter of fact, Mr. Speaker, you will recall that our amendment last year undertook to set up a committee to examine the rules of the House, and the supporters of the NDP leader have been most vocal, and very able, in indicating that an examination of these rules was necessary, but under those circumstances they did not support us again. Believe me, sir, I do not associate myself with the kind of confrontation politics that the NDP are advocating. Those politics are simply grandstand politics. If you think of what they have done in the last few days; of the 20 seats empty during the question period of the House last Thursday, when they went down to walk on the picket line of Proctor-Silex.

Now I would say to you sir, that this is a matter of some concern, because this particular strike has been on since July 17. I remember it well. It happened on my birthday. I sat there reading the newspaper over breakfast. The report came through about Proctor-Silex, and it was not until—what date—November 23-24 that the House was greeted by the empty seats on the NDP side, now if that is not grandstanding, what is?

A more responsible approach I would say is the one that was taken by the official Opposition. We sent our representatives down to a union meeting. The member for Scarborough East (Mr. T. Reid) represented the Liberal Party at that meeting. He was in contact with labour leaders. Leaders of the community. He came back with a report that led us as Liberals to support the strikers in this particular negotiation. There is no doubt, Mr. Speaker, that the way it was undertaken by the NDP, is an indication of the scare that was thrown into that leader, by the threat to his leadership, by the hon. member for Riverdale (Mr. J. Renwick).

When this confrontation, Mr. Speaker, first came to light I thought at once that it was a put-up job. The NDP was sitting around the back room saying "what are we going to do to make our annual meeting go".



"We are going to have it in a roller rink somewhere up in Kitchener, and have a little excitement."

**Mr. Speaker:** The hon. member for Brantford has a point of order.

**Mr. M. Makarchuk (Brantford):** The leader of the Opposition is, Mr. Speaker, misleading the House. The representative from the Liberal Party was not at that meeting.

**Mr. Nixon:** Now Mr. Speaker, I want to make it clear that the representative of the Liberal Party went down to the strike situation, questioned those on the union side who had their information put before us, and he has reported that to the caucus. We have taken a stand on that particular matter, it is a caucus and a public stand, Mr. Speaker, in which we support the strikers in their fight to get a fair deal from Proctor-Silex—

Since the deputy leader of the NDP has interjected, I would say that the interesting thing is that I thought his challenge was a put-up job, but somehow went around the bend. He had delusions of grandeur. He thought, maybe this is a real chance to take over the party, because really, his statements during the campaign were most surprising indeed. Some of them have been read into the record already. He accused that the big-wigs of organized labour had been told that they had to support Donald otherwise the party was going to fall on evil days. The hon. leader of the NDP replied to this by saying it was an outright lie. I do not know whether he was responding to the member for Brantford (Mr. Makarchuk), or the member for Riverdale (Mr. J. Renwick), but one of those, and then—

**Mr. E. W. Sopha (Sudbury):** And then he called him "Hitler". Yes. The leader called his deputy "Hitler".

**Mr. Nixon:** I think the significant statement, Mr. Speaker, was that he called him "Messiah". I do not know which he intended to be worse.

Mr. Speaker, I think the significance was up there in the intense excitement and drama of the roller rink in Kitchener. The deputy leader came to the microphone and said the choice was with the delegates, they would take one fork in the road towards a confrontation politics and success at the polls in 1971, because only he had the aura of victory, or they could take the other fork which led to the dissolution of the party, and its foundering on the rocks of—what was the word—ordinariness I think—and this

was the choice that the NDP took. They took the fork that went with Donald MacDonald. The man who cannot win. And that is why I say, Mr. Speaker, that the leader of the NDP was frightened out of his sense of responsibility. He is prepared to leave those seats vacant, and I can say to you sir, that members of the Liberal Party will occupy not only those, but many others when we form the government in 1971—

Interjections by hon. members.

**Mr. Nixon:** So to get back to point number two, Mr. Speaker, it is incredible that the NDP would not support the official Opposition in our proper request, that we have a committee on estimates, and I would say that the Premier himself must surely be considering this alternative.

Third: There must be an assumption of full provincial responsibility for the present federal-provincial programmes of hospitalization, welfare and health which would be balanced by a further 17 per cent tax abatement from Ottawa together with safeguards against increasing costs. The Premier himself has said he wants to control Ontario's priorities, putting these responsibilities within our jurisdiction would allow Ontario to control its expansion effectively over a wide spectrum of programmes. Now this too is an offer that was made two years ago, and if I read the quotes from the Treasurer's speech correctly, surely we must be considering this very carefully.

I feel that the Minister of Finance has gone out of his way to re-assure provincial jurisdiction. Not only will there be a transference of the 17 per cent but there will be an accompanying flexibility in the grant which will see to it that the province cannot be out of pocket over a reasonable period of time, probably five years, in assuming the full control of this programme. The only thing that occurs to me that may be a bit of Yankee trading on one side or the other, is that our medical costs are going to grow tremendously as we see fair rates of pay extended to those people working in the medical field. I am not at this time talking particularly about the medical doctors who seem to still be able to unilaterally impose their decisions on the Minister of Health (Mr. Dymond), and this government. I am talking about those people working in Ontario Hospitals and hospital facilities across the province, whose salary levels, I submit, are far below what they will have to be within three to five years.

It is this area, where the costs of this particular programme are to grow tremen-



dously and I believe they must grow tremendously. We cannot continue to have trained people working for an unfair salary, unfair wage in this province.

We have to realize there is a further 17 per cent transference with accompanying responsibilities in these matters to the 28 per cent transference that we already have. Then we will be approaching one half of the—that is, we will be approaching 50 per cent in our share of the income tax abatement from the federal level.

Fourth, there must be an effective workable centralized purchasing policy for the entire Ontario government operation with forced co-operation from all departments. I do not want to say much more about that, we debated it for three years. All I can say is that the Treasurer's implementation of this programme so far has been a sham, that the utilization of centralized purchasing has been a waste of his time in the way he has approached this. It simply has to be imposed on his colleagues in the Cabinet so that they will tear apart their purchasing empires and we can accomplish the savings that have been predicted by all who have studied the matter.

Fifth: There must be negotiations with Ottawa to improve our situation particularly in sharing the recently announced two per cent social development tax. I have already indicated that my calculation would indicate that this would give an additional \$40 million. The Treasurer might comment on that himself—\$40 million—if it were put on as an ordinary part of the income tax scale and abated at the 28 per cent level. I think that the abatement is a bit bigger than 28 per cent since the change is in Manitoba and Quebec.

Sixth: Ontario should negotiate the right to influence the broadening of the federal income tax base. The establishment of a more progressive system as outlined in the Carter report is just as much Ontario's responsibility as it is that of the federal government and this must be made abundantly clear to Ottawa.

I want to say a word about that. The rigidities in the negotiations exist on both sides. The government of the province finds itself completely hamstrung by the growth of its programmes and the lack of growth, of comparable growth, in our income.

But the rigidity that we take in the provincial government—in saying—that the only answer is for a larger abatement is inadmissible, it is inadmissible!

On the other hand, the rigidity in Ottawa, which says that 28 per cent is the end of the line, and that the government in Ottawa must retain 100 per cent control of the tax base, is equally too rigid.

If we are going to have access in the near future to at least 50 per cent of the income taxes collected in this province, then I believe this must carry with it a similar responsibility, and in fact a right, to negotiate what that tax base would be. We have the right now to impose any tax base we choose, but I would agree with those who say that Ontario cannot stand a second level of income taxation. We do not want the bureaucracy that this would entail. We can work out, on a co-operative basis surely, the sort of approach which would put a common tax base for the collection of these income taxes from our province as our share in the abatement grows along the lines that I have suggested.

Seventh: Regardless of the success attending the base-sharing dialogue, Ontario must immediately accept the \$160 million federal rebate available for Medicare.

I do not think there is any doubt that those people who accuse the Minister of Finance in Ottawa of levying a Medicare premium tax are very close to the truth, that the two per cent surtax is designed to cover the expected federal responsibilities for the payment of half of the cost of federal medical insurance.

Now this money is being taxed from Ontario and we have heard the objection stated by the government opposite for many years. It is not sufficient to say that it is the law of the land, although I would say that it should soon be accepted by those who have the responsibility in Ontario that in fact there will be no changes to this, and that before July 1 next year, it is incumbent on us to accept our share of this programme and see that Medicare becomes a reality in the province of Ontario.

The statement by the Prime Minister of Canada some weeks ago, that five years from now there would be a renegotiation of the financing of this plan, deeply shocked and surprised the Treasurer who sits opposite. Whether or not he is unaware of the wording in the bill that calls for a five-year reassessment I do not know, but I am convinced, sir, that the very purpose of this reassessment is so that as these programmes, such as Medicare, become an established and accepted fact, that it is possible for the government of Canada, with the abatement of the equivalent

points of the tax system, to move out of shared responsibility and on to new areas which are needed for the unification of Canada and the provision of equality of opportunity.

Actually what this will do, Mr. Speaker, is once again leave us with the priorities in our own hands which we can assess as we see fit. The big problem is one that is expressed so frequently from the other side, and that is that federal initiative in fact, removes from the province of Ontario and any other provinces the right to opt out of these programmes. I would say we do not have the right to opt out of Medicare. We must get into it. The fiscal requirements are there. This is not the reason I believe we should, but it is a fact that faces the Treasurer and there is no doubt in my mind that Ontario will be a part of federal Medicare with the \$160 million that this would entail this year, before the end of the fiscal year. I sincerely hope that this is a part of our programme. The government, by continuing to reject Medicare, is neglecting possible income tax sources which already exist, because it would rather forego them, apparently, than appear to lose face to the federal government. But it has a more urgent obligation and that is to the people of our province. At the same time the government cannot face the fact that the dream is over, and in our own words the nightmare has begun. It cannot bring itself to slice into its entrenched costs. It cannot accept the idea of a true day of fiscal reckoning. Now I think back to a speech made on the Budget of 1962 by the former member for Bruce, Ross Whicher, now member of Parliament, in which he extrapolated the spending programmes for the then Treasurer, the member for Haldimand-Norfolk. There were a lot of catcalls on that day as well, when it was indicated that the Budget critic for the official Opposition had been exaggerating the position. And yet, if you were to look up the speech, you would find his predictions on the cost of education, our highways programmes, the programmes for economic development of the province, and some programmes that were not even thought of at that time, have far exceeded even Mr. Whicher's pessimistic predictions. We find ourselves in a fiscal nightmare of the government's own making.

It is no longer acceptable that the blame be put on another jurisdiction. The responsibility rests here, and we in this House must take the steps to correct it. We cannot possibly go through this next session without the far-reaching changes that the Treasurer him-

self has said will be needed unless some great uncle in another jurisdiction is prepared to rebate an extra \$300 million. It does not appear that this money is going to be forthcoming. The responsibility is here. The decision is here. We in Ontario must set our own House in order.

Mr. Speaker, a few moments ago we were discussing the matter of the strike in Picton. Among the many reports received by the government and the members of the Legislature over the past few months, the Rand report might have been the most valuable. We believe that labour legislation in Ontario has been inadequate and backward. The Tilco Plastics strike, which was the event that triggered the naming of the Royal commission and the retention by the government of the *ex-parte* injunction in labour disputes, followed more recently by the incredible situation at Picton and the strike at the Peterborough *Examiner*, continue to point up the inadequate and archaic approach that government policy has taken in Ontario for 25 years.

Because of this, we look forward to Mr. Rand's report eagerly. No doubt some of his recommendations may find application, but the general and specific approach of Mr. Rand is completely unacceptable in Ontario. This is an age of dwindling freedoms; yet the report of this distinguished jurist has a strange ring of authoritarianism about it.

What I want to do today is underline that Mr. Justice Rand's preoccupation with imposing settlements upon union and management is as much at variance with Liberal philosophy as it is in practice, unworkable.

In our view, settlements cannot be imposed or they will not endure. They must be negotiated by the parties concerned with as little outside interference as possible and then only in those rare conditions of last resort when the total public interest becomes paramount.

The tribunal, the heart of the recommendations of the report, is a wrong and, I would say, illiberal concept. It epitomizes the legalistic that it is possible and desirable to impose settlements. To implement this recommendation would be an undesirable delegation of the powers which must be retained by this Legislature. Furthermore, it would bring the law into widespread disrespect.

Our view is that Justice Rand has underrated the quality and effectiveness of the Ontario Labour Relations Board, whose approach has been to try to create an atmosphere in which agreement might most easily be reached. Its tripartite nature makes its decisions more palatable and generally ac-

ceptable than those of a Rand tribunal could ever be.

The Ontario Labour Relations Board should remain the main regulating body in the labour field. The board, however, can be upgraded with more modern procedures and a new approach to expressing the public interest in these matters. There will always be emergency situations from time to time, that require the authority of this Legislature to settle in the public interest. This power must be guarded carefully and used only as a last resort when the public welfare obviously must be considered ahead of normal labour-management affairs. Strikes are, of course, seriously expensive to the public and to all concerned, but that is part of the price we pay for living in a free society, and the alternative would be much worse. On page 7 of the report, Mr. Justice Rand ends his summary by stating:

That is the background against which labour relations of today must be viewed and procedures adopted for their adjustment to societies of order.

Mr. Speaker, as Liberals, we have two higher priorities than that of order. These are respectively freedom and justice. Freedom must come first because, without it, justice becomes a mockery, and while order is a desirable attribute of a smoothly functioning society, it must always be subservient to freedom and justice which transcends order on the scale of human values. We have all too often seen that one can have perfect order in the total absence of humanity. When freedom exists, however, humanity is always present, regardless of the material conditions.

This, then, in the most general terms, is the tone of our objection to the Rand report. I do not like to say that we opt for the *status quo* because that is not so. We believe that the labour relations board can be improved and there is never a session goes by but specific recommendations, associated with procedures of the labour relations board and their improvement, are put before the House and the Minister of Labour by our critic on this side and by those knowledgeable in these matters. The people opposite are always quick to say that I am an apologist for the government of Canada, and yet I believe that the federal Minister of Labour, Mr. Mackasey, has been very useful to the situation across Canada in his statements when he says that free negotiations between labour and management must continue to be the essence of these matters as we approach the end of this par-

ticular century with the changes that are a part of it.

Now, Mr. Speaker, I want now to move to another matter of provincial concern and bring to your attention that a few days ago we had read by the Clerk a petition from the city of Ottawa asking for permissive legislation pertaining to rent control. Even before the signing of the petitions, however, indications of crisis were clearly evident to all who chose to see. Rent increases triggered by the bumbling way in which the basic shelter exemption was accepted as an election gambit and has since been paid out, have been widespread and unreasonable.

They have exposed avarice, particularly in Toronto, where very few of the 40 per cent of the residents who are tenants have escaped chilling and inflationary hikes in their accommodation costs. Rent increases have caused people to look for cheaper accommodation rather than their former goal of moving out of the high rise apartments and finding a home for themselves and their families. The traditional dream has gone by the board. It has passed out of reach of a majority of urban population because of the fantastic price increases of lots and houses alike. With vacancy rates at less than 2 per cent for all types of rental accommodation in our major cities, there is no longer a free market in housing. This is the extent of the crisis today.

The government has no plans to solve this problem, that are effective. The Malvern site has laid idle for years and is now progressing at a snail's pace towards development. I can well remember the first announcement in 1954, following at almost indecent intervals—I believe the fifth or sixth by the present Minister who is responsible for housing. The decision to assemble land in the Waterloo area and the manner of its announcement betrayed a lack of overall planning that bodes ill for the success of this project also.

I want to stop at that point in my written comment and just say that it does seem strange that funds which are in such short supply at the present time, would have been funnelled into the programme at Waterloo. It is strange as well that these funds, paid 75 per cent at the federal level, have been put into a kind of land bank, the future of which is very much in doubt. The purchase of the land was entered into without any reference to local planning authorities and it has all the earmarks of those strange decisions that are at times entered into by the government when they have to get some of their friends off the hook. It appears to me that this large area of

land in the Waterloo area is going to lie idle for many years until, I suppose, there is some specific need, or need for a press release on the part of the Minister. It is a strange matter, indeed, that when housing and serviced lots—more public housing in the big areas particularly is so desperately needed—the Minister would choose this as one of his top priorities in the expenditure of these public funds.

The selling of HOME lots at a profit rather than at current cost after servicing, betrays a real road block to this programme which is that the maintenance of a profitable private market in real estate is considered more important than the ready provision of homes. The government has neglected municipal tax reform and it is this more than any other factor that has distorted the orderly development of the residential communities in our municipalities. The Smith committee began its work in 1962, but it is now evident that 1968 will pass before any action is taken on the report or the select committee's work on tax reform.

No doubt the Minister himself, like most of us in the House, has talked to those municipal officials in urban areas and in rural areas who have indicated that the cost of education is the reason that makes most of them cut their regulations in such a way that the advancement of urban development has been curtailed. It is this area of tax reform that is pressing more than any other.

We have also had broad hints that the Treasurer's lack of success in Ottawa will mean that he will not relieve the municipalities of the cost of education even to the 60 per cent level recommended by Smith. The uncontrolled costs of education, costs which have hitherto been treated as one lump sum instead of 30 or 40 different priorities, have been loaded on to the municipalities and on to the regressive property tax structure paralyzing orderly growth and development and creating such ridiculous minimum assessment requirements for homes as the \$30 thousand minimum now applying in Scarborough and the insistence on two-car garages even when people live directly on the GO line. This is what happens when the wrong kind of tax source is burdened with the costs of education.

Finally it is clear to all that the government has been totally remiss in its encouragement of public housing where this is needed. This inadequacy of housing for those who need it most reflects once more the failure of this government to get its priorities in

order. Ontario citizens in 1968 do not have access to a freely operating housing market subject to the checks and balances of supply and demand. Today Ontario has a totally artificial market in which the government by its negligence and its irresponsibilities in the matter of priorities, has already interfered ineffectually. The effect of that existing interference by the provincial government has been to distort the market completely. The supply of homes has been cut off because it has proved uneconomic to build in a rational manner.

The demand has soared, particularly in certain areas, because the urban magnet has changed the population distribution and created unreasonable pressures on demand. It is clear that, while many rural areas are not experiencing a serious housing problem, the crisis is of nightmare proportions in Toronto, in Ottawa which has brought forward a petition for a permissive rent control statute, in Hamilton and many other densely populated centres across the province.

In these circumstances, we recognize that emergency action is now necessary to meet the extraordinary situation that has arisen through the negligence of this government; through its not providing services to relieve existing land prices; through not providing sufficient commuter rapid transit to take the pressure away from the urban car; through not balancing industrial and residential assessment and through causing rental inflation through the basic shelter exemption method.

Our answer to the problem is to approach the immediate crisis on a localized basis. We believe the remedy lies with the municipalities themselves and that this Legislature can effect short-term enabling legislation to ease the present problem. We believe that if all the factors distorting the market are dealt with as they should be, then the immediate urgency may have diminished within a three-year period. We therefore propose permissive and localized rent control legislation with a two-year life span, subject to renewal only if the government has failed to come up with the answers that will restore the market to its former free state.

In these circumstances, any move by this government to extend a life of such legislation, will be a clear admission of its failure to deal with the situation on a longer range basis in the interim. As Liberals, we look forward to the day when the government-initiated circumstances in which a rent control measure has become necessary will be counteracted. We find this proposal unpalatable

and we have not entered into it lightly, but only after the most careful caucus deliberation. We see it as a stop-gap measure and not as a Liberal idea but to many of us it is the only answer to the situation that we now find. The step must be taken now because there is no alternative after what the government has failed to do. Our aim, as always, is for a free market in shelter and the removal of all the factors that prevent such a market from operating for the benefit of all.

We therefore propose to set specifically: number one, rent control legislation as a stop-gap to meet the crisis in certain areas. The measures must be permissive, the decision to seek powers coming from the affected municipalities themselves. The legislation will feature one-year renewal of its local application and renewal of the measure in each locality will be tied to vacancy rate and rent index limits.

Second, a tenant's bill of rights. This measure is detailed on the order paper already in the name of the deputy leader of the Liberal Party, the hon. member for Downsview. It would include provision for a standard form of lease. It would limit advanced rent payments to two months ahead. It would outlaw security deposits against damage completely. It would make illegal those clauses in contracts by which a tenant waives any or all of his legal rights and to that I might add, the right to a complete contract prior to signature. Clauses typed in after the signing would be invalid. It would enact and enforce safety regulations and health laws to protect tenants. The day of erratic and uninspected elevators and other devices being put into service would end. The day of choked refuse disposal chutes polluting the air with odour and disease would be brought to a conclusion by a forceful clause in the new Act.

It would outlaw exclusive agreements between the landlord and suppliers of goods and services, as being an infringement of a tenant's basic right to free access. It would forbid a landlord to levy extra charges on tenants unless these have been specifically contracted for, to begin with, and it would establish a tenants' appeal board to hear complaints against the injustices that even then would remain in the unreal and unconscionable circumstances of the distorted shelter market existing in our cities today.

Number three, Liberals see a tenants' bill of rights as the transition from the immediate and emergency rent control phase to a more logical and effective long-term solution to

the housing problem. The cornerstone of this approach must be municipal tax reform, as I have already said. We are still convinced that the municipalities must be relieved of their education cost burden to the extent of 80 per cent of the local level. Only in this way will balance, growth and development, and a proper provision for needed services, emerge. Alongside this must come a source of second mortgage money from the province to supplement NHA first mortgages. Even at present high prices, many people are ready to become home owners and are prepared and able to carry the monthly payments. It is the initial deposit, enormous because of the lack of an adequate second mortgage, that keeps many enterprising and would-be home owners out of the rental market or, I should say, on the rental market.

Every tenant who becomes a home owner takes some pressure off the overheated rental market and it helps bring supply and demand into line. We would see to it that otherwise good risks were not prevented from becoming home owners merely by not being able to accumulate the \$4,000 or \$5,000 now needed to move into a house of their own. This would be a programme involving investment in the people of our province. It is a programme that has been needed for many years.

Number five, there must be an overall plan for the land use and economic development of Ontario. Present policy loses its effectiveness when a tenant is placed in the priorities that such a plan must dictate for the selection of urban growth points, the preservation of our best agricultural resources and the expansion of recreation facilities all correlated by rapid transit highways and services.

And lastly, in a programme to meet the housing difficulties on a long range basis, we believe that the Ontario Water Resources Commission is ready for far reaching reform. This would be necessary in order to create one of the effective means of implementing the overall provincial plan that I have been urging on the administration.

Mr. Speaker, I do not want to leave the recommendation for an overall plan without one or two further remarks. We have been treated by the Minister of Trade and Development for some years to the expectation that the economic regions of the province would have such a detailed plan of their own areas: their prospects, economic and otherwise available for a general provincial plan. He has had this responsibility taken



from him and it now resides in The Department of the Treasury. Now we are still awaiting at least some glimmer of the regional development plan that could, in fact, be upgraded so that it would be a plan for the province.

I live in a rural area of the province and I know that the responsibilities that local governments, reeves and mayors take upon themselves in order to carry out the planning requirements placed on their shoulders by The Department of Municipal Affairs which are very heavy and politically onerous. When decisions are made to restrict the free whole rights of any land owner, that land owner turns sometimes rather vehemently on those elected officials or those elected people who are prepared to tamper with these rights in the interest of the greater good of the community.

This is what has been happening in Ontario for some years and there are still many areas which have not yet acceded to the pressure placed upon them by The Department of Municipal Affairs to bring about such a plan. In the interim, the province of Ontario has gone scot free in accepting its share of these tough political decisions. There has been no approach towards setting some delineations to the large and growing metropolitan areas, to stop them staining out over the rural areas of the province without any plan or modern consideration. A good case in point is the decision made by Ontario Hydro to build one of the largest thermal plants in the world on the shores of Lake Erie and right beside this enormous centre of power, the Steel Company of Canada has not optioned, but bought, 7,000 acres for a new industrial development. The province has had little or no effect on the general plan of the greater community around that particular centre which must obviously in the next 20 years, become a new city in the province.

The two counties involved, Haldimand and Norfolk have embarked on joint planning responsibilities. But this is not enough. There are many towns outside those counties themselves which expect to share in the expansion. They expect to have new industrial and urban subdivisions but there has been no plan by the economic council of the area nor by the government of Ontario to assist them in this matter.

The time has come surely, when the decisions must be made for the major growing areas of the province, at least on the general areas for growth where the new transit lines will be constructed and just what the mean-

ing will be for our citizens of the next 20 years. It is not enough for any Minister of the Crown to turn to what has been done in the past. I think this last spring we were treated with much fanfare to the report of the MTARTS study which after I believe four years and \$2 million presented four alternatives of what the community around Toronto might be in the future.

They were presented to the municipal officials as four alternatives, none of them with a price tag, just the expectation that any one of them would be terribly expensive. But surely these particular suggestions and alternatives have to be considered by the government of Ontario before they are considered by any individual municipality or growing economic area.

It is the decision of this administration to improve the quality of life—a phrase that the Premier uses more and more frequently—in the years that remain in this century. It is only through the implementation of a plan of this type that we can, in fact, look for any effective means of improvement of this quality of life that all of us are concerned with.

Now I stated as the last point in the general development of solving the housing difficulty, a new approach to the responsibilities of the Ontario Water Resources Commission. I want to deal with that in some detail.

The water resources commission has two major functions that are not always compatible. The first, as the major water pollution control agency, gives it great and growing powers to disallow development in communities with inadequate facilities and, in fact, to close industry and stop development.

An example of this last is the closing of the Canada Glue plant in Brantford with the consequent laying off of 75 men; most of them over the age of 50, making readjustment particularly difficult. Now we support antipollution regulations with teeth in them, but in this case if the OWRC had had a subsidized loan fund, so that \$250,000—that is all, \$250,000—had been available to the company, the necessary antipollution measures could have been implemented and the industry retained.

A word of further explanation: This is a fairly old company, that dumps its refuse into the Grand River, and the refuse from an operation of this type is a particularly disagreeable source of pollution. There have been many complaints from the citizens locally and the OWRC finally—after several warnings—took the action—and it was a



proper action under their present terms of reference—to close down the plant since the pollution was not abated and the company was not prepared to undertake this abatement.

I think it is interesting to note that the company had been bought out—some years ago—by American interests, and the head office indicated that they were quite prepared to do the manufacturing operations in other localities and ship the finished product into Ontario. This of course brings forward many arguments about decisions made outside of our own boundaries that affect us so greatly and on a day-to-day basis.

But the difficult part is this, that for \$250,000, we are told, that the antipollution measures could have been effected. Yet the Ontario Water Resources Commission does not have access to such a fund to accomplish this particular procedure in such a way that the company could be forced to do that rather than close down under these circumstances.

I believe it is the height of folly to hand out grants by one department of \$500,000 under the equalization of industrial opportunity programmes to bolster employment with one hand, while a short-sighted approach to OWRC negates the first effort.

All of the people in any community benefit from antipollution regulations, so that justification for such loans is apparent.

The second major responsibility of OWRC is to provide the water and sewage facilities for municipalities where the commission itself decides they are needed. A case in point, and I would like to dwell on it for a moment, is that of St. Thomas where the commission decided in 1966 that the city should accept water from a commission pipeline for 50 cents per thousand gallons, even though St. Thomas had an adequate system delivering water at 10 cents per thousand gallons with proved resources to cope for expansion into the foreseeable future.

The OWRC decision was prompted by their commitment to provide pipeline water to the new Ford plant near St. Thomas and their effort to spread the cost over the nearest population centre. Now in order to force the city to accept an obviously bad deal the water resources commission stopped approving subdivision plans in St. Thomas in March 1967. This freeze on development was based on the commission's statement that the city was grossly polluting nearby Kettle Creek.

St. Thomas has been negotiating since that time with the commission and is approaching

a settlement in which the freeze on development is like a gun to its head. This freeze was lifted in October 1968—about a month ago—by a statement by the hon. member for Wellington-Dufferin (Mr. Root), the vice-chairman of the commission, even though no significant change had taken place with the situation involving Kettle Creek.

This story has significance across Ontario, because sooner or later all our municipalities must come under the patronizing direction of OWRC. There is no doubt that a water grid and joint sewage facilities for large areas of southern Ontario must be undertaken in the next 20 years. This present policy of sticking the users for the full cost results in impossible burdens, and we must look for fair solutions.

Surely, it is grossly unfair for a government agency to turn on a nearby municipality which has properly looked after its own requirements and is even prepared to share those requirements with a reasonable surrounding territory and population. It is unfair that the commission should turn on them to increase their water cost by factors of three, sometimes five times, in order to implement the decisions taken by the commission with an entirely different motivation.

It is interesting to note comparable pipeline offers in other centres. Compared with St. Thomas, London—which is not too far away—has a pipeline, not from Lake Erie, but from Lake Huron with its terminus at Arva, near London. Before the pipeline installation, the London water price was eight cents per thousand gallons. They calculated that if they were to build the pipeline themselves they could supply their own water from Lake Huron for something like 15 cents per thousand, but were persuaded by the Ontario government that, in fact, the government should build the pipeline and sell them the water. So as a result, the deal was that the price would be very similar, very similar to that which it would have been if London had provided their own pipeline. But there was a clause, of course, associated with escalating costs, and London gets its water—not for 15 cents per thousand but 17.6 cents per thousand, delivered at Arva.

So I believe that this reflects the influence that the London family compact, all of it, can have on government deals.

I will be interested, Mr. Speaker, to hear the justification of the Premier or even the vice-chairman of the OWRC, who is not here today, in comparing these deals.

The third one, and I want to bring it to your attention, was discussed in the Legislature

a few days ago. It involves the city of Sarnia, represented by my hon. friend and supporter. I understand that the water system in Sarnia now produces high quality water for the citizens of that city on a flat rate of \$24 per year. This has been calculated, with all things being considered, to be about 12 cents per thousand gallons—in the same ambit as that which was provided by St. Thomas and London and other centres that I will talk about in a moment. Sarnia realized that they had to undertake expansion of this plant. Having a very effective local administration over a number of years they were able to contemplate a \$4 million expansion without going to the OWRC for any significant assistance except perhaps for some engineering advice and they then believed that they could provide high quality water into the foreseeable future for their own citizens at \$48 per year or about 20 to 24 cents per thousand. This had an expansion that was large enough to permit them to offer treated water to the surrounding municipalities within reason. It was at this stage that the Ontario water resources commission intruded and it is their plan to enlarge the Sarnia facilities by that same \$4 million that Sarnia itself was prepared to undertake but not to provide water for citizens of Sarnia at \$48 a year but at \$72.96 per year. Now, can you blame the citizens of Sarnia for objecting to the role in which they are being placed by a commission of this government, a role which gives to them the responsibility for paying for the needed expansion of these facilities into a significant and large area of western Ontario?

I come now to the city of Brantford where there has been as yet no direct confrontation with OWRC but simply the proposition stated that Brantford can have access to water from Lake Erie for 25 cents per thousand gallons even though they now distribute water at a base rate of 10 cents per thousand, two and a half times increase in price. It has been proposed by the water commission that this pipeline come up the Grand Valley and allow those cities, which now use the Grand River as their primary source of municipal water supply, to cut into the pipeline and get the water from Lake Erie rather than directly from the river. The difference in quality is not negligible but I would say insignificant. In any case the water that is provided by Brantford and other municipalities is of a high enough quality and with the projections that they will continue to be of effective quality and supply.

The last case in point is of the town of Brampton, I believe they call it the Peel-Brampton pipeline, which reached an agreement in March of 1968 for pipeline water at 21.5 cents per thousand gallons after an original price of 31 cents per thousand for the first month and a half's supply each year. These pipeline plans can and must be one of the most important arms for the implementation of a provincial plan. There is no doubt if the decision is taken by the government of Ontario that certain areas, some of them now towns in existence, and some of them now just open country, will be centres for new municipal growth. The pipelines which would provide water to those centres would, in fact, command the growth at that point and be extremely important in reducing the cost of serviced lots in those areas. I believe that the pipelines cannot be totally charged against the users in a small area if we are going to be fair in the financing of such a provincial plan. Decisions to provide water and sewage facilities will designate growth points around present urban centres and reduce cost of serviced land to have real impact on the cost and availability of housing. The programme must be financed on a broad provincial basis if it is going to work.

With these things in mind, Mr. Speaker, I would like to draw to your attention six specific points that I believe should form a basis for new terms of reference for the water resources commission:

1. Specific long-range plans for a water pipeline grid over a large area of Ontario must be drawn up and made public, to accompany a plan for our province.

2. This overall plan, with accompanying sewage disposal facilities, where applicable, should have a tentative time schedule associated with it.

3. The programme must be the operative part of a general provincial plan so that the pipeline and sewage treatment locations will be the deciding factors in growth points across the province and greatly reduce costs for serviced land.

4. The costs in the early part of the servicing programme are too high to charge directly back to the relatively small number of users. OWRC must have access to, and use, of the credit of the province like Ontario Hydro does to plan and install these facilities on their own debentures. The financing must be accepted partially as a direct government charge so that the needed facilities can be installed in time to allow many communities now caught between the Ontario municipal

board's fears for their solvency and the OWRC demand for services before subdivision approval, to find a way out of the bureaucratic dilemma.

5. OWRC must be specifically forbidden to use ancillary powers such as holding up subdivision approvals as a club to force agreement from municipalities to accede to their proposals until the new service policy is in operation.

6. Subsidized loans to industries for anti-pollution installations must be a part of a fair and effective anti-pollution programme.

Mr. Speaker, I have some comments to make in addition on two other areas that were mentioned in the Speech from the Throne but since it is my understanding that you wish now to proceed to a discussion of a private member's resolution, with your permission I will move the adjournment of the debate.

Mr. Nixon moves the adjournment of the debate.

Motion agreed to.

#### NOTICE OF MOTION

Clerk of the House: Notice of motion No. 15 by Mr. Snow.

**RESOLUTION:** That all government of Ontario buildings in the province should be constructed in accordance with the modular co-ordinated principle.

Mr. J. W. Snow (Halton East): I move, seconded by the member for Hamilton Mountain (Mr. J. R. Smith), Resolution No. 15, standing in my name, which has just been read.

Mr. Speaker, in introducing this resolution I am calling for the adoption by the government of Ontario, of the modular dimensional system for the design and construction of buildings which are constructed by the various departments of the government of Ontario, or are subsidized with provincial funds. It is my desire today, to bring to the attention of the government, and of the hon. members of this House, the efficiencies and cost reducing benefits which can be derived from the adoption of this system, and the institution of the BEAM programme which has been developed by The Department of Industry in Ottawa.

Mr. Speaker, the adoption of the modular co-ordinated system of building, together with the implementation of my previous resolution of March 4, earlier this year, calling for a

standard building code within the province of Ontario, would provide an excellent base for improvements in construction efficiency, and productivity, in the manufacture, design and use of building equipment, accessories and materials. Moreover, a climate for the development of new technology in construction would be rendered more favourable as a result.

Many of the hon. members here today may ask: what is modular co-ordination? Modular dimensional standardization or modular co-ordination, are synonymous terms given to procedures simplifying the manufacture of building equipment, accessories, materials, and the assembly of these for the construction of buildings.

Such standardization and co-ordination are effective ways of resolving basic difficulties of design and application caused by unrelated dimensions of various building components, that we have today.

The aim is the development of economical systems of buildings in which all materials, components, products and equipment fit rationally and compatibly together simply and easily with a minimum of alteration work required on the job site. Cutting costs of building construction is the target of this programme.

The modular concept has received much study in many countries because of the pressing need for increased productivity and efficiency in building. From the results of these studies, the dimension of four inches or 10 centimetres in the countries using the metric system has emerged as a most satisfactory co-ordinating unit of measurement. The name given to this unit is the standard building module.

The main advantages of module dimensional standardization and co-ordination are as follows:

1. The need for manufacturing and stocking components in more than one standard range of sizes is eliminated, thus inventories are reduced and simplified and inventory costs are reduced.

2. The mass production of building components is greatly facilitated resulting in increased economies of scale of manufacture.

3. Architectural and engineering design is facilitated, mill production time for architectural and engineering drawing is shortened and they are more readily understood. The costly procedures now related to the production and function of shop drawings may be eliminated. Resulting economies in time and

cost can enable the design profession to deal with a greater volume of work, thus extending their influence further in the building industry.

4. Estimating and pricing of work is easier and more accurate.

5. Site layout would be simplified.

6. Supervision of construction is more efficient.

7. Workmen understand their assignments better and work is performed with greater ease and despatch.

8. Waste of materials is held to a minimum.

9. Job and site cutting of building materials is reduced entirely in many cases.

10. The orderly and intelligent development of the industrialization of the building processes would be facilitated. The standard building module of four inches was chosen in Canada because of its proximity to that employed in countries using the metric system of measurement of 10 centimetres being equal to 3.937 inches. The two dimensions are sufficiently close to permit the use of working drawings prepared on the four-inch module in the construction of buildings in countries under the metric system and vice versa.

Architects favouring the introduction of the modular system in Canada would like to conform to the 10-centimetre measurement but felt that immediate adoption of the four-inch unit was preferable to awaiting the inauguration of the metric system here and in the United States.

Mr. Speaker, I have referred briefly to the BEAM programme and I would like to explain for a moment the background of this programme. BEAM is made up of the four letters B-E-A-M, meaning building equipment accessories and materials. As industry and government today is more than ever faced with the vital task of increasing its productivity and efficiency and recognizing the vital need for increased efficiency in the industry, contractors, manufacturers and users of building equipment accessories and materials and The Department of Industry have jointly initiated the BEAM programme to assist in achieving this goal. Since its inauguration, considerable progress has been made towards the attainment of the objectives of this programme. The BEAM programme in brief is as follows: In 1967, with the help and cooperation of the construction industry, The Department of Industry introduced this programme to assist in achieving greater productivity and efficiency in the manufacture and use of equipment.

Five objectives are being developed to bring about sufficient advances within the construction industry in Canada. These are as follows:

1. The establishment of a comprehensive construction cataloguing and information system.

2. The adoption of modular dimensional co-ordination of building components.

3. The industrialization of the building process.

4. The adoption of uniform building regulations and standards.

5. The establishment of a design awards programme to improve the design and development of construction materials and processes.

Three advisory committees were appointed, made up of prominent Canadians representing the manufacturing and building industries, architects and engineers and the trade unions, and have held meetings on information systems, modular co-ordination and industrialized building. These committees met on a regular basis and assisted the department in defining the objectives and implementing the programme.

Six conferences were held during 1967, in Halifax, Montreal, Toronto, Winnipeg, Edmonton and Vancouver with the objectives of acquainting policy makers within the industry with the technology and economic advantages of modular dimensioning. Over 1,200 senior executives of Canada's top manufacturing, contracting, architecture and engineering firms were invited to attend these one-day conferences.

Mr. Speaker, I would like to offer my congratulations to The Department of Industry on the way that they have developed this programme. The objectives of the BEAM programme are of concern to all members of the industry. These, and several specific projects have long been advocated by the Canadian Construction Association and the Canadian Joint Committee on Construction Materials. At no time in our history has the effort to increase productivity and efficiency been of such importance as it is today. I sincerely hope that all concerned will participate in this programme and thereby ensure its success.

Mr. Speaker, I know that many of our Ontario firms of architects and engineers have already adopted the modular system of planning buildings on their own initiative. This, along with the phasing in of the modular programme by the federal Depart-

ment of Public Works has done a great deal to increase the use of standard modular building products as of this date. I am also aware, Mr. Speaker, that our Ontario Department of Public Works has been investigating the advantages of modular construction and has buildings under construction with the modular system being utilized at this time. My belief is that, if all work of all buildings constructed by the various departments of this government as well as all work and buildings subsidized by the departments were of modular design, then this large volume of construction product added to that portion that is presently using modular co-ordination, would be a sufficiently large percentage of the overall construction volume in Ontario that all the remaining construction volume would be insufficient to maintain the unco-ordinated use of the non-modular components. In a very short time, the modular system would be adopted and used for all construction within our province if not within Canada.

I urge the government to commence the drafting of legislation to be enacted no later than 1970 which will, without infringing upon the rights of manufacturers to use other systems of dimensioning as well, require all buildings constructed by municipal authorities and/or authorities with provincial financial assistance to utilize the concept of modular design and modular co-ordinated materials.

I feel confident, Mr. Speaker, that our government will give every consideration to my suggestions here today. I was very pleased with the response by the hon. Minister of Municipal Affairs (Mr. McKeough) to my previous resolution regarding building codes and know that at this time the committees of knowledgeable gentlemen set up by him are making considerable progress in further investigating the advisability of a standard building code for Ontario and ways and means in which this code may be implemented with the least possible inconvenience to the building industry and to the municipalities of Ontario.

I was also very pleased to learn that, since the presentation of my building code resolution in this House last March, that a similar resolution has been introduced by a member of the Legislature in the province of British Columbia. Earlier this month, I had correspondence with an hon. member of the Legislative Assembly of the province of Quebec, Mr. Art E. Seguin, who is the member for the riding of Robert Baldwin. Mr.

Seguin is interested in bringing forward similar legislation in the province of Quebec.

This, I believe, further indicated the interest not only in Ontario, but in all of Canada in updating our building codes and in streamlining and improving the industry within our country, which is by far the largest employer and the largest contributor of our gross national product.

Mr. Speaker, it has been my pleasure as a member of this House, and one that has been proudly connected with the construction industry for over 20 years, to bring this resolution forward for the consideration of our hon. members.

Mr. R. Haggerty (Welland South): Mr. Speaker, I rise to support the resolution of the hon. member for Halton (Mr. Snow), who sponsored a resolution in the last session that the government of Ontario should adopt a national building code. The hon. member presented this House with a most interesting debate of great importance concerning every municipality, property owner and building contractor in Ontario.

Perhaps one would assume that Resolution 15 is a follow-up on the national building code in hope that his fellow colleagues would support and implement a standard building code in this province of Ontario that would apply to all municipalities and their needs. The present Hellyer task force on housing has been presented with many briefs and summations asking the adoption of a national building code.

The resolution under discussion this afternoon deals with the building of all modern structures of our day. Modern architecture often approaches actual engineering in its mechanical completeness, in its designs, the means used for achieving beauty, art dimensional forms, the relationship of spaces, volumes, planes and masses.

My colleague, the member for Ottawa Centre (Mr. MacKenzie), who, I would say, is more knowledgeable in the design and materials required in the building trades than most members of this House, had presented a lively discussion and debate on this same subject to The Department of Public Works on the adoption of modular co ordination in building materials for the government of Ontario to endorse the federal programme known as BEAM in the last session of Parliament.

As members of the provincial House we look upon this building as a masterpiece of



architecture of the Victorian Gothic design—the wonderful wood carvings of this Chamber. But how many tradesmen are there in Ontario that can be masters in hand wood-carving today—I think very few. Time is also an important factor since a building is usually comprehended in a succession of experiences. We are living in a world being reshaped by science, industry and speed. Elements are employed in architecture, urgent experimentation directed toward answering the needs of a specific way of life—climate, methods of labour, available materials and economy of means, each of the greater styles of today, by discovery of a new structural method.

In the 20th century new forms of building have been devised with the use of reinforced concrete, the development of light material with reinforced structures, plastics, steel and other metal alloys, and adhesives. One should not forget bricks, and cement blocks for the latter are used in large quantities in construction of our schools and homes in Ontario. Today modern architecture has produced some of the most exciting structures in history, and the search for adequate, new structural and artistic formulas. Most architects prefer a standard dimension that people will recognize, and one in particular is the unit dimension known as the four-inch modular. Why the unit dimension of four? One can summarize by saying it would take the guess-work out of designing of buildings. It would take away many lost man-hours in revision of drawings in the steps of fabrication of the material required.

The market in Ontario for building products consists of many components, all of variation in size. One cannot change the design or dimensions of a building to suit the needs of every manufacturer in Ontario or Canada. Never before has there been a concerted effort by architects, engineers and contractors to get manufacturers to supply building materials with dimensions of the same multiple, the unit-four dimension.

What is needed in Ontario is the adoption of modular co-ordination in building materials. The government of Ontario does not have a planned building programme. They do not in fact know where they are going. This government has not kept pace with the social change, our technology change and a change to uniformity design and materials. Different people have different standards for building materials, such items as bricks, cement blocks, pre-cast cement, molded plastics. This creates many difficulties in the planning and construction of buildings. One

example is our schools that are being constructed today. One school board can build a 10-room school for approximately 40 per cent less than the adjoining school board for the same size school. When one looks at Queen's University and their latest construction at Queen's, one can see where it blends in with the old construction. Thus I think we have harmony, and in many cases this is lacking in the present government buildings.

Mr. Speaker, commencing early in 1969 the federal Department of Public Works is going to accept the principle that their buildings are fabricated from modular size components, and I hope that this will give enough incentive to bring order to the chaotic conditions existing. Where is the leadership in Ontario? Surely this government of 25 years in office can provide direction to initiate a programme in Ontario where it costs nothing, but will be in the long run a saving in dollars for the new Minister of Revenue—by the adoption of this resolution, “that all government of Ontario buildings in the province should be constructed in accordance with the modular panel principle.”

It would ensure that the projects are in the realm of reasonableness that would apply to hospitals, schools, colleges and universities by encouraging improvements in the manufacture and assembly of materials. Many of the building projects fall short of the desired qualities. A great deal of the manufacturing process of building components approaches the custom method of fabrication and production as opposed to automatic or semi-automatic production-line basis. It is much easier working with standardized unit dimensions where all fabrication of steel, metal alloys, pre-cast cement and plastics can be jiggled in assembly lines for fabrication in increasing the efficiency of manufacturing. A far greater need is in uniform codes and regulations adopted for building, for safety, heating and plumbing and electrical components.

Mr. Speaker, I concur and endorse the resolution. It has merits, but I go one step more, and adopt the federal programme known as BEAM. It is being endorsed by the federal Department of Public Works. They accepted this programme of necessity for increased efficiency in the building industry, efficiency in more accurate estimates. We in Canada are becoming more mobile, moving from one province to another. Architects, engineers and tradesmen are constructing new buildings everywhere in Canada. It is time now for the province of Ontario, for



this government to get on the BEAM programme, to come in loud and clear and to get in step with the rest of Canada, in step with our present and future needs.

Mr. Speaker, I endorse the resolution.

**Mr. F. Young (Yorkview):** Mr. Speaker, it hardly behooves me at this stage to say again what has already been said twice. We are in favour of progress in the building industry and so I do not expect to take as much time as the other speakers have taken.

But it is an interesting thing that when people talk, as we have talked so much about competition in all fields—and that competition has brought a plethora of standards, sizes, types of building materials and all the rest of it—then, we come to the conclusion that it is just too costly to put up with that kind of competition in the whole building field. Then we start to look for standards; for a way to cut down the costs of this kind of duplication. Inventory, for example, is an expensive business. We used to have, in this province, if my figures are accurate, about 498 different sizes, types, specifications of blocks, building blocks.

Just imagine the expense of maintaining inventory of this kind. The expense of setting up the manufacturing equipment for all these different kinds of building blocks. We began to get some sense and began to move toward co-ordination, modular co-ordination; the kind of co-ordination which makes just plain commonsense in the building industry. So today, we have not 498 different specifications for building blocks, but 12.

This simplifies the problem in a dramatic way, and gives to us a new perspective in the whole building field. Here in the metropolitan area, the school board, I understand, has undertaken to build 31 schools and an office building by the early 70's under this kind of method where the specifications are laid down; where the different types of materials and gadgets that fit into the building are so planned that they fit together and they make one coherent whole. It limits the amount of work that has to be done on the building site. The old craft method of putting together a home or a building there, bringing in all the piles of lumber, the different materials that have to be assembled, is done away with in large measure. The inter-relating systems in this programme which Metro is now undertaking, the Metro school board, means that 75 per cent of the total building package is brought in and assembled in this

way. The finishing has to be done by the crafts but 75 per cent of this can be done through modular co-ordination.

I watched in some of the social democratic countries in Europe where this kind of process is going on. Great apartment blocks and great office blocks going up with the cranes simply fitting into place these articles, these parts of a building built to this kind of specification.

So we understand and we support this kind of modular co-ordination which is now becoming widespread. But we think this. Not only should we be using it but we should have the kind of legislation which makes it easier. Perhaps revising the national building code, as I suggested last year, will help in this whole field. Certainly, standards set by this government for its own building will be of great assistance. As soon as we begin to tie in the public building with the private sector, and all together, start to move with the modular co-ordination plan, then I am certain that the cut in building costs, the cut in the time factor, will be dramatic.

I have the figures here which the authorities in this field say are accurate. This kind of construction will result in 10 to 15 per cent cut in the cost. It is much better quality, a far, far speedier construction and more than that, the architects say that it lends itself to far more exciting concepts of building.

So, Mr. Speaker, I simply say today that we support this whole concept. We support this idea. We support this resolution. It is another illustration of how the Tory mind is gradually coming toward the road to what has been called, across the floor of this House, socialism. More co-ordination, more co-operation, more socialism in the whole field which once used to be a jungle of capitalism.

So we congratulate the member for moving in this direction, for moving closer to the ideas which we have had for a long time and we ask this government to get with it and start to move in this direction.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, tomorrow we will continue with the Throne Debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 5.30 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, November 26, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, NOVEMBER 26, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today, in our galleries we have visitors from several schools. In the east gallery from Orchard Park High School in Hamilton; Tabor Park Vocational School in Scarborough; and Sunningdale Public School, Oakville; and in the west gallery, Glenview Senior Public School, Toronto, and from Upper Canada College in Toronto.

Later this afternoon, we will be joined by students from Port Perry High School in Port Perry and from Ryerson Polytechnic School in Toronto.

We welcome these young people here.

Petitions.

Presenting reports.

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I beg leave to table the report of the inquiry re Magistrate Frederick J. Bannon and Magistrate George W. Gardhouse.

This is pursuant to the requirement of section 3, subsection 4, of The Magistrates Act which requires the report to be tabled within 15 days of the opening of the Legislature.

With the report, Mr. Speaker, I table the six volumes which comprise a transcript of evidence and correspondence relating to the resignation and dismissal of Magistrate Bannon and the Orders-in-Council having to do with that same matter.

**Mr. Speaker:** Motions.

**Hon. Mr. Robarts** moves, seconded by Mr. Nixon, that Mr. A. E. Reuter, member for the electoral district of Waterloo South, be appointed chairman of the committee of the whole House for the present session.

**Hon. J. P. Robarts (Prime Minister):** Before you put the motion, Mr. Speaker, I would just like to take this occasion to express the thanks and appreciation of this side of the House for the way in which the hon. member discharged his duties last year.

We do not always agree with his ruling, sir, any more than we always agree with

yours, but we always find him to be so eminently fair that we accept them, even if we do not agree with them.

I felt that, last year, these duties were discharged well and efficiently, and I look forward to the same performance, if I may put it that way, and the same high standard of excellence in the months that lie ahead.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I am very glad to be asked to second the motion which has been put and to say that we, too, have confidence in the fair judgment of the hon. member in carrying out his duties for another year.

Sometimes I feel he is the hardest working person, not only in government or in Opposition, but in the whole of the Legislature since he has to spend so many hours directing our deliberations on the estimates. It is not possible for him to let his attention wander on brief occasions, as it is possible, perhaps, on both sides of the House, because he never knows when precisely he is going to be called upon to settle some small flare-up.

He does work extremely hard in this particular job and I can say from this side that we appreciate it very greatly. And I hope that he can give me the assurances that he will not use the gratitude and compliments that have been expressed on this side of the House so frequently in his election pamphlets next time.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I can only echo the comments of both the Prime Minister and the leader of the Opposition. Indeed, I want to congratulate the Prime Minister because I think this is, in my experience, an unprecedented event. We have had traditions in the past that, no matter how good or—dare I add—how bad persons have been in this position, they have had one term of office only and there was no opportunity to carry on good work.

In this instance, I think it is highly commendable that the government is giving the hon. member for Waterloo South an opportunity to carry on in this capacity. I was confident, when he was appointed last year, that he would be about as fair a person as

ever sat in that chair—and events prove that to be the case. As with the Prime Minister, I will say that on occasion I did not agree with his ruling but, again, with the Prime Minister, I always thought that he was making them honestly and they were eminently fair. Perhaps, in retrospect, I was even persuaded he was right.

**Mr. Speaker:** If I may, I will join the leaders of the parties and say that I, too, am exceedingly pleased at this motion of the House and I know it will add to the efficiency and good work of the members.

Motion agreed to.

Introduction of bills.

#### THE PUBLIC UTILITIES ACT

**Mr. I. Deans** (Wentworth) moves first reading of bill intituled, An Act to amend The Public Utilities Act.

Motion agreed to; first reading of the bill.

**Mr. Deans:** Mr. Speaker, the purpose of this bill is to prohibit the collection of security deposits for the supplying of public utilities.

#### THE CORONERS ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Coroners Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill embodies the recommendation made by Chief Justice McRuer that affected persons be allowed to examine witnesses at an inquest either in person or through counsel.

**Mr. Speaker:** The hon. Attorney General.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, before the orders of the day, I should like to make a brief statement with respect to The Provincial Courts Act and the proclamation thereof.

I wish to advise the hon. members that the Lieutenant-Governor-in-Council has, by his proclamation, named Monday, December 2, 1968, as the day upon which The Provincial Courts Act, 1968, shall come into force in our province. The existing members of the magisterial and juvenile and family court benches have now been appointed as judges of the provincial court, providing a full time complement of 130 judges.

I should also mention, Mr. Speaker, that 12 men have been appointed as part time judges with appointments expiring on April 30, 1969, in order that we may have an orderly transition to a complete and full time bench over a period of time. The county court judges who have provided valuable service in the juvenile and family courts have now retired.

As hon. members know, Mr. Speaker, the Act provides for a provincial court made up of a criminal division and a family division, with courts of record sitting for each division in every county and district. The provincial court of the county or district will sit in such parts of the area as may be necessary to meet the needs of the people, and initially in the same location as previously served by the courts now replaced.

All of the steps have been taken for the orderly establishment of the new court, Mr. Speaker, and we look forward to the improvements and developments that we are sure will be realized under the new system. The Judicial Council with the new procedural provision in the court, will, I am sure, enable us to deal more effectively with the responsibility that is placed upon ourselves and the judges of the provincial courts.

**Mr. Speaker:** Has the hon. member a question of the Minister? The hon. leader of the Opposition always has the first question.

**Mr. Nixon:** Mr. Speaker, my question is directed to the Minister of Health, who is not in his seat today, so I will forego that privilege.

**Mr. Speaker:** The hon. member for York South.

**Mr. MacDonald:** I have a number of questions; the first one is a carryover from yesterday to the Minister of Labour.

In view of the lack of enforcement of safety regulations for tunnel workers, as acknowledged by the Deputy Minister of Labour and the chief officer of the construction safety branch on last Sunday night's "W-5" programme on the CTV network, what steps has the Minister taken to assure that henceforth regulations will be enforced?

**Mr. V. M. Singer** (Downsview): Mr. Speaker, the member for Dovercourt (Mr. De Monte) had a question somewhat similar in context. He is not able to be here today and he asked me if I would pose the question for him. I do not know whether the Minister of Labour wants to answer them both at once or—

**Mr. Speaker:** I think it might be well if the hon. member would place the question of the member for Dovercourt now.

**Mr. Singer:** The question is this, Mr. Speaker:

(1) Has the Minister looked into the new system of medical examinations now required by the State of California for men working under pressure in tunnels?

(2) What medical requirements are now set down by his department for men working under pressure?

(3) In view of the fact that most or part of the Yonge Street subway extension will be constructed by the tunnel method under pressure, is the Minister considering a review of the medical requirements for men working under pressure?

(4) Does his department inspect the projects where men are working under pressure?

(5) Is there a medical inspector who does a medical inspection on the job site?

(6) How many inspectors are there?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, I will deal with the questions separately, if I may.

In reply to the question from the hon. member for York South, I have been assured by my officials that no such acknowledgment was made and it is not correct to say that there is a lack of enforcement of safety regulations for tunnel workers. Certain claims were made on the programme by members of Local 183 of the Labourers' Union and these are now being vigorously investigated.

With reference to the question placed by the hon. member for Downsview as initially submitted by the hon. member for Dovercourt, I will deal with the answers to the questions as raised:

In answer to the first part: I am aware of the California system and the officials of my department, together with our medical consultants, are looking into it.

The second part: I would refer the member to the sections 106 to 114 inclusive of regulations 100/63 made under The Department of Labour Act. In addition, supplementary information and advice are supplied by medical consultants in the health department to project physicians.

The third part is that a review is currently under way in reference to this matter.

The fourth part, the answer is yes.

The fifth: The regulations require a physician to be appointed to carry out all neces-

sary medical functions on every compressed air project. The project physicians are responsible for all the medical aspects of each project and under, in effect, medical inspectors.

The last part: The number of compressed air projects have averaged about nine in a year and there are four inspectors of caissons who regularly inspect them.

**Mr. MacDonald:** Mr. Speaker, I wonder if I might ask the Minister a supplementary question? Without getting into an argument with him as to whether or not there were violations admitted on Sunday night, it was conceded that there was not an extensive health examination at the beginning. There was never any examination midway through the day's work. There was never a full examination at the end.

Is it the obligation of the union to bring to the attention of the government such failure to live up to the regulations, or does the department assume responsibility for enforcing its own regulations?

**Hon. Mr. Bales:** Mr. Speaker, I have not seen the transcript from that programme nor did I see the programme itself, but I have ordered a transcript. The department takes an active part in this and there are certain matters that have come to light since yesterday in reference to claims that were made and I would prefer to wait until I have had a full investigation made.

**Mr. MacDonald:** My question, Mr. Speaker, is to the Minister of Trade and Development in four parts:

1. When was a forgiveness loan extended to Matthews Conveyer Company in Port Hope?

2. For what amount was the loan?

3. Is the Minister aware that since receiving the loan the company has laid off 50 workers and further lay-offs are currently under way?

4. Do the conditions of the forgiveness loan permit cut backs in the work force?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, I received that question a few minutes ago. I am getting information and I will pass it on to the hon. member tomorrow perhaps.

**Mr. Speaker:** There are from last week two questions of the Minister of Agriculture and Food, one by the hon. member for Huron-Bruce. Does he wish to place that question?

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have had the information given to me privately. I will withdraw the question.

**Mr. Speaker:** The hon. member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Speaker, my question to the Minister of Agriculture and Food:

Is the Minister prepared to extend the adverse weather loan one more year to those farmers who are finding it impossible to meet the loan payments because of low agriculture prices and adverse weather conditions?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I find some difficulty in accepting this request. The adverse weather loan was provided, as you will recall, two years ago and again last year. The government of Ontario provided the interest payment in its entirety for the first year, and 50 per cent of the interest payment for the second year. The farmers were required on the second year to make a percentage payment—I believe it was ten per cent of their obligation, if my memory serves me correctly—and 50 per cent of the total interest on the loan for that year.

I sympathize with farmers who have had crop losses this year, but I frankly do not believe they were very extensive. There were individual cases but it certainly was not on the widespread basis that had pertained in other years. We have taken the position that the loans are guaranteed by the government to the banks. We expect the banks to use all normal means of collection that they usually pursue in such matters. I would feel that we had better let things stand as they are, because crop insurance is being provided and I have grave doubts about extending adverse weather loans assistance when crop insurance is available on most crops now.

**Mr. Spence:** Mr. Speaker, I wonder if the Minister would permit a supplementary question?

Is the Minister aware that some farmers have approached the banks for an extension of this money and that they refuse to do anything for them, or refuse to write to you, Mr. Minister, for an extension to carry them over till next year?

**Hon. Mr. Stewart:** No, I was not aware of it.

**Mr. Speaker:** Yesterday there was a question by the hon. member for Scarborough East (Mr. T. Reid) of the Minister of Education. It was transferred to the Minister of

Transport. The member for Scarborough East, being absent today, has requested that the answer be given so that it may be on record and available to the public. I wonder if the Minister of Transport has that; it is question No. 92 with respect to school buses?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the question asked by the hon. member for Scarborough East yesterday of the Minister of Education and referred now to me comes in two parts dealing respectively with the vehicle and the driver.

First as to the equipment required on school buses. The Highway Traffic Act requires departmental approval for all safety glass, head lamps and reflectors used on all motor vehicles. In addition, on school buses, the special signalling lamps that are required for stopping when picking up or discharging pupils must be approved.

There are other requirements for school buses in particular. These vehicles must be equipped with such items as rear emergency door; push-out windows; tire chains or snow tires on each driving wheel that is not of a dual type, whenever highway conditions require their use; interior view mirrors and exterior rear view mirrors; insulated floors; windshield wipers and defrosters; interior lighting; fire extinguishers and emergency tools.

I will now deal with how these requirements are enforced. Regulations made under The Highway Traffic Act require that school buses having a seating capacity of ten or more, and may not be operated unless a certificate of mechanical fitness is filed with the department, on or before August 31 and December 31 of each year. Certificates required under this regulation are thus required immediately prior to the beginning of the school year, and again at a point in the year when the vehicles will be subject to the most severe winter driving conditions. The inspection must be carried out by a certified class A motor mechanic.

Our control file of these certificates is so devised that the department is aware immediately of any dereliction on the part of the operator. An inspector then investigates to determine why a certificate has not been filed, and in the course of the investigation, he inspects the vehicle, orders an in-depth inspection by a mechanic, and recommends the laying of charges if the circumstances warrant it. In addition to the inspection I have mentioned, every school bus is seen by our inspectors at least twice annually—once normally during September or October and

again in February or March. The second part of the question relates to the school bus driver. An application to pass a driver's licence requires the applicant to file at the time of his first application, a satisfactory medical certificate, and to pass comprehensive tests of vision, sign recognition, knowledge of the rules of the road, bus equipment, safety and passenger control as well as driving ability. The road test must be taken in a school bus. The vision standards for school bus drivers are more vigorous than those for other drivers and are uniform across Canada. They now require a rating of 20-30-90 per cent—in the better eye, and 20-50-76 per cent—in the weaker eye. Field vision must be 120 degrees in each eye, and colour recognition is tested to ensure the ability to distinguish between red and green.

School bus drivers, 65 years of age and over, are required to pass a certificate of physical fitness, signed by a medical practitioner, and to pass the complete test I have mentioned each year. Those under 65 years of age are required to file a certificate of physical fitness, and to pass tests of vision and knowledge of the rules of the road every three years. If the medical certificate indicates any chronic ailment in the given list, the opinion of my medical advisers is obtained as to the competence of the person to operate a school bus.

**Mr. Speaker:** The hon. member for York Centre was on his feet a moment ago to ask a question on behalf of the hon. member for Port Arthur (Mr. Knight).

**Mr. D. M. Deacon (York Centre):** I have a question for the Prime Minister from the hon. member for Port Arthur.

Pourquoi l'adresse au commencement de la deuxième session, mardi, n'a pas été en français aussi bien que en anglais. Et pourquoi, la traduction ne tient pas sur nos bureaux ici aujourd'hui?

Why was the Throne Speech opening the second session on Tuesday not read in the French language, and why is a copy of the French translation not on the desks of the members in this House today?

**Hon. Mr. Robarts:** Mr. Speaker, perhaps I should say that the speech was not completed in time to have it translated quite as rapidly as we would have liked. In any event, the translation was completed on Wednesday, and the French copies were distributed to some members of this assembly—I do not know whether they were distributed to all members. They were distributed to all French

newspapers and periodicals on our complete French mailing list. There are copies available for any of the members who would like to have them.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. Deans:** Yes, Mr. Speaker, I have two questions for the hon. Minister of Trade and Development.

Would the Minister inform the House of the year that the Bellwood Orchard property was purchased by the Ontario Housing Corporation, and how much money has been expended by the government in purchase and development of this land?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member, the Bellwood Orchard property in Hamilton was acquired under the provision of the land acquisition holding agreement dated February 1, 1954, between the federal and provincial governments.

Secondly, the Ontario Housing Corporation is continually in the market for land, and uses its best endeavours to obtain the most favourable prices. At the moment, we have options on land in many areas of the province and we do not believe, as I have stated previously, that it would be in the public interest to disclose prices at which this land had been purchased.

Thirdly, the development cost to date of the Bellwood Orchard property amounts to \$1,043,481. This is being developed in phases of: the first 97.5 acres in two plans of subdivision; another 241.5 acres now under planned development, and the remaining 504 acres to be developed as quickly as services can be provided.

In this regard, the Ontario Housing Corporation has already indicated its willingness to advance funds required towards service costs if they are needed.

**Mr. Deans:** Mr. Speaker, on a point of clarification, does that figure include the purchase price?

**Hon. Mr. Randall:** No, that is just services; the member asked for development costs.

**Mr. Deans:** Well?

**Hon. Mr. Randall:** We are not disclosing the purchase prices.

**Mr. Deans:** Mr. Speaker, I did not intend that they be separated. I was quite happy to get them both lumped together.

A second question for the—

**Mr. MacDonald:** Secret conduct of public business!

**Hon. Mr. Randall:** What does the member want us to do; go out and advertise that the government is coming into buy land, hit them with the brass band?

**Mr. Speaker:** Order.

**Hon. Mr. Randall:** Would everybody raise—

**Mr. Speaker:** Order! The hon. member will place his second question.

**Mr. Deans:** Mr. Speaker, a second question. Will the Minister explain the sale price of \$16,000 per unit for the homes which are being offered for sale in the Guelph Green Meadows subdivision?

**Hon. Mr. Randall:** Mr. Speaker, the homes in the Guelph Green Meadows subdivision were appraised by OHC in relation to the current prices being paid for comparable houses in the same general area. However, as the hon. member well knows, the market price for a house is determined, among other things, by the financing arrangements which are available.

For example, a small down payment with favourable interest rates of a long term mortgage on the balance commands a higher price than all cash.

The actual cost to the tenants in Guelph is \$14,000 as this is the figure on which principal and interest payments are calculated. The additional \$2,000 or a portion of it will not become payable unless the tenant or purchaser subsequently disposes of the property within a five-year period from the date of purchase. At the end of five years, the additional \$2,000 is forgiven.

This is a built in discipline which is felt to be preferable to a "buy back" provision to eliminate speculation which, after all, is not the purpose of the tenant purchase plan.

**Mr. Deans:** Mr. Speaker, would the Minister accept a supplementary question? Is it the intent of the Ontario Housing Corporation to follow this practice into other communities and, in particular, into Hamilton?

**Hon. Mr. Randall:** Mr. Speaker, there are other questions here. Perhaps, when I get through, I will have the answer for you. The answer is that we are going to look at every project in all communities and see how best we can work out an arrangement.

**Mr. Speaker:** The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Speaker, I have a question also of the hon. Minister of Trade and Development. What are the names of the two lending institutions which refused to grant loans to each of the following companies, in order that they might qualify for a loan when locating in areas of the province designated as slow growth areas by the Ontario Development Corporation? The companies are: Union Carbide, Kraft Foods, Allied Chemical, Campbell Soups and Moore Corporation.

**Hon. Mr. Randall:** Mr. Speaker, it is a good question. I am glad I have got the answers. The companies mentioned did not apply for a conventional loan. The companies mentioned got a forgiveness loan which, if they stay in the area for six years, will be written off completely.

**Mr. Ben:** Mr. Speaker, may I ask a supplementary question—and that is do any of these companies that I named go into a new area to erect a plant, as distinguished from either extending an existing plant or buying new equipment?

**Hon. Mr. Randall:** The answer is "yes". Some went in to build a new plant in a new area.

You asked me initially: Did these companies go to other financial institutions and were turned down? The answer is "no"; they did not have to go to other financial institutions. They got a forgiveness loan.

**Mr. Ben:** My supplementary question was this: Which of these companies actually constructed a new building in a new location, as distinguished from merely putting on an addition to an existing plant or just bringing in new equipment?

**Hon. Mr. Randall:** Mr. Speaker, I would say—Union Carbide, Kraft Foods, Allied Chemical, Moore Corporation and Campbell Soups.

**Mr. Ben:** I cannot answer the Minister but I have another question.

**Mr. Speaker:** The hon. member is on his feet at this moment to ask questions, not to answer them.

**Mr. Ben:** That is right. I still have a—

**Hon. Mr. Randall:** If the hon. member is going to answer them, I will sit down.

**Mr. Ben:** I have another question of the same Minister. How many evictions have there been from the Ontario Housing com-



plex at Thistle town during the past two years?

I have another question. Do you want me to read it now?

**Mr. Speaker:** Yes, I think the hon. member should place his question.

**Mr. Ben:** What was the cost of maintenance at Thistle town during 1967?

**Hon. Mr. Randall:** Mr. Speaker, the Thistle town complex was built in two separate stages. The first, comprising 309 units, was taken over progressively from September 30, 1966 to August 3, 1967. The second phase of 245 units was taken under management again progressively, between November 13, 1967 and March 21, 1968, and during the past two years the leases of 29 tenants have been terminated by OHC for cause. Of these, 28 families located voluntarily and in only one case was it necessary for the corporation to obtain vacant possession through the courts.

The answer to the second question is that the maintenance cost at Thistle town during 1967 amounted to \$34,962 inclusive of labour and material, broken down as follows:

Building exteriors \$23,156, building interiors \$772, internal painting \$8,090, mechanical and electrical systems \$1,882, appliances \$248, grounds \$249, fire and wind damage \$825, sundry \$254; for a total of \$35,476 less recoveries from tenants \$514 to a net of \$34,962.

**Mr. Ben:** Mr. Speaker, I have a question—

**Mr. Speaker:** I believe the other Ministers are all absent if the hon. member has a—Oh, the Minister of Municipal Affairs has returned.

**Mr. Ben:** Mr. Speaker, my question to the Minister of Municipal Affairs, notice of which has been given, is:

When will the province—and here Mr. Speaker we should have added, other than in due course or in the fullness of time or eventually—when will the province compel all municipalities to adopt a national building code?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, in reply to the hon. member's question, I would first like to refer to a survey carried out by the associate committee on the national building code. It was made in the year 1966 and pertains to the use of the national building code by municipalities in Canada.

In this province, it is reported that 87.5 per cent of the population live in municipalities that have adopted the national building code, or have used it as a base for building by-laws. As I have done on two previous occasions in this House, I again state my support for the principle of uniform building standards throughout the province of Ontario.

Much correspondence has been addressed to me on this subject and I have spoken with people representing the various interests of the professions—the building construction industry, local municipalities and building material manufacturers.

There are many different points of view among supporters of uniform building standards about how, by whom and to what extent uniformity can be realized. It was because of their fundamental differences that it was decided to appoint a committee, as I reported to this House at the last session. On September 12, the appointment of committee members was announced, chaired by Mr. Carruthers, the brother of the hon. member for Durham.

Meetings are underway currently and the committee will shortly be inviting written submissions so that it may determine possible courses of action and the means whereby they may be carried out.

It is obvious, Mr. Speaker, that the mandatory adoption of uniform building standards cannot be considered before the committee report is received, and they hope to report to me by July 1, next.

**Mr. Ben:** Will the hon. Minister entertain a supplementary question?

May I ask the hon. Minister, what percentage of the population of this province is encompassed by the 87 per cent of municipalities mentioned by the hon. Minister?

**Hon. Mr. McKeough:** No, it is 87.5 per cent of the population.

**Mr. Ben:** Another supplementary question. Is the Minister aware that one-third of the population of this province, roughly one-third, is in the municipality of Metropolitan Toronto and it has not adopted the national building code?

**Hon. Mr. McKeough:** I do not like to disagree with the hon. member but I think he will find that four of the boroughs have adopted a common code; the city of Toronto is about to adopt that same code and the remaining borough, which I think is York, is also. The six municipalities in Metropolitan

Toronto either have or will, within the next few weeks, have one code, as you have correctly pointed out, covering roughly one-third of the population of the province.

**Mr. E. Sargent (Grey-Bruce):** Would the Minister answer a supplementary question?

**Mr. Speaker:** Only from the member who asked the question.

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Humboldt has finished his question; if the hon. member wishes now to ask his questions, he may start off with that one.

**Mr. Sargent:** I was wondering if he could answer, it is supplementary, Mr. Speaker, but—

**Mr. Speaker:** Start off by asking the hon. Minister the question.

**Mr. Sargent:** Will the Minister advise what steps have been taken to bring about the modernization of construction regulations under a new building code to save millions of dollars in construction costs? Will he advise if a new code, being introduced in New York and which will cut building costs by 10 per cent, would have the same effect here? When was the present code—we do now have one, I find—dated? If a new code is under way who is drafting it, how much will the draft cost? Will the techniques be designed to bring construction savings, including stronger suspension structures, reduced fire-resistant ratings, reduced elevator equipment requirements; and more realistically will they include safety provisions for structural materials? And, finally, will there be revisions of the administrative procedures for the expediting of issuance of building permits, speedy inspection and faster approval of new materials?

My supplementary question—do I take it, Mr. Speaker, that this new committee, through their report, will give the Minister a provincial building code?

**Hon. Mr. McKeough:** Does the member want me to answer the question which he asked six days ago or are we after—

**Mr. Sargent:** This is the first time I have asked it.

**Hon. Mr. McKeough:** This question, of course, Mr. Speaker, which I drew to your attention on Friday, was placed before me on Wednesday last and I have been carrying it

back and forth since. I am glad it has been finally asked, and I thank the hon. member for being—

**Mr. Sargent:** Well, the Minister should have the answer now.

**Hon. Mr. McKeough:** In answering the questions:

1. To my knowledge there has not been an estimate prepared anywhere about the effect of uniform building standards on building costs. The only saving we have heard about related to houses and the amount estimated for houses is \$500. The full benefit for all types of buildings cannot be measured at this time. The potential for new building techniques, new building materials, increased productivity and reduced inventories, is inherent in any system of uniform standards. All of these have an effect on building costs.

Presumably, as to the second part of the question the member is referring to the national building code of Canada. If he is not, then I cannot answer the question without clarification. The national building code of Canada is under constant examination. Amendments are endorsed by the associate committee on the code. Amending revision slips are forwarded to all those with a copy of the code and every five years there is a revision made of the code. The 1970 consolidation is in preparation now.

The third part of the question: If this question refers to the national building code, the answer to question 2 applies. As to cost, copies of the code are available at a nominal cost of \$5. The short form is free, except in bulk, when a nominal charge is made.

If the question does not refer to the national building code then I would need some further clarification.

The fourth part: A very desirable feature of the national building code is that it is a performance type code, that is to say, instead of specifying exactly how buildings are to be constructed, minimum standards of structural and fire safety performances are set down. Any material, combination of materials, building techniques, and so on, capable of meeting required performance ratings is permissible.

Finally, to all three parts of the fifth question, the answer is that these are desirable goals and we are exerting much effort to achieve them. These efforts were so well enunciated, I would remind members of the House, as well as the goals were so well enunciated by the member for Halton East in this House.

**Mr. Speaker:** The hon. member for Grey-Bruce has, with Mr. Speaker, three questions which are unasked and almost a week old. I ask that he either ask them today or withdraw them.

**Mr. Sargent:** You will be happy to hear, Mr. Speaker, I do not have my questions with me. I do not think I should have to withdraw them.

**Mr. Speaker:** I would be delighted to hand the questions to the hon. member and he may then ask them.

**Mr. Sargent:** Will the Prime Minister advise why all rapid transit systems installed in all areas of America were voted upon by the people who provide the tax money, and, where has he the authority to spend millions of dollars from the Ontario Treasury to service one area of the people without the vote of the people? Now there is a good one for you.

**Hon. Mr. Robarts:** Mr. Speaker, I have no idea whether what the hon. member says is factually correct or not, therefore I cannot express an opinion on it. I would point out to him that this government spends many, many hundreds of millions of dollars in this province, in providing all forms of transportation for people in various parts of the province.

Interjections by hon. members.

**Mr. Speaker:** The Prime Minister has stated he will not accept a supplementary question, so the hon. member will please proceed to his next question.

**Mr. Sargent:** Another question to the Prime Minister: Will the government agree to an immediate audit, outside audit, to determine the exact financial position of the financial affairs of the Ontario government because of the financial nightmare facing the province? He said "no" before.

**Hon. Mr. Robarts:** Why ask me again?

**Mr. Sargent:** By the Speaker's order.

**Mr. Speaker:** The hon. member had an alternative, he could have withdrawn the question.

**Mr. Sargent:** We take all the advantage we can get here.

I have a question of the Minister of Transport: What steps have been taken to require passenger cars and multi-purpose passenger vehicles to be equipped to combat the hazard of the one-eyed vehicle?

**Hon. Mr. Haskett:** Mr. Speaker, in the equipment portion, that would be part 5 of The Highway Traffic Act, section 33 spells out the offence of operating a motor vehicle without two headlights showing white light to the front at any time when lights are required. There are two approaches being developed to take care of this headlamp failure problem. One approach is by way of wiring in the parking light system with the headlight system so that in the event of one of the headlights burning out, the parking lights will indicate the width and location of the vehicle.

Another approach is being taken by the manufacturers of headlamps in providing a secondary filament with a low light output so that when the regular primary high or low beam filament burns out, the headlamp will continue to glow and in that way identify to an oncoming vehicle the width and the location of the vehicle.

**Mr. Speaker:** the hon. member for Yorkview has a question of the Attorney General of yesterday's date, which he may wish to place today.

**Mr. F. Young (Yorkview):** Mr. Speaker, my question to the Attorney General is this: According to a story in yesterday's *Globe and Mail*, a peace treaty has been arranged between two Mafia factions whereby what are called "lucrative interests in Eastern Canada" were transferred from the Bonanno faction to that of another leader.

Is the Minister satisfied that the term "Eastern Canada" used here does not include the province of Ontario?

**Hon. Mr. Wishart:** Mr. Speaker, the article to which the hon. member refers is a purely speculative article with the headline "New York". There is nothing I have in the way of information to indicate that there is any reference to Ontario. The information which the police commission have, through their intelligence, leads them to believe that the reference is to the Montreal area, but I would point out again that the only reference in what I think is a very speculative article says: "according to one federal official"—and that "federal" refers to a federal official in the United States—"the Bonanno faction will lose lucrative interests in Eastern Canada under the peace treaty".

We have no reason to believe it refers to Ontario.

**Mr. Speaker:** The hon. member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, I have a question of the Minister of Trade and Development which is quite similar to the question put earlier by the member for Wentworth.

What plans does the Minister have to extend, to Metro Toronto residents in Ontario housing, the same home ownership opportunities that have been given to residents of Guelph?

The second part of the question, Mr. Speaker: In the interests of fairness to Ontario Housing Corporation apartment dwellers, is the Minister considering a similar plan whereby they might eventually achieve home ownership for themselves?

**Hon. Mr. Randall:** Mr. Speaker, the tenant purchase plan which has just been introduced in Guelph as a pilot project applies only in the Green Meadows subdivision of that city. This subdivision was developed under the old federal-provincial partnership arrangement whereby the federal government holds title to the property and has a direct 75 per cent financial interest.

In accordance with existing legislation at present the tenant purchase plan can only be introduced in developments financed under that arrangement. To extend its provisions to housing developed directly by OHC, wherein 90 per cent of the capital costs are loaned by the federal government, will require an amendment of The National Housing Act.

I have had discussions on this point with the federal Minister responsible for housing and his predecessors, and I have been given to understand that the federal government does intend to introduce the necessary amendment. Until such time as the federal legislation is changed, however, the hon. member will understand that the tenant-purchase aspect of the HOME programme can only be applied to federal-provincial projects.

In Metropolitan Toronto, to which the hon. member's question is specifically addressed, there are only five such developments. It is our intention to analyze very carefully the Guelph pilot project and this analysis will assist in determining the other areas where this scheme can be introduced in consultation with Central Mortgage and Housing Corporation. CMHA approval is necessarily required because of their 75 per cent financial involvement.

Where apartment units are concerned—which, of course, involves the use by tenants of certain common facilities—this would

necessitate a condominium arrangement, rather than the techniques which have been applied to the single detached homes in Guelph, and this government has already indicated that it will be actively pursuing the condominium concept.

**Mr. Braithwaite:** Would the Minister permit a supplementary question? Under the existing situation does the Minister see any obstacles to the residents in the Thistletown project being able to purchase their own homes?

**Hon. Mr. Randall:** Not particularly, as soon as the amendment to The National Housing Act goes through. I think then we can enter into negotiations.

**Mr. Braithwaite:** Thank you.

**Mr. Speaker:** The hon. member for Kitchener.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have a question for the Minister of Energy and Resources Management, notice of which has been given. Can the Minister advise the House as to the cost to the government of Ontario through the Ontario Water Resources Commission, of the mailing on August 22, 1968, of a news release regarding the Root family reunion, the covering letter for which was on the letterhead of the commission over the signature of the vice-chairman of the commission?

Secondly, can the Minister advise further how this release has advanced the work of the commission?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, as the member for Wellington-Dufferin (Mr. Root) is out of the city today I am sorry that I am unable to answer the questions. However, I will see that he gets a copy of the questions. I am sure he would like to answer them himself in this House.

**Mr. Speaker:** The hon. member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, a question for the hon. Minister of Labour. Is The Department of Labour involved in any manner in an attempt to resolve the Proctor-Silex dispute in Picton?

**Hon. Mr. Bales:** Mr. Speaker, I always welcome questions from the hon. members and as the hon. member has been in touch with my officials on a number of occasions in reference to this matter, I am sure he is aware that we have been involved in this dispute for some time.

For example, yesterday my chief conciliation officer was in touch with the union leadership and today he expects to be talking to the company representatives so that we can assess again how we may best help the parties to resolve this matter.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to address a question to the Minister of Trade and Development. In view of the statements of Eric Hardy Consulting Limited that the town of Trenton has been giving assessment advantages or granting bonuses in order to attract industries, has the Minister reviewed this municipality's designation under the Equalization of Industrial Opportunity programme?

**Hon. Mr. Randall:** Mr. Speaker, the Hardy report has not been available to either my department or that of the Minister of Municipal Affairs. I think this was brought up one day last week. Mr. Hardy was commissioned by the town of Trenton to complete this report for them but to date has not seen fit to make a copy available so that the grants to which he refers to attract industries can be reviewed.

I might mention that irrespective of the Hardy report, the directors of Ontario Development Corporation are reviewing the designation of Trenton under the Equalization of Industrial Opportunity programme, and as in the case of other towns or other cities that we believe may have secured sufficient industry to solve their needs for the present, the Ontario Development Corporation will be making recommendations accordingly.

**Mr. Pitman:** Might I ask a supplementary question? In view of the Minister's recent trip to Trenton and his announcement that \$1.5 million of public money is being placed in this municipality, if this has been done as a result of illegal practices on the part of the municipality rather than because of the Equalization of Industrial Opportunity programme, would the Minister not regard it as incumbent to immediately remove the designation until this thing has been resolved?

**Hon. Mr. Randall:** I would have to look at the Hardy report before I answer the questions.

**Mr. Pitman:** Mr. Speaker, may I address a question to the Prime Minister? Has the government of Ontario received a request from the civil service association based on a

resolution passed unanimously at a recent convention that a commission made up of representatives of the civil service association and the government, exclusive of any representative of The Department of Correctional Services, investigate staff conditions at Millbrook Reformatory?

**Hon. Mr. Robarts:** The answer is "no", Mr. Speaker.

**Mr. Pitman:** Would the Prime Minister accept a supplementary question?

**Hon. Mr. Robarts:** I do not know what supplementary you could ask to an answer like that.

**Mr. Pitman:** Perhaps, Mr. Speaker, I might try. If such a request was forwarded to the Prime Minister would he be sympathetic to such a request?

**Hon. Mr. Robarts:** Mr. Speaker, it is surely hypothetical. I would have to see what the request is and see what, in fact, they were asking before I could say whether I would be sympathetic or unsympathetic. I mean I am dealing in something of which I have no knowledge and which has not even been formulated in the minds of the asker, so how could I say how I would feel about it?

**Mr. Pitman:** Mr. Speaker, on a point of order, it could not have been more clearly in the mind of the asker. Apparently it is the government which is having difficulty in this matter.

I would ask a question of the Minister of Correctional Services.

1. Did a serious attack take place on a guard, a Mr. Carmen Bell, at Millbrook Reformatory on the evening of November 18?

2. Was there any provocation for the attack?

3. By whom was a charge of assault laid and why were those most concerned with the attack not informed of the case before the courts were—I think that was in Cobourg on November 20?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, in answer to the hon. member's question, first of all I would like to say I welcome very much the interest of the members opposite in the problems which a correctional officer—

Some hon. members: Answer the question.

**Hon. Mr. Grossman:** As a matter of fact, Mr. Speaker, the hon. member, without being given permission by you—

An hon. member: Answer the question.

Hon. Mr. Grossman: —without being given permission by you, made some comment in answer to the Prime Minister's answer to his question—

An hon. member: Answer the question.

Hon. Mr. Grossman: —about the situation at Millbrook. I will answer—

Interjections by hon. members.

Mr. Speaker: Order! The hon. Minister is using that leeway which the Chair has always given to members and which the hon. member for Peterborough certainly used.

Hon. Mr. Grossman: I have been trying, sir, for five years to recruit their concern for the correctional officers, and for five years I have been attempting to defend the correctional officers against the charges of brutality against inmates. I am very pleased the hon. member has asked this question and all I can tell him is that as soon as the superintendent learned of the sentence of 30 days—I think it was, and I am speaking from memory—he took it up with our head office, asking that an appeal be instituted against this short sentence. Our head office has taken it up with The Attorney General's Department, and in view of the fact that an appeal is now being considered I can hardly make any further comment on it, Mr. Speaker.

Mr. Pitman: Mr. Speaker, a part of the answer of the Minister of Correctional Services will, I think, perhaps answer my question to the Attorney General which was:

1. Did an inmate of Millbrook Reformatory appear before Magistrate Baxter in Cobourg on November 20?

2. On what charge was the prisoner brought before the courts?

3. Why were prosecution witnesses not called and what was the sentence given to that individual?

Hon. Mr. Wishart: Mr. Speaker, in view of the fact that we have been requested by The Department of Correctional Services to appeal the sentence imposed on this conviction, I am precluded to some extent from answering. But I am not going to curtail my answer insofar as it is possible to answer the question.

The prisoner was brought before the magistrate. The charge was assaulting a police officer. No witnesses were called. He pleaded guilty. The sentence was 30 days consecutive to the sentence he was already serving.

I am proceeding to review the matter. In any event we are proceeding to consider the question as to appeal. Also, I may say that I am not satisfied with the way it was disposed of. I understand that an assistant Crown attorney was in charge of the case and was not aware and was not informed of the facts when the plea of guilty was entered and the case was proceeded with.

So I would simply answer the hon. member: I am reviewing it. We are considering the matter of appeal.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question for the Prime Minister.

What was the cost of producing and printing the "Confederation of Tomorrow" booklet? How many copies were published in English? How many many copies were published in French?

Hon. Mr. Robarts: Mr. Speaker, \$70,574.99; 50,000 English copies and 27,000 French copies.

Mr. Burr: Mr. Speaker, a supplementary question. Is the Prime Minister aware that about 70,000 copies are sitting in the hall on the fourth floor?

Hon. Mr. Robarts: No, Mr. Speaker, I am not aware of that and I very much doubt that it is so.

Mr. Burr: Would the Prime Minister check on it please?

Hon. Mr. Robarts: Indeed, I will.

Mr. Speaker: The hon. member has a further question of the Minister of Trade and Development which he would place please.

Mr. Burr: Mr. Speaker, a question of the Minister of Trade and Development. Can the Minister advise the House when homes in the Fontainebleu housing development in Windsor will be offered for sale to the present tenants?

Hon. Mr. Randall: Mr. Speaker, the question concerning the Fontainebleu development in Windsor is on a similar subject to that raised by the hon. member for Etobicoke.

These particular homes were developed directly by OHC and, therefore, as I have already indicated, the tenant purchase plan cannot apply until the federal legislation is changed.

These particular families are aware of this fact as I had the pleasure of meeting with a



delegation from Fontainebleu some time ago and this was followed up by the general meeting in Windsor between the tenants and senior officials of OHC.

**Mr. Speaker:** The hon. member for Essex-Kent.

**Mr. R. F. Ruston (Essex - Kent):** Mr. Speaker, I have a question for the hon. Provincial Treasurer. Will the Minister consider a revision of the gas tax refund regulation to allow farmers doing custom work for their neighbours the same rebate as if it were done on their own farm?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Yes, Mr. Speaker, the answer is that without commitment the matter will be considered.

**Mr. Ruston:** Mr. Speaker, I have a question of the hon. Minister of Correctional Services. Is it the policy of the department to provide compensation for property damage caused by individuals who are wards of the province in training schools?

Will there be compensation for tractor damage, the destroying of antiques and other valuables at the Harper residence north of Cobourg as a result of the escape of nine residents of Brookside School on August 28?

Has any disciplinary action been taken with regard to the conduct of the Brookside supervisor who said to one of the nine Brookside boys who was apprehended with a bleeding hand, "Let the little bugger bleed to death", as reported in the *Cobourg Sentinel-Star* of September 4?

**Hon. Mr. Grossman:** Well, Mr. Speaker, I could answer a portion of this from memory but I would rather not trust my memory on some of the details. Of course, I cannot answer a portion of it because it refers to a news report which I have not seen.

I am sure too, Mr. Speaker, that on thinking it over the hon. member would feel that the third part of his question, which reads: "Has any disciplinary action been taken with respect to the conduct of the Brookside supervisor who said to one of the nine boys"—that in all fairness it should read, "who, it is 'alleged', said to one of the boys", because the hon. member is referring to a press report and this has not been established as a fact yet.

I will take the question as notice and get as much information as I can for the hon. member.

**Mr. Speaker:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the hon. Minister of Trade and Development. Have any formal proposals been submitted by OHC to CMHC for the sale of the homes in the Bridgeview subdivision in Windsor? If not, when will these formal proposals be submitted?

**Hon. Mr. Randall:** Mr. Speaker, no formal proposals have been submitted by the Ontario Housing Corporation to Central Mortgage and Housing Corporation, regarding the purchase by tenants of homes in the Bridgeview subdivision in Windsor, but officials of the corporations have had a number of discussions concerning this particular development.

As the hon. member knows, this development is on a fixed rental rather than a rent-to-income basis and, as such, is different to the Guelph Green Meadows subdivision.

I have already indicated that the Guelph project will be studied very carefully and the results of this study will, undoubtedly, influence further extension of the tenant purchase plan into other municipalities in Ontario.

The hon. member can be assured that, in consultation with Central Mortgage and Housing Corporation, the tenant purchase plan will be implemented wherever it is considered to be practical in relation to the circumstances which apply to any given municipality.

Perhaps I can enlarge on that and say that, as you recognize, there are different circumstances in all municipalities, the reference of shortage of public housing, so forth and so on. We want to make sure when we make a deal that we make it in the interest of the tenants and the municipality.

**Mr. B. Newman:** Mr. Speaker, I have a supplementary question of the Minister. Does this Bridgeview project qualify under the tenant purchase plan, as is without any amendments to the federal Act?

**Hon. Mr. Randall:** Yes, in a way it would. The only thing is, as I said, that they are on a fixed rental. A number of those people have been living there at a very low rent for many years and their income has gone up—but they have not been put on a rent-to-gear-income basis. This brings in some complications because they should be able

to now go out and buy in another development, such as in the HOME programme.

**Mr. B. Newman:** Mr. Speaker, if I may, for a point of clarification. It then qualifies under the tenant purchase plan without any amendments to the federal Act?

**Hon. Mr. Randall:** I would say so at the moment. Yes.

**Mr. B. Newman:** Mr. Speaker, may I ask of the Minister a second supplementary and that is, is the Minister aware of the necessity for major repairs in some of these homes as a result of the indecision on the sale of the homes?

**Hon. Mr. Randall:** Yes, I am aware of that but I think you are also aware that some of those people living there are earning \$8,000, \$10,000, \$12,000, \$13,000 a year. If they have let the places run down while they have a subsidized rent, I think also they have a responsibility to fix the places up.

However, I might say that under the agreement we have in Green Meadows, we state that we will go in and make an estimate of what repairs are required to put the houses in good order without having to rebuild them, and I think we would do the same thing in Windsor if we sold the property.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. Does the Minister intend to order that a hearing be held to determine if the Allstate Company should be allowed to continue to sell health insurance in this province, as requested by me during the Minister's estimates?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, my intention, as is now the case, is to have the superintendent of insurance continue his surveillance of this entire area.

As I have already informed the hon. member in the past, the superintendent of insurance has been directed to review in detail this type of policy, and to establish whether such policies are in fact in the public interest.

**Mr. Shulman:** Would the Minister accept a supplementary question? Inasmuch as it was some months ago that the Minister gave such instructions to the superintendent of insurance, has the superintendent of insurance as yet found the time to make this review, and if so, what has he decided?

**Hon. Mr. Rowntree:** The superintendent has not been idle since the House adjourned towards the end of July. As a matter of fact, early in September, this matter was raised and discussed with the superintendents of insurance at their annual meeting here in Toronto, and has been the subject of investigations and study by the superintendent, not only in this jurisdiction but in other jurisdictions in Canada as well.

**Mr. Shulman:** Well what is the decision?

**Hon. Mr. MacNaughton:** I wonder, Mr. Speaker, if I may raise a point of order to obtain some information from you. Is it fair to ask you, sir, as to whether these questions are asked in numerical order?

The reason I say that is because I have two questions before me, the first which has been answered, numbered 101, and the second numbered 116. Does that simply mean that as far as this Minister is concerned, or any other Minister that may similarly be involved, there is a waiting period of 15 questions between the first question he is asked to reply to and the second question? I say there are certain normal comforts involved in situations of this kind that confront all of us from time to time; it is just a matter of knowing where we stand, sir, if I may.

**Mr. Speaker:** I would be delighted to answer that. The hon. Minister, of course, and all members of the Treasury bench, are expected to be in their places in this House when the House is sitting. The number on the question shows the order in which the question was received in the Speaker's office and entered. It has nothing to do with the order in which they were called here.

I would find it very difficult indeed to arrange to have the questions of any Minister asked by all the members at the same time. It would be bedlam.

At the moment, we have proceeded fairly reasonably by confining it to all questions by one member at the same time. In fact, it has greatly improved on the original set up earlier in the last session when we did not do that.

I have no objection whatsoever, and the hon. Minister of Social and Family Services arranged it as such yesterday; if I know that a Minister has to leave or a member has to leave, and would be most pleased to juggle the questions in my hands and the order of the members who pop up, to give precedence—

**Mr. Nixon:** Or he can always raise his hand.

**Mr. Speaker:**—so far as I am concerned—within reason. First of all the leader of the Opposition places all his questions first and then the leader of the New Democratic Party, and if there are questions left from another day, they are asked.

Then, within reason, and particularly when the beginning of the Throne Debate is not on and the Prime Minister is usually here, I endeavour to have the Prime Minister's questions asked. After that, it is as the members catch the Speaker's eye, whose gaze wanders almost automatically from one of the Opposition parties to the other so that they may have a fair split of the time for questions.

I trust that answers the hon. Treasurer's inquiry and the next member to have the floor of the House—

**Hon. Mr. MacNaughton:** Mr. Speaker, if I may, just pursue it again: Say that I am quite confident that most Ministers want to be in their seats to pursue the questions and the question period. I do suggest, though—

**Mr. Sargent:** He is out of order, Mr. Speaker.

**Hon. Mr. MacNaughton:** No, I do not think I am out of order in addressing Mr. Speaker—

**Mr. Speaker:** The hon. Minister is speaking on a point of order.

**Hon. Mr. MacNaughton:** I just simply want to suggest to you, sir, and to the members of the House, that there are certain Ministers involved in other work on behalf of the government of the people of the province. I have reference to Treasury board, which requires a small quorum before the work of Treasury board could be proceeded with. I just simply want, if I may, sir, in pursuance of this matter to suggest to you that I am delighted to hear you say that there may be certain priority given to the answers to questions. I will be pleased to take this up with your honour personally, if I may.

**Mr. Speaker:** I would like to point out to the hon. Minister that the most important part of the legislative assembly of Ontario is this House sitting here and not the Treasury board. I, however, do realize that the hon. Minister has a good point, because we all realize that these other matters have to be dealt with. I will do my best, Mr. Treasurer, to endeavour to arrange for those Ministers who must be elsewhere, and those members

who must be elsewhere, to have their questions asked, but you will understand with some 38 questions today and some ten left from yesterday, the question period must be long and there either must be a limit on the number of questions, a limit on the time, or else we have to accept the problems which we have here.

Has the hon. member for High Park completed his supplementary questions?

**Mr. Shulman:** Mr. Speaker, the hon. Treasurer rose on a point of order as I was putting my supplementary question and the Minister did not have an opportunity to reply. The question was: What was the decision, Mr. Minister?

**Hon. Mr. Rowntree:** A decision has not been made. The point I am advancing to the hon. member for High Park is that on an examination of this question of health insurance I think that the question involved in this specific matter really involves a consideration of the large variety of so-called health insurance policies and whether or not they indeed are in the public interest.

**Mr. Shulman:** When can we expect a decision, Mr. Minister?

**Hon. Mr. Rowntree:** At the earliest possible time.

**Mr. Speaker:** Perhaps the hon. member for Hamilton East would now place his question? Perhaps the first one might be to the Treasurer.

**Mr. R. Gisborn (Hamilton East):** Yes, Mr. Speaker, a question of the Treasurer. How many Ontario government employees are considered eligible to be members of the Civil Service Association of Ontario, and how many are at present paying dues to the CSAO?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer to part one of the hon. member's question is 47,168; and to part two, slightly in excess of 36,000.

**Mr. Speaker:** The hon. member has a further question of the Minister of Lands and Forests?

**Mr. S. Lewis (Scarborough West):** Might we suspend proceedings while the Treasurer leaves?

**Mr. Speaker:** The hon. member for Hamilton East has another question?

**Mr. Gisborn:** For the Minister of Lands and Forests:

What progress is being made to acquire lands to establish the Fifty Point Park in Saltfleet township?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the member for Hamilton East, negotiations are still proceeding with reference to this property.

**Mr. Gisborn:** May I ask a supplementary question, Mr. Speaker?

Has it been six or seven years since the government first promised action on this park, and is it correct that the price per acre has risen from \$1,500 to \$7,000 at the present time?

**Hon. Mr. Brunelle:** As I mentioned, Mr. Speaker, this matter is still active. We are still proceeding with negotiations and the matter is coming up at the next meeting of the Parks Integration Board. It is quite true that the price has risen considerably from the original price.

**Mr. Speaker:** The hon. member for Rainy River.

**Mr. T. P. Reid** (Rainy River): Mr. Speaker, I have a question for the Minister of Agriculture and Food.

Will the Minister provide any assistance, perhaps in the form of an extension of the adverse weather assistance programme, to the farmers of the Rainy River district due to the extraordinarily heavy rainfall in that area this year?

**Hon. Mr. Stewart:** Mr. Speaker, I have every sympathy for the farmers of the Rainy River district. During the second week of September, on the members' tour of northern Ontario, I availed myself of the opportunity to visit many of the farmers in that area and I found that most of their crops were still in the field. As a matter of fact those few good days that pertained during our visit to northern Ontario allowed them to get some of the crops harvested.

There has been considerable loss in some areas, particularly in the flat or low lying areas or the undrained areas. Others have been fairly well harvested. We have been in constant touch with our agricultural representative in that area since that time and he tells me that about 50 per cent of the crop seems to have been harvested in those poorer areas and most of the crop harvested in the well-drained areas.

Because crop insurance was available last year up there and some farmers did take

crop insurance, I find it very difficult to justify making assistance available, or recommending to the government that adverse weather assistance be made available, to the farmers who did not buy crop insurance when it was available to them.

**Mr. T. P. Reid:** May I ask the Minister a supplementary question?

Is the Minister aware that this has been an extraordinarily heavy rainfall this year and even those areas that are usually well drained have not been cleared of the water? Is the Minister aware that the crop insurance plan, being a new concept to the Rainy River district farmers, was not well publicized and well understood and therefore most of the farmers did not take advantage of the crop insurance this year?

**Hon. Mr. Stewart:** Mr. Speaker, I cannot answer as to whether or not the crop insurance programme was understood, but it was well advertised. It was advertised in all of the local papers; it was advertised on radio; every promotional aspect that could be entertained was entertained in promoting crop insurance in that area. If farmers decide in their own best interests not to buy crop insurance, it is not the government's prerogative to force it on them, and I feel that under the circumstances it is difficult to expand and provide a crop insurance programme for farmers if they do not buy it themselves.

**Mr. Nixon:** It sounds as if that insurance programme is more use to the government than it is to the farmers.

**Hon. Mr. Stewart:** It is not more use to me and I take exception to that because there are farmers—

**Mr. Nixon:** That is the second time you have leaned on that weak reed.

**Hon. Mr. Stewart:** In one part of that area up there there was one farmer who was getting \$1,000 in payment. Do you say that we should go out and pay the other farmers—

**Mr. Speaker:** Order! The hon. Minister will take his seat. The hon. member for Rainy River has a further question of the Minister of Lands and Forests.

**Mr. T. P. Reid:** I must say I disagree with the Minister of Agriculture on that last statement.

I have a question for the Minister of Lands and Forests. Will the Minister extend the dates for hearings on the future of Algonquin

Park due to the delay in sending reports of the multi-purpose study of the area?

**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member for Rainy River, in view of the importance of Algonquin Park and the interest of the public in it, we want to allow the fullest possible time, and we will receive submissions up until the end of this year, December 31.

**Mr. T. P. Reid:** Would the Minister accept a supplementary question? People have written to the department asking for this multi-purpose study and have not yet received it. Is the Minister aware of this going on in his office, that these people have not been able to receive their copies of this study?

**Hon. Mr. Brunelle:** Mr. Speaker, is the member referring to this probational master plan?

**Mr. T. P. Reid:** Yes.

**Hon. Mr. Brunelle:** We have copies available and if people will write to us and enclose \$1 we will be pleased to submit one.

**Mr. Speaker:** The hon. member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Thank you, sir. Mr. Speaker, I have a question for the Minister of Transport.

Would the Minister advise whether, in reply to the question of the member for Windsor-Walkerville (Mr. B. Newman) on Thursday, November 21, relative to amendment of The Highway Traffic Act to permit discretionary powers in magistrates to grant intermittent licence suspension, the Minister was advising this House that he had no legal power to propose such legislation relative to charges instituted pursuant to The Criminal Code of Canada?

**Hon. Mr. Haskett:** Mr. Speaker, the answer is "no," and I did not so state. I intimated to the hon. member at that time that I understood the conviction was under the Criminal Code and that the action taken by the magistrate was under appeal. For my part, I prefer to await the outcome of that appeal before contemplating any action.

**Mr. Bullbrook:** Would the Minister entertain a supplementary question?

Do I correctly assume then, notwithstanding the words that the Minister gave the other day and the obvious inference from those words, that he is now waiting an appeal? Has the appeal been instituted?

**Hon. Mr. Haskett:** Mr. Speaker, I intimated I understood it had been taken.

**Mr. Bullbrook:** Can the Minister assure us it has been instituted? His answer is that he is waiting for an appeal that has not yet been instituted.

**Hon. Mr. Haskett:** I stand corrected if I said it has been taken; I said I understood it had been, and I think if it has not been, it will be.

**Mr. Bullbrook:** The Minister can now assure that it is going to be appealed?

**Mr. Singer:** Mr. Speaker, I have a question for the Attorney General, which perhaps has been partly answered by his announcement at the commencement of this period.

"When The Provincial Judges Act is proclaimed on December 8," my question said, but it appears it is going to be proclaimed on December 2:

(a) How many magistrates, deputy magistrates and juvenile court judges will become provincial judges?

(b) How many will not become provincial judges?

(c) What are the names of those who will not be appointed?

**Hon. Mr. Wishart:** Mr. Speaker, I think a good many of these items were answered in the statement. The Act is The Provincial Courts Act, if I may draw attention to the title, and has been proclaimed as of December 2; this was done some days ago. The statement I made today was just to draw attention of the public, and members of the House too, to the proclamation of the Act and some of the consequences of its being brought into effect.

To answer specifically, The Provincial Courts Act, 1968, as I have said, comes into effect on December 2. One hundred and thirty of the present bench will become full-time members of the court, and 12 present part-time magistrates and juvenile and family court judges will become part-time judges of the provincial court for a period which will end on April 30 of next year.

I would like to expand a little bit on that. We are doing this arrangement with the part-time judges simply as a transitional device to get over the period until we can get fully equipped with judges who will serve full-time both on the criminal side and the family side of the court. We have a number of excellent magistrates—not too many—who have served on a part-time basis over a period of

years, and I have been doing my best to persuade those who are left to go full-time, or go back full-time to law practice. But after this transitional period, I think we can work it out by April 30 next year, we hope we will have full-time judges completely.

Questions (b) and (c): Eight county court judges, who have been judges in the juvenile and family courts, will not be appointed to the provincial court. They are judges now, of course. These judges are Judges Fuller, Anderson, Leach, Cavers, Smith, Richardson, Darby and Brickenden.

**Mr. Singer:** By way of a supplementary, do I understand from the Minister's answer that all of the present magistrates, deputy magistrates and juvenile court judges except the ones he has named are being reappointed?

**Hon. Mr. Wishart:** Yes, the part-time ones only on that basis up to April 30, when we will either ask them in that period to leave the bench; if they and we do not agree, or where we can work it out we will keep them full-time. This is a transitional feature.

**Mr. Singer:** Does this apply, again by way of a supplementary, to those deputy magistrates who are serving in the county of York and perhaps in other places as well?

**Hon. Mr. Wishart:** Yes, I think that is correct.

**Mr. Singer:** They are now going to be provincial judges?

**Hon. Mr. Wishart:** Yes.

**Mr. Singer:** Again by way of supplementary, have these appointments been referred to the Judicial Council? Have they been consulted in the making of these appointments?

**Hon. Mr. Wishart:** No, we have not; it was not our intention that they should be. We have refrained so far as possible from making any recent appointments consistent with keeping the administration of justice up to the mark. But any appointments from December 2 on will be referred to the Judicial Council.

Surely the hon. member is not suggesting that the magistrates who have served on the bench—I think we discussed this in our debate on the Act—should now be relieved of the magistrate's position by reference to the Judicial Council.

**Mr. Singer:** No, I was not suggesting that, but I was suggesting that the Minister had an ideal opportunity to do some house-cleaning which apparently he has missed.

**Hon. Mr. Wishart:** That is just what the member is suggesting then, that magistrates who have served on the bench for some time, by reference to the Judicial Council, could be dispensed with. I thought we debated this. In any event, if we were to debate it now, I would not accept it.

**Mr. Singer:** This is probably not the right time for debate, Mr. Speaker. I would like to pursue it, and I will, at a later time.

I have a second question: I have some difficulty with this one, Mr. Speaker, because you edited it and you took out part 1, and without part 1, part 2 by itself does not make too much sense.

**Mr. Speaker:** I would think that it makes sense. Part 1 was quite improper in my view.

**Mr. Singer:** We will try it in any event, as the member for Riverdale (Mr. J. Renwick) suggests.

Does the Attorney General approve of the procedure in the case against Garry H. Perly, now being heard by Magistrate Tupper S. Bigelow, which in accordance with the magistrate's order is being conducted in this manner? And the manner was referred to in part 1 which has been deleted, but hopefully the Attorney General knows the manner that I was referring to.

Part 2: Does the Attorney General intend to take any action to prevent such occurrences in the future? If so, what action will be taken?

**Hon. Mr. Wishart:** Mr. Speaker, I would like to answer it this way: I would prefer not to discuss very fully at this moment a case which is still before the court. Of course, I am fully aware of what is going on. The magistrate has found in this particular case—which apparently is going to take a very long time with a very difficult person before him—that to hear it, to devote all the energies of the court and time of the court to it, would delay a great many very important cases which are before him. He has taken the procedure of hearing it—

**Mr. Singer:** Half an hour a week.

**Hon. Mr. Wishart:**—in portions.

**Mr. Ben:** How about the 45 to 50 days that the Smith Brothers took?

**Hon. Mr. Wishart:** Just a moment. The member will have my full answer in a moment.

As I say, I would rather not go into detail in discussing the case now. I think when



that case is concluded, if it goes very long before it is concluded, it will be reviewed by the chief magistrate there, and if necessary by my office. The magistrate, in the conduct of his court, has a certain discretion with which I do not lightly interfere.

**Mr. Singer:** By way of a supplementary, while I can appreciate that, surely the Attorney General will agree that this kind of procedure is punishing an accused in advance.

**Hon. Mr. Wishart:** Without getting into an argument, I am not sure that the punishment is perhaps all being imposed on one side of this case.

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for Nipissing, who has been very patient.

**Mr. R. S. Smith (Nipissing):** I have a question for the Minister of Highways:

1. What progress has been made on the 4.2-mile Gravenhurst bypass project under project numbers 245-60-2; 246-60-1 and 2; and 247-60-1 and 2?

2. What contracts have been made under this project?

3. Will this construction be completed during this fiscal year as announced last spring?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, had I known it would be 4 o'clock when I got up to answer this question I could have had the answer, but I will have to take it as notice now.

**Mr. Young:** Mr. Speaker, there is a question of the hon. Minister of Transport if he has an answer for me.

**Hon. Mr. Haskett:** Mr. Speaker, construction zone speed limits are applied to meet the needs of The Department of Highways, and the signing approved by order in council in each case is done by The Department of Highways in accordance with The Highway Traffic Act, section 59, subsection 11 (a) and 11 (b).

With respect to the second part of the member's question, the answer is "no."

Part 3: The specific construction zone speed limits and the duration of enforcement in each case is likewise the responsibility of The Department of Highways, and I understand that my colleague the Minister of Highways is prepared to provide the further specific information requested.

**Hon. Mr. Gomme:** Mr. Speaker, construction work on the Queen Elizabeth Way in

the vicinity of the new interchanges at Kipling Avenue and Islington Avenue will be completed in approximately one month's time, and the 45-mile-per-hour speed limit signs will be removed on this section. However, in the immediate vicinity of the QEW-Highway 27 interchange, where work is still in progress, the construction speed limit signs will remain in force. Our practice is not inconsistent with the statement made by my colleague to the House on April 7. The hon. member asks:

Why is the same speed limit maintained at all times whether or not construction is in progress instead of being adjusted to actual conditions, particularly at weekends when construction work ceases?

Because of the ever-changing location of the construction areas, it is most difficult to maintain at all times construction speed zone signs consistent with road conditions on all construction contracts. A concerted effort is being made to ensure that construction speed zoning is realistic, and when conditions warrant, to have the speed zone signs removed at nights and on weekends.

Mr. Speaker, I have the answer to question 89 asked by the member for Thunder Bay yesterday. It is:

In my letter of July 17, 1968, I informed the hon. member that we would go ahead with the pre-engineering for the prospective reconstruction of the road, which had been programmed. I explained that I was unable to be specific, but that we would arrange schedules of construction consistent with comparative priorities and available funds. During 1964 to 1967 inclusive, 16 accidents occurred on the road, giving an accident rate of 1.0 per million vehicle miles of travel over that period. This corresponds with an average of 2.6 for all King's Highways in the province; 3.6 for all secondary highways, and 5.8 for all of Ontario's roads and streets. Evidently Highway 585 was just about as safe a road as could be driven on during 1964 to 1967.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day yesterday we were discussing the celebration of the 150th anniversary of the birth of George Brown, which will be on Friday next. In the intervening hours I have had an opportunity to meet with the leader of the Opposition and the leader of the New Democratic Party, and we have come to an agreement, and perhaps I can tell the House how we would like to observe this, the 150th anniversary of the

birth of this very famous Canadian Parliamentarian.

In the Toronto Necropolis and Cemetery at 200 Winchester Street, Toronto, where George Brown is buried, there will be a short memorial service and wreath laying ceremony at 9 o'clock on Friday, November 29. In attendance there will be myself, the leader of the Opposition and the leader of the New Democratic Party, some officials and students from the George Brown College of Applied Arts and Technology. Any members of this House and the public who would like to join us will be very welcome on that occasion.

At 10 o'clock this House will meet and there will be addresses in recognition of Mr. Brown by myself, by the leader of the Opposition, by the leader of the New Democratic Party, and by any other members of the House who would like to observe this occasion.

Following that, and with the approval of the House, it is planned that we will then adjourn and go to the platform erected at the front steps of the building and close by there is a statue of George Brown. We would hope to be out there by 11 o'clock on Friday morning. There will be the regimental bands of the Lorne Scots, a good Scottish regiment; a guard of honour to be inspected will be commanded by Captain I. Kirkwood; the regimental band will be conducted by Captain E. Corlett. The pipes and drums will also be in attendance. The civil service choir will lead the singing and perform numbers. The Ontario Provincial Police will provide a detail under the command of Inspector Donald Atam. They will escort a group from the platform to the monument of George Brown where a wreath will be placed on behalf of the legislative assembly. Representatives of the student body of George Brown College of Applied Arts and Technology will deposit a wreath. Rev. Dr. Ross K. Cameron, a former moderator of the Presbyterian Church in Canada will be the officiating clergyman. There will be some 1,500 to 2,500 students from the George Brown College and pupils from schools in the immediate vicinity, and such other members of the public who may wish to come. We hope that the people will attend this ceremony. Certainly they are all more than welcome as we will gather to do honour to a very famous Canadian statesman.

Mr. W. M. McIntyre, Secretary of the Cabinet, has been co-ordinating this entire programme, assisted by various persons working under his direction, including Mr. John Cozens, the leader of the civil service choir.

Mr. Speaker: Orders of the day.

Hon. J. P. Robarts (Prime Minister): Sir, may I beg the indulgence of the House. I would like to call the third order, which is second reading of Bill 2, an Act to amend The Municipal Act. This bill is a technical one involving the municipal elections which will be held early next month. If it can be given second reading this afternoon in committee of the whole, and third reading, then I would hope that it will receive Royal Assent this week in order that we may make the necessary arrangements with the municipalities.

### THE MUNICIPAL ACT

Hon. W. D. McKeough (Minister of Municipal Affairs) moves second reading of Bill 2, An Act to amend The Municipal Act.

Mr. R. F. Nixon (Leader of the Opposition): With the assurance of the Premier of the rather specific requirements of this particular statute, I feel that any comments that we might want to make on changes in the election procedures at the municipal level might be made on another occasion, and we have no objection to it being put without notice.

Motion agreed to; second reading of the bill.

Clerk of the House: The third order; House in committee of the whole, Mr. A. E. Reuter in the chair.

Mr. Chairman: Hon. members, before I assume the chair, may I just take a few moments to express my thanks to all hon. members for their support in returning me to this position. I want to say a special word of thanks to the hon. Prime Minister, to the hon. leader of the Opposition and to the hon. member for York South, leader of the New Democratic Party, for their very kind words.

During those words, I thought of some of the occasions during the first session on which I was called upon to make some rulings. I must say that on those occasions, after numerous of them, I am very, very surprised to find myself in this position again because I do realize full well that there was some dissatisfaction on both sides of the House with some of those rulings.

However, it seems to me that Parliament, being as old as it is, going back to the year 1295, that a great deal has evolved over those years. It seems to me that the purpose

of Parliament is for reasonable people, men and women, to gather together to resolve their problems in a responsible and dignified manner.

The committee of the whole House was founded, I think, approximately in the year 1607, and I found it very interesting to note the reason why the committee of the whole House procedure was adopted.

It seems that in the early days of Parliament, Mr. Speaker was regarded as a direct representative of the monarchy and to some extent, this restrained the members of the Commons from free discussion. Therefore, the committee of the whole was developed in order that there could be a member of the Commons appointed to chair the committee.

Now, with that thought in mind, it has always been my belief that there should be freer discussion in committee and that while we do have rules that have been built up and taken from Westminster, it seems to me that particularly in Ontario, those rules have not been revised for a long while but it seems, in committee, that we can afford to judge the circumstances as they arise.

If it is necessary to bend those rules just a little to suit those circumstances I think this would tend to a much more dignified and orderly procedure while we are in committee.

In any event, I am very grateful to be here again, to work with my good friends, Mr. Lewis, Mr. Common and Mr. Young and I am sure I will find it pleasurable again to work with Mr. Speaker, as his deputy.

Again, I want to express my sincere gratitude for your support in returning me to this chair.

### THE MUNICIPAL ACT

House in committee on Bill 2, An Act to amend The Municipal Act.

Section 1 to 4, inclusive, agreed to.

Preamble agreed to.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Chairman, I just wanted to say that section 1 of the bill really has nothing to do with section 2.

**Mr. J. E. Bullbrook** (Sarnia): We have carried it.

**Hon. Mr. McKeough**: You have carried it. You should understand what you are doing. I am not sure that I do. I think you have to have—

**Mr. R. F. Nixon** (Leader of the Opposition): That is not our problem.

**Hon. Mr. McKeough**: It is not your problem; you are not interested, I will not tell you. It is just technical.

Bill 2 reported.

**Hon. Mr. Robarts** moves that the committee of the whole House rise and report one bill without amendment.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman**: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

### THIRD READING

The following bill was given third reading upon motion:

Bill 2, An Act to amend The Municipal Act.

**Clerk of the House**: The first order, resuming the adjourned debate on the motion for an address in reply to the speech of the hon. the Lieutenant-Governor at the opening of the session.

### SPEECH FROM THE THRONE

**Mr. R. F. Nixon** (Leader of the Opposition): **Mr. Speaker**, I was surprised at the energetic objection taken by the Minister of Agriculture and Food (Mr. Stewart) a few moments ago during the question period when I interjected a comment in his answer. He was being questioned about the possibility of government assistance to those farmers in two areas of the province that have suffered unnatural weather hindrance and damage during the recent crop season.

His reason for not going ahead with the recommendation to the Cabinet for such assistance in both cases was that the farmers had crop insurance available, and, therefore, he did not see fit to recommend the assistance that had been forthcoming in years gone by under these similar circumstances.

I interjected that I felt the crop insurance programme was, therefore, more useful to the government than to the farmers because

surely the Minister himself knows that in most areas of the province less than 5 per cent of the farmers concerned have, for reasons that surely they find good and sufficient, availed themselves of the coverage that is available under the provincial-federal joint crop insurance programme.

It could be that it is too expensive; that it has not been properly put for their consideration and, in fact, that they are prepared to take the risks as long as they feel that the representatives of the Legislature, in matters and circumstances of great catastrophe, are prepared to take the steps that have been taken in years gone by, to provide the reasonable assistance that has been forthcoming.

I remember very well, when the bill that implemented crop insurance was discussed, saying that I expected the Minister would use this as a crutch for getting out of the responsibilities that had been governmental for so many years. We now find that this is precisely the purpose of The Crop Insurance Act as it is administered in the province of Ontario.

It appears to be one the serious shortcomings in the attitude taken by the Minister and his chief, the Premier, who is good enough to indicate his views on the whole matter—that he feels the farmers are properly served.

Now surely it is most worthy when we see that this crop insurance programme is quite heavily subsidized at the federal level; that the government of Ontario has not seen fit to match that subsidy; that it still is an expensive proposition for the farmers; and that they have not seen fit to avail themselves of the limited protection that is forthcoming.

Mr. Speaker, I had an opportunity last night to be present at the opening of a new school in a town in my constituency. It was a very uplifting experience with a good number of young people taking part.

I had an opportunity to talk to those present, not only the young people but some others, and to be much impressed with a broader, let us say reaction, to provincial, national and world affairs than perhaps I have been subjected to in former circumstances.

I cannot help but think that it has been the coverage of the news media on certain events in recent months that has brought forward this sort of reaction, particularly from young people.

You may recall, sir, a news clip that was carried on almost every television station that is available to us in this part of Ontario,

showing the summary execution of a North Vietnamese soldier—a young man who was simply put to death by his captor pointing a pistol at the top of his head and blowing it off. This was carried on news programmes repeatedly and had a tremendous impact, I think, on public opinion as to the events that had been taking place there—perhaps without the same involvement of public conscience up until that time.

I do not want to spend time on that other than as an example of one of these conscience stirring events which got to the masses, as citizens of Ontario, in this way.

Probably the second event that had as big or even bigger impact was the pictures carried of the starving children in Biafra, which do not have to be described, I am sure, for every member to conjure up the image in his own mind.

Once again, the conscience of us all, as citizens of the province, was deeply stirred and there was a very personal feeling that, as individuals, something had to be done to counteract this terrible and inhumane situation. In my view, not enough has been done, but we, in the province of Ontario, through the government, are contributing, I understand, \$70,000 towards the relief of the situation, and citizens have had an opportunity to take part themselves.

This should be dealt with at greater length, there is no doubt about it. It appears that part of the stirring of the conscience of the individuals is followed by the settling out of the conscience in rather short order when what may have been a very immediate concern to the individual is replaced by something else a few days later—and the heat is off those with responsibility to take action.

I think this is something we must be aware of, and we must see that our reactions are humane and based on our conscience, but are responsible and continuing, so that we simply have a greater part to play in the affairs as they come in. The last item of this nature, one that was brought to me as the local representative last night by two or three young people, were pictures carried in the press and on television of the unfortunate little girl who died on October 10, allegedly as a result of a fall, but which is suspected as being the result of perhaps some other circumstances.

I am sure you can all recall the picture of the smiling young face with the bruise. Once again, our conscience was stirred; it was difficult to know what should be done, but the fact remains. These things and the

background associated with them, are a part of life, not in the world at large as a global village, as Marshall McLuhan described it, but in our own backyard, and the realization that inhumanity among our own neighbours, among ourselves, is a real part of even the enlightened modern life.

The last thing I want is to attribute responsibility for any of these cases to individuals here, but really in following up and examining the events of last week and the role of The Department of Social and Family Services, in the care of young children, I had reached some conclusions that I now wish to place before you.

I want to speak briefly about The Department of Social and Family Services in connection with child welfare, and stress the need to improve the services in this area. We have seen how, in the last year, the department refused for most of the year to agree to the budget of the children's aid societies and how by its action forced these societies into a desperate position. With the exception of I believe two of the province's societies, the province and the children's aid societies disagreed on the operating budget and in these cases, the societies had to cut down on what they needed.

Let us see what these cuts mean to Ontario's children. First, let me say that the research on this subject was done with great hardship, because the Minister's office or the people under his direction, have warned societies that they are not to discuss programmes financed by the government without clearing such discussions with the department. This is an unheard of abuse by the department and it is sheer hypocrisy for the members opposite, to deliberately spike any investigation of the use of government money.

My hon. friends across the aisle may not believe it, but they do not own this province, and the money they spend is given them in trust for the people of this province. Therefore, I submit they have an obligation to ensure that programmes under their care are closely scrutinized, in fact, they should welcome such scrutiny. I warn them that they are playing a serious game.

The taxpayers of Ontario will not allow nervous Ministers to use the Legislature in this manner and we will not tolerate such high-handedness. Furthermore, they will have to face up to the fact that this is not a police state. There are in Ontario men and women who will speak when and as they

see fit, in the public interest, no matter what threats are made by the department.

The children's aid societies, in the past three years, have come to a new understanding of the nature of the children in their care. They realize that these are not children who have lost their home and parents and come out magically unscathed. They are children who have suffered, sometimes over long periods of time, from inadequate physical and emotional nourishment. When many of them come to the attention of the children's aid societies they are badly damaged, frequently emotionally disturbed. Therefore, the old concept that a run-of-the-mill foster home would give them what they need is becoming out of date.

It is now understood that foster homes must be picked with more care than was formerly the case and that most of all, they must be supported, not with more money to the parents necessarily, but with more and better services that cost real money.

Good foster parents are not content with having an unskilled aid drop in on them once every three months, to find out how things are. They expect that they will be treated as part of the treatment team, that there will be a treatment team to give the child all kinds of care from straightening teeth to psychotherapy. In addition to the children who can use carefully chosen and supervised foster care, there are other arrangements being made, various types of group homes for example.

Finally, there are children who need institutional care, and in this regard it is interesting to note that the Health Minister's grandiose plan, presented here nearly two years ago with such flourish, is probably most noted for its silent demise. The societies can term only Brown Camps for the facilities, on a private basis, that must be part of provincial services.

Another responsibility which the province give the children's aid societies, is for the care of unwed mothers and their children. The province handsomely pays the cost of the care of the child, but makes almost no provision for the emotional care of the mother, and this at a time when the illegitimacy rates, particularly among young mothers, are on the increase, nor does it make provision for her after-care whether or not she keeps the child. The department sloughs off its responsibility to the mother to a network of church homes, and in every important respect, leaves the young mother,



often a needy, sometimes disturbed, child herself, to a catch as catch can system.

Thirdly, children's aid societies are responsible for protection of children who are being malnourished either physically or mentally by their parents. Every person sitting here today has read with agony, the experience of battered children, yet much of this suffering can be alleviated by societies with adequate staff and facilities to offer families who, for whatever reason, do not properly care for their children.

As the session progresses, I can assure the Minister, that we here will be expanding on what I have said. In spite of whatever attempts he may make to stifle investigations on the department in its working, we will be watching both closely. Let me just say this for now, the province is starving societies who are trying to do a good job. There is no agency in this province that is getting from the provincial government, the money it needs to do the job it should be doing.

Furthermore, it is under constant harassment by the Minister and his department, first, with the threat of further cuts in money, and secondly with the threat of a provincial take-over, the possibility which can only lead to worse service if one is to judge by the department records to date.

The Minister is not present, but I would like to put a few questions on the record for his perusal. First, are the budgets of children's aid societies to be cut in the coming year, so that the department can pass on the fiscal nightmare and make it the nightmare of others? Secondly, what does the Minister plan to do so that agencies will learn at the beginning of the year and not near the end, exactly what money will be available? Thirdly, particularly in view of the fact that eight people have left the child welfare branch in the last year, is the Minister considering taking over voluntary children's aid societies?

John Doe, a great educator, once said that what the best and wisest parents want for their own child, the community must want for all its children. If the treatment of children's aid societies by the present government were to be taken as a guide, we would have to conclude that we do not want much for our youngsters.

Mr. Speaker, I would like to conclude my remarks by making some comments on the upcoming constitutional conference. I referred to it earlier in my remarks by chastising the Premier and his advisers for appearing to threaten the government of Canada with

opting out of these discussions—it is a fact—opting out of these discussions, unless there were some more reasonable accommodation to the government's other requirements. There is no doubt that this is the attitude taken by the government, at least interpreted in news reports that were available to me and to the citizens of this province.

I would say, Mr. Speaker, that this matter is far too important to be treated as an ancillary project in our effort to gain a larger share of federal abatement. There are some matters of great concern that will be, I am sure, discussed in a responsible way at the conference that is to be held in the middle of December.

At the top of the agenda, must surely be the proposal to entrench a bill of rights in the constitution of our nation, and pass ancillary companion legislation in the provincial Legislature. This is something that I felt was not treated seriously by the Ontario administration when it was proposed by the then Minister of Justice. I hope that we will take another look at the situation, and be prepared to support the proposals from whatever source they may come.

I personally believe that we must take very definite steps to at least set in motion, procedures which will eventually repatriate the constitution of our nation. There are those who are quick to say, that The British North America Act is in fact not a constitution. It makes an interesting argument. We must accept the fact, that legislation from Westminster is what actually assigns the responsibilities to us as members of this House, and those people who are elected to the Parliament of Canada, and the Legislatures of the other provinces.

It seems incomprehensible that we are prepared to permit this state of affairs to go on without at least attempting to bring about a change. I well remember the debate and discussion in this House on the Fulton-Favreau formula for the amendment of the constitution whether or not it was kept in its position as a statute of the government of the United Kingdom.

There is an interesting sidelight to the book that was published recently by Peter Newman, "The Distemper of Our Times," in which he indicated that even as the government of Ontario was leading the discussion which was supported eventually in a vote from all sides of the House, to approve the Fulton-Favreau formula as it might apply to Ontario, there was an emissary from the leader of the Conservative Party in Canada,



Mr. Diefenbaker—I stand corrected on that matter, it was, let us say, supported by a majority of the members of the House and there was an emissary coming from the leader of the Conservative Party in Canada, attempting to stop the government of Ontario from proceeding in this way.

A minute had been provided Mr. Diefenbaker indicating that, in fact, there was little difference in the position taken by Mr. Favreau and Mr. Fulton and that he would be quite in order in supporting the approach at a federal level. But we must assume that for political purposes he saw reason to differ with the formula, as, I suppose, there were other reasons for others in the Legislature here for differing from the formula at that time.

Whatever were the results, what had been the results of some careful research and were put before the Legislatures of a number of provinces bore no fruit, and we are no nearer now to the solution of this knotty problem than we were in 1963 and 1964.

Now I would say that this is something that we must come to grips with. There tends to be a reduction in pressure for the amendment of our constitution, perhaps as a result of the Centennial fading into history, but I think that Ontario should take the lead in providing the alternative that should be considered by the other provinces in repatriating our constitution and providing for a reasonable and fair means of amending it.

I think when you look back at fairly recent history, the former Prime Minister Louis St. Laurent took a very practical approach to dividing the sections of The British North America Act into groups which would have different means of being amended. There were those which had only direct and superficial application that would be amended by simple majority motion of the Parliament of Canada, and there were other, more deeply entrenched in the right of all our people and the provinces themselves, which could only be amended by complete agreement among all the provinces.

I feel that some sort of workmanlike approach of this type would be the answer if, in fact, we are going to maintain our support for The British North America Act as our constitution. There are alternatives, of course. I, for one, believe that we should attempt to have an amendment to the Act passed which would remove it from its present lodging in the Parliament at Westminster and bring it back to Canada but this has proved to be an insurmountable difficulty.

The British North America Act, as our constitution, should be abandoned where it now lies, and be replaced by something that is more in keeping with our national aspirations and needs. There is no doubt that the amendment to the constitution should be accompanied by a fairer distribution of revenues and that it should contain, as well, clear distribution of responsibilities. There is no doubt that continuing expansion of the shared cost programme is going to lead us into greater difficulties as far as federal and provincial budgeting is concerned, because we know that the Treasurer is presently sitting over in the Frost Building chairing a meeting of the Treasury Board.

Let us presume that someone from the Ministry of Social and Family Services is before the Treasury Board and he could very readily say that those men might approve the expenditures he is putting forward since 80 per cent of the cost is being met from another jurisdiction. At the same time, I suppose the Treasury Board in Ottawa has the argument put to them, when certain projects are forthcoming, that a large part of the cost is met by another jurisdiction and in fact they can proceed with their approval without having to bear the cost at 100 cents in a dollar.

The Premier is frequently heard to say that there is only one taxpayer, and he is the person whose welfare really does concern us all, and I believe that the restriction in the shared cost programme is going to be in the best interests of the taxpayers concerned, as well as setting out clearly the lines of responsibility which must accompany modern programmes if they are carefully budgeted.

The last point that I would like to raise in this matter is that as a member of this House interested in these particular matters, I am getting increasingly resentful that the advisory committee on constitutional matters restricts its advice to the Ministry alone. I think that the example set by the Legislature in Quebec should be followed here, and that we, in this House, should constitute a standing committee on constitutional affairs and call before it those people—and very able people they are indeed—who presently restrict their advice to the members of the administration, or the Premier and those who accompany him as our provincial delegation to constitutional conferences.

I think that the more widespread involvement we have in this matter, the better, and that a standing committee of the Legislature would be an ideal vehicle to interest the citizens of our province, as well as the members

of this House in what has got to be a matter of great concern and high priority to all of us as members.

Mr. Speaker, I have had an opportunity during my reply to the motion, quite a few days ago, for an address to the hon. the Lieutenant Governor, to cover some matters of great concern in this province. I have felt that the primary importance is our need to come to grips with budgetary difficulties that we are experiencing in great measure in this province.

I have mentioned some other matters as well, and all of these have brought me to the conclusion that the administration which is presently conducting our affairs does not, in fact, command the confidence either of this House or of the people of the province.

A great deal has happened in the 12 months since the election in October 1967, and we have revealed the unfortunate state of affairs that has been put before you in the last few days. And with this in mind, Mr. Speaker, I move, seconded by Mr. Singer, the following amendment to the reply to the Speech from the Throne:

That this House regrets that the government

1. Has failed to conduct the province's financial affairs responsibly and neglected to cause an independent and all-embracing study of its programmes and administrative procedures to be made.

2. Has failed to protect tenants' rights and to insure adequate housing for the people of Ontario at a fair price, including a system of permissive rent control.

3. Has neglected the proper development of the northern part of the province of Ontario, and by the lack of a sound policy toward the north and its natural resources, the government has thereby failed to promote the economic well-being and prosperity of all the people of Ontario.

4. Has failed to provide educational opportunity, facilities, and financing to insure that all Ontario students have an equal access to our educational institutions, and has failed to develop an effective policy to meet the unrest on our university campuses.

5. Has failed to provide suitable programmes which would allow our agricultural community to realize their fair share of the benefits available to other segments of our economy.

6. Has, by its inaction, allowed the pollution of air, water, and land to worsen.

7. Has failed to insure equal access to proper medical care for all our people.

8. Has failed to plan for the proper economic development of our province.

9. Has failed to bring about meaningful reform to our ancient and inefficient system of municipal government and, therefore, that your government does not enjoy the confidence of this House.

Mr. D. C. MacDonald (York South): Mr. Speaker, on first hearing of that rather comprehensive amendment, I am sure that there are some things that have been missed and after a night's contemplation, I am sure I will discover them. It is in the category of what is sometimes referred to as the "kitchen sink" amendment—everything is in it.

Now, in beginning a Throne Speech, Mr. Speaker, it is traditional to pay tribute to you and to express appreciation for your contribution to the business of this Legislature. I do so with a particular feeling of sympathy for you this year.

I think we have reached a crossroads in the history of this Legislature in terms of the evolution and clarification of the rules of the House. It has become very obvious in recent days, and perhaps never more obvious than today, that, as we seek to restrict and impose balanced rules on the government side of the House—rules which I have suggested to you privately and publicly and, therefore, I am not saying anything new, have already been imposed to a considerable degree on the Opposition—that you are going to face some considerable objections from a government which has traditionally, from my early days in the House, regarded the Speaker as a puppet of their side of the House.

Indeed, I recall very distinctly an occasion when something little short of shock appeared on the face of the then Prime Minister when the Speaker suggested that he was breaching the rules of the House—he did not have the floor and he should sit down. He was literally shocked. No Speaker had ever told him that he should have to live up to the rules of the House.

Mr. R. F. Nixon (Leader of the Opposition): Who was that?

Mr. MacDonald: Oh, I will leave you to guess. As a matter of fact, we had something approaching the same kind of reaction today from the Provincial Treasurer. He is reaching boiling point in terms of having to live up to the rules of this House, so I repeat, Mr. Speaker—

**Hon. J. P. Robarts** (Prime Minister): He was teasing you and you did not realize it.

**Mr. MacDonald:** If the Prime Minister thinks that he was teasing us, the Prime Minister has more trouble on his hands than he realizes, because the hon. gentleman was not teasing anybody; he was about ready to take on anybody, including the Speaker. It started last Thursday or Friday when he was indignant at the thought that some restriction should be imposed on the abuse by the Treasury benches in reply to questions.

I do not want to pursue this any more, Mr. Speaker. You have indicated that you are going to set up a committee to examine the rules. I think—and this is where my expression of sympathy comes—you have on this side of the House a feeling that the situation is nearly intolerable; you have on the other side of the House considerable feeling that if there is any change for an equal application of the rules of the House, it becomes intolerable for them. So all I can say is that your role will have to be something of a Solomon and I wish you well.

Unfortunately, our newest Cabinet Minister is not with us this afternoon and this is really going to take a little of the fun out of the game. Between each session there is the usual game of musical chairs and the Prime Minister has not failed us again this time—he has brought a new man into the Cabinet. He is a man who brings to his new responsibilities undoubted abilities, plus experience as chairman of the taxation committee, which is going to stand not only him but this Legislature in good stead.

But Mr. Speaker, from experience on this side of the House, we have learned that the hon. Minister vacillates unpredictably from being a serious public servant, dealing objectively and rationally with public issues, to a self-appointed hatchet man for the Tory party, resorting to barracking tactics that would make the members of the Chicago gang to his right look like a group of pikers.

In short, the new Minister is a veritable Dr. Jeckyll and Mr. Hyde. For his own sake—and he will read this even if he does not hear it—I hope that he will forsake this hatchet role, for too often his tactics in that capacity have been unworthy of the talent of the man.

However, before I leave this I want to recall one incident of recent vintage that I think is rather pertinent in light of his new responsibilities. In unveiling the report of the select committee on taxation, he was detailing with great enthusiasm the proposal

of the extension of the sales tax to include food and then compensation, a very elaborate compensation, by way of a tax rebate—which he argued was going to be in the form of a negative income tax that would open the door to a guaranteed annual income. It was all very fanciful, but it had magnificent propaganda overtones and the hon. gentleman declared triumphantly: "If I were a member of the Opposition, I would be scared to death."

Mr. Speaker, I would just like to report to him that there was nobody on our side of the House, at least in this group, who was scared to death, but what is even more interesting is that subsequent events have revealed just who was scared to death. I will tell you who it was—the members of the Tory party.

The prospect of having to defend the extension of the sales tax to food, along with this very elaborate, and likely unworkable under this government, rebate system, was such that it produced little short of political panic among the Tory back benchers. So much so that the Prime Minister on the eve of this session rescued all his—

**Hon. S. J. Randall** (Minister of Trade and Development): He did not want to ruin all your speeches for some weeks.

**Mr. MacDonald:** That is an interesting interjection—"he did not want to ruin all our speeches". I do not know what his objection was in taking this issue out of debate because he certainly got all the Tories off the hook and they came in here with a degree of relaxation, with the exception, of course, of the Provincial Treasurer, who was "white-lipped and quivering".

My final word to the absent Minister is that I hope that his partisan enthusiasms are not going to carry him away in the fashion that they sometimes do. I hope that in his new position he can exercise some of that discipline of which I know he is capable. Has the Prime Minister got something to add?

**Hon. Mr. Robarts:** Mr. Speaker, I do not want to interrupt. It is just that it appears to me he has reached you in the last couple of years.

**Mr. MacDonald:** Oh, he has reached a lot of people. As a matter of fact, his career is rather an interesting one. I can remember the time when he thought he was going to exercise the role of self appointed hatchet man by tackling the former leader of the Opposition following a famous speech on

crime. Having tackled him, he then provoked the spectacle of the leader going out and reading the whole speech in the hall so that all the Tory back benchers were embarrassed by the spectacle of what had been produced.

**Mr. Nixon:** There has not been a fall session since.

**Hon. Mr. Randall:** We are still here, where is the leader?

**Mr. MacDonald:** Fine. Now let me proceed to the seconder of the motion, who again is not here. This element of truancy in the House which has become the preoccupation of the government side when some people from the New Democratic Party are not here, is rather interesting—but the absence of government members of the House is something that, presumably, can be overlooked.

The hon. member for Fort William (Mr. Jessiman) spent a great deal of time trying to make political hay out of the recent New Democratic Party leadership convention and, indeed, the leader of the Opposition apparently, at some stages in his speech, had so little else to offer that he too, got in on the game.

**Mr. Nixon:** Irresistible.

**Mr. MacDonald:** It obviously was irresistible. The vacuum had to be filled with something. Both of these gentlemen, Mr. Speaker, are obviously exasperated, even infuriated, by the indisputable fact that the New Democratic Party is united and stronger than it ever was before.

**Mr. Nixon:** That is for local consumption.

**Mr. R. M. Johnston (St. Catharines):** Just a dreamer.

**Mr. MacDonald:** All this huffing and puffing is not going to alter that fact. What we had, Mr. Speaker—

**Mr. R. F. Ruston (Essex-Kent):** You are getting to him.

**Mr. MacDonald:** What we had, Mr. Speaker, to quote the Prime Minister—at this point obviously I am getting to them—what we had, Mr. Speaker, in the last session of the Legislature, was a New Democratic Party that was strong enough in the 1967 election to win 290,000 more votes. While the Tory party was going down 30,000 and dropping seven per cent of the total. While the Liberal Party was staying the same, but

dropping four per cent of the total, we were picking up that 10 or 11 per cent increase. That was the New Democratic Party, Mr. Speaker, of the last session. I know, Mr. Speaker, that people on that side of the House—

**Mr. Nixon:** What did you say about filling a vacuum?

**Mr. MacDonald:** I will tell you, Mr. Speaker, as well as the hon. member for Oxford. I told it to a whole convention including the hon. member for Riverdale and we saw the result—they believed it. So just listen because you should believe it too, if you want to live with the facts.

You see, Mr. Speaker, the hon. gentlemen on the other side of the House would like to argue that what happened with the New Democratic Party in the last election was not much of an achievement; that indeed, it was something of a failure. Well, Mr. Speaker, just let me say to anybody who wants advanced that argument—

**Mr. Nixon:** And who will listen.

**Mr. MacDonald:** —that a projection of what happened in the last election, the gains and the losses, no more and no less, shows that in the next election the New Democratic Party will emerge as the largest single party in the province—

Interjections by hon. members.

**Mr. MacDonald:** The Tories dropped in popular vote from 49 per cent to 42 per cent; a similar drop once again will bring them down to 35 per cent. This is an interesting little numbers game and rather a significant one. The Liberals came down from 35 to 31; a similar drop will bring them down to 27 per cent. The New Democratic Party came up from 16 to 27 and will do it again, to put it at 38 per cent—the largest single party in terms of popular vote. At that level the seats will fall.

However, Mr. Speaker, what I have been talking about is the New Democratic Party you saw in the last session. What you are going to see, Mr. Speaker, in this session, in case it has missed your attention, is a New Democratic Party which has certainly examined its weaknesses and strengths.

Interjection by an hon. member.

**Mr. MacDonald:** Oh, I know that the Tories do not think that they have any weaknesses.

**Hon. Mr. Robarts:** The hon. member is right.

**Mr. MacDonald:** Everybody knows the Liberals have weaknesses, but you do not think you have. We have examined our weaknesses and our strengths and our members know exactly what must be done to win the next election. What is more important is that they have gone home to start doing the job right now. This party, Mr. Speaker, has a basic strength and unity such that it can cope with the tensions of a leadership campaign.

**Hon. Mr. Randall:** Who wrote that, Donald?

**Mr. MacDonald:** I always write my own speeches. I wish I could say the same for you.

**Hon. Mr. Randall:** I will get you to write mine the next time.

**Mr. MacDonald:** Right. We will certainly improve it.

Our differences were one of emphasis. They have been reviewed by our authoritative body, namely the convention. We have now returned to that great area that we hold in common. The leader is back, Mr. Speaker, with a strong renewal of mandate; the deputy leader is back with the unanimous support of the caucus, and I give you fair warning that this government's trusteeship is going to be subjected to the most detailed and revealing analysis that has ever taken place in this Legislature.

**An hon. member:** Old home week.

**Mr. MacDonald:** Well, welcome back. The bridge game is over, is it?

**Mr. R. M. Johnston:** Carry on—

**Mr. MacDonald:** I would just say, Mr. Speaker, through you to the hon. members on the other side, that if this inflicts upon them too much pain and suffering, they have my permission to leave.

**An hon. member:** Quit the foolishness, carry on.

**Another hon. member:** That is the truth.

**Mr. MacDonald:** Mr. Speaker, I want to suggest seriously to the other side of the House that perhaps it is time they began to look at their own problems and not dwell on the problems that they think exist with the New Democratic Party, because this govern-

ment is crumbling of its own dead weight and old age. Every year it gets more and more out of touch with the people and more insensitive to their needs.

Do not accept my word for it, because I know you will consider my words to be tinged with partisanship, but I have been interested, in the last two or three months, in reading the papers to hear of leading people in the Conservative Party publicly moaning and groaning about the plight of the party and what they have got to do if they are going to avoid catastrophe in the next election.

I remember picking up the *Globe and Mail* over my cup of coffee one morning and reading some unnamed top official of the party—and I can quite understand why he should be unnamed when he made this sort of a comment—saying that in the next election, with John Robarts as leader of the party, the best they could expect was to come back with a minority government. I reflected on that, and my only reaction was, it was a little optimistic.

Interjection by an hon. member.

**Mr. MacDonald:** Can I do better?

**Mr. J. Jessiman (Fort William):** Sure he can.

**Mr. MacDonald:** I will turn to an acknowledged voice of Toryism. The *Hamilton Spectator*, which has been a regular and faithful exponent of Toryism and supporter of this party down through the years. A few weeks ago—as a matter of fact, on October 18—W. F. Gold, an editorial writer for that paper, had an article under his byline. He came out and identified his authorship with his byline.

**Hon. Mr. Randall:** Is the member sure he is not NDP?

**Mr. MacDonald:** I have often been impressed with his intelligence, and was more impressed when I read this. Therefore, what you say, I think, is not an impossibility. However, that is a decision he will have to make. However, let me quote Mr. Gold:

Ontario's powerful Conservative machine is showing signs of running down. If the decline is not halted in the next 18 months it could reach fatal proportions by election time 1971.

People have been making such dire predictions, of course, ever since a rambunctious Col. George Drew re-established Tory



rule at Queen's Park by a whisker in 1943. But the government is getting older now and more vulnerable.

Ironically, as is the case with most aging administrations, the fault lies not so much in its conduct of the art of government as such, but in the gradually hardening attitudes, its general frame of mind, and its slowing, calcifying responses to the people.

These latter characteristics were amply and repellingly demonstrated in this region just a few months ago as the government employed every political tactic in the book—short of telling the truth and really coming to grips with the issue—to circumvent, squash, mislead and generally head off an aroused public opinion over the question of the route of the Dundas bypass highway through the beautiful valley wilderness.

This is the calcified approach that manifested itself once again, Mr. Speaker.

Voters from other areas all over the province have similar stories to tell. They have run into arrogance and rigidity whether the point at issue was roads, grants or whatever.

A feeling of general uneasiness is creeping into the party structure as well. Repeated rumours are going the rounds that John Robarts plans to step down within a year. Certainly any man deserves to, after seven years in so rough a job. Yet from the pragmatic political standpoint, his departure may be necessary.

Ontarians may have applauded his statesmanship which led to the Confederation for Tomorrow conference but they are getting a little weary of lectures on public finance which he has begun to deliver in recent months. These speeches have in effect scolded the public for profligacy in its demands, thus missing the point that it was the Conservative government of the day which implemented these spending plans, often without any demand at all. Witness the homeowners' tax exemption which is costing \$150 million this year. . . .

And finally, 25 years is a long time. Normal political prudence would have dictated a very modest and almost silent celebration of that anniversary a few months ago. Instead, the assembled faithful pulled out the stops and made an enormous amount of noise, thus succeeding in reminding everyone just exactly how old this somewhat tired government actually is.

Its handling of patronage is becoming steadily more clumsy and capricious, and

anachronisms like the dictatorial powers of the liquor board producing increasing resentment, and the signs of a change are too little, too late.

More important is the lack of a coherent policy towards the large cities. Here the problem is basic comprehension, plain and simple.

And if I may interject, it simply does not exist in the government ranks.

The men in the power structure simply do not understand the functioning and problems of urban areas and this will cost them dearly.

I put it on the record, Mr. Speaker; not my views of a paper which normally is quite friendly to this government.

However, just one more bit so that the record will be complete. If I may go back to that Tory pocket borough of yesteryear, namely Victoria-Haliburton, I was most interested to read a clipping that came over my desk from Lindsay. It is dated October 31, not very long ago, and says:

Disenchantment with the Tory party in Ontario was clearly evident in remarks made by several speakers at the annual meeting Wednesday of the Victoria-Haliburton riding P.C. Association.

Ironically, most of the condemnation was voiced by three ex-wardens of Victoria county. These long-time staunch Tories took the government to task for dictatorial policies as well as high education and welfare costs.

"In the past we had government serving the people, now governments have us serving them," declared John Alton of Lorneville. "Men of the stature of John Diefenbaker and Leslie Frost made one feel proud to be a Tory. It was during their time as leaders that this country enjoyed its greatest progress," he maintained. Issuing a warning that "the people are ready for revolt"—

Imagine! Victoria-Haliburton and the people are ready for revolt!

—Reeve Wilbert Worsley of Fenelon township declared, "The government is getting away from the people."

And just to prove the point and cap the whole thing, the sitting member from the area is quoted thus:

The long and arduous sessions of the Ontario Legislature were cited in a speech here Wednesday as one of the reasons why government is getting away from the



people. "We just don't have time to get together with the people any more," declared MPP Glen Hodgson, when addressing the annual meeting of the Victoria-Haliburton riding P.C. Association. "Government is getting to be business rather than serving the people."

We are here for five months of the year, only five months of the year, and I tell this government we will be here longer before we are here shorter, make no mistake about it. Yet it is impossible for the Tories to have contact with the people. Let me tell you—we have no trouble in getting contact with the people, whether it is in Picton or you name it.

Interjections by hon. members.

Mr. S. Lewis (Scarborough West): The hon. member can look inscrutable but he is not fooling us.

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, if the Cabinet members have all had their opportunity to have their say perhaps I can get back into the picture here.

I would like to take briefly some examples, by way of documentation, of the insensitivity of this government, its failure to meet the needs of the people. I am not going to go into detail on them; my colleagues will have opportunity later in the Throne Debate and in the estimates to get into the detail. But let me start with that area with which this government is so preoccupied because it has traditionally been its area of strength—rural Ontario, the farmers. I was very interested that after the most careful examination of the new expropriation bill, which has just been brought before us, I found nothing in the expropriation bill to deal with the particular problems that have been faced by agriculture in expropriation.

Farmers are not just homeowners, and farmers are not just business men. And I suggest if you go back and look at the kind of thing that farmers have faced in terms of expropriation from The Department of Highways, particularly in such events, for example, as the Pittock dam in the Woodstock area, there are peculiar problems with regard to expropriation. After such careful examination of this issue, the government brings in a bill which reflects nothing of these particular problems at all. We will have an opportunity a little later, Mr. Speaker, to look into this.

If I may move on to a second point—this fall we have witnessed the spectacle of the United States authorities challenging exorbitant price increases in automobiles, and as a result of the pressure, we finally have a rollback in car prices. We in the New Democratic Party have been trying to get the government in Ottawa to stop the kind of huffing and puffing that Mr. Sharp was engaged in for a time, but he would not follow through with any action; or to get this government, through a prices review board, to look into the exorbitant price increases in the automobile industry, because most of it is right in this province.

During the course of the past few months there has come out of Washington some fascinating evidence. For years nobody has ever been able to get from the automobile industry the cost of making cars, but that incorrigible digger, Ralph Nader, has gotten the information and it is being submitted to a congressional committee under Senator Gaylord Nelson's chairmanship in Washington, and now they are examining it. They have discovered that while the price increases are relatively acceptable as between the manufacturer and his sales to the dealer, what happens on parts and other things is really scandalous.

A four-door Galaxie 500, for example, costs the dealer 16.8 per cent more than it costs the builder to make, but optional equipment, usually amounting to a third of the selling price, was marked up anywhere between 57.8 per cent and 293 per cent over cost, according to Nelson's figures.

Hon. A. F. Lawrence (Minister of Mines): To the dealer? The markup is to the dealer?

Mr. MacDonald: The dealer, who is the retailer. The markup to the dealer, right. I am sorry, I missed the significance of the Minister's interjection. The markup to the dealer for the car is 16 per cent, but on these parts, it is up to as high as 293 per cent, and this, of course, is where the great profits are made.

What is this government going to do? What is the federal government going to do about this kind of a situation in Canada? Do we have to count on a certain situation in Washington being such as to force the president of the United States to move, so that we in Canada can get relief from this exorbitant gouging of the consumers? If the government at Ottawa signed a Canada-U.S. auto pact and is not willing to make certain

that the consumers benefit as they are entitled to benefit under that pact—after the management has benefitted from a \$50 million handout, in effect, out of the public treasury—is this government willing to move in this kind of proposition?

**Mr. O. F. Villeneuve (Glengarry):** It is the federal government.

**Mr. MacDonald:** It is not just the federal government. The federal government has some responsibility but this government can establish a prices review board and get at the facts and provide the facts to the public. This is what this government is unwilling to do.

Let me read one other comment here in this news story.

Despite requests by the Justice Department, the federal safety officials, the Automobile Union and other organizations, General Motors, Ford and Chrysler have refused to voluntarily reveal the cost of building an auto.

In other words we have to operate in the dark. We can do as we please with the inevitable, irresistible, increase each year in Canada, unjustified under the Canada-U.S. Auto Pact. I take the word of a former provincial Finance Minister of this country, Mr. Sharp, when he was in that position. Here is one area where the government has simply walked away from its responsibilities.

I move on to another area. All throughout the fall this government has sought to persuade the federal government to go back on its Medicare commitment—even though it has taken us 50 years to get the Liberals to accept the Medicare commitment in this country. Always we are told it is going to cost too much. When is this government going to face the facts? The fact that this government is now subsidizing all of the high risks in the province of Ontario. Figures that became available from a survey last spring indicate that the total Ontario cost for Medicare today, what is being paid by the government and what is being paid by individuals, is \$465 million. The total cost if we went into the federal Medicare Plan would be \$450 million. In other words, it would be less.

I was interested just two or three weeks ago—October 23 to be exact—to find that somebody asked a question in the federal House with regard to the average per capita cost of physicians' services in this country. We have listened for the last two or three years to spokesmen of this government,

saying that the total cost, most of which is made up in physicians' services, is in the range, in the province of Ontario, of some \$48. We get into constant wrangling as to what are the accurate figures.

Well, here is the latest little figure for you to take a look at. The average per capita cost of physicians' services in Canada in 1966, the latest year for which data was available, was \$33.45, or \$2.99 a month. On the basis of preliminary observations, it is estimated that the corresponding figure for January, 1968, was \$3.26 per month, or \$39.12 for the year.

Now, if you examine the breakdown for the provinces, for Ontario it is \$35.55. If you project an increase to the beginning of 1968, it will take you into the range of \$40 to \$42. How does one square this with the \$48 or the \$50 figures which are going up each time this government uses them? I have given the most recent official figures.

I suggest that this government is indulging in high figures for the purpose of scaring the public out of Medicare. It is an utterly shameful proposition that a Tory government should pretend to be in favour of Medicare and should be assisting the Liberals to get out of a commitment that it took them 50 years to have the guts to implement in statutes. And then to cap the climax, a week or so ago, we have still another increase in Medicare costs in the province of Ontario, with a unilateral, unnegotiated, increase in doctors' fees. I asked the Minister of Health yesterday whether he knew about it. He replied that he got a letter saying that it was going to be done. We have listened in this country to the federal and the provincial governments moan and groan about exorbitant increases that are inflationary and are wrecking our whole economy. There are great lectures delivered to the workers and to others, but the doctors do as they please and the Minister gets a letter telling him that it is done and nothing more happens. When I asked the Minister whether he feels it is a tolerable proposition to have to be handed unilaterally announced increases in fees from the profession which is the highest paid profession in the province of Ontario, he says "we hope to work out some sort of an agreement with them". It is about time that this government had the courage to act on behalf of the people of the province of Ontario. It is simply because they have not got the courage to act on behalf of the people of the province of Ontario, and bow and scrape in front of every vested interest who dictates

from behind the scenes, that you are crumbling in the eyes of the people of this province.

**Mrs. M. Renwick** (Scarborough Centre): Where is the Health Minister?

**Mr. MacDonald:** Where is the Health Minister?—that is another good point. Let us take a look at the housing Minister because if there is any Minister who is bringing questions and disrepute upon this government more than the hon. Minister of Trade and Development, I cannot figure whom it might be. The Minister is barnstorming, not only across the whole of the province of Ontario, but across the world. He is in Tokyo today, he is in Bonn tomorrow; when it is the job of somebody—and if not this Minister then let him get out of it and get somebody else to do it—to tackle the housing problem in the province.

Interjections by hon. members.

**Mr. MacDonald:** Is there anyone who has any doubt that this is to him?

Interjections by hon. members.

**Mr. MacDonald:** I will tell you—in the last election we got within 800 votes in Don Mills, so just go home and tend to your knitting because it cannot be attended to in Bonn or Tokyo. Mr. Speaker, I am not interested in the Minister's production of figures which are usually on the basis of a project in which has given us two or three earlier sets of figures. The earlier sets of figures meant nothing and it is likely that the latest one will not mean anything. We have simply got to build houses in greater numbers in this province of Ontario. Until we do something about a vacancy rate, which in the metropolitan areas is one, or less than one per cent, and until you have got over that problem, there is no point in this Minister, who can sell refrigerators to Eskimos, or any other preposterous proposition of that nature, trying to kid the public that the housing situation has been solved—it has not.

**Hon. Mr. Randall:** How many were built in Saskatchewan in 21 years?

**Mr. MacDonald:** I am not interested in how many were built in Saskatchewan. I am interested in how many you have not built in the province of Ontario, that is the important thing.

Interjections by hon. members.

**Mr. Speaker:** Order, order.

**Mr. MacDonald:** Does the Minister want the floor for a moment?

**Hon. Mr. Randall:** No, go ahead.

**Mr. MacDonald:** Let us take a look at another point in this Minister's department. We have only got to examine with great care the kind of abuse of the public treasury which this Minister is engaging in, in his so-called "forgiveness grants"—"forgiveness loans"—We desperately need a balance in economic development in the province of Ontario. There was a day when this government operated on the proposition that if some company that happens to be a marginal company, but in the assessment of the appropriate officers of this government, may well have had a contribution to make—if they cannot get their money from the traditional sources for capital, then let them come to the government and the government will assist them.

That was a questionable proposition, because it meant that the government underwrote the worst risks, but at least the government was trying to build in those areas where we do not have economic development.

Today we have a fatuous proposition. The richer the company is and the more resources it has, the more certain, this Minister told us just two days ago, it is that they can get a loan, a "forgiveness loan."

Let us face a fundamental fact here, Mr. Speaker. If a company is going to build in any area it is going to build because there is a prospect for long-term profits. Otherwise, it is not going to go into it. And therefore, what it amounts to, in the instance of some of these well-established companies that have large reserves, is a straight hand-out of the public treasury that is not needed at all. If a company has got reserves of tens, or hundreds of millions of dollars, this Minister is just handing out up to \$500,000 which goes into private pockets; they do not need it any more than E. P. Taylor needs the \$20,000 a year to train his horses.

Interjections by hon. members.

**Mr. MacDonald:** Well they have got most of the new factories.

Interjections by hon. members.

**Mr. MacDonald:** Talk to the Crane employees in Port Hope, or talk to the company whose position I drew to the Minister's attention earlier today where they got, I think, a grant in July for something over \$200,000—I seek confirmation of the exact amount. They

have laid off 60 people since they got the grant; they are in the process of further outlays. What kind of a proposition is this? This is abuse of the public Treasury.

This government is so penny pinching, it is examining with the greatest of care, grants to students. It examines with the greatest of care the overpayment of \$75 or so in a welfare cheque, and it hounds that little man until he has paid it back. It has examined savings so carefully that out in the Whitby hospital, patients who are working in the hospital and were paid five to ten cents an hour, have now had their pay reduced to two cents an hour. It examines all these things so carefully. Yet with reckless abandon it will hand \$500,000 to a company to establish in some part of the province, when that company has reserves that are such that they have no need of the \$500,000 at all.

In short, Mr. Speaker, here is not only an indication of where the government is not fulfilling the objectives of a programme, it is abusing the public Treasury for its friends in the business world—American friends at that.

Well we will take a further look at that at some later time.

Interjections by hon. members.

Mr. MacDonald: I will proceed to another point Mr. Speaker. For years, this government has refused to deal with sources of friction in labour-management relations. Ten years ago, I happened to be a member of a select committee of this Legislature which made reports with regard to the streamlining and modernizing of The Labour Relations Act. I have said it many times before, but apparently it has to be said again—one of the unanimous recommendations was, for example, the getting rid of *ex parte* injunctions—a unanimity that was shared by eight Tory members, six of whom were in the Cabinet then, have been since, or are in the Cabinet now.

What have they done about it? Nothing. Because people behind the scenes in the business and management world wanted to keep *ex parte* injunctions. A gross violation of British justice, and this government was willing to do it. Then last year, or two years ago when we had the Oshawa and the Tilco situation, and the injunction issue flared up and caused a great public furor, what did this government do? Did it dust off that ten-year-old unanimous recommendation about *ex parte* injunctions? No.

It set up another Royal commission, and now we have backed into a set of proposals from an old gentleman whose mind is a legal mind, and who has produced a legal strait-jacket which is going to compound our difficulties and produce industrial strife instead of industrial peace in the province of Ontario if this government ever proceeds to implementing it.

Twenty-five years ago, even the Tories recognized that labour-management relationships were basically a problem of human relationships—not legal questions. Therefore, they took the whole question of labour-management relationships out of the regular courts and put them in a special court with labour and management and impartial chairmen sitting on that court.

Now we will have a proposal which is the result of this government refusing to deal with the issue in light of recommendations from ten years ago. We now have a proposal from Mr. Justice Rand for a legal strait-jacket, which is going to get us into incomparable difficulties.

We saw some of these difficulties when we went down to Picton the other day. There we have a case of a management refusing to bargain in good faith throughout a whole year. This union was certified December 27 last year. They even refused to grant the minimum wages which this government has finally implemented at disgracefully low levels. Even those low levels this company refuses to implement in a contract.

Once again, because of the laws of this province, they have been able to invoke the whole weight of the court on their side through an injunction, and they are now in the process of breaking the union through the gradual replacement of its working force, and this government sits on the sidelines and does nothing about it.

The government prattles about the importance of unions while perpetuating laws which make it possible for recalcitrant management to break legitimate collective bargaining units in areas where they are imposing sub-marginal wages.

Mr. Speaker, this is the kind of thing that the people in this province are not going to tolerate any longer. They are going to fight on the issue, and quite frankly when they fight, we in the New Democratic Party are going to be with them.

I could go into the farm, into the welfare field, into the health field, into any field at all, and find the same kind of growing insensitivity to the needs of the people on the

part of a government which is frustrated because of its commitments to vested interests, and cannot move to meet the needs of the people.

That is the reason why the image of this government has deteriorated more and more in the last two or three months, and their friends are pointing it out clearly. We do not have to point it out.

Mr. Speaker, if you wanted any further proof of the bankruptcy of this government, you have it in the Throne Speech—of all the vacuous documents! The Prime Minister said that they finalized the writing of the Throne Speech so late they did not have the time to get it translated into French in time for the opening day. For the life of me, I cannot figure out what this government was doing that they had to delay. Because there was nothing in the speech.

It was contemptuously empty of substance. So the result is that we in this Legislature, for the next two or three weeks have got to operate within a vacuum in a Throne Debate, guessing at what this government is going to do.

I suggest to you, Mr. Speaker, and I pass this on to the government rather seriously since it presumes it is the body most intent in protecting some of our old and historically honoured procedures, that a few more vacuous speeches like that, and a lot more people are going to be persuaded that it is time we got rid of some of the meaningless folderol of the opening day of the Legislature.

It has been put on the record in this House, what people like Bill Rathbun—he has now been taken to the bosom of the government, so they must think he is a pretty good fellow—had to say about the empty procedures of this Legislature on its opening day, and to cap the climax, we have this kind of a Throne Speech.

**Mr. M. Gaunt (Huron-Bruce):** No wild river this year.

**Mr. MacDonald:** No, not even the relief of wild rivers. Well, Mr. Speaker, I have a few things that I want to say that might have been dealt with in the Throne Speech and I can assure you, whether they are in the Throne Speech or not, they are going to be dealt with in the course of this session. So I will proceed to them. We just hope that, with the expropriation bill, and some other things that are perhaps going to meet the needs of the people, the government will inject some substance into their vacuous programme so that we can spend our time a

little bit more usefully between now and Christmas.

The first topic that I want to touch upon, Mr. Speaker, has to do with the Indian situation or the problems with relation to Indians in the province of Ontario.

During the Throne Debate a year ago, I detailed at some length, the shameful conditions under which Canada's Indian population live and work. I placed on record proposals for a fundamentally new approach to Indian affairs which had just been advanced by the Indian-Eskimo association with the apparent support and approval of the Ontario Union of Indians.

These proposals involved an almost complete decentralization of the present responsibilities of the Indian Affairs branch in Ottawa to the provinces—indeed, all of the responsibilities, except those pertaining to treaties and lands.

It was argued that if the social and economic welfare of our Indian population were to be more fully met, it could be done if programmes were worked out by the provincial government, particularly since most of the resources—land, timber minerals, game, water, fish and hydro power—the keys to the welfare of Indians, lie within provincial jurisdiction.

Unfortunately, during the past year, tragically little has been done to achieve this objective. At the moment, I do not want to go into the details of the programme. There will be other opportunities during this session and many of my colleagues will use them.

My interest, at this time, is to consider the broad outlines of overall policy and the difficulties which lie in the way of achieving those changes concerning which there is a growing consensus of support.

Let me make this point first. Canada's treatment of its native Indian population has been such a shameful record that we have escaped the consequences of our action for longer than we deserve. The Indians have had the patience of the gods in face of grave injustices. As a people, they have been docile. But all that is rapidly coming to an end. Observers cannot have missed some rather significant changes in recent months.

The normal orderly pattern of meetings has been disrupted by a vigorous protest of Indian leaders. They have demanded, and sometimes with too little grace, have been accorded a place on agendas designed to consider their plight.



Cabinet Ministers, both federal and provincial, have been sharply confronted both in meetings and hotel lobbies. At long last, Indian leaders are no longer docile. There is a ferment and unrest which carries the clear warning that either governments grapple more effectively with Indian problems, particularly by granting Indians greater opportunities to shape their own destiny, or Canada is going to experience the same kind of violent protest which has emerged in many other countries with minority groups.

Speaking in Burlington early in October, Omer Peters, who is both president of the Ontario Union of Indians and president of the Indian-Eskimo Association of Canada bluntly warned that organized militant Canadian Indians are teaching riot instigation techniques all across the country. Red power groups are emerging. There is grave danger that solutions will soon be made all the more difficult because of their activity. Time is running out. Already we face the prospect of having to pay a heavy price for years, decades, even centuries of neglect and procrastination, and at our peril can we delay any longer?

As one news report put it: "Get off my back, white man," was the message coming through the politics and intrigue of the conference of the Indian-Eskimo Association held in Toronto here this fall.

At the federal level, Mr. Speaker, there has been an unprecedented re-examination of government policy. Chretien, Andras and Co. have conducted seminars with native people all across the country. This whole process has been shadowed by a growing feeling among Indians and Eskimos that once again Ottawa is going paternalistically to decide what should be done with our native peoples, committing once again the fatal error. Whatever is done must be done for the most part, by decision of the Indians themselves.

But it is too early to prejudge what will come of this fundamental review. Native peoples are hopeful and their hopes still outweigh their apprehensions. Their mood is perhaps summed up in the comment of one Indian leader, "If this is another snow job, it will be the last one."

Let me, however, turn to the Ontario government situation because it is our immediate concern. Here the apprehensions are not relieved by any significant measure of hope.

Perhaps I can best set the context of my criticisms of this government's failure and intolerable procrastination by quoting for

hon. members, the remarks of the president of the Ontario Indian-Eskimo Association at its recent annual meeting. The gentleman in question is the Reverend John A. MacKenzie, an active Progressive Conservative, who unsuccessfully sought the federal nomination of his party in a central Toronto riding last spring.

This is what Mr. MacKenzie had to say:

While there are signs that the federal government is beginning to re-evaluate its policies with the involvement of Indians and recognize that policies must be implemented on the terms of the Indians and not the white man, we are increasingly disturbed by the failure of the government of Ontario to fulfill its role.

The Indian Development Branch of The Department of Social and Family Services has been in operation for over two years. The stated position of the Ontario government is to recognize Indians as one of many ethnic groups, but to treat them the same as all other groups. Furthermore, Prime Minister Robarts recently stated that his government intends to integrate Indians into Ontario society.

The position of Ontario fails to recognize that almost all other ethnic groups in Canada come from a western culture while Indians have a qualitatively different, and perhaps unique, cultural heritage. The first step for progress in Ontario is the unequivocal recognition of these differences which include the recognition of a special status for Indians because of their treaty rights.

The Indian-Eskimo Association has repeatedly made known to the government our position (and that of the Union of Ontario Indians) that community development should be removed from direct government control, and that a Crown corporation be set up which would be administered in ways which are consistent with the value systems of Indians in Ontario.

The government has informed us that they were listening but that they want to implement and test the programme which they have had under way for two years. We feel that we must now raise some questions about the existing programmes in Ontario.

Despite repeated criticisms by Indian people, some community development officers continue to operate out of the offices which administer welfare programmes. This means that the local community development officer is identified in the minds



of the people as having a particular task which is related to welfare. This places him in a position whereby he cannot relate freely to all aspects of community life.

An Indian advisory board has been established by the Ontario Department of Social and Family Services. The terms of reference of the board are somewhat confusing to many Indian people in that the distinction between an advisory board and a decision making body has not been clearly interpreted to the native peoples.

There has been concern expressed that recommendations of the advisory board have not been adequately acted upon by the department. There is further confusion on the use of the advisory boards. Policies affecting them should be discovered and developed in ways which include the community in the decision-making. The government of Ontario has made it clear to the people in the Kensington area in downtown Toronto that no urban renewal would take place without their direct participation in the decision-making process. This same principle must be recognized in working with Indian communities in Ontario. The people who live in the community must play the dominant role in making the decisions which affect their lives.

That is the end of my quote from Mr. MacKenzie for the moment, Mr. Speaker. But from these criticisms of general attitudes of the government, Mr. MacKenzie then proceeded to specifics. He pointed out that the establishment of the Indian Development Branch and the subsequent appointment of community development officers has provided the Indians with new means of expressing their needs and developing initiatives to meet them. But consistently the government has said "NO", with a capital N-O to requests for financial assistance to fulfill the initiatives once the Indians have taken them.

Consider the record. The Indians sought grants to support folk-school projects which are obviously vitally important in their effort to strengthen their cultural heritage and thereby rebuild their self-esteem as a people. The government refused.

The Indian Hall of Fame at the CNE is an obvious symbol of our desire to restore the Indian to his rightful place in our history. Grants were sought for this purpose. The government refused.

A grant was sought for the Canadian Indian Workshop at Waterloo. The government refused.

If the current review of The Indian Act by the federal government is to reflect the views of the Indians themselves, as it must, it was important that representations by Ontario Indians be made as effective as possible. The Union of Ontario Indians sought a one-time grant for a field work project to assist in this critically important endeavour. The government refused.

There is a growing concern about the plight of these Indians who have left the reserves and flocked to the cities. An action research project designed to assist migrant Indian people receiving the joint support of the Metropolitan Toronto Social Planning Council, the Indian Affairs Branch, the Toronto Indian Centre and the Ontario Division of the Indian-Eskimo Association. In spite of this collective effort by, and on behalf of the Indians, the government refused financial assistance.

Having encouraged Indian initiative, Mr. Speaker, this government consistently frustrates its fulfillment. The resulting situation, I suggest to you, is almost more dangerous than if the government had done nothing to begin with. Mr. MacKenzie concluded in his annual report to the Ontario IEA:

The time has come for the Ontario government to reconsider its policies with regard to the Indians before it is too late. The first step, by necessity, must be opening up channels of communication between Indian communities and government branches and departments. It must be recognized that the Indians are adamant about their involvement in the decision-making process.

That is the end of Mr. MacKenzie's comment.

Mr. Speaker, that critique by an organization which works closely with Indians, is both fundamental and far-reaching. I can do no better than present the representations of the Indian-Eskimo Association at the length to which I have done, because they are authoritative. And without hesitation, I say that they have the solid backing of the Ontario New Democratic Party.

Before the government sloughs all this off with that unctuous bravado for which the chairman of the Cabinet committee on Indian affairs—the hon. Minister of Social and Family Affairs (Mr. Yaremko)—is so renowned, let me remind you that essentially the same criticisms have been expressed in this Legislature by government members.

For example, speaking in the Throne Debate last session, the hon. member for Kenora stated:

The consensus in northwestern Ontario is that too often policies and programmes are based on ideas originating in the administrative centres of Ottawa and Toronto, and lack the residents' insight into the problem. The difficulties encountered and the failure rate of such policies and programmes attest to the validity of these views.

Later, the hon. member for Kenora referred to the agreements by which the responsibilities for Indian affairs now resting with the federal government might be transferred to the provincial government. And he pointed out, and I quote:

Under the existing agreement, very little authority has been transferred from the federal to the provincial government. The transition is difficult, but one may question whether there is enough effort being made at the provincial level to speed up the process.

In seconding the motion in reply to the Speech from the Throne last week, the hon. member for Fort William declared that there are too many organizations and individuals with "do-gooding" inclinations getting involved in Indian problems, and then he gratuitously insulted them all by asserting that they were simply seeking publicity for themselves.

Let me assert, Mr. Speaker, that the prize "do-gooder" in the picture at the moment is the Minister of Social and Family Services who chairs the ineffectual Cabinet committee on these matters. In fact, I know of no more professional "do-gooder" than he. He positively drips it.

However, the Minister's actions merely symbolize a government policy which is basically misconceived, so let us take a look at the government's policy itself. The Prime Minister tends to blunt criticism of the province's inaction by the facile assertion that Ontario is willing to assume responsibility for meeting the Indian needs, that the road-block to progress is in Ottawa, that we cannot get agreements with them.

In the Throne Speech last year, the Prime Minister stated that perhaps it would be necessary to point out where the difficulties have arisen, why we have been blocked in doing what we set out to do and what we want to do. May I say to the Prime Minister that there is nothing blocking this government except its well-developed capacity to

dream up excuses why it cannot and should not act.

There is a mythology regarding Indian affairs which must be destroyed. It has been widely believed, precisely because governmental authorities have propagated the belief, that Indian affairs are primarily a federal matter. Constitutional and legal experts have dismissed this contention as a mis-reading of the BNA Act. The BNA Act states that the federal government shall be responsible for Indian lands and treaties; it says nothing about services to the Indians, whether they be education, welfare or economic development. Under the constitution, Ontario has concurrent responsibilities and, indeed, it has an obligation to serve Indian peoples as citizens of this province as much as anybody else. There are no road blocks, other than the government's lack of will to get on with the job.

Of course, Mr. Speaker, there is the ever-present problem of money. The Ontario government argues that it will assume these responsibilities if Ottawa will provide the equivalent revenues to do the job. Here, once again, we have a desperately urgent problem which is the victim of constitutional wrangling over the responsibility for action.

Again I assert to the government: You have concurrent responsibility, so get moving! After all that this country has done to the Indians, there is nothing more demeaning and dangerous than further delay because of the cost involved.

With regard to the expenditures, may I remind the hon. members that the Hawthorne-Tremblay study on Indian affairs points out, and it is to be found on page 164, that the per capita expenditure on Canadians in general by government is \$740. The per capita expenditure on Indians is less than half the national average. It is \$300.

So let us not talk as though spending more money on Indians is going to put them into a favoured class. They are the recipients of less than half of the expenditure of government compared with the national average. Let us cut out this shameful procrastination.

Furthermore, let us face a basic fact with regard to the so-called Cabinet committee on Indian affairs. It is not a Cabinet committee. It is a committee on which a half dozen Cabinet Ministers sit, which has become an integral part of The Department of Social and Family Services, with its responsible officers answerable to the Minister and deputy of that department. It has been locked into that department so that it cannot fulfill

the co-ordinating role which is its purpose. The very fact, so vigorously deplored by the Indian-Eskimo Association, that community development officers have to work out of the welfare offices across the province, is but one of the unfortunate results that flow from this.

This government steadfastly refuses to acknowledge the basic necessities in structuring a Cabinet committee if it is to be effective. Professor Krueger pointed them out some years ago in his study of chaotic situations with regard to regional development in this province.

To be effective, he pointed out, a Cabinet committee must be under the direction of a full-time person who has deputy Minister status and who is answerable directly to the Prime Minister. Otherwise, its work staggers along under the direction of a Minister who is already overloaded with his departmental work, and who has not the power to effect co-ordination, day in and day out, of the responsibilities which fall under a number of other Ministers.

The only man who can achieve that kind of effective co-ordination is a full-time person acting in the name and with the power of the Prime Minister of the province. I say this with regard to the Cabinet committee or any other committee that this government establishes. You simply cannot have effective Cabinet committees on the basis that the government has been operating them in the past.

To sum up, therefore, there are a number of guidelines to policy and action in coping with Indian affairs.

First, set up an effective Cabinet committee, under the direction of a competent person with deputy Minister status answerable directly to the Prime Minister.

Second, treat the Indians as citizens of this province, and not as wards of the paternalistic Great White Father in Ottawa. Let the province exercise the responsibilities which it has to serve Indians as well as all other citizens, and let there be no further delays while the endless negotiations with Ottawa drag on.

Finally, and most important of all, let us proceed to the setting up of regional Crown corporations, with full Indian involvement in their direction, to work out and implement programmes of all kinds—educational, retraining, welfare, economic, development. In my

view, northwestern Ontario is ready for the establishment of such a regional development council right now. Indeed there are units in operation within that part of the province which the hon. member for Kenora put on the record last year, and which logically fit into the direction of an overall regional development council. The piecemeal expenditures of all departments should be pooled through this one body, which will operate in the name of the whole government, with the Indians directly involved at the regional and local level in the decision-making process for programmes which are designed to help them.

I conclude, Mr. Speaker, with a repetition of my first remarks. Time is running out. Either we act quickly to remove the national shame which has characterized our treatment of the Indians in the past, or the difficulties in solving Indian problems will become bedevilled by red power, with all its irrationality and violence, born of years of frustration and neglect. So the challenge to this government is to move now and not wait for two more years to find out how their present programmes are going to work out, when the judgment of many people who are authoritative in the field is that they simply are not working out.

Perhaps you will permit me, Mr. Speaker, to move the adjournment of the House. I was about to move into another section—

**Hon. Mr. Robarts:** On the debate?

**Mr. MacDonald:** Of the debate, rather. My apologies.

**Mr. Nixon:** The hon. member is three years ahead.

**Mr. MacDonald:** It is the will to win. I cannot contain it.

Mr. MacDonald moves the adjournment of the debate.

Motion agreed to.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, tomorrow we will resume this debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, November 27, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968

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WEDNESDAY, NOVEMBER 27, 1968

The House met at 2.30 o'clock p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: in the east gallery, from Eastdale Vocational School, Toronto, and Emery Junior High School, Weston; and in the west gallery, from Highland Heights Public School, Agincourt, and St. Gregory's Separate School, Islington. Later this afternoon there will be students from St. Michael's Separate School, Dunnville, in the west gallery.

Petitions.

Presenting reports.

Motions.

**Hon. J. P. Robarts** (Prime Minister) moves that on Friday, November 29 only the House will meet at 10 a.m.

Motion agreed to.

**Hon. Mr. Robarts:** In explanation of the motion, this is in connection with the honouring of the 150th anniversary of the birth of George Brown. I might say also that the usual business of the House will be suspended—that includes questions, motions, introduction of bills, and so on. As I explained yesterday, we will deal only with this particular function, and then move outside to proceed with the programme; but the normal business of the House will be suspended on Friday.

**Mr. Speaker:** Introduction of bills.

#### UNIVERSITIES COMMISSION

**Mr. T. Reid** (Scarborough East) moves first reading of bill intituled, An Act to establish the universities commission.

Motion agreed to; first reading of the bill.

**Mr. T. Reid:** Mr. Speaker, the purpose of the bill is to establish an independent universities commission containing representation from the government, universities, and the community, to allocate the grants of public

money and to act in an inter-university advisory capacity.

The basic purpose, Mr. Speaker, is to assure the citizens and the taxpayers in this province that the large amount of money now being spent in our universities is being wisely and efficiently spent. The purpose of this particular bill, Mr. Speaker, is to fix the responsibility for the allocation of these funds in an independent commission, that is to say, a commission that is not a government department. I believe that this would be an efficient way of allocating the funds and of securing greater university co-operation.

**Mr. Speaker:** The hon. member for Humber has the floor.

#### THE HIGHWAY TRAFFIC ACT

**Mr. G. Ben** (Humber) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Mr. Ben:** Mr. Speaker, this bill requires that all new automobiles have a log book in which are recorded all the repairs to the car and after each repair a certificate that the motor vehicle is roadworthy. It will also record the mileages at which repairs are made and automobiles are sold.

#### THE ONTARIO HUMAN RIGHTS CODE, 1961-1962

**Mr. Ben** moves first reading of bill intituled, An Act to amend The Ontario Human Rights Code, 1961-1962.

Motion agreed to; first reading of the bill.

**Mr. Ben:** Mr. Speaker, the purpose of this bill is to amend the provision, or wipe out the provision, which enables educational institutions and other institutions receiving government funds to practice discrimination in their hiring, such as for instance, the University of Toronto.

**Mr. F. Young** (Yorkview): Mr. Speaker, I had thought that I had caught your eye and that that white glove was pointing right in my direction.

**Mr. Speaker:** The hon. member for Humber had been on his feet at the same time as the previous member of the Opposition.

### THE ELECTION ACT

**Mr. Young** moves first reading of bill intituled, An Act to amend The Election Act.

Motion agreed to; first reading of the bill.

**Mr. Young:** Mr. Speaker, the purpose of this bill is to reduce the age of persons who may vote at provincial elections, from 21 years to 18 years.

### THE ONTARIO WATER RESOURCES COMMISSION ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to prevent eutrophication of water courses.

**Mr. Speaker:** Before the orders of the day, I would like to acknowledge and bring to the attention of the members present, the presence here of a member of the federal Parliament of Switzerland, Mr. Paul Burgi, MP, who is in the Speaker's gallery. He is accompanied by Consul General for Switzerland in Toronto, Mr. George Falquier, by Dr. Peter Welti of the General Auditing Co. in Switzerland, and Mr. Paul Stutz, also of Zurich, Switzerland.

I am sure that your recognition of this visiting parliamentarian will be appreciated by him. I hope that he will not only be interested but learn something from the proceedings of this House of Parliament.

Before we proceed to the questions which normally come at this time of the day, I would like to advise the members that today, we will try a new system of questions. The hon. leader of the Opposition (Mr. Nixon) will, as usual, ask his questions first—such questions that he has; followed by the leader of the New Democratic Party, the hon. member for York South (Mr. MacDonald). Then we will have questions from the members directed to Ministers and delivered to the Ministers in the order in which they stand on the table of precedence in the Executive Council. We will see whether this

works any better toward allowing the Ministers to get off to work. We will see how it works and if it does not work as well as the other, we will go back.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

May I say that this is a decision taken only by Mr. Speaker. I have not consulted the leaders of any of the parties and I do not intend to. If it works well and it should, that is fine. It will only work well if the hon. members will give it a fair trial.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, on a point of privilege. Yesterday I was absent from the House, in my office, and was unable to be present during the course of the remarks of the leader of the Opposition, which I have since read as set out in the speech he has given out and as reported in the press.

Mr. Speaker, the leader of the Opposition distributed his speech, which I assume he read in this House, and I shall only refer to one portion thereof. In reference to the work of the children's aid societies, he said the following:

First let me say that the research on this subject was done with great hardship because the Minister's office or people under his direction have warned societies that they are not to discuss programmes financed by the government without clearing such discussions with the department.

**Mr. S. Lewis** (Scarborough West): On a point of order, might the Minister indicate whether this is a point of order or a point of privilege that he is rising on?

**Mr. Speaker:** The hon. Minister—

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. Minister is quite within his rights if he proposes to indicate that the excerpt which he is now reading from, I presume, *Hansard*, or the speech, is not a correct statement so far as he is concerned.

**Hon. Mr. Yaremko:** The leader of the Opposition proceeded to state, as a statement of fact, "This is an unheard of abuse by the department" and so on in very colourful, uncomplimentary language.

That speech was reported. I am glad to see that some of the hon. members—

**Mr. Speaker:** Order! The hon. Minister will proceed with his point of order.

**Hon. Mr. Yaremko:** This matter was referred to in the Toronto *Telegram* of today, as follows:

Mr. Nixon said research has been difficult because the Minister (John Yaremko) or people under him had given orders to the societies not to talk.

Mr. Speaker, my point of order is that the leader of the Opposition is completely—

Interjections by hon. members.

**Hon. Mr. Yaremko:** I deny it categorically. The leader of the Opposition is off base completely. I was surprised to see that a man—

**Mr. Speaker:** Order! If the hon. Minister wishes to point out that in his opinion, and from the facts available to him, the hon. leader of the Opposition was in error in his statements he is entitled to do so, but he is not entitled to attack the hon. leader of the Opposition at this point.

**Hon. Mr. Yaremko:** Mr. Speaker, I rest my case: I categorically deny—

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, on the point of order, or point of privilege as it has been stated, may I suggest to the Minister that he undertake some inquiry as to why the officials of various children's aid societies and other branches that come under his jurisdiction have indicated to me and to my researchers that they must clear any conversations with the Opposition with the Minister's office.

**Hon. Mr. Yaremko:** Mr. Speaker, I point out to you—

**Mr. H. Peacock** (Windsor West): Mr. Speaker, on a point of order, may I represent to you that you are permitting a debate to commence in this House which is out of order?

**Mr. Speaker:** I agree with the hon. member for Windsor West. He is quite correct in what he has stated, and I would ask the hon. leader of the Opposition now to place his question.

**An hon. member:** The last word may be out of order, but get the last word.

**Mr. V. M. Singer** (Downsview): There is no reason why we cannot learn a few things from hon. members opposite.

**Mr. Nixon:** Mr. Speaker, I have a question for the Attorney General, if we can get through the interruptions from the other side:

What steps will be taken to investigate the statement made by the United States Federal Bureau of Investigation that Stefano Magaddino of Niagara Falls, New York, is "an overlord of crime" in southern Ontario?

Does the Attorney General intend to send a representative to the United States to consult with the FBI so that all facts are available to officials in Ontario?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, we have a continuous exchange of information with the FBI and many other police agencies, we—

**Mr. Speaker:** The hon. member for Yorkview has a similar question or questions. Would the hon. Attorney General allow the other question to be placed? Perhaps he can deal with the whole matter at once.

**Mr. Young:** My question is whether in view of the comments of officials of the FBI as reported in today's Toronto *Star* that Mafia activities are expanding into Ontario, does the Attorney General wish to revise his comments given in reply to my question yesterday?

In the light of the FBI statements, what actions does the Minister contemplate?

**Hon. Mr. Wishart:** Mr. Speaker, the police commission, through the Ontario Provincial Police and police agencies generally in Ontario have complete exchange of information with the FBI and many other police agencies. They are aware and have been aware of the activities of the Magaddino people in Ontario. There have been convictions and prosecutions of these people, and we are kept fully aware. The FBI knows and our people know of the efforts of the criminal elements in the United States to come into southern Ontario and other parts of Ontario. This is why this information flows freely between the police forces.

There is no answer to the second part of the question, and I am not taking any further steps to investigate, because we have a very capable and very efficient intelligence agency, and there is a complete exchange of information. I will not say that we know everything that criminals do at the moment they do it, but there is the most complete exchange of information.

As to the question from the hon. member for Yorkview, I have no reason to change the nature of the content of the answer I gave yesterday, in answer to this question. This was a question as to whether the reference in some speculative article—in the New York

*Times* apparently—that there have been exchanges between criminal elements in the United States which, apparently, in the view of someone in the federal government of the United States, related to the eastern part of Canada.

I said we have no reason to believe that has reference to Ontario. We still have reason to think that that was a reference to Montreal, and it was not related to the Magaddinos. It was the Bonanos up there. My answer stands exactly as I gave it yesterday.

**Mr. Nixon:** If the Attorney General will permit me a couple of questions.

He is aware that at noon today the police chief of Toronto, Mr. Mackey, was reported as having said that one of the principal links between the betting community in Toronto and the Mafia was through the organization that was discussed in my question—that was controlled, apparently by Mr. Magaddino. What of that?

**Hon. Mr. Wishart:** Yes, I am aware, Mr. Speaker, that they are involved to a certain degree, in certain areas of gaming. But they are not overlords of crime in this province.

Those activities of which we are aware, where they give grounds for prosecution—these things are followed up.

**Mr. Nixon:** Well, I might just—

**Mr. Speaker:** Order! If the hon. member wishes to place a question, or a supplementary question, he is entitled to, but he is not entitled to get up and make a speech. It is right that the rules should be observed on both sides of this House. The hon. leader of the Opposition has a further question from yesterday of the Minister of Health.

Interjection by an hon. member.

**Mr. Nixon:** He is trying to get into your good graces.

**Mr. Speaker,** of the Minister of Health I would like to—

**Mr. Speaker:** Order! The Speaker is quite aware of the feelings on both sides of the House but he does certainly take objection to observations such as the hon. leader has made. I would hope that there would not be any repetition of it.

**Mr. Nixon:** I apologize for that, Mr. Speaker, and withdraw it.

**Mr. Speaker,** I have a question for the Minister of Health. Will the Minister explain

the position of the government in providing subsidized OMSIP for Indians on and off reservations in Ontario?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, OMSIP is available to all residents of Ontario. It is available to people of Indian extraction or Indian blood living off the reservations exactly the same as to any resident.

For Indians on the reservation the federal government has traditionally claimed this as their responsibility and we look to the federal government to provide the financing, so that Indians living on reservations can have the same privilege in this respect as any citizen of Ontario.

Because of the present dialogue between the two levels of government we, in Ontario, have made it clear to all Indians that OMSIP is readily available to them. We have served notice on the federal government that they will be held responsible for the financing of this.

To that end the Minister of National Health and Welfare, I understand—and I emphasize this “I understand”—was to set up a task force to look into this entire matter and find a resolution of the problem for all time.

**Mr. Nixon:** Might I ask a supplementary question, Mr. Speaker, with the Minister's permission?

It is true, then, to say that no Indians on reserve at the present time are covered with the OMSIP programme?

**Hon. Mr. Dymond:** No, I do not believe it would be true to say that, Mr. Speaker, because I believe some Indians have applied for OMSIP on their own, as they have been applying for other medical services insurance. I do not think it is widely spread, but on certain reservations the Indians do have it.

**Mr. T. Reid:** Mr. Speaker, on November 25 in this House, as recorded in *Hansard*, pages 109 and 110; with regard to the Proctor-Silex strike in Picton, I would like to point out the following matter of personal privilege.

My leader stated as follows,

We sent our representatives to a union meeting [at Proctor-Silex in Picton]. The member for Scarborough East represented the Liberal Party at that meeting. He was in contact with labour leaders, leaders in the community. He came back with a report that led us, as Liberals, to support the strikers in this particular negotiation.

On a point of personal privilege, Mr. Speaker, on page 110 the member for Brantford (Mr. Makarchuk) stated,



The leader of the Opposition is, Mr. Speaker, misleading the House. The representative from the Liberal Party was not at that meeting.

Mr. Speaker, I would like to quote directly from the *Belleville Intelligencer* of October 3, 1968, to show that I certainly was there.

The Liberal critic for economics and development visited Picton yesterday—

That was October 2. I would like to point out that the NDP did not get there until November 23.

—at the request of Robert Nixon, leader of the Opposition. He was accompanied by Nixon's executive assistant, John Morrit, and after the meeting with union officials and discussing the current situation, the Liberal visitors were extremely critical of the company's stand.

They discussed the situation with George Hutchens, Canadian IUE president, Jim Donofrio, union representative, Dan Neilson, president of the local United Farmers' Union, and Dr. Lionel Dockrill, Picton town councillor.

Mr. Speaker, I was there and I was there a good six weeks before the NDP got there.

Interjections by hon. members.

Mr. Speaker: Order, order!

Mr. D. C. MacDonald (York South): Mr. Speaker, I will not enter the debate, but we were there many, many times in advance of—

Mr. Speaker: Order! The hon. member is on his feet to ask a question.

Mr. MacDonald: I have three questions, Mr. Speaker, from yesterday. The Ministers are present, two of them I can ask; the third I shall retain, Mr. Speaker.

The first one is to the Minister of Trade and Development. When was a "forgiveness loan" extended to Matthews Conveyor Co. in Port Hope? For what amount was the loan? Is the Minister aware that since receiving the loan the company has laid off 50 workers and further layoffs are currently under way? Do the conditions of the "forgiveness loan" permit cutbacks in the work force?

Hon. W. D. McKeough (Minister of Municipal Affairs): The hon. member asked it yesterday.

Mr. MacDonald: Yes, but I did not get an answer.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, the equalization

of industrial opportunity loan extended to Matthews Conveyor Co. in Port Hope was approved by Order-in-Council on March 7, 1968, and the amount of the loan is \$193,033.

The company informs ODC that the current layoffs at the plant are of a temporary nature. It is confidently expected that over the term of the EIO loans, substantial increases in employment will occur. If it became evident over a period of time that the company in receipt of a forgivable loan is not achieving the purposes for which the loan was given, then the ODC has the right to require the payment of any portion of the loan which has not been forgiven.

Mr. MacDonald: Mr. Speaker, a supplementary question. Do the conditions normally implicit in such a loan involve no lay-offs?

Hon. Mr. Randall: No, I do not know how it can. How can any manufacturer say that five years from now he will not have a turn-down of business and have to lay people off?

I do not have a crystal ball. I do not think even you could do that.

Interjection by an hon. member.

Mr. MacDonald: It will be interesting to review the implementation of this in the future.

Mr. Speaker: Order! Order! The hon. member will proceed with his questions.

Mr. MacDonald: Mr. Speaker, a question of the Minister of Health.

Has the Minister received a report from Doctor B. T. Hale, MOH for the Guelph-Wellington-Dufferin health unit, regarding the extreme pollution caused by the Canada Electric Castings Ltd., a subsidiary of Dayton Steel? What action does the company intend to take for the elimination of this pollution? What time limits have been granted the company for this remedial action?

In the event of this, or any other plant being closed down because of intolerable pollution, is the government developing any plan for short term assistance while alternative job opportunities are secured?

Hon. Mr. Dymond: Mr. Speaker, the answer to the first part of the question is no. Doctor Hale did, I believe, call my office a few days ago, advising us of a rather tragic accident that took place in the plant and which was said to be related in some way to air pollution.

However, we were in the process then of surveying this plant because of concern over

its condition. On November 1, the company was surveyed, the report was provided setting out the air pollution control required. On November 22 of this year, the company was served with a ministerial order requiring compliance.

The requirements are in two parts. The long-term programme gives the company eight months to complete all work, to bring the effluence from their operations under satisfactory control. The short-term work to be done during the eight-month period requires that within three weeks—that is three weeks from November 22 of this year—all accumulated soot around the plant be removed, and within seven weeks they must have repaired and have operating properly existing pollution control equipment.

The answer to the fourth part of the question, Mr. Speaker, is I know of no policy at the present time under The Air Pollution Control Act. I have no such authority. This is a matter that will be submitted to government for consideration.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Prime Minister.

**Mr. I. Deans (Wentworth):** Thank you, Mr. Speaker. Will the government undertake to establish a fair capital gains tax for land speculation, and implement this without delay?

**Hon. Mr. Robarts:** Mr. Speaker, the Treasurer (Mr. MacNaughton) is presently examining very closely all areas of taxation. This is one of them, and when these examinations are complete the government will make its decisions as to what it is going to do.

**Mr. Speaker:** The hon. member for High Park has a question of the Prime Minister.

**Mr. Shulman:** Mr. Speaker, in light of the reports in Saturday's *Toronto Star* that the \$100 million improvement of Sunnybrook Hospital into a teaching hospital is a waste of money, does the Prime Minister intend to intervene to stop this project?

**Hon. Mr. Robarts:** Mr. Speaker, this report was, at best, a statement of opinion by whomsoever wrote it, and I am informed that really it is a kind of planner's forward programme covering a period of a great many years. It has not been approved by the Ontario Hospital Services Commission which has the power and must, of course, approve every expenditure made by any hospital and will only do so after the closest examination. I do not think therefore, hon. members need be unduly worried by the import of that report.

**Mr. Speaker:** The hon. member for High Park has a question of the Minister of Health.

**Mr. Shulman:** Mr. Speaker, is the Minister aware that The Department of Health's new policy of charging for laboratory examinations of diabetics' blood is causing financial hardship to many elderly pensioners?

**Hon. Mr. Dymond:** No, Mr. Speaker, I am not aware of that and if it does exist, it should not exist. OMSIP, as I have just said within the past few minutes, is readily available to every resident of the province of Ontario regardless of age, state of health or financial status. If those who are in need cannot afford to pay for it, all they have to do is apply and provision has been made by this government to see to it that they are not denied medical services because of their inability to pay for it.

I might add that lab services are a benefit provided under OMSIP and are, therefore, quite within the reach of any resident of the province of Ontario.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Dymond:** Yes.

**Mr. Shulman:** Is the Minister aware that many such pensioners are covered by PSI, and PSI has decided that they will not pay for this charge?

**Hon. Mr. Dymond:** I would still repeat, Mr. Speaker, that OMSIP is readily available to those people.

**Mr. Speaker:** The hon. member for Humber has a question for the Minister of Health.

**Mr. Ben:** Yes, I have a number of questions.

**Mr. Speaker:** Just the two for the Minister of Health, at the moment.

**Mr. Ben:** How many cases of hepatitis were reported at the Ontario housing complex at Thistleton between November, 1967, and February, 1968?

What steps has the department taken to prevent the children at that development from playing in the garbage and sewers?

When was the area last inspected by officials of the Minister's department?

**Hon. Mr. Dymond:** Mr. Speaker, our provincial communicable disease statistics are maintained on a municipal level only. On this basis, from November 1, 1967 to February 29, 1968, 79 cases of hepatitis were

reported from the borough of Etobicoke. The office of the medical officer of health of Etobicoke has advised that the Ontario housing complex area in general, was the local address of approximately 53 reported cases of hepatitis from November 1, 1967, to February 29, 1968.

Reference to the second part of the question: I would point out that the enforcement of The Public Health Act is the responsibility of the local authority. We act in a consultative capacity when requested to do so and if we have cause to believe that the local authority is not doing its job.

In this case we do not believe the latter to be true and we have not been invited in a consultative capacity.

**Mr. Ben:** Mr. Speaker, will the Minister accept a supplementary question?

**Hon. Mr. Dymond:** Yes.

**Mr. Ben:** Is not the fact that 53 out of 79 cases of hepatitis originate from one area in a municipality sufficient to cause the Minister's department to wonder what action, if any, the municipality is taking to prevent these epidemics?

**Hon. Mr. Dymond:** Mr. Speaker, we are content that the local department of health took the necessary steps to control this outbreak. It was not an epidemic.

**Mr. Ben:** I will withdraw the word epidemic. I will use the word outbreak.

The next question, Mr. Speaker, I wondered if perhaps it should be addressed to the Minister of Social and Family Services (Mr. Yaremko), but I will put it to the Minister of Health.

What is the cost per annum of maintaining a child under the children's aid society?

How many children from the Ontario housing complex at Thistleton have become wards of the children's aid society during the past two years?

**Hon. Mr. Dymond:** Mr. Speaker, the hon. member's premise was correct, this should have been directed to the hon. Minister of Social and Family Services.

**Mr. Speaker:** The Speaker's office will redirect this and have it answered, if possible, tomorrow.

The hon. member for Scarborough West has a question of the Minister of Health.

**Mr. Lewis:** To the Minister, through you Mr. Speaker, will the announced 10 per cent

increase in the Ontario Medical Association fee schedule set for April 1, 1969, be subject to approval or negotiation by the Minister of Health or this Legislature?

**Hon. Mr. Dymond:** Mr. Speaker, in keeping with all government business, it will be subject to negotiation by the Minister of Health and the results of the negotiations will be referred to the government for decision.

**Mr. Speaker:** The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, a question for the Minister of Health. Is the Minister aware of the statement made by Doctor C. E. Toll, Department of Health dentist, as reported in the *Port Arthur News-Chronicle* of November 22, 1968, that the state of children's teeth in Nipigon is deplorable?

If so, what steps will the Minister take to ensure proper dental care for the children in those communities?

**Hon. Mr. Dymond:** Mr. Speaker, I believe that the dentist referred to did state that the teeth of the Nipigon children were severely neglected. He denies using some extravagant language as apparently appeared in the press.

However, the railway dental car was in Nipigon from August 7 to November 18 of this year. During that time, 1,030 dental appointments were provided and all of the children reporting received the dental care that was necessary.

I would suggest that the state of the kids' teeth now is pretty good.

**Mr. Speaker:** The hon. member for Downsview has a question of the Minister of Social and Family Services.

**Mr. Singer:** Yes, Mr. Speaker, my question is this. In view of the fact that evidence at the coroner's inquest into the death of three-year-old Theresa McIntosh disclosed that this child was probably mistreated before her death, and that none of this information was conveyed either to the children's aid society, the police nor his department, what action does the Minister intend to take in view of the provisions of section 41 of The Child Welfare Act?

**Hon. Mr. Yaremko:** Mr. Speaker, as I indicated on Monday, we are naturally concerned about this case. But as I said then, it is still before a coroner's jury and, as you know, the inquest resumed today. I believe it would be

unfair of me to comment in any way while the jury is discharging its very serious responsibilities.

**Mr. Speaker:** The hon. member for Huron-Bruce has a question of the Minister of Agriculture and Food.

**Mr. M. Gaunt (Huron-Bruce):** Thank you, Mr. Speaker. Will the Minister assure the House that the interest rate on junior farmer loans will remain at 5 per cent?

How many junior farmer loans are presently in arrears?

Has there been any noticeable difference in the number of applications coming before the board since the federal government announced the new interest rate for farm credit loans?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, in reply, the answer to the first question is that this is a policy decision of the government and I am in no position to say yes or no. It is a statutory matter at the moment.

As to the number of junior farmer loans presently in arrears, there are 131 junior farmer loans in arrears, in a total amount of \$125,000. I think this is a remarkably fine record for the junior farmers of Ontario, when one considers that there are 5,375 loans out with a total value of \$89.742 million. As a matter of fact, the loans in arrears represent 2.4 per cent of all mortgages and .07 per cent of all principal, so arrears are practically negligible.

**Mr. Gaunt:** May I ask the Minister a supplementary question?

Is the Minister planning to consider the present interest rate with the idea of having it remain the same? Has the Minister given the matter any thought?

**Hon. Mr. Stewart:** Well, of course, with the announcement that the federal government has raised their interest rate to 7 $\frac{3}{4}$  per cent on farm credit corporation loans, this is a matter of concern to all governments with the high cost of money today.

**Mr. Shulman:** Another question of the Minister of Agriculture and Food, Mr. Speaker.

Is the November, 1968 issue of *Canadian Consumer*, page 106, correct in its statement that provincial meat inspection by The Department of Agriculture and Food does not take place in northern Ontario and portions of eastern Ontario? And if the answer is "yes", why not?

**Hon. Mr. Stewart:** Mr. Speaker, I have not seen the quotation to which the hon. member refers, but I assume he is quite correct in what he has said in his question.

Now, there are four counties of eastern Ontario in which there is not complete meat inspection. There are eight red-meat plants left to cover in eastern Ontario, and these will be done—if they are not done now, they will be done in the next few days or weeks, because the inspectors have been trained or are in the process of being trained, the plants have been brought up to standard, inspection will be introduced right away.

In northern Ontario there are 15 red-meat plants, 13 of which are not under inspection as yet. Now, it is our plan that as soon as inspectors can be obtained and trained, then they will be covered with inspection. However, the plants themselves come under The Department of Health supervision and as far as the plant standards are concerned, they do meet those qualifications.

Since April 1, 1965, we have covered the province of Ontario, at least the 38 counties of Ontario, with meat inspection. We have employed and trained over 200 meat inspectors. When we introduced the meat inspection programme, there were no inspectors, you just could not go out and hire them, we had to engage them and train them. It takes at least six months to train inspectors and you can only take so many at a time, because the academic training is only part of it. They have to go out to the various federally-inspected plants and receive practical training under the supervision of qualified federal inspectors. Meat inspection has come about in Ontario in a very orderly way and I think in a way that has not disrupted the meat processing facilities or slaughtering facilities in the province and yet has provided and assured the people of Ontario a wholesome quality product.

**Mr. Shulman:** Would the Minister permit a supplementary question? Does he have a target date for completing the balance of the areas that have not been covered?

**Hon. Mr. Stewart:** We have, we hope that we will be able to accomplish this within the next few months.

**Mr. Speaker:** The hon. member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question for the Minister of Agriculture and Food.

1. How many crop insurance salesmen are there in Rainy River district?
2. Who are they?
3. Do they have occupations other than that of crop insurance salesmen?
4. How long have they been selling crop insurance?
5. When did the advertising begin? When did it end? How many items of advertising were there?
6. What was the cut-off date for purchasing crop insurance in Rainy River district?
7. How many farmers in Rainy River district took advantage of crop insurance?

**Hon. Mr. Stewart:** Mr. Speaker, there is one crop insurance agent in the Rainy River district. It is Mr. M. G. McComb insurance agency, located in Emo. He does have other occupations, he is a general insurance agent. He has been selling crop insurance or offering it for sale since May 18 of 1967, and I understand he has been a general insurance agent for many years.

With regard to advertising, the crop insurance commission places advertisements seasonally in the various papers and publications throughout the province. I cannot give the hon. member the exact number of times where it has been advertised in his area. If he took from what I said yesterday that it has been, I am not sure, whether it was in that paper or what date, I do not know. But, I do know that it has been widely advertised, we have placed advertising in the paper *Farm and Country* which I understand, goes into every farm home in Ontario, that is, advertising on an annual basis, and this is a monthly publication. The commission has prepared a pamphlet setting forth the information and I have a copy of that pamphlet here. We have circulated this quite widely through the bankers' association. We have sent it out to the local banks, to our agricultural representatives and to anyone who wishes to use this, including private members who may be interested in their constituents obtaining crop insurance.

The commission also has an agreement with all local agents to pay 50 per cent of the cost of advertising on a local basis for crop insurance programmes. The information branch of the Ontario Department of Agriculture and Food has circulated press releases in 1967 and again in 1968, having to do with the crop insurance programme. These are provided to all weekly newspapers in Ontario, to all daily newspapers, to all farm journals, and to all radio and television

stations. With the expansion of the programme, with every expansion of the programme, even from its inception, I have made those announcements in the House and they have been covered by our own press gallery, certainly *Hansard* and by the members of the House.

The cut-off date for purchasing crop insurance in the Rainy River district was—there are two dates given—the deadline for application was May 15, 1968, and the deadline for seeding of the crop was June 15, 1968. There were four contracts written in 1968, in two of these cases the farmers did not seed their acreage on which they had proposed to plant crops. In the remaining two, both of them filed claims. One of them was successful in getting his crop off and so he cancelled his claim, while the other man lost his crop and it is expected that he will obtain about \$1,000 in insurance payments.

**Mr. T. P. Reid:** Will the Minister accept a supplementary?

In view of the fact that there was only one insurance salesman who I am sure the Minister is aware of is also the municipal clerk of Emo municipality—

**Mr. Speaker:** Perhaps the hon. member would just ask a supplementary question.

**Mr. T. P. Reid:** Does he not feel that this programme was not sufficiently advertised and energetically promoted in the area and that the farmers of the Rainy River district will therefore suffer? Does he not feel that some assistance should be provided for them this year?

**Hon. Mr. Stewart:** Mr. Speaker, it is always very difficult to determine just how much advertising is enough.

**Mr. T. P. Reid:** Is one salesman enough?

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** It may well be the case. I would suggest, though, that with the interest that has been taken or evinced in crop insurance in many areas throughout the province that it would be very difficult to get anybody to accept it on a full-time basis. Now, I am quite sure that the man—and I do not know him at all, I did not know he was the municipal clerk—but, I am sure that if he is the municipal clerk he is well known to the farming community of the area and, as such, that he would be well known, he being a general insurance agent, and the amount of crop insurance advertising and the

publicity it was given, that he would be the logical source.

Now, our local agricultural representative has promoted the programmes throughout the area. I know this to be a fact and I would like to suggest that if my hon. friend had displayed as much interest in promoting the crop insurance programme in his own local area as he has in asking these questions, it would likely be much more effective and widespread in its acceptance by local farmers.

**Mr. Speaker:** Order!

The hon. member for Wentworth has a question of the Minister of Transport.

**Mr. Deans:** Yes, a question of the Minister of Transport. Will the Minister undertake an immediate investigation of the behaviour of truck traffic on the Queen Elizabeth Highway between Hamilton and Toronto?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, while I am not sure that I understand just what the hon. member means by "truck traffic behaviour"—

**Mr. Deans:** I am asking if you will investigate whether or not the truck traffic on the Queen Elizabeth Highway is behaving in a manner suited for that kind of highway and whether it should not be investigated and whether action should be taken against them, to make them behave in the proper way.

**Hon. Mr. Haskett:** Mr. Speaker, I was not quite sure what the hon. member meant by truck traffic behaviour in this case but it appeared to me likely, and I think from his amplification of the statement that I am right in my assumption, that what he refers to is a matter of enforcement and would, for that reason, be a matter under the jurisdiction of the police. I think if he will pinpoint the problem and direct his question to the Attorney General it might be more appropriate.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Transport. Do municipalities require the permission of the Minister and/or the Legislature to temporarily change the speed limit on public roads for the purpose of car racing?

**Hon. Mr. Haskett:** Mr. Speaker, racing on the highways is prohibited. Section 91 of The Highway Traffic Act sets out that "no person shall drive a motor vehicle on a highway in a race".

**Mr. Shulman:** Will the Minister accept a supplementary question? Does that interpretation of the law mean that the city of Toronto will not be able to have car racing on Lakeshore Boulevard?

**Hon. Mr. Haskett:** Mr. Speaker, it is a good supplementary question but I am not prepared to answer it.

**Mr. Shulman:** Mr. Speaker, perhaps the Minister would give it his consideration.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question of the Minister of Tourism and Information.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question for the Minister of Trade and Development. Can the Minister inform the House if his department has arrived at a decision in regard to maximum rentals for Ontario Housing Corporation public housing projects?

**Mr. Speaker:** The hon. member was not paying attention. He has a question of the hon. Minister of Tourism and Information. The hon. Minister of Trade and Development comes later. This is a question from the other day.

**Mr. B. Newman:** Yes, I have a question for the Minister of Tourism and Information. When will the new Ontario government tourist reception centre on Huron Line in Windsor be open on a year-round basis, instead of the present part-time basis, because of the increased year-round traffic from the United States into Ontario over the Ambassador Bridge?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Mr. Speaker, I cannot give the hon. member a definitive answer at the moment. We are studying the changing traffic pattern between the tunnel and the bridge, both the daily traffic and the more-than-24-hour, or the tourist traffic. When we have completed that, we are going to consider our situation at Windsor.

I remind the hon. member that because of budget considerations it may be we will find that we should have our operation at the bridge rather than at the tunnel. It might be that we could keep both operations open the year round; it might be that we would simply change the year-round operation from the tunnel to the bridge.

**Mr. B. Newman:** May I ask of the Minister a supplementary question? Would he con-



sider the rental of the premises either at the tunnel or the bridge for a community centre to the city, if it is not going to be used by the department?

**Hon. Mr. Auld:** I am afraid the hon. member will have to ask the hon. Minister of Public Works (Mr. Connell).

**Mr. Speaker:** We have now reached the hon. Minister of Trade and Development, if the hon. member would now place his question.

**Mr. B. Newman:** Can the Minister inform the House if his department has arrived at a decision in regard to maximum rentals for Ontario Housing Corporation public housing projects?

**Hon. Mr. Randall:** Mr. Speaker, I am glad to see they save the good things for the last.

The hon. member is aware that as of May 1 of this year, rental rates in geared-to-income developments under the jurisdiction of Ontario Housing Corporation were pegged in accordance with the income of the tenant at that date.

Discussions are being held on a continuing basis with senior officials of Central Mortgage and Housing Corporation with a view to establishing a new rent scale formula which will recognize, among other things, current economic conditions. In view of the complexities involved, no final decision has yet been reached. The rent freeze was introduced to ensure that no undue hardship would be incurred by any tenant while this study is proceeding.

Studies of market rentals for various types and sizes of accommodation in 12 selected Ontario municipalities have already been completed as part of this ongoing analysis.

**Mr. B. Newman:** May I ask the Minister a supplementary question? When can we expect a decision, Mr. Minister?

**Hon. Mr. Randall:** I cannot tell the hon. member that. When the surveys are completed and we finish our discussions with Central Mortgage and Housing.

**Mr. B. Newman:** If I may ask another supplementary question, Mr. Speaker. Is it not true, then, that the problem has been up for discussion for well over two years now?

**Hon. Mr. Randall:** No. The hon. member will recall we made a change of rent scale in May, 1967. As far back as last May we froze all rents at that time so there would not be any change or any hardship.

**Mr. B. Newman:** Thank you.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to address my question to the Minister of Trade and Development.

In his speech on November 20 in Trenton, the Minister stated that the Ontario Development Corporation hopes to extend the "golden horseshoe" eastward making it a "golden corridor." Was the Minister announcing government policy in the fields of regional government and urban development?

**Hon. Mr. Randall:** Mr. Speaker, I am glad to see the hon. member for Peterborough is reading my speeches.

**Mr. Pitman:** All of them; I always read them.

**Hon. Mr. Randall:** Being a practical optimist, I want to assure him that as we look at the "golden horseshoe" and see the factories we have in there (and we know that we have wall-to-wall factories between here and Windsor), I have always told my associates and friends that I see no reason—with two railroads, the St. Lawrence Seaway, the Macdonald-Cartier Freeway—why we could not have wall-to-wall factories between here and Cornwall. While it may not be government policy, I think the fact that my colleagues and the Prime Minister okayed the EIO programme, which is now making itself felt in eastern Ontario, we can well call it, without government policy, the "golden corridor."

**Mr. Pitman:** Mr. Speaker, might I ask a supplementary question? That was not a facetious question, I can assure you. What I would like to know is whether the loans to be given under the EIO programme are—

**Mr. Speaker:** Order!

The hon. member's question about loans is not supplementary to his original question. If he wishes to ask a supplementary on his original question, he is entitled to.

**Mr. Pitman:** Mr. Speaker, with your indulgence, I do suggest that the EIO programme, as it is related to the creation of the "golden corridor" is relevant—what I am trying to establish, with your permission, is whether the loans that are given are actually approved by The Department of Trade and Development.

**Mr. Speaker:** Yes, but the hon. member did not try to establish anything about loans in

his original question and therefore he cannot do it now by way of supplementary.

**Mr. Pitman:** The Minister in his answer suggested that these loans were paving the way to the "golden corridor."

**Mr. Speaker:** That is quite proper and if the hon. member wishes to question him about that on another occasion it is perfectly in order.

**Mr. Pitman:** I might just simply ask the Minister whether the creation of the "golden corridor" by the ODC is an integral part of the policy as established by the Cabinet committee on regional development?

**Hon. Mr. Randall:** Mr. Speaker, I think that the EIO is the only programme establishing what we hope to call the "golden corridor." I think all departments of the government are making a contribution to making it possible to have wall-to-wall factories between here and Cornwall.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. Deans:** Mr. Speaker, a question for the Minister of Trade and Development. I noticed, as I read it, that one part was left off. I hope he will not mind me adding it.

How much land is presently owned by or under the control of the Ontario Housing Corporation? How much of this is unserviced land? Where is the land located—that is the part that was obviously missed out—and how much has been spent by this government on the acquisition of this land?

**Hon. Mr. Randall:** Mr. Speaker, I will take the questions as notice and get the information for the hon. member.

**Mr. Speaker:** The hon. member for Humber.

**Mr. Ben:** I have a question for the Minister of Trade and Development, Mr. Speaker.

Is it true that rents are pegged to income for every Ontario Housing Corporation tenant, and that the number of children per household is irrelevant in the calculation of Ontario Housing Corporation rents?

**Hon. Mr. Randall:** Mr. Speaker, rental rates for all units under the jurisdiction of Ontario Housing Corporation which are leased on a geared-to-income basis are related to a sliding scale which was approved jointly by both the federal and provincial governments and has national application.

The factor which determines the applicable rental rate is the gross family income less certain exemptions. These exemptions include family allowance payments, the earnings of children who are in regular attendance at recognized educational institutions, the wife's earnings up to \$250 a year and the monthly earnings of working children in excess of \$75 a month.

The hon. member will thus appreciate that, unlike the private rental sector, it is not the size of the accommodation that dictates the rental rate. It is also important to recognize that in the majority of cases the Ontario Housing Corporation rental rate includes the provision of heat, hot water, water, appliances and very often hydro.

Families with large numbers of children are naturally allocated more spacious premises and, because of the size of the family, use more services for which no additional charges are made. In these respects, coupled with the income exemptions, certainly recognition is afforded the number of children in the household.

As I have already indicated previously, the rent scale is being reviewed, as it has been in the past, on a continuing basis. In fact, a new scale was introduced in 1962 and was subsequently revised as recently as May, 1967. Concurrently with the present review, rents were pegged in relation to the tenants' incomes at May 1 of this year; therefore since that date any increase in family income has not affected the tenant's rental rate.

**Mr. Ben:** Mr. Speaker, will the Minister accept a supplementary question?

Do I take it from his answer that a family with seven children, none of them earning an income, as indicated by you would be paying exactly the same rental on an income of, let us say for sake of argument, \$5,000, as a family with two children?

**Hon. Mr. Randall:** I do not think I quite understand the question. What we—

**Mr. Ben:** I believe the Minister indicated the certain variables on employment, how many children are working, the income of the children, and so on.

Let us take the situation of a family with an income of \$5,000 with seven children not working, earning no income. They would be paying exactly the same rent on an income of \$5,000 as a family with only two children not working. Is that not so?

**Hon. Mr. Randall:** There would be different accommodations. In most cases we try

to accommodate the families and I would think that in any case where there are different size accommodations, different incomes, the rental scale would be adjusted accordingly.

**Mr. Ben:** But if they were the same accommodation, which is quite feasible, they would be paying the same rent?

**Hon. Mr. Randall:** I would doubt that they would have the same accommodation with seven—

**Mr. Ben:** But if they were—

**Hon. Mr. Randall:** Perhaps so.

**Mr. Ben:** If they did have the same accommodation?

**Hon. Mr. Randall:** Perhaps so.

**Mr. Speaker:** The hon. member for Grey-Bruce has questions of the Attorney-General.

**Mr. E. Sargent (Grey-Bruce):** Thank you, Mr. Speaker.

To the hon. the Attorney General: On page 1114 of the report on civil rights, Justice McRuer reveals that the city of Toronto is in direct contravention of its general licensing bylaw in allowing a cab license worth \$300 to be sold for \$14,500. He states that the public is paying through the nose for this being allowed to continue.

What steps is the Attorney General going to take in this regard?

**Hon. Mr. Wishart:** Mr. Speaker, that is a very free translation of what the Hon. Mr. McRuer said. I could not find that expression in his remarks. But, Mr. Speaker—

**Mr. Sargent:** Is that not right? I am sorry. Look, that is right—

**Hon. Mr. Wishart:** “Paying through the nose?”

**Mr. Sargent:** That is what he said.

**Hon. Mr. Wishart:** I could not find that.

**An hon. member:** The Minister is in the wrong volume.

**Hon. Mr. Wishart:** I guess so.

Mr. Speaker, we are reviewing all the recommendations of Mr. McRuer, including this one I may say. We have looked at it. However, I do not contemplate immediate action, because the matter is presently under our present law—within the jurisdiction and control under the Metropolitan Toronto

licensing commission. At the moment that is where it is and we are reviewing the recommendation to see what action, if any, might be taken.

That is all the answer I can give.

**Mr. Sargent:** A question to the Minister of Financial and Commercial Affairs (Mr. Rowntree).

**Mr. Speaker:** Order! The hon. member is now directing questions to the Attorney General.

**Mr. Sargent:** Yes, but if he is not here we will hold this.

**Mr. Speaker:** Yes, that will be done.

**Mr. Sargent:** A question to the Attorney General.

On November 15, Chief Mackey was quoted in the Toronto *Daily Star* as admitting that his police had seized five wire tapping bugs. When questioned on what authority he had to make these seizures, he said he had no authority.

Will the Attorney General advise:

1. Why police are allowed to have these special powers?
2. What is the Attorney General going to do about it?
3. Will Chief Mackey be called upon by the Attorney General for a full explanation of how he can make seizures illegally?

**Hon. Mr. Wishart:** Mr. Speaker, I would like to refer the hon. member for Grey-Bruce to the question and the answer to the question asked by the hon. member for Downsview on November 20 respecting the very same subject and in very similar terms. My answer at that time is in *Hansard* of November 20.

**An hon. member:** They do not talk to one another.

**Mr. Sargent:** The hon. members talk to themselves all the time.

**An hon. member:** Could not talk to a better fellow.

**Hon. Mr. Wishart:** Mr. Speaker, in the event that the hon. member for Grey-Bruce has not read *Hansard* I will repeat what I said then.

I am advised that these devices were given to police by employees of the Bell Telephone Company of Canada, who removed them from their lines since they contravened—the

attachment of them contravened—the provisions of The Bell Telephone Act of Canada.

The three following questions are really not relevant.

The police did not seize them in the sense of seizure. The Bell Telephone Act of Canada makes it wrongful—an offence—to intercept a message. Telephone employees found these devices attached to their lines, they took them off—which quite rightly they should do—and they turned them over to the police.

As I pointed out to the hon. member for Downsview who questioned me on November 20, nobody has come forward to say “these are our devices.” I do not think they are likely to come forward, because they are illegal under The Bell Telephone Act. The police have the devices in their possession and there is nothing much more we can do.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, I have a question of the Attorney General.

1. Why was the death of Kenneth Haines on October 29 in the Scarborough General Hospital not reported until five days afterward?

2. Is it true that Mr. Haines was refused admission to another hospital shortly before his death?

3. Why is the coroner's office not holding an inquest into this unusual death?

**Hon. Mr. Wishart:** Mr. Speaker, I shall have to take this question as notice but I can promise an answer, I am sure, tomorrow. The question was only received in my office about the one o'clock hour and it required some inquiry to get the proper answers.

**Mr. Shulman:** I have another question of the Attorney General, Mr. Speaker.

Is an inquest to be held into the death of Mrs. Dorothy Gertrude Davis, age 31, of Oshawa, who disappeared July 20, 1968, and whose body was recovered near Bradford on August 19, 1968?

Question two. If so, what date has been set?

**Hon. Mr. Wishart:** Mr. Speaker, this matter is under investigation by the criminal investigation branch of the Ontario Provincial Police. Just as soon as that investigation is completed it will be reported to the coroner, who will decide then as to the need for an inquest.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Has not this investigation been going on for a very long time and, if you agree, when do you expect the results of the investigation?

**Hon. Mr. Wishart:** I am sorry, Mr. Speaker, I cannot be too specific in replying. All I can say is that the investigation is being carried on by the CIB of the Ontario Provincial Police. I would expect it will be concluded shortly, but I am not as informed of the details of these things as the hon. member seems to expect that I might be.

I cannot, I think, in a specific case, be informed of all details. I can only answer as I did.

Investigation of this is carried on by the criminal investigation branch. Just as soon as that is over, the ordinary routine will be followed of reporting the whole matter to the coroner, who will make the decision as to the necessity of an inquest.

**Mr. Shulman:** In the form of a second supplementary, Mr. Speaker. Does the delay in the investigation have anything to do with the body being found on the property of Mrs. Viola MacMillan?

**Hon. Mr. Wishart:** I should not think so, Mr. Speaker, but, again, this will come out, I presume, in the report of the criminal investigation branch.

**Mr. Shulman:** Thank you.

**Mr. Speaker:** The hon. member for High Park may place his question to the Minister of Highways, who is next on the list.

**Mr. Shulman:** Mr. Speaker, can the city of Toronto close the Lake Shore Road to normal vehicular traffic for brief periods on a regular basis without the permission of the Minister?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the Lake Shore Road is under the jurisdiction of the municipality of Metro Toronto and therefore, the city of Toronto does not have jurisdiction.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Gomme:** Yes.

**Mr. Shulman:** Can Metro close this road without the Minister's permission?

**Hon. Mr. Gomme:** Mr. Speaker, Metro Toronto can close the Lake Shore Boulevard, under conditions referred to in the question, without the approval of the Minister.

**Mr. J. B. Trotter (Parkdale):** Why did not the Minister say that long ago?

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Scarborough East.

**Mr. T. Reid:** Mr. Speaker, I have three questions of the Minister of Education (Mr. Davis), one of which is fairly urgent.

**Mr. Speaker:** The hon. member is now asking his question of the Minister of Highways. The Minister of Education is not in his seat and the questions will have to be held over.

**Mr. T. Reid:** A question of the Minister of Highways.

When, if at all, did the Minister reply to the request of the Metropolitan Toronto transportation commission to meet with the commission, or its chairman, to discuss an immediate and a long-run strategy of planning of Metro and provincial transportation facilities, especially in the Metropolitan region?

When, if at all, is the Minister meeting with the commission or its chairman to discuss these problems and to insure that taxpayers' dollars are not being wasted by useless duplication?

**Hon. Mr. Gomme:** Mr. Speaker, that is not exactly as I have the question.

I cannot give the date of the reply but I can tell you that I met with the chairman and the commission on April 30, not on this specific problem which the member discussed here.

To the second part, what I have is, "When is the Minister meeting with the commission or its chairman to discuss these problems?" I have had no request that I know of for a further meeting.

**Mr. T. Reid:** Mr. Speaker, if I could ask the Minister a supplementary question: In the report in the *Globe and Mail* of November 26, 1968, there is an article entitled "Lack of data from province angers Metro". I was wondering if the Minister had seen this article upon which my questions were based?

**Hon. Mr. Gomme:** No, Mr. Speaker, I have not seen that.

I have the reply, Mr. Speaker, to a question asked by the member for Nipissing (Mr. R. S. Smith) yesterday, which I would like to answer. The work project numbers quoted in the question under item 1 was advertised today, November 27, and tenders will be opened on January 8, 1969.

**Mr. Ben:** On a point of order. Mr. Speaker, I think you made a point not too long ago that the government should not be incensed if the members put questions to them, but do not ask them all at once. Now, Mr. Speaker, the members who ask questions have to abide by the exigencies, and if the Minister is not in his chair the question is not asked.

Under the same reasoning, should not the Minister wait to answer a question until the member who asked it or who submitted it is in his seat to ask a supplementary?

**Mr. Speaker:** This question has arisen earlier in the first session of this House, and at that time it was my opinion that the members felt that the questions which they asked were of such urgent public importance that the answer should be made available at the earliest possible moment.

Indeed, only yesterday the hon. member for Scarborough East (Mr. T. Reid), who was going to be absent, to make sure of the point dropped me a note and asked me if I would have the answer made public by the Minister in his absence.

Therefore, as far as I was concerned, I felt that that might well be the situation in this case. But I have no objection as far as the Chair is concerned to the questions being withheld until the member is present in the same manner as the questions to be asked of a Minister are held until he is present. So if it is the wish of the official Opposition that this answer be retained until the hon. member for Nipissing is here, then certainly I am sure the Minister will do so and I will so rule.

**Mr. Nixon:** Mr. Speaker, I think we might have the answer.

**Hon. Mr. Gomme:** Thank you, Mr. Speaker.

The work project numbers quoted in the question under item 1 was advertised today, November 27, and tenders will be opened on January 8, 1969. This contract will include the 4.2 miles covered by the work project numbers.

And to the second part: It is covered in the first answer.

And to the third part: The highway construction programme for the year 1968-69 listed this work as being placed under contract in this fiscal year and no reference was made in the programme book which stated that this large contract would be completed in the fiscal year.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of the hon. Minister of Lands and Forests.

**Mr. F. A. Burr (Sandwich-Riverside):** A question of the Minister of Lands and Forests: What action is the lands and forests district office in Aylmer taking to ensure that the fallow deer on Peche Island in the Detroit River at Windsor are neither abandoned nor allowed to escape into a hostile environment?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Sandwich-Riverside, fallow deer are not native to Ontario nor do they survive in a wild state.

Just to make sure that we all understand, fallow deer are native to the Mediterranean area, they are quite small animals, are private property and are excluded from the provisions of The Game and Fish Act by section 2(a) and a definition in section 15 of the Act. The abandonment or ill treatment of such animals would be an offence under The Criminal Code. We have no knowledge of their presence on Peche Island and the owners were under no obligation to report them to us.

**Mr. Speaker:** The hon. member for Sudbury East has a question of the Minister of Labour.

**Mr. E. W. Martel (Sudbury East):** Is there any reason why members of the Legislature cannot be covered by workmen's compensation during the performance of their duties as MPPs so that their families will be in receipt of survivor benefits in case of permanent disablement or fatal accident?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the answer to that is yes. To provide this coverage would require changes in the legislation.

**Mr. Martel:** A supplementary question. If that is all that is necessary, would the Minister be so kind as to introduce this legislation?

**Hon. Mr. Bales:** Well, Mr. Speaker, while members work hard no doubt, nevertheless I do not think we fall within the group of

workmen that the Legislature meant to assist by this Act.

**Mr. Speaker:** The hon. member for Oxford has a question of the Minister of Municipal Affairs.

**Mr. G. W. Innes (Oxford):** Mr. Speaker, to the Minister of Municipal Affairs: Can the Minister give an indication to the House of the approximate cost of publicizing the tax rebate programme to the province in terms of dollars and cents?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, the member will appreciate the expenditures are by no means complete. The total expenditures for administration, information and publicity, advertising, to October 31, 1968, amounted to \$208,700. Perhaps if I gave the latest estimated figures to the end of March, the end of the fiscal year, it might be helpful to the members. Administration, about \$172,000; advertising, \$123,000; distribution of the leaflets and so on, about another \$150,000; for a total of \$450,000, which is less than half of what we originally estimated.

**Mr. Innes:** Would the Minister accept a supplementary question?

**Hon. Mr. McKeough:** Yes.

**Mr. Innes:** Could the Minister give any indication of the costs of administering the tax rebate in each municipality? The administration costs?

**Hon. Mr. McKeough:** No.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** I have a question of the Minister of Municipal Affairs: Does the city of Toronto require the permission of the Minister and/or the Legislature to go ahead with the proposed CNE-Lakeshore auto race track?

**Hon. Mr. McKeough:** Mr. Speaker, I would say to the member that—he is asking questions in various parts of the House about this—perhaps it would be best to give a little bit of a summary of what has gone on. There are three Acts involved administered by three different departments, The Municipal Act, The Highway Improvement Act, and The Highway Act itself, administered by three different departments, all of whom have solicitors of their own—

**Mr. R. Gisborn (Hamilton East):** I know it is insignificant, but it is Transport.



**Hon. Mr. McKeough:** All right. These Acts all bear one way or another, or do not bear one way or another. There have been a number of opinions collected from departmental people, and within the last few days they have all been dumped into the hands of the Attorney General. The Attorney General, in due course I am sure, will advise the various departments so that we will be in a position to answer adequately the member's question.

**Mr. Shulman:** Will the Minister answer my question when he hears from the Attorney General?

**Hon. Mr. McKeough:** I will be delighted. There are other people asking, too, and I will be delighted to answer them.

**Mr. Speaker:** The hon. member for Sudbury East has a question for the Minister of Mines.

**Mr. Martel:** Will the Minister of Mines instruct the Fecunis Mines immediately to have soundproof curtains installed in their machine shop to enable men to work there without having to seek medical attention before they all succumb to industrial deafness?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, this matter was first brought to my attention, I think, last Thursday by the hon. member for Nickel Belt and he turned over some communications and some material to me. We have transmitted this to our field staff in Sudbury—our safety engineer, our mining engineer—and they are investigating the alleged occurrences now. I point out to the hon. member that Fecunis Mines, of course, is geographically located within the riding of Nickel Belt. If the hon. member wishes I can communicate with—

**Mr. Martel:** On a point of order.

**Mr. Speaker:** Order! The hon. member has a point of order.

**Mr. Martel:** Mr. Speaker, I have in my hand a letter from the union in question—

**Mr. Speaker:** The hon. member will state his point of order.

**Mr. Martel:** I am coming to my point of order. The—

**Mr. Speaker:** The hon. member will state his point of order.

**Mr. Martel:** The Minister of Mines was making reference to the fact that this question which I raised comes from a riding

other than my own. The point I am making is that the headquarters of this company is in my riding and the union in question wrote me. If the Speaker would let me, I would quote the letter in which they asked me to raise this matter.

**Mr. Speaker:** Order! There is no question in Mr. Speaker's mind that any member is entitled to raise any question with respect not only to the people in his own area that he represents, but any other area of public interest in Ontario.

The hon. Minister is likewise within his rights, as far as the chair is concerned, to refer to those others who had raised the same points with him when answering the question, and that is what he has done. The hon. Minister will complete his statement.

**Hon. A. F. Lawrence:** Mr. Speaker, I am not debating that point, nor arguing that point; I agree with the hon. member. If he had not been quite so rude he would have heard me say that because it is in the hon. member's riding I intend transmitting the results of this report to him. At the same time, I would be very glad to transmit the result of this report to him, if he wants it that way, but if he is going to play it in some other way, then perhaps I had better ask the hon. member for Nickel Belt (Mr. Demers) first because he asked me the question first.

**Mr. Speaker:** Perhaps the leaders of the government and official Opposition and the third party might sometime before noon, if possible, tomorrow, advise me whether dealing with the questions in the manner we have done today or in the manner we have previously done by members, is more satisfactory to them because I wish to proceed in the manner which is best for the House and for each member of the House on both sides.

**Hon. A. F. Lawrence:** Mr. Speaker, on a point of order I think it is, while I am in an argumentative mood, may I add my vigorous objection, being one of the lowest men on the totem pole on this side, to that procedure.

I am being very serious, sir, when I think the rights of the private members are being transgressed by your ruling. I think it is up to the private members of this House to ask what they want, of whom they want, when they want, sir.

**Mr. Speaker:** The question of procedure here is one which originally caused a great

deal of difficulty and a great deal of unnecessary noise and improper debate. It has been running very well today and it also went well yesterday. The chair has made no ruling; the chair is merely requesting to know which way is preferable so far as the House is concerned.

The hon. member for Wellington-Dufferin has a point of order or a point of personal privilege or an answer to a question, I am not sure which.

**Mr. J. Root (Wellington-Dufferin):** Mr. Speaker, yesterday when I was out of the House on water resources business, a question was directed to the Minister of Energy and Resources Management (Mr. Simonett) regarding a letter that I signed. He said that he would ask me to reply to the question. The question asked by the hon. member for Kitchener (Mr. Breithaupt) was:

Can the Minister advise the House as to the cost to the government of Ontario, through the Ontario Water Resources Commission, of the mailing on August 22nd, 1968, of a news release regarding the Root family reunion, the covering letter for which was on the letterhead of the commission over the signature of the vice-chairman of the commission?

The question is in two parts. The second part is—can the Minister advise further how this release has advanced the work of the commission?

The answer to the first part. The cost of mailing the release—stamps, letterheads and envelopes—was \$1.30.

The answer to the second part is, I think everyone interested in the work of the water resources commission would like to know something of the background of the people who serve the commission. Every member of the Legislature and every arm of government is interested in public relations. It would be very difficult to estimate in dollars and cents the public relations impact of the news release that referred to seven generations of a family that has pioneered in many areas of development in Ontario.

I might add that the news item was carried in its entirety in about ten papers and many thousands of people had the benefit of the news item. What the benefit to the water resources commission would be, I am not prepared to say.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have a supplementary question which I might put with respect to the infor-

mation given as to cost. I am wondering how many of these releases were sent out to the media.

**Mr. Root:** These released went to approximately 20 news outlets. I have 20 news outlets that I release news to and I am not sure even whether the whole 20 were covered. I am not sure whether the radio and television stations were covered—it would probably be 15, maybe 20.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, may I say that one of the papers to which the hon. member for Wellington-Dufferin has referred was the *Beamsville Express* in the riding of Lincoln because that is where the Root family started, in the county of Lincoln, and we are very, very proud of this fact.

**Mr. Speaker,** I have an answer for the hon. member for Sudbury with respect to the revenues of the liquor control board for a certain period of this year.

**Mr. Speaker:** Perhaps we might ascertain if that question should be answered in the absence of the member.

**Mr. Nixon:** I think we would be glad if he did so.

**Mr. Speaker:** The hon. Minister will then give the answer.

**Hon. Mr. Welch:** During the period June 26, 1968, to October 31, 1968, the total revenue of the Liquor Control Board of Ontario amounted to approximately \$152,665,000. The total revenue for the same period in 1967 amounted to approximately \$110,685,000. These figures, with respect to the 1968 period, of course, reflect the price change of January, 1968, together with the normal increase of sales of about 5 per cent, together with other events referred to by the hon. member in his question.

**Hon. Mr. Robarts:** Before the orders of the day may I make one very brief comment in regard to questions. I think it used to be the custom here to ask the question whether or not the Minister was in his seat; then he answered it as soon as he got into his seat, whether the man who asked the question was in his seat or not.

I always thought that was a fairly reasonable sort of a way of getting questions dealt with expeditiously because then they were not held in abeyance until it was possible to match a private member and a Minister. We might think of reverting to that particular

routine. Personally I find the question period very stimulating and very interesting, and sometimes very entertaining, so I would do nothing to limit it in any way.

I would like to take this opportunity to bring the hon. members up to date on the gift Ontario has made to help alleviate the suffering resulting from the war between the Nigerians and Biafrans. As I announced on October 4, the government, and I think all members of this Legislature, are deeply moved by the privations and misery created by this conflict. This was referred to by the leader of the Opposition yesterday in his remarks.

Accordingly, as a government, we arranged to send a gift of food and hospital supplies to Nigeria as a humanitarian gesture in the name of the people of Ontario. These foodstuffs, which will be distributed by the Red Cross, consisted of 50,000 pounds of powdered skim milk; 10,000 pounds of honey; 10,000 pounds of tinned cheese, and 2,000 bushels of dried corn. All these goods were drawn from stocks available here in the province.

The entire gift and its shipment to Nigeria was arranged in close consultation with Canadian Red Cross Society and with the federal government. I would like to say a word of thank you on behalf of Ontario both to the federal government and to the Canadian Red Cross for the co-operation we received in making sure that our gift became operative, so to speak.

You might be interested to know that Air Transport Command provided a plane which flew the hospital supplies to Halifax, in order that they could be put aboard a ship there. The total direct cost to the government, for the goods and their shipment, will be in the neighbourhood of \$20,000; the actual value of the goods, of course, is considerably higher than that. I am informed that all these supplies have arrived in Lagos, and Fernando Po.

I would like to read a telegram that has been received from the Canadian High Commissioner in Lagos, dated November 14.

Emergency relief supplies Silver Crest cargo. Cargo for Lagos was transferred officially today to representatives of the International Committee of the Red Cross, and the federal Ministry of Health. Please advise the Government of Ontario both representatives expressed warm appreciation for contributions from Ontario, and from the Government of Canada.

Small though this effort might be in the total sum of misery caused by this war, I thought

you might be interested to know that it is on the spot and doing what good it can.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the motion for an address and reply to the speech of the hon. Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. D. C. MacDonald (York South):** Mr. Speaker, economic development is a matter of vital concern in the province of Ontario today. Only with adequate economic development are we going to have job opportunities to meet our growing population; are we going to have adequate wealth to be able to meet the growing services which our people are requesting.

I do not propose at the moment to deal with the broader issues of economic development, but rather to focus on what I would describe as a rather fundamental aspect, namely research and development.

Two-thirds of the scientific knowledge in the world today has been discovered within the past 20 years. Fully 90 per cent of the research scientists since the beginning of time are living today. Now, Mr. Speaker, these two dramatic facts serve to underline that for the first time in history, humanity has entered an era of permanent scientific and industrial revolutions.

Increasingly, therefore, research and development are the key to economic development. But Canada lags far behind other industrial nations. Taken as a whole, the federal industry minister stated a year or so ago,

Canadian manufacturing industry in 1963 displayed a research intensity of approximately 1 per cent, which was equivalent to research and development expenditures of about one-half cent per dollar of sales.

By comparison, British industry spends three times, Sweden four times and the United States over six times relative to industrial output.

It would appear that a research intensity for manufacturing industry of 3 per cent—that is almost three times the current figure—is required to bring Canada more equally in line with comparable industrialized countries.

Now that was the view of Mr. Drury who was at that time the Minister of Industry.

Ten years ago, Mr. Speaker, one single act of the federal government, cancellation of the Arrow project, cut research and development expenditures by industry by more than one half; from 1959 to 1960, the year in which that action was taken, industry's share of our national R and D expenditure dropped from 29 per cent to 13 per cent.

Despite much more generous tax exemptions and grants through the Industrial Research and Development Incentives Act—(IRDIA)—industry's share of R and D expenditures has never recovered from that single blow; the latest figures indicate it amounts to some 24 per cent national expenditures.

I recall the disastrous consequences of that black Friday when the Arrow project was cancelled, not only because the impact was greatest in Ontario (where the majority of the 300 companies in the industrial complex which sustained it were situated) but because the disaster has been repeated ten years later. One after another, imaginative scientific projects have been discarded.

In 1966, McGill's high altitude research programme, familiarly known as HARP, was lost when American funds were cut off. A few months ago the federal government scrapped the \$22 million Queen Elizabeth Observatory, out in British Columbia. A few weeks ago, the \$155 million intense neutron generator—or ING as the project is popularly known—fell victim to Ottawa's austerity programme. As a result, Canada's scientific community looks to the future with a mixture of disillusionment and foreboding.

There may be sound reasons, Mr. Speaker, for the cancellation of a programme such as ING, but as Dr. W. G. Schneider, president of the National Research Council, has said: "If so, the public has a right to know. I feel," said Dr. Schneider, "that when decisions of this kind are made a rationale should be given. If they are handled in this way it tends to destroy morale. Everyone will always wonder what's going to—whose is going to get the chop next."

In fact, Canada has no overall scientific policy. We are staggering around in the dark in this issue. Although the science council was set up two years ago, the hon. C. M. Drury who is not only president of the Treasury Board, but chairman of the Privy Council committee on Scientific and Industrial Research, stated recently that the government has not yet received the science council's recommendations for priorities.

There is an increasingly urgent need for the formulation of a scientific policy for Canada. Until the federal government ends the confusion and uncertainty, it is admittedly difficult for Ontario or any other province to decide intelligently what its supplementary programme should be.

However, the Ontario government cannot afford to delay in clarifying the guidelines of its own R and D programme simply because the federal government has failed dismally to provide a national context. What is more, the Ontario government need not delay because there is a growing consensus, first, as to the basic misdirection of past scientific policy, and second, where the future emphasis should be.

Let me examine briefly each of these in turn, because out of such an analysis emerges the guidelines for a more effective R and D programme, both federal and provincial.

Canada spends proportionately more on basic and applied research, much less on development. The following comparative figures reveal the dramatic imbalance in our programme: 18 per cent of our research and development funds went to basic research; 42 per cent went to applied research; and only 40 per cent to development.

By comparison, the United States spent only 10 per cent on basic research; 22 per cent on applied research and the lion's share of 68 per cent on development. Britain's figures were nearly identical: 10 per cent on basic research; 24 per cent on applied research, and 62 per cent on development. In short, Canada is spending more money to generate new technology than to employ it. There is good reason to believe that as a relatively small country, we cannot afford that kind of a programme. It is misconceived in terms of meeting the urgent needs of our economic development.

Admittedly, Mr. Speaker, Canada has an obligation to add to the world's store of knowledge and new technology, but within the limitations of our expenditures, we have more than met our obligations in this connection. The need is for more applied research, even more for development which provides economic developments.

Viewed in this context, the proposed expenditure of some \$155 million in the ING programme may well have been misconceived from the very outset. Certainly there was sharp controversy in the scientific world, with many people arguing that this was too great an investment in a project that, at best, would have had long term economic benefits.

For example, writing in the October issue of *The Science Forum*, Dr. R. F. Howlett, who was until last August head of the National Research Council's division of applied physics, puts the case this way:

Too often the argument in favour of a costly project with heavy continuing commitments is good science and excites the imagination. Too rarely is there a case to support its direct relevance to Canada's future needs, and a realistic appraisal of the probable value to the country as compared with the same money spent on some other projects.

In short, Mr. Speaker, Canada's research programme should be less of a hobby of the scientist, and more of the hand-maiden of economic developments.

Dr. Howlett suggests that the broad lines of scientific policy should be worked out in collaboration with Economic Council of Canada. Now this persuasive line of argument, bolstered by the statistics indicating the severe imbalance in our research and development expenditures, points clearly to the need for a much heavier emphasis on development. This is not a plea for forsaking pure research, but for a more judicious choice of projects, from which the spin-off to the economy would be greater and more immediate.

Dr. O. M. Solandt, chairman of the Science Council of Canada, has suggested programmes to be undertaken in the fields of space research, transportation, water resources, computer application and technology and northern resources, and one which I must confess, captures my imagination, namely human ecology, especially as it refers to life in urban environment.

These are the general lines along which a national scientific policy should be formulated. In my view, the Ontario government should exert every conceivable pressure for such a formulation and clear statement.

Meanwhile, to the considerable extent that we are free to shape our own research and the development programme, we should seek to achieve, not only its expansion through private as well as public funds but with that balance of expenditure, which will do more than any other single thing to assure the necessary economic development, to provide new jobs and let those below the poverty line share in our rising standards of living.

Lest anyone think that I exaggerate the importance of a research and development programme, let me remind the hon. members that leading economists have shown that

technological change has been a major factor in the great increase in output per unit of labour and capital that has taken place in most industrialized countries in this century. It is now convincingly documented that only about 20 per cent of the gain in labour productivity has come from the more intensive use of capital. About 80 per cent has come from the use of new technologies and the greater competence of workers and managers.

In a growing proportion of our industry today, survival in the rat race of the modern markets stems directly from the innovation which research and development programmes assure. Not only do such programmes speed up the pace of scientific discovery, but they shorten the gap between the laboratory and the production line. This is the fundamental mark of a modern economy. The U.S. chemical industry, for example, now considers it normal that half its business is based on products that did not exist only ten years ago.

Now let me narrow the focus of my considerations more strictly, Mr. Speaker, to the province of Ontario. From the point of view of economic development, the important thing is not only that the total amount of research and development be adequate, but also that it be spent for the right purposes.

Professor P. M. S. Blackett, president of the Royal Society of Great Britain, argued two years ago that only the U.S.A. can remain nearly self-sufficient in technology—that certainly Britain cannot. It follows, therefore, that for countries like Britain to achieve rapid economic growth, it is important to use qualified scientists and engineers to apply existing scientific and technical knowledge and know-how to produce more competitive products, rather than to create new knowledge.

If that be true of Britain, it is certainly true of the province of Ontario. In fact, a recent report of the Science Council of Canada emphasized this very point. A major failing of Canadian science in the past, it stated, has been that it performed too much basic research remote from the training of new scientists and too much applied research far from the point of innovation. The report added that there has been a tendency to fail to carry through work from research and development to production and use.

With this emphasis in mind, there are three aspects of our R and D programme on which I would like to comment briefly. They are key to the formulation of guidelines for expanding Ontario's programme—something



to which I intend to return later in this session.

The first is a new development—the establishment of industrial research institutes in three of Ontario's universities—Waterloo, Windsor and McMaster—through grants by the federal Department of Industry. These research institutes are designed to use the best local resources of a given area and bring to them the scientific backing which is most likely to contribute to its economy. Such a close relationship of the university with industry will inevitably result in the desired emphasis on applied research and development.

There are dangers, Mr. Speaker, involved in such research institutes, either through injury to the basic work of the university or through an unfair competition with the Ontario Research Foundation for the limited R and D dollars. These dangers, once again, I would like to explore during consideration of the estimates later this year. But, on balance, it is my view that these research institutes are new and important developments—so much so that if they prove successful, there is a regional need, an urgent regional need, for their extension to the Lakehead, to the Laurentian University area in the Sudbury basin and to some centre in eastern Ontario. Either through extending the federal programme or, if the federal government will not—through supplementing it by a provincial programme.

Secondly, so important is the basic role of research and development, and so hesitant has the Canadian industry been in initiating its own research, that there is a legitimate role for the expansion of government programmes. The tendency in Canada has been to concentrate an undue amount of research in government laboratories, thereby discouraging industry from starting or expanding its own research facilities. For example, in the United States, government laboratories use only 15 per cent of their national research and development funds; in the United Kingdom 26 per cent; in Canada the figure is 36 per cent. This tends to reduce the likelihood of economic returns, because the research is not closely enough related to possible economic production and returns.

How can the provincial government play a role in shifting the emphasis to applied research and development? There may be many answers and many views on this, but my own impression is that this might best be achieved through an expansion of the work

of the Ontario Research Foundation. It is a highly respected organization, in close touch with industry. At the moment the province matches, dollar for dollar, the revenue which ORF receives from the industry through its contract research. It would seem to me advisable to expand any R and D programme through the established machinery of the ORF, with an even greater emphasis on encouraging the development of private industrial research facilities within the industry.

Finally, Mr. Speaker, I find it exciting to contemplate the possibilities of developing in Ontario the kind of close working relationship between universities and industry which has resulted in such a phenomenal economic growth in New England, or in Texas, or in California. It seems to me that we have all the ingredients for this kind of development here in the province of Ontario—in the Sheridan Park complex with the Ontario Research Foundation intimately tied in with it; in the close relationship which such research facilities should be able to establish with so many of our established universities which are geographically near at hand; and on the research institutes, which have now been established in three Ontario universities.

The very fact that these facilities are not all concentrated in one place could result in a desirable decentralization of industrial development, thereby assisting in a more effective regional development, an objective that we all pay lip service to, but which gets fulfilled only to a painfully small degree. Certainly this combination of management know-how, university brains, and research finance by private and public funds, is the key to dynamic, economic development, so much so, that Jean-Jacques Servan-Schreiber, in his recent book, the "American Challenge", warns that it is resulting in a virtual takeover of the European Common Market by U.S.A. interests.

It surely represents the key to the kind of economic development which Ontario must have to provide the job opportunities for its growing population and the expanded wealth to meet our growing needs in this province.

Maintenant, M. l'Orateur, pendant le mois d'octobre, j'ai passé deux semaines à suivre un cours d'immersion totale dans le français. Je veux faire rapport à l'Assemblée que c'était une expérience des plus satisfaisantes. Je suis convaincu que pour celui qui est intéressé, et qui a quelques facilités pour les langues, le bilinguisme est un but non seulement réalisable mais franchement excitant.



Au cas où il y en aura ceux qui pensent que le cours n'est qu'une rigolade, permettez-moi de vous désabuser. Nous étions debout avant sept heures chaque matin pour déjeuner à sept heures quinze. Les cours débutaient à huit heures et continuaient jusqu'à onze heures trente. Les cours reprenaient à deux heures et se poursuivaient jusqu'à cinq heures. Le soir, encore trois heures de cours — de sept heures trente jusqu'à dix heures trente.

Pendant les repas et les périodes de récréation, nous causions en français. Enfin, dans les quelques instants qui nous restaient avant le coucher on nous obligeait de lire quelques chapitres du "Compte de Monte Cristo", et d'en faire un résumé écrit en français.

En somme, M. l'Orateur, c'était une baignade sans merci dans le français. Comme disait un de nos instituteurs avec beaucoup d'à propos, c'était un lavage de cerveau en règle.

Toutefois, gardons-nous d'exagérer: pendant les classes ici à Queen's Park, nous avons complété huit à dix leçons. A la fin de la baignade nous en avons complété quinze.

Le cours complet comprend trente-deux leçons. Donc pour ceux d'entre nous qui ont pratiqué l'immersion totale, nous sommes tout juste qu'à mi-chemin. Ne demandez pas de nous d'être parfaits bilingues — pas si tôt!

Mon expérience personnelle mise à part, je suis devenu encore plus intéressé dans tout le problème de l'enseignement des langues. Aujourd'hui, en Ontario, il y a des milliers de nouveaux Canadiens qui prennent des cours d'anglais pour maîtriser la langue du monde du travail. Je me suis demandé jusqu'à quel point nous nous servons de ces nouvelles méthodes, et si l'approche générale était toujours l'étude plutôt morne et vieux jeu de la grammaire — la méthode qui s'est montrée si peu efficace pour développer la maîtrise d'une langue.

Après enquête, je me rends compte que l'Ontario, fort heureusement, s'est acquis en 1963 un comité des langues modernes qui est à la fois actif et clairvoyant. Ce comité opère sous les auspices de l'Institut Ontarien des Programmes d'études.

Depuis 1966, ce travail est continué par l'entremise du centre des langues modernes qui fait parti de l'Institut Ontarien pour les Etudes en Education. Celui-ci est le seul institut au Canada anglais qui a comme tâche l'étude des langues. Il est à espérer qu'à partir de ses efforts, le Canada pourra réaliser davantage son héritage linguistique.

De plus, on m'informe que les cours d'an-

glais offerts par la section de la citoyenneté aux nouveaux Canadiens se servent de ces nouvelles méthodes. Donc, nous pouvons espérer que les méthodes actuelles auront comme résultat un bilinguisme plus poussé que fut le cas pendant l'époque du "high school French" auquel la plupart d'entre nous fut exposé.

Ceci m'amène directement au sujet de prime importance: celui des efforts de l'Ontario à devenir une province bilingue et ainsi soulager les tensions qui menacent de faire sauter la Confédération.

Ce gouvernement a fait sien le but tracé dans le rapport de la Commission Royale sur le Bilinguisme et le Biculturalisme. Il y a bientôt un an, le premier ministre annonçait la création de quatre groupes de travail: un pour faire enquête sur l'à propos de mettre en vigueur les recommandations concernant l'administration de la justice; un deuxième sur l'Assemblée et les statuts provinciaux; un troisième sur l'administration municipale; et un quatrième sur la fonction publique provinciale.

On m'informe que ces groupes de travail ont tous achevé leurs tâches et que leurs rapports se trouvent maintenant aux mains du gouvernement. Je demande au premier ministre quand il a l'intention de remettre ces rapports à cette Chambre, et ce que le gouvernement envisage à faire à la lumière de leurs recommandations.

Evidemment, ces études sont d'une importance fondamentale quant à toute action à entreprendre en vue de la formation de districts bilingues tels qu'envisagés par le rapport Laurendeau-Dunton pour toute région où la population d'expression française comporte 10 pour cent ou davantage du total. Déjà, le gouvernement fédéral a présenté son projet de Loi concernant le Statut des Langues Officielles du Canada. Cette loi forme le cadre dans lequel pourrons agir les provinces.

Je formule l'espoir que le gouvernement procédera pendant cette session à la réalisation de cette recommandation — clef de la commission Laurendeau-Dunton. Pour que le Canada devienne pays bilingue, l'Ontario doit prendre la tête.

Je ne peux faire mieux que de citer brièvement Monsieur Vincent Prince du *Devoir*. Voici l'extrait d'un éditorial du 8 décembre, 1967 intitulé "Les districts bilingues, pierre angulaire et pierre de touche du rapport Laurendeau". Je cite:

Nous croyons que les commissaires ont raison de parler de "pierre angulaire". Ce

sont des districts, en effet, qui viendront donner un sens pratique et concret à toutes les autres recommandations. C'est par eux que, territorialement, les deux groupes linguistiques atteindront vraiment à un certain statut d'égalité même en dehors du Québec.

Les francophones qui vivront dans ces districts officiellement considérés comme bilingues continueront, certes, à subir une grande partie des inconvénients inhérents à leur état de minoritaires, mais, au plan de leurs relations avec l'autorité telle qu'elle s'incarne dans leur petit coin de la patrie, ils n'auraient plus cette pénible impression de se trouver complètement en pays étranger.

Il y aura désormais, en d'autres termes, d'importants îlots à travers le pays où le caractère bilingue du Canada pourra se refléter. Il sera possible de sortir du "ghetto" québécois sans tomber nécessairement en territoire unilingue anglais.

Mais nous dirions que la création de ces districts ne sera pas que la pierre angulaire de la réforme d'ensemble suggérée par la commission royale d'enquête. Il en sera aussi la pierre de touche. Le refus ou l'acceptation d'un semblable projet par les autorités fédérales ou provinciales permettra, en effet, de nous fixer une fois pour toutes sur la bonne ou la mauvaise volonté du Canada anglais, s'il y a de la bonne volonté, bien des espoirs restent permis; par contre, si la mauvaise volonté devient manifeste, il y aurait plus lieu de trop miser sur l'avenir de la confédération.

Le peuple ontarien est en très grande majorité engagé à outrance à la préservation et à la consolidation de la confédération.

Je suis d'avis que Monsieur Vincent Prince n'exagère point l'importance des districts bilingues pour atteindre ce but.

Pour cette raison je presse le gouvernement à procéder à leur réalisation avec toute hâte possible. Le gouvernement est assuré d'avance de l'appui non équivoque du Nouveau Parti Démocratique.

Now, Mr. Speaker, returning to the language in which we will be more efficient, may I say that I want now to turn to what is undoubtedly the major question before this session of the Legislature—that of taxes, tax reforms, and the related question of new fiscal agreements with the federal government for sharing of the tax dollar.

Before I begin, may I say that I was most interested in the comments by the leader of

the Opposition in this connection. In the first of his comments, for what appears to me to be the first time there was a frank assertion that there was need for some renegotiation of the tax base with the federal government, as well as some protests with regard to the federal government's unilateral decision not to share the new social development tax.

In essence, the Liberal Party's position is that Ottawa is too rigid! But there is no indication really as to how Ottawa's rigidity should be eased, that basic rigidity that has been going on for two years.

The interjection of the leader of the Opposition indicates that he is only referring to what happened in the last month or two, instead of the two years of adamant stand with regard to the federal government.

But he has also said, Mr. Speaker, that Ontario is too rigid, that we might as well accept from Ottawa what Ottawa is offering. After all, they made this assertion two years ago and they have not changed, so, in effect, why continue to argue with Ottawa.

Now, that is all very fine, but then he comes back and says, without any specific delineation of the programme, that this government obviously has to cut back in many ways. That is the main preoccupation of the Liberal government, a preoccupation that should not be ignored. But I suggest it is not the whole issue. If there is going to be a cut-back, we must know where the cutback is going to be in terms of services. I venture a prediction—and perhaps this is where a politician should not stick his neck out—but after listening to this government last year talk about all the savings that must be made in cutting to the bone, we finally got a budget in this province which was for \$486 million larger—the largest single increase of any year in Ontario's history.

I venture the prediction that in spite of all the gloom and doom, in spite of all the talk, that we are going to cut back, that we are cutting to the bone, when the budget comes down, it is going to be significantly larger than it was last year.

But the most important thing is that there is no suggestion—certainly no suggestion, other than by implication—no suggestion in detail from the Liberal party as to the basic need that has got to be tackled, namely, the reform of our tax structure.

What the Liberal Party is asking this government to do is to seek some alteration in the division in the present inequitable tax structure—the present inequitable tax dollar.

No real consideration of tackling the Carter commission in its recommendations—no real consideration back in the province of Ontario of tax reform.

Mr. Speaker, in my view that makes a mockery of the kind of society we are attempting to build in this nation, either at the national or provincial level—what is referred to as a just society.

Taxes are certainly the most topical issue today. Little wonder when you look at recent developments. Rising property taxes have hit almost everyone. Earlier this year we all felt the provincial hikes in the gasoline and the tobacco taxes, motor vehicle licenses, hospital and medicare premiums, and fishing and hunting licenses. Ottawa's new social development tax has now been added to the personal income surcharge which went into effect last January 1, and to the federal liquor, beer and tobacco taxes brought in a month earlier.

Never in our history has there been such a rapid-fire attack on our personal pockets. Naturally, it has aroused deep concern, particularly when it is coincident with a rise in living costs at double the rate of the previous decade. Loud noises from government spokesmen at both Queen's Park and Ottawa warn us that we have not seen anything yet, so the issue becomes of even greater importance than the current scene seems to suggest.

A situation such as this prompts one to ask whether the Liberals in Ottawa, or the Conservatives here at Queen's Park, know what they are doing in the tax field. Have they a tax philosophy? Oliver Wendell Holmes once said: "With taxes I buy civilization." We all know that nothing in this world is free, and the public programmes must be paid for through taxes.

We also recognize that an increasing number of our wants can be met only through community action. You cannot buy a yard of clean air at the department store, or a mile of super highway as an extra with your car. But if we are going to finance more things collectively through taxes, we must be absolutely sure that they are imposed in the fairest possible way.

Several years ago, John Kenneth Galbraith warned us that we face a superabundance of private goods, but a famine in public goods. The truth of his statement is self-evident today. Our stores are jammed with every kind of electrical gadgets and toys for Christmas shoppers, but we have not enough serviced land to keep the price of lots at reasonable levels for prospective home owners.

We have not sufficient space in our community colleges for the 2,300 applicants who were turned away this year. We have not enough government funds, through rehabilitation and counselling, which might end the poverty syndrome, that condemns generation after generation to a life of welfare and deprivation.

Galbraith pointed out that with this kind of distortion, in our allocating our resources, none of us enjoys the good life to the full.

The enjoyment of having a car is seriously reduced on highways that are congested and dangerous. The satisfaction of owning a summer cottage is a much less if there is no unpolluted lake to swim in. But this brings us face to face, Mr. Speaker, with the dilemma of our day.

When you offer people a choice between doing without public goods—which are essential to their well-being—or an increasing tax to finance them, many prefer to do without the public goods because they simply cannot afford them. And they are dead right in that conclusion!

The couple between 66 and 70 years of age, for example, living on an old age pension, even with a supplement, have only \$2,570 income. They just cannot afford \$47.40 that they now must pay in income tax, nor can they afford the 5 per cent provincial sales tax and the hidden federal sales tax, which they pay on almost all of the goods they purchase, except food.

The person on fixed income cannot absorb the increase in his property taxes every year. Nor can the 190,000 workers on minimum wages afford any more taxes, because even the new minimum wage income levels represent only \$2,704 a year, if they are lucky enough to work 40 hours a week. Such minimum wage levels simply establish and condone a pocket of poverty which stretches all across the province of Ontario.

Even less can these groups, and many others, afford an increase in the sales tax, or an extension of the sales tax to food, car repairs or hair cuts. A tax system which imposes heavier burdens on people such as these is grossly inequitable. They are carrying more than their fair share of the burden right now. But there are groups which can afford to pay more to ensure that they themselves, or society as a whole, are not starved of public goods.

The person who makes a capital gain on the stock market has more money in his pocket than his neighbour. The land speculator who reaps a windfall gain from the

growth of a community has an unearned profit financed out of the taxes paid by everybody. The person, or company, able to take advantage of the present income tax loopholes is holding privileged dollars which are taxed more lightly than those in the pockets of the ordinary wage earners.

We must, and we can, afford more public goods if we are going to meet the problems of urbanization and break the stalemate which is leading to the civil unrest everywhere. But we can afford them only if we finance them by fair share taxes based on the ability to pay. This will require a restructuring of our entire tax system at all three levels of government, but the present shrill dialogue between the Tories here and the Liberals in Ottawa and our municipal representatives has degenerated into an aimless squabbling which offers no hope of satisfying the needs of the people they claim to represent.

In short, Mr. Speaker, I think what we have got to do first is take a look at what are the features of an equitable tax structure. I want to deal with that now in terms of the distinctive features of a New Democratic tax system.

1. The first principle would be basic equity, with every citizen being called upon to assume his fair share—no more, no less—of the total burden. People in like circumstances would be treated equally.

2. No type of income should go untaxed.

3. It should effect a significant redistribution of income and wealth with our objective being equality of condition rather than merely of opportunity.

4. It should, of course, be based on ability to pay, with rate schedules even more progressive.

5. The tax system should be regarded as a major instrument in planning economic growth and assuring full employment.

6. It must reflect increasing emphasis on channelling corporate surpluses, which are the major pool of investment capital, in greater measure toward major public projects.

Now, Mr. Speaker, I suggest to this House that you can get a picture of the New Democratic tax system if you study the 20 dissents that were made by the New Democratic members who sat on the select committee which studied the Smith committee recommendations.

In essence they demanded "a reshaping of the Ontario tax structure to make it a truly dynamic and progressive tax system".

Such a tax system will rely primarily on those sources which are most equitable and whose yield is most elastic—sources like the income tax and transfers of wealth between generations, all of which produce increases in revenue at a faster rate than the provincial products grow. This occurs because such taxes are generally levied with progressive rate schedules.

But even these taxes will be equitable, and will yield their true potential, only if all income and wealth is included in the tax base. As the Carter commission pointed out, our present taxes in these fields are like a sieve through which many dollars escape, or are taxed too lightly. Such things as capital gains, stock options, resources industry profits and insurance investment income make up the \$5 billion which is not carrying its proper share of the collective costs of our society.

Broadening the tax base and closing these loopholes to catch exempt income dollars will produce a substantial increase in revenue for both the federal and provincial governments, without any increase in the present tax rates, or any additional burden on the ordinary wage earner or pensioner.

I ask this question: have we ever heard the Prime Minister (Mr. Robarts) of this province, or the Provincial Treasurer (Mr. MacNaughton), advocating such a reform? Have the Liberals mentioned this source of revenue? Their joint silence on this topic is deafening. Ottawa's virtual rejection of the Carter report, and Mr. Trudeau's spurning of a capital gains tax during the election campaign, indicates little prospect for a broadened tax base. Instead, the federal Liberals put their new taxes on these least able to pay.

Most economists reject complete reliance on income tax alone for all revenue needs and they recommend instead a carefully balanced mix of taxes on income, wealth and consumption. This ensures that no form of activity escapes tax; that visitors and non-resident companies pay a share, and that rates do not get out of line with those in neighbouring jurisdictions or cause psychological blocks to certain kinds of economic activity.

In our opinion, the ideal tax is one which places most stress on reformed and broadened income and wealth taxes, and de-emphasizes property taxes, sales taxes, flat rate premiums and other regressive forms of taxation.

Furthermore, in all its levies the ideal tax mix includes relieving clauses which lift the burden of taxation from the low income

groups, who really have no surplus after they have provided for their food, clothing and shelter needs. These groups may even be entitled to a negative tax which would return to them some of the collective contributions from other groups which are fortunate enough to have more bargaining power in the market place.

You can call this principle a negative income tax, or a guaranteed annual income, or whatever term you wish. If it is more than a refund of over-taxation it recognizes our fiscal system must include redistribution as one of its elements, to compensate for the imperfections of the market system.

The New Democratic Party tax mix will not, I assure you, follow the present Tory trend of reducing the proportion of revenue derived from corporate income—something which has been going on for the past ten years or so—while increasing the proportion from personal income. Even if we concede that some of the corporate taxes is passed on to consumers and becomes, in effect, a sales tax, the exact amount varies from industry to industry and depends on the competitive conditions of the moment.

There are strong arguments for continuing to collect a fair share from corporate surpluses, particularly when a large proportion of them go across the border, and if untaxed, simply benefit either foreign shareholders or foreign governments at the expense of the Canadian taxpayer.

Transfer of wealth between generations is another revenue source which must be included in the tax mix. This source has been neglected by the present government. In a paper delivered to the Canadian Tax Foundation conference on the Smith report last January, Professor Claude Forget, of the University of Montreal, said:

“Wealth taxation could make a decidedly greater contribution to public finances. Moreover, from an economic viewpoint, given the reason for people saving, estate and gift taxes are most unlikely to reduce the amount of savings. If anything, those taxes may very well stimulate savings.

A rather sharply contradictory view to that which is normally propagated, I suggest to you, Mr. Speaker.

The new federal rules under which transfers between spouses are exempt, and heavier taxes are placed on other transfers, will make it necessary for Ontario to re-examine our succession duties. If we do not act promptly, the lack of harmonization between the two statutes will cause great inconvenience to

taxpayers and our failure to impose a gift tax will permit the revenue to be seriously eroded. The Smith committee recommended a provincial gift tax, but the select committee's conservative majority—and I think that could be a small “c” there—backed away from it. The New Democratic members dissented from the committee's timidity.

I note that the Ontario Economic Council does not appear to share the select committee's feeling that transfers between generations are a suitable tax source. On page 11 of its report, the select committee says:

Your committee, moreover, thinks that the area of wealth taxes has been inadequately explored, and that it offers both qualitative and quantitative advantages as a potential source of revenue.

The economic council's conclusions are in striking contrast to that. It claims that the present wealth taxes in Canada represent “an economically regressive taxation policy”. Its study of succession duties is a lop-sided analysis of their effect only on closely-held private corporations. In order to permit the small segment of the population engaged in this type of business activity to establish small dynasties, the council is prepared to completely free from taxes the shares of such companies. Its tender solicitude for this class of succession duty taxpayers is based on a premise which both Carter and the Smith commission found false after considerable research, namely, that estate taxes and succession duties are the cause of the break-up of family businesses or their take-over by foreign owners.

One wonders then if the government will respond to the economic council's neanderthal advice to discriminate in favour of one form of business activity, and to question the whole function of inheritance taxes, when the select committee urged greater reliance on them.

One also wonders about the merits of retaining a body such as the economic council which appears to have become so pre-occupied with the building up of special privilege and inequality of economic opportunity in this province.

But, Mr. Speaker, to return to the general picture. The New Democratic Party also believes that a proper tax mix must include a fair return to the people of the province for the use of their resources. The present revenue amounts to less than two per cent of the \$2 billion produced by our mining and forest industries. It does not even cover the



cost of the services provided to those industries by the provincial and local governments.

Furthermore, in our tax mix, the heavy burden of the regressive property tax will be lightened by the provincial government's gradual assumption of education, health and welfare costs, and by promoting efficiency through regional government.

In addition, burdens and costs will be equalized through the adoption of the municipal foundation programme for general services, similar to the educational foundation programme now in effect. I dealt with this proposal at length in the Throne speech last February and I note that the select committee on the Smith report moved toward acceptance of the principle in its recommendations for mining municipalities. Unfortunately, its formula does not go far enough and equalizes mainly the revenue side of the equation, without giving sufficient weight to differences in costs of providing services among these municipalities. Also, it only brings municipalities up to the provincial average, which may not be adequate to assure a proper standard of services to all residents of the province.

Mr. Speaker, the New Democratic Party would also lighten the sales tax, either by exempting additional necessities of life, or by providing tax credits and rebates for those which are difficult to administer. The credit approach is a familiar device for offsetting tax on items where an exemption is cumbersome, but it is completely unsuitable as a substitute for a food exemption since food constitutes such a large proportion of the spending of low income families, and they simply cannot afford to wait for a refund of excess tax six months or a year later.

Under our tax mix, we would depart from the highly regressive method of financing hospital and medical care largely through flat rate premiums. Instead, we propose nominal premiums for most families and individuals, with complete exemption for welfare recipients and low income groups. The balance of the cost would be financed from the progressive tax system which a New Democratic government will substitute for our present lopsided system after the 1971 election.

We believe that gasoline and motor vehicle taxes should be kept to a level sufficient to negotiate the motorists' fair share of the cost of providing road systems. Current economic thinking in the Smith report places

this at somewhere between two-thirds and three-quarters of the expenditures.

Incidentally, our present highway taxes are something over 100 per cent, and yesterday, by a decision that has not yet come before this House, we had an increase further in car licenses.

However, Mr. Speaker, having dealt in many details in this broad tax picture with the tax mix that we would advocate let me then summarize the approaches which a New Democratic government would follow in reforming the tax system of the province of Ontario.

First, the tax mix would be altered to emphasize those taxes which are most progressive, growth-producing and offer the most potential for revenue.

Second, we would reform the personal and corporate income taxes so as to broaden the overall tax base, close the present tax loopholes, and afford a greater measure of relief to low income earners.

Third, we would institute a tax on capital gains and on speculative land transactions.

Fourth, relief of the property tax would flow from the province assuming a larger proportion of current municipal costs, and through a foundation plan for municipal finance.

Fifth, we would decrease reliance on the sales tax, and exempt additional necessities.

Sixth, we would move away from regressive, flat rate premiums as the principal means of paying for health and hospital services.

Seventh, taxes on motor vehicles and gasoline would be kept to a level representing their fair share of road costs.

This then is our concept of an ideal tax system. It is the only one which will ensure that our collective needs are paid for in accordance with ability to pay, and that they are not denied because the burden of taxes is too heavy on some segments of the population.

While the Smith committee and the select committee on taxation fell short of this ideal system, it did provide us with a wealth of material and proposals which must now be sifted through and the progressive proposals implemented. What we need, Mr. Speaker, is the machinery for establishing a continuing working relationship between the provincial government and the municipalities to achieve this objective.

My proposal would be that there should be set up a provincial tax structure commit-



tee for working out collective decisions and producing an integrated taxation policy at the provincial level.

If there is a need—and Ontario has been arguing it vigorously for years—for the federal government to sit down with the provinces and work out systematically a more accurate equation of responsibilities and revenues to meet them, then there is an equally pressing need for the province to sit down with the municipalities. Together they must work out an integrated tax policy, providing the municipalities with the necessary revenues to meet whatever responsibilities are going to be left with them, and that is our decision as to what shall be left with them.

An integrated tax policy at the provincial-municipal level becomes even more important as we move to the establishment of regional government. Larger and more efficient units of local government will make it possible for their province to restore local autonomy and make certain that each region can raise more of its revenue needs. We can then get away from the present extensive reliance on provincial grants.

Now, Mr. Speaker, how does this restructured tax system worked out through the more democratic machinery of a provincial tax structure committee contrast with what the Tories have built up over the last 25 years? Let us take a look at it.

In the first place, this government has left an excessive load on the homeowner by failing to lighten the property tax burden through a substantial shift in the responsibilities to the province. The \$150 million basic shelter grants were only a token handout which offset 1968 tax increases, but will not stop the steady rise in urban costs next year or the year after. It is doubtful if they will benefit many tenants at all.

The government also has made no real effort to obtain a reform of the income tax. They have rejected a capital gains tax, or an unearned increment tax on land speculation, and regretfully the select committee backed them up on this with that Conservative majority. They have not endorsed any of the Carter proposals for broadening the tax base or closing the loopholes. All this government has done is ask for a bigger share of an unreformed income tax which hits the lower income groups unfairly and is not producing its full revenue potential for either the federal or provincial governments.

Instead of looking to a reformed income tax, both personal and corporate, for more

revenue the government has continued to add to the regressivity of our tax system by increasing flat-rate premiums for hospitalization and OMSIP, and by raising gasoline and motor vehicle taxes well beyond the level needed to finance the motorists' proper share of road costs.

In addition, the government has taken no steps to increase significantly, revenue from our mining industry. It contents itself with a yield of about \$16 million from a billion-dollar industry to meet both provincial and municipal purposes.

The recent increases in forest levies were also token, and will likely bring in only a million dollars extra from this second billion-dollar resource industry.

In summary, Mr. Speaker, all of the present government's recent tax reforms have reduced the progressivity of our provincial tax system and added excessive amounts to the burden carried by the lower and middle income groups. All this at a time when promises of tax reform are bandied about with reckless abandon.

The select committee demanded that: "Changes in the tax mix and in the tax rates be designed so that the overall Ontario tax system is restructured along more progressive lines in the interest of social justice and economic growth." High-sounding words! We are still waiting for some indication that the government shares this philosophy.

Nor have we seen any sign that the Liberals accept this philosophy. They have not called for a fundamental reform of the income tax, nor have they endorsed a capital gains tax or a land speculators' tax. They did not put in a dissent on the proposal to tax food under the sales tax, though I will have to agree—

Mr. R. F. Nixon (Leader of the Opposition): That is incorrect.

Mr. MacDonald: I repeat—they did not put in a dissent on the proposal to tax food under the sales tax in the report but, I will agree that when the public storm broke, their panic was exceeded only by that of the Tory backbenchers and they have been dissenting daily ever since.

Mr. E. W. Sopha (Sudbury): I advocated the tax on land here last year and the member for Scarborough West (Mr. Lewis) jeered at me.

Mr. J. B. Trotter (Parkdale): The hon. member for Riverdale (Mr. J. Renwick) is right

when he says the hon. member for York South (Mr. MacDonald) is not credible.

**Mr. MacDonald:** Instead the Liberals—I guess I have gotten to them—instead the Liberals have spent most of their time defending the federal government's shifting of the tax system away from progressivity and its denial of additional tax room for the provinces. They have offered no solution to the pressing revenue needs of this province beyond suggesting that economies should be made by government reorganization.

Admittedly, Mr. Speaker, there are savings possible from the elimination of waste and improvement of government efficiency. We do not overlook them. We would apply modern and imaginative techniques of forward planning, regional decentralization, programme budgeting, cost-benefit analysis, operations research, centralized purchasing, and so on.

It should be pointed out that the most expensive politics are crash programmes, hastily devised in reaction to some crisis. This is the kind of spending which the present government is forced into in the housing crisis, the sewage problem, growing unemployment and the shortage of serviced land. Heaven knows how many millions are wasted because of inadequate planning to anticipate highly predictable needs.

The New Democratic Party government would also look to increased revenues from the expansionary economic policies which we would pursue. Raising productivity, and putting the unemployed to work would increase the revenue share of the provincial pie and mean a lighter burden of taxes for everyone. Turning welfare recipients into self-supporting citizens through rehabilitation would both increase revenues and reduce expenditures.

But in the last analysis, Mr. Speaker, we would rely on a restructured tax system for the main financing of our programmes. Tax reforms cannot be delayed any longer; and the Throne Speech on this as on most things, is simply bankrupt.

Now, we recognize that Ontario cannot reshape its tax system alone. The level of taxation and the tax mix chosen by the federal government inevitably affects our freedom of action, and vice versa. The fiscal climate is affected by the interplay of the taxing and borrowing decisions of all three levels of government. Nor can we achieve a full reform of the income tax structure without the co-operation of the federal government. Regardless of constitutional provisions,

we are not 11 watertight compartments, but rather a nation seeking common economic and social goals. We cannot achieve these by acting in isolation, whether we are a large province or a small one. We do so at the peril of national unity, economic growth and a rational system of priorities and taxation.

The present impasse in the federal-provincial relations is a serious one. We all recognize that we have growing needs at all levels of government. We all want to develop Canada as a strong viable economy, and in a country where every resident has an equal right to a basic standard of services. We all want a society in which mobility of population is always available so that citizens will not be penalized because of geographic location.

But, we also recognize that our resources are not unlimited and we must allocate them among our different wants in both the public and private sector in a way which is most likely to achieve these national goals.

The present Liberal government at Ottawa is pursuing a stiff-necked attitude of considering only federal priorities and federal problems. Trudeau's parochial approach represents such an abdication of national leadership that it may be an even greater threat to the long-term interests of this country than the aimless drift of the earlier Pearson regime.

For example, the federal government's current proposal that the provinces take almost full responsibility for the three programmes which most closely affect our lives today—education, health and welfare—will remove these areas from inclusion in federal priorities and federal initiatives. It will simply lead to a hodge-podge of standards and a jungle of regressive taxes to finance them.

Without adequate equalization, some provinces will be unable to provide an acceptable basic level of services in these fields. Canadians will not be able to move from province to province without grave disturbances in their lives. Wherever they live they will face unequal tax burdens. We shall be creating and consolidating nationally the inequities which we are seeking to remove within each province.

There will be a balkanization of decision-making in the most crucial areas of our national well being. All this from a Prime Minister who presented himself to the people last June as a champion of national unity!

**Mr. Nixon:** And now commands over 50 per cent of national support.

**Mr. Sopha:** Do the hon. members understand why the hon. member for Riverdale says "MacDonald cannot win"?

**An hon. member:** Now we know.

**Mr. MacDonald:** If this devolution of responsibilities to the provinces is accompanied by an adequate transfer of tax room, the federal government will be left with insufficient control of the fiscal levers for stabilizing the economy. There is as yet no sign of any joint federal-provincial machinery to take over this responsibility. Unless the granting of the tax room is accompanied by more adequate equalization than we now have, the rich provinces will get richer and the poor ones poorer under such a system. Emerging from the constitutional conferences a year ago was a widespread recognition that regional disparities and economic growth and living standard represented as great a threat to Canadian unity as the differences between English and French Canada. In spite of that recognition the federal government is pursuing policies which will increase those disparities.

I will give Ontario's Prime Minister credit that the government here has seen the danger to our national unity arising from such a federal stance. It has asked for federal-provincial machinery to set priorities, and engage in joint fiscal planning. It has expressed its willingness to share in an equalization programme to remove regional disparity.

But this government, Mr. Speaker, has also shown an unwillingness to face realities when it simply asks for more room for provincial priorities within an unreformed income tax structure that already bears too heavily on the lower income groups.

With rapid growth in provincial and municipal responsibilities I believe that the provinces do need a bigger share of the dynamic progressive tax fields. But we must go beyond this and ask for fundamental tax reform, and a radical change in the federal-provincial sharing of fiscal decisions. We can no longer solve our problems simply by accusing the other level of government of selfishness. The kind of conduct that has been going on in recent months.

Just last week, for example, Dean W. R. Lederman of Queen's University law faculty, put his finger on the problem when he told the conference of the Canadian Tax Foundation:

"I believe in the future of Canada as a purely federal state. I believe our political leaders can ensure a great future for Canada as a federal state, but they will have to work

at it in a spirit of partnership and co-operation."

He went on:

"While the primary leadership must come from the federal government, nevertheless the provinces, large and small, must be treated as partners and not subordinates."

And taking income taxes as an example of an area where this approach is necessary, because of the concurrent jurisdiction in that field, Dean Lederman said:

"A federal system of income tax, having at its territorial base the whole country, can be more effective and more fair than separate provincial taxes. But the constitutional point is that we are dependent on voluntary inter-governmental agreement on the partnership principle of co-operative federalism—something we must make every effort to retain and advance."

Interjections by hon. members.

**Mr. Nixon:** Is that a first prize boar button the Premier is wearing.

**Mr. MacDonald:** As a matter of fact, Mr. Speaker, it looked like one of the MacDonald buttons from the convention. I just wondered whether one of them had been delivered to the Prime Minister.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I am interrupting the hon. member.

I just met a group of young people who were in the gallery here, who are sponsoring youth safety clubs across Canada to increase the degree of safety on our highways. They are working particularly with the young people of our country.

I would have met them outside had I not felt that I should sit here and listen to the words of wisdom of the leader of the New Democratic Party. I explained to them that this was a leaders' day that has lasted for three days, and is now going to last for several more. In any event they are here and I would like to bring their activities to your attention, because they deserve all the support we can give them as they work among their own age group to ensure safety on our highways, and this is one of their buttons.

Interjections by hon. members.

**Mr. MacDonald:** I thank the Prime Minister for his explanation of the button, and I thank him for a two minutes' period of respite.

Picking up once again, Mr. Speaker, in my Throne Speech of 1967, two years ago, I

stated that Ontario must work for the development of an integrated fiscal policy. When it was deemed advisable and necessary to channel the greater share of the national product into social capital and public services, we must convince Ottawa that the onus for raising taxes should be shared by all levels of government, and be done in concert with a view to the overall economic consequences.

Increases should be mainly in the dynamic and progressive fields, and be based on ability to pay. I would even go so far as to suggest that after the 11 governments have sat down together, bargained about priorities, and agreed on changes on tax rates and the tax mix, they should then make a joint pre-budget announcement of the proposed changes. This could not include change which must be kept secret until implemented, but I suggest that much of the time-honoured tradition of budget secrecy is irrelevant today, in the complex inter-relationships of a federal state. The only purpose of secrecy is to prevent taxpayers from taking advantage of company changes to the detriment of revenue or their fellow citizens.

I can see no reason why changes in personal or corporate income tax could not be handled by 11 governments in the same way they are now handled by single governments, made effective on a set date and subject to legislative ratification.

The sharing of the proposed tax increases by the different levels of government must also be worked out jointly in light of national goals and priorities. We must start developing machinery to facilitate this joint fiscal planning at once, and I would hope that this would be one of the top items on the agenda of the forthcoming federal-provincial conference. It does not need to wait for constitutional reform, since it is, as Dean Lederman said, "a voluntary process of negotiation to rationalize the sharing of joint jurisdiction on common tax fields."

The reconstituting of the tax structure committee at the last federal-provincial conference is a step towards the establishment of the necessary machinery for this exercise. If, as I mentioned earlier, this whole effort is underpinned by a provincial tax structure committee, providing the machinery for a working—continuous working—relationship between the province and the municipalities, then Ontario's delegation will be in a position to reflect fully and accurately the full range of needs within the province.

I would further suggest that a federal tax

structure committee should undertake, not only a projection of revenue and capital expenditure trends, but actually set out to construct a five-year budget for all three levels of government. This could be on the basis of bargaining and fiscal planning which we propose for the 11 governments and senior municipalities. In my view, Mr. Speaker, this is the only alternative for the present stalemate. It is the only path to national unity and a viable federalism.

I have already noted, Mr. Speaker, that many of our large urban municipalities have budgets that are greater than those of the smaller provinces. It follows therefore, that if we are going to achieve integrated fiscal and taxation policies for the nation, the role and needs of these so-called "city states" must be more fully taken into account. Otherwise any integrated national policy is going to be ineffective.

We must devise machinery that would bring the large urban municipalities more intimately into the consultative and decision process. More and more the problems we have to deal with in this Legislature find their most traumatic expression in our cities. This is true whether we speak of the housing shortage, or tenants' rights, or transportation, pollution, municipal taxes, industrial development, labour relations, discrimination, poverty, educational opportunities, or student unrest.

We should ask ourselves just how well are we equipped to handle these issues. What kind of genuine working relationship does this Legislature have with our cities? Are we satisfied that the federal government, insofar as its jurisdiction permits, is sharing the burden of these problems with us?

There is a profound confusion in the public mind about the roles that are supposed to be played by the various levels of government in this country. It is a confusion growing, not so much of the ignorance of our constitution, but a sense of frustration that real issues affecting people are just not being faced.

The division of powers by which we still operate was arranged to govern a society that was largely rural. Now that society has changed to the point where it is over 75 per cent urban. People live in cities and the people are growing. The cities are growing and so are their problems. There has evolved, Mr. Speaker, in our cities a structure of governments which operates parallel to the provincial and federal, but rarely is there any meaningful or continuing relationship with them.

What kind of productive contact, for example, has Metropolitan Toronto with this Legislature and the government? No more than the smallest rural village. That, I suggest to you, is an anachronism that we can no longer afford. We, at the provincial level, have failed in this regard. True we have a Department of Municipal Affairs. True, the work of other government departments affects urban life—officials from both levels talk to one another, not always amicably. But surely it is time, in view of the growth of our cities, and the advent of regional government, that we look ahead to see if we can develop a more modern relationship with urban Ontario and ensure that the making of key decisions is done by and at the level of the people most affected.

The federal Liberal government, with its fixation about ensuring the most rigid division of powers, must take some blame for the hesitation to recognize a changing pattern of life in Canada, but there is no excuse for us in the Ontario Legislature to bury our heads in the sand.

Why, for example, must we continue to pretend that there is no need for a separate Ministry of Housing and Urban Affairs? Why do we refuse to establish a committee of this Legislature to deal with housing? We are content to leave housing as an adjunct of The Department of Trade and Development. The Minister in charge is ignorant of the complexities of planning as witness his behaviour over the Waterloo land use study. His credibility as a believable spokesman of government policy is now totally shattered by the recent revelations surrounding the Flemingdon Park extension. To leave the most critical and massive single problem facing this government in his hands is to welcome chaos, and quite frankly we are getting it.

Why, for example, do we continue to refuse the municipalities the authority to institute rent control if, in their view, the local situation warrants it? Why must "Big Daddy" at Queen's Park dictate what every municipality must do in terms of meeting their needs when the government has not acted sufficiently to build adequate housing?

Why, for example, do we insist that pollution must come under The Department of Health? Certainly it is a health hazard, but does that need still to be proven? Surely the prevention of pollution must arise from a co-ordinated government programme relying on techniques and sanctions which The Health Department is powerless to implement.

I could, Mr. Speaker, give many other examples, but I hope I have made my point. Increasingly the procedures and structures of the government in Ontario seem irrelevant to the problems and situations which confront the peoples. There are few municipal governments as fusty and archaic in their approach as this present provincial administration. With their day to day confrontation of real problems which can be passed no further down the line they have no alternative but to be contemporary.

But not so Queen's Park. That is why we have to conceive of a new relationship between our cities and this Legislature. I propose that we start by setting up on a permanent footing, with a permanent staff, an urban council for Ontario. Let us ask the cities to join with both government and Opposition members of this Legislature on a body where the specific pressing problems of the cities can be given the priorities they need, and the needed impact on determining government policies.

I would go further and invite the federal government also to be represented on an urban council for Ontario, for as in housing or pollution or in many other areas, Ottawa has a major role to play as well.

An urban council for Ontario can provide a context in which municipal spokesmen, provincial Legislatures, and representatives of the provincial and federal governments, can focus on the range of problems which have their greatest impact in the cities.

I do not suggest that this council will substitute for any present government body. It would rather fill a vacuum, and operate ancillary to this Legislature. I envisage it would be an *ex officio* body not elected, but made up of men and women there by virtue of offices held at all three levels of government. An urban council for Ontario can be a new channel of communication and a new forum for dialogue between Queen's Park and our cities.

I hope we will not raise the nineteenth century constitutional roadblocks in its way. I recollect earlier this year that the Provincial Treasurer was less than welcoming when Ottawa proposed becoming more directly involved with urban policies. His response, in effect, was "stay off our property," and incidentally he was rapidly clobbered by the editorial pages of the three Toronto papers.

That kind of attitude will only make our future problems more difficult and it runs counter to public opinion. The average man



is not worried about constitutional jurisdictions. His view is, "We are all in it together, let us work it out together."

I suggest we must be prepared to experiment with a new kind of inter-governmental relationship. An urban council for Ontario would be one such innovation, affording the cities and Queen's Park for the first time a chance to talk meaningfully with each other. I commend it to the government and this Legislature for their most serious consideration.

Mr. Speaker, I turn in conclusion to the amendment which is before us, moved by the leader of the Opposition (Mr. Nixon).

May I say at the outset that we will support this amendment. We will support it in part because it contains ideas that were exclusively ours until a year or so ago and have now been picked up in that normal pattern.

We have fought with the Liberals supporting the Tories in bucking permissive rent controls for the last two or three years. Now they have come over; now they recognize it is necessary. We also fought for years to get some sort of a prices review board. Last year they climbed on that band wagon. Interestingly enough their enthusiasm is such that it has dropped out of any inclusive condemnation of the government, though certainly the government has not moved about it. So there is a waning of enthusiasm on the part of the Liberals for that issue.

However, as one goes through the amendments—the nine points of this amendment—there is nothing to which anybody who is opposed to this government can really take exception.

That the government shou'd put its house in order—we have listened all this fall to the cry of doom from the Prime Minister and the Provincial Treasurer. The province is facing a financial nightmare. It is rather interesting that the leading spokesmen for the Cabinet after 25 years of Tory rule should be proclaiming to the people of the province that the province has such a dire future ahead of it. However, there it is.

Adequate housing programme—I dealt with this.

The neglect of northern development—this is something that we have been hitting at continuously since the government took something of a shellacking in the last provincial election. The Prime Minister, in pique, cut down the Cabinet representation from the north as a result. We will come back to that again.

Provide educational opportunities and facilities, and failed to develop any effective policies to meet the university unrest. I am rather interested, for example, in the specifics that emerged behind this general statement coming from the member for Scarborough East (Mr. T. Reid) in his proposals for universities.

Two years ago I brought into this House a resolution in which I spelled out guidelines for the restructuring of the universities and I deliberately said, that these were guidelines which we could debate and proclaim, leaving the initiative for action to rest with the universities so that we would not encroach upon their autonomy.

The government not surprisingly said that this in itself was an encroachment on the autonomy of the universities. But the hon. member for Sudbury speaking, so he said, specifically with the approval of the leader of the Opposition, joined with the Tories and voted and argued against the resolution.

Now we have the Liberal Party doing a complete backflip and coming in with what, in effect, is an imposed restructuring on the universities.

Mr. Sopha: Is the hon. member for the Duff-Berdahl report? Does he know that everybody in the university community has rejected it? Is he for it?

Mr. MacDona'd: I am on record. If the hon. member has not read *Hansard*, I suggest he do so, instead of interrupting.

Mr. Sopha: That is what his resolution was about—he was for the Duff-Berdahl report.

Mr. MacDonald: "Has failed to bring about meaningful reform in our ancient and inefficient system of municipal government"—that is a little weak but one cannot object to it. I would like to have seen something a little stronger in terms of this government's failure to give leadership on regional government.

We are drifting towards regional government—moving only when the pressures build up to the point where they have to do a study—when the Smith committee, the select committee, and many other people have indicated that there has got to be a pattern of regional government provided so that all parts of the province will know exactly where they might fit in and be a guide to them to really come to grips with this problem.

The Prime Minister, on occasion, has said "plan or you will be planned". But on the level of regional government, they will not move with the necessary leadership to give



assistance to this kind of planning. Even where you do have people who move with some vigour and imagination to exercise their responsibilities locally, as in the county of Waterloo, then that barnstorming Minister of Trade and Development (Mr. Randall) suddenly announces that there is going to be a new city developed in their midst, a city of 60,000 people, and the locale of the city has nothing to do with the planned development in the area.

I have reason to believe that two or three other Ministers in the Cabinet knew nothing about it at all. Then, when Doctor Fyfe, who is doing the overall study, reopened his hearings to find out how they are going to reshape their plans, and invited the Minister and the Ontario Housing Corporation to come and make representation, the Minister declared the criticism was not valid and the Ontario Housing Corporation would not even come.

This kind of arrogant, bull-in-the-china-shop operation, when a region has moved to do some intelligent planning, is thoroughly disruptive.

Mr. Speaker, this government obviously should be attacked for its deficiencies. However, I just wanted to draw attention to the fact, as I have earlier this afternoon, that the Liberal amendment does not really get at some of the fundamental failures for which this government is guilty. We have heard very little, for example, on the kind of re-structured tax system which would get at a capital gains tax and would get at those fundamentals which that creator of a just society pursues in Ottawa with inequitable social development taxes—so inequitable that even the water boy from Queen's Park has to oppose them.

So, Mr. Speaker, I move—

Interjections by hon. members.

**Mr. MacDonald:** There are a number of points, Mr. Speaker, which should be included for consideration of this House if we are going to get at some fundamentals; if we are going to do something more than

merely tinker with the status quo, therefore, Mr. Speaker, I move, seconded by the member for Riverdale, that the amendment be further amended by adding after the words “. . . efficient system of municipal government,” the following words:

10. has failed to alter the existing structure of power and wealth in our society, and to use the full powers and resources of a modern state, to

(a) affirm housing as a basic right, and assist this by channelling corporate surpluses and investment funds into a major, government-directed housing programme;

(b) establish a universal, public car insurance programme at cost, based on compensation without fault;

(c) set out a realistic charter for hundreds of thousands of unorganized workers, including a minimum wage of \$2.25 an hour and proper overtime and holiday provisions, and laws which will facilitate organization and collective bargaining;

(d) set up a public development corporation to undertake policies aimed at increasing Canadian ownership of Ontario industry;

(e) solve the financial impasse by radical reform of the tax system, including a tax on capital gains and land speculation.

11. has failed to express adequate condemnation of those federal Liberal fiscal policies which will result in dismembering the Canadian nation.

Hon. Mr. Robarts moves the adjournment of the debate.

Motion agreed to.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, tomorrow we will resume this debate. His Honour will be here to give Royal Assent to one bill and then we will resume this debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 5.45 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, November 28, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, NOVEMBER 28, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today our guests in the east gallery are the Sunday school class from St. Andrew's Presbyterian Church at Newmarket and students from the Richard W. Scott Separate School in Toronto; in the west gallery, students from Winchester Street Senior Public School, Toronto and Maryvale Public School in Scarborough.

Later this afternoon, in the east gallery, we will be joined by students from Brennan High School in Windsor.

Petitions.

Presenting reports.

**Mr. Henderson** from the standing orders and printing committee presented the committee's first report which was read as follows and adopted.

Your committee has carefully examined the following petitions and finds the notices, as published in each case, sufficient:

Of the corporation of the city of Ottawa praying that an Act may pass permitting the corporation to establish a rental authority.

Of the Ontario Co-operative Credit Society praying that an Act may pass authorizing an increase in its capital.

Of the corporation of the city of London praying that an Act may pass vesting the management, operation, equipment and control of the hospitals of the city of London in a board called The Board of Hospital Trustees of the City of London.

Of the corporation of the borough of Scarborough praying that an Act may pass authorizing the borough to pass by-laws respecting advertising devices.

Of the corporation of the town of Burlington praying that an Act may pass establishing a parking area.

Of the corporation of the city of Niagara Falls praying that an Act may pass authorizing it to exempt, by agreement, owners and occupants of buildings from the necessity of supplying parking facilities.

Of the corporation of the village of Dutton and the corporation of the township of Dunwich praying that an Act may pass permitting them to maintain a home for the care of the sick and distressed in the area.

Of the corporation of the town of Lindsay praying that an Act may pass authorizing the removal or demolition of buildings that are in a ruinous or dilapidated condition.

Of Cyril W. March, Daniel McLean and Donald Graff praying that an Act may pass reviving March Diamond Drilling Limited.

Of the corporation of the town of Parry Sound praying that an Act may pass providing that the time limited for appealing the 1963 decision of The Department of Municipal Affairs, with respect to the equalization factors for that year, may be extended to allow such an appeal to be made.

**Mr. Speaker:** Motions.

Introduction of bills.

## TOWN OF PARRY SOUND

**Mr. W. E. Johnston** (Carleton) in the absence of **Mr. A. Johnston** (Parry Sound) moves first reading of bill intituled, An Act respecting the town of Parry Sound.

Motion agreed to; first reading of the bill.

## ONTARIO CO-OPERATIVE CREDIT SOCIETY

**Mr. W. E. Johnston** in the absence of **Mr. Root** (Wellington-Dufferin) moves first reading of bill intituled, An Act respecting Ontario Co-operative Credit Society.

Motion agreed to; first reading of the bill.

## THE ONTARIO HURRICANE RELIEF FUND ACT, 1955

**Hon. D. A. Bales** (Minister of Labour) moves first reading of bill intituled, An Act to amend The Ontario Hurricane Relief Fund Act, 1955.

Motion agreed to; first reading of the bill.

**Hon. Mr. Bales:** Mr. Speaker, this is an amendment to provide increases in pensions to widows and children who are eligible under The Ontario Hurricane Relief Fund Act. This legislation was passed by the Legislature in 1955 and under its terms money collected by the Ontario Hurricane Relief Fund was transferred to the Ontario Workmen's Compensation Board pension fund to provide assistance to widows and children of those who lost their lives in Hurricane Hazel. It was stipulated that assistance will be paid in accordance with The Workmen's Compensation Act of that time. This policy has been followed over the years. Periodic evaluations of the fund have been carried out. Because some of the widows have remarried, there remains sufficient capital to permit the pensions to be increased to the level now being paid under The Workmen's Compensation Act, 1968. These latter pensions were increased as of last August 1.

The bill now before us, to be known as, An Act to amend The Ontario Hurricane Relief Fund Act, 1955, will permit the eligible widows and children to receive pensions at these increased rates, and it is our intention to make the effective date of this legislation August 1, 1968.

#### THE MILK ACT, 1965

**Hon. W. A. Stewart** (Minister of Agriculture and Food) moves first reading of bill intituled, An Act to amend The Milk Act, 1965.

Motion agreed to; first reading of the bill.

**Hon. Mr. Stewart:** Mr. Speaker, this bill does not confer any new powers on the Ontario Milk Marketing Board but simply clarifies the manner in which the marketing board may carry out powers already conferred upon it by the milk commission of Ontario. The bill also validates the orders of the marketing board which have already been filed as regulations in accordance with The Regulations Act.

#### BOROUGH OF SCARBOROUGH

**Mr. T. Reid** (Scarborough East) moves first reading of bill intituled, An Act respecting the borough of Scarborough.

Motion agreed to; first reading of the bill.

#### CITY OF NIAGARA FALLS

**Mr. G. Bukator** (Niagara Falls) moves first reading of bill intituled, An Act respecting the city of Niagara Falls.

Motion agreed to; first reading of the bill.

#### THE GAME AND FISH ACT, 1961-1962

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Game and Fish Act, 1961-1962.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to prevent the use of certain traps in trapping which cause unnecessary suffering in the killing of the animals.

#### BOBIER CONVALESCENT HOME

**Mr. J. P. Spence** (Kent) moves first reading of bill intituled, An Act respecting the Bobier Convalescent Home.

Motion agreed to; first reading of the bill.

#### CITY OF OTTAWA

**Mr. A. B. R. Lawrence** (Carleton East) moves first reading of bill intituled, An Act respecting the city of Ottawa.

Motion agreed to; first reading of the bill.

#### TOWN OF BURLINGTON

**Mr. D. H. Morrow** (Ottawa West), in the absence of Mr. Kerr (Halton West), moves first reading of bill intituled, An Act respecting the town of Burlington.

Motion agreed to; first reading of the bill.

#### TOWN OF LINDSAY

**Mr. R. G. Hodgson** (Victoria-Haliburton) moves first reading of bill intituled, An Act respecting the town of Lindsay.

Motion agreed to; first reading of the bill.

#### MARCH DIAMOND DRILLING

**Mr. R. G. Hodgson**, in the absence of Mr. Carton (Armourdale), moves first reading of bill intituled, An Act respecting March Diamond Drilling.

Motion agreed to; first reading of the bill.

## CITY OF LONDON

**Mr. N. L. Olde** (Middlesex South) moves first reading of bill intituled, An Act respecting the city of London.

Motion agreed to; first reading of the bill.

**Mr. R. F. Nixon** (Leader of the Opposition): **Mr. Speaker**, the Ministers for whom I have questions are not in the House. I was wondering if, in this event, you might permit me to put the questions before you, sir, and they might be answered at their earliest convenience?

**Mr. Speaker**: Until we have the discussion which we had hoped to have today, I think that we should retain the previous practice that questions will not be asked if the Minister is not present, nor answers given if the member is not present, unless the leader of the party is agreed that they should be given. I would ask the indulgence of the hon. members of the Opposition for that. When we redecide the manner of handling questions, then I will be most pleased to carry out the decisions.

**Mr. D. C. MacDonald** (York South): **Mr. Speaker**, I have a number of questions. One, held over for a couple of days, is to the Minister of University Affairs.

Is The Department of University Affairs putting pressure on Brock University to change from a seminar-oriented institution, to the old-style lecture classes? If so, why, and if so, is this not a case of unwarranted violation of a legitimate area of university autonomy?

**Mr. T. Reid**: **Mr. Speaker**, I have a question, and it appears that I can be afforded the privilege to ask it now. The question, **Mr. Speaker**, is in three parts.

1. What was the name of the report of the Minister's department which checked the budget, staff and courses at Brock University, and concluded that the university's first- and second-year students' seminars, which have approximately 15 students each, were too rich and unnecessary?

2. Has this report, referred to by the Toronto *Daily Star*, November 25, 1968, been made available to the public?

3. What were the results of the negotiations between Dr. James A. Gibson, president of Brock University, and the officials of The Department of University Affairs on Monday, November 25, 1968?

**Hon. W. G. Davis** (Minister of Education and University Affairs): I shall start the answer by dealing basically with the questions from the member for York South. The answer to the first question is "no", which means really there is no need to answer questions two and three.

I would expand on it a little bit by making it very clear that neither the department nor the committee determines or dictates the nature of the teaching that goes on in our universities. Their task is to determine an equitable way for the allocation of resources among all the provincially assisted institutions. Then it is up to that institution, within the limits of the resources made available, to make the decisions as to how it would best offer the programmes. There has been no pressure from The Department of University Affairs on Brock University as to how, *per se*, it offers its programmes. There is a concern, with respect to all the universities, that they are receiving equitable treatment. Then, the internal decisions must be made by them.

After the formula was announced last year, **Mr. Speaker**, concern was expressed by several of the emerging universities. I am now replying to the member from York University or Scarborough East or whichever constituency he—

Interjection by an hon. member.

**Hon. Mr. Davis**: It was not a formal committee *per se*; there was no name for it. It was a subcommittee of the committee of university affairs, and I asked this committee to study specifically the problems as they related to Brock, Trent, Lakehead and Laurentian Universities. When the committee started its operation, Laurentian asked to be excluded from the study, so that it then only related to Brock, Trenton and Lakehead. The subcommittee was composed of the following members: Dr. Wright, who is chairman of the committee; Dr. Elizabeth Arthur, professor of history at the Lakehead; Dr. Maurice Lavigne, manager, physical metallurgy department of Falconbridge; and Dr. David Slater, who is the dean of graduate studies at Queen's University. This was the membership of the subcommittee of the committee on university affairs.

The report, **Mr. Speaker**, has not been made public, but it has been made available to the university presidents, and of course those institutions directly affected. The report contained a number of comments about the current cost of operation at each institution and possible "models of university operation

combining high academic quality and financial viability" were also set out. It was noted in the report—and this is something we have debated in this Legislature, Mr. Speaker, on several occasions—that the problem of financing emergent universities relates to the need to respond to the extraordinary costs associated with starting a new and smaller institution. I think it is fair to state that the committee, in its deliberations, has taken this into account in the grants that have been awarded to these institutions as emergent universities in this province.

As I say, the report was widely circulated through the committee of presidents, and I have received within the last day or so their response to this report. I must be very frank, Mr. Speaker, I have not had an opportunity to assess their response to it yet at this moment.

With respect to Brock University itself, it met with the committee—this is the third part of the question, I guess—in its usual presentation with respect to the coming year's operations. Of course, there have been no decisions made by the committee on university affairs *vis-à-vis* Brock, or any other provincially assisted institution at this particular time. So there is nothing to relate to the hon. member with respect to those specific discussions. Mr. Speaker, I shall endeavour—let me put it that way—to obtain a copy of this special subcommittee report for the hon. member.

Mr. T. Reid: Mr. Speaker, could I ask the Minister if he will also make that report available to the other Opposition party?

Hon. Mr. Davis: Yes, delighted.

Mr. MacDonald: Mr. Speaker, I wonder if the Minister would entertain a number of brief supplementary questions?

Hon. Mr. Davis: I shall certainly entertain them; I cannot guarantee I will answer them, but I will entertain them, Mr. Speaker.

Mr. MacDonald: The first one is: Would the Minister not agree that while there is formally no intervention on the decision with regard to courses and so on, there is a back-door intervention through your grant structure?

Hon. Mr. Davis: No, Mr. Speaker, I say without fear of contradiction there is not, nor does there need to be, nor is there intended to be, any back-door intervention into the way the universities handle their academic programme by the grant structure or any

other policy administered by The Department of University Affairs. We have always made this abundantly clear. There is no question that the economic resource available to the total university community determines to a degree, shall we say, the extent of the offerings in some course areas. You could relate this to the field of medicine, dentistry, and what have you, but there is no attempt, in a back-door fashion or in a front-door fashion, to determine just how these programmes are to be offered within the individual institutions. I want to make this abundantly clear. We try to make the same number of dollars available as equitably as the formula allows and the wisdom of the people dealing with it, for each institution. There is just no intent to do so.

Mr. T. Reid: I wonder if I could ask a supplementary question?

Hon. Mr. Davis: I wonder if I could take those, Mr. Speaker, from the member for York South so that I may keep them in order in my own mind?

Mr. T. Reid: That would be very difficult, sir.

Hon. Mr. Davis: It is quite difficult, but I try.

Mr. MacDonald: My second supplementary question to the Minister is: How long are these special grants to the emergent universities going to continue?

Hon. Mr. Davis: Mr. Speaker, the period of emergence is very difficult to determine, but I recall that the report—and I cannot put my finger on it immediately—had some reference to this. There is a suggested length of time. I think York is in its eighth or ninth year of what has been called emergent status, and I believe it is coming very close to the end of that situation. Brock and Trent, of course, have several more years to go and I think the report will give some indication, but at the same time you cannot draw a hard and fast rule on these situations. That is something the committee, I think, determines each year. There is no question that for Brock and Trent and the Lakehead it will go on yet for a period of years.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Speaker, will the Minister accept a supplementary question? Would not the Minister's remarks about the degree,

if any, of government interference in the academic curriculum of the university be more believable if he accepted the Act I introduced in this House yesterday, establishing an independent university commission?

**Hon. Mr. Davis:** Mr. Speaker, we, I hope, will have an opportunity to discuss this, not necessarily in the discussion of the hon. member's bill, but perhaps during the debate on The Department of University Affairs, because with great respect, Mr. Speaker, in the bill introduced by the hon. member there is some parallel that can be drawn with the U.K. grants commission and practices and procedures elsewhere. And I say, with the greatest of respect, it builds in a rigidity which I believe the universities do not want, and it is not in any way a solution—

**Mr. T. Reid:** Is the hon. Minister debating or is he answering a question?

**Mr. Speaker:** The hon. Minister is answering the member's question.

**Hon. Mr. Davis:** Mr. Speaker, I do not want to say that concept is "old hat" because that would not be quite accurate. But it has been debated here and I think we can have a very useful dialogue about this at the appropriate time. I do not regard it as being a solution. It gets right down to the availability of funds on as equitable a basis as one can determine and the fact that the hon. member, through legislation, thinks he can isolate this from some mythical control by the department or the Minister, Mr. Speaker. I say, with respect, this is a fiction.

**Mr. Speaker:** The hon. member for York South.

**Mr. MacDonald:** I had three questions for today, one to the Minister of Trade and Development (Mr. Randall), who is not here, which I shall hold, I presume, until next Monday; another was to the Prime Minister.

Will the Prime Minister intervene with the federal Indian affairs branch to help resolve the impasse arising from the order for holding new band council elections in the Garden City reserve outside Sault Ste. Marie?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I would have to say that we have no intention of interfering in this matter. I have gone into it reasonably thoroughly, and it is a procedural matter. Perhaps I could give you the details of it, but in any event band council elections on Indian reservations are purely under the jurisdiction of the fed-

eral government. We have nothing to do with them whatsoever. The federal Act provides for the holding of the elections and provides the methods by which they are to take place. And I am told that in this particular Indian reserve—the Garden City Indian reserve, the Indian superintendent for the Sault Ste. Marie area is the acting electoral officer for band elections, because the band itself did not appoint an electoral officer. You see, such is not within the control of our electoral officer here at all. The superintendent compiled a list of band members prior to the election; and he counted slightly over 600 on the list. The Indian Act allows for one councillor per hundred band members, thus there was provision for six councillors to be elected.

I am further informed that when the official returns were sent to Ottawa it was found there were fewer than 600 on the lists, so that they were entitled only to five councillors. Therefore the election was declared illegal and a new election was ordered by the Indian affairs staff of the federal government. A nomination meeting was held but there were no names put in nomination at that meeting and this is where I would imagine the impasse arose, but we have no jurisdiction and I rather think any interference by us would (a) be ineffectual, and (b) probably not be welcome.

**Mr. MacDonald:** I would just like to add very briefly, Mr. Speaker, that there are loopholes—

**Mr. Speaker:** Order, order, the member may ask a supplementary question but he may not add remarks to what has been said.

**Mr. MacDonald:** Since the Prime Minister has reviewed so extensively the circumstances, may I ask whether he has also reviewed the fact that the federal Act has a clause in it which states,

However, an exception may be made and the number of councillors may be increased or decreased with the consent of the Minister if, for some good reason, the number of councillors based on population is not satisfactory.

In other words, if the superintendent "goofed", why does the Minister not accept responsibility for it and get them out of the impasse?

**Hon. Mr. Robarts:** Mr. Speaker, I can only say that this is a question for the federal government. If somebody from the federal government started to interfere with our

electoral procedures in this province because they did not like what our electoral officer had done, or because somebody had booted, I think every man in this House would be up in arms in very short order and say to the federal government, "You exercise your own jurisdiction". To settle the matter, perhaps, the hon. Attorney General who comes from Sault Ste. Marie informs me the band was on its way to Ottawa yesterday, so I assume they will sit down with the officials who have jurisdiction and will straighten this matter out.

**Mr. MacDonald:** I would like to inform the Prime Minister—

**Mr. E. W. Sopha (Sudbury):** I understand the Indians do not want the interference of this government; they do not want it.

**Mr. MacDonald:** I would say to the Prime Minister, Mr. Speaker, that he is very right. This is a federal matter, but the Indians are so disturbed that they visited us and they are now going to Ottawa.

**Mr. Speaker:** Order. The hon. member is asking a question.

**Mr. Sopha:** They always dealt with Ottawa on these matters.

**Mr. Speaker:** Order!

**Mr. MacDonald:** In the fullness of time, we will have an opportunity to explore it more fully, Mr. Speaker.

I have a question for the Minister of Labour. Does the Minister consider that the Thomson management of the Peterborough *Examiner* has been bargaining in good faith? If not, what does the Minister propose to do about it?

**Hon. Mr. Bales:** Mr. Speaker, the responsibility for such a decision rests with the Ontario Labour Relations Board and it has not been asked, by either of the parties, to make a ruling in this situation. I am particularly interested in assisting the parties in finding a mutually acceptable solution and to this end, the conciliation branch of my department has been in touch with both sides several times this week and will continue its efforts to help them.

**Mr. Speaker:** The hon. member for Ottawa Centre has a question of the Minister of Education.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker, a question for the Minister of Education—three questions.

1. Could the Minister of Education indicate whether or not every effort is being made to ensure that only materials of Canadian manufacturers are being used in the construction of all educational facilities in which grants in any form are made?

2. Would the Minister outline in limited detail the directives issued with regard to using materials of Canadian manufacturers in the construction of educational facilities on which grants in any form are made?

3. Would the Minister give us a listing of major materials used in the construction of educational facilities on which grants in any form are made—which are not of Canadian manufacturers?

**Hon. Mr. Davis:** Mr. Speaker, to answer the first part of the question. The department does, and I do, make an effort to encourage the boards to buy Canadian where they can. The decision, of course, rests with the local board but I would read to the House a directive that was sent out by myself on May 31, 1968.

The support of the Canadian economy is a responsibility that each of us must share and I regard it as particularly important that the authorities and officials of the educational institutions of the province keep this constantly in mind.

It is suggested that boards, officials and administrators of our many educational institutions should encourage the policy of "Buy Canadian" by advising architects and consultants to specify Canadian goods and manufactured products whenever possible and by instructing purchasing departments to adhere to the practice of buying Canadian-made goods where price and quality are comparable.

In 1965, a similar statement was made in support of the "Buy Canadian" policy, and at this time, I am urging all boards and persons connected with education to maintain this policy. I am certain that a significant stimulation of our Canadian economy can result in the combined effort of the many educational authorities in this province.

Now, with respect to the third part of the question, Mr. Speaker, I really cannot get such lists for the hon. member. This would mean getting down into the breakdown of almost every school that is built—and there are many hundreds of them—and getting a detailed list of all the specifications, what materials are manufactured in Canada, and so on. And I think, Mr. Speaker, when the hon. member looks at it, he will realize just



how difficult a compilation of this kind would be.

**Mr. Speaker:** Would the hon. Minister allow a supplementary question?

**Mr. MacKenzie:** Mr. Speaker, would the Minister consider gathering such lists of materials if I were to put such a question on the order paper?

**Hon. Mr. Davis:** Mr. Speaker, I would be prepared to do this for the hon. member. I will see just how much we might get for him. To put it on the order paper really would not solve the problem, perhaps because the bulk of the information would have to come from the individual school boards, and at this present moment we are still talking of many hundreds. This is further complicated by the fact that within a few weeks, while the records will still be available, the administrators and so on will not be performing the same function. But certainly, I shall try and get maybe some general statistics that will be helpful for the hon. member. I am not sure that I can undertake to get it from each individual school board in the province.

**Mr. Speaker:** Would the hon. member for York South care to place his question with the Minister of Trade and Development?

**Mr. MacDonald:** Do builders have authority to use the HOME label on advertisements, such as the one in the *Toronto Daily Star*, November 27, 1968, for Bramalea homes available with carrying charges of \$167 per month requiring an income of \$7,422, plus a down payment of \$1,995?

Are there any homes available in the Metro Toronto area under the HOME programme for persons with incomes below \$7,422?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, I was out of my office. I just saw the question when I got here. I am having it checked and will give the hon. member the answer, perhaps first thing Monday.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Thank you, Mr. Speaker. I would like to address a question to the Minister of Education. Has the Minister made any progress in the introduction of transfer review boards or with legislation introducing teacher transfer review

boards as a result of his meeting last week with the Ontario Teachers' Federation?

**Hon. Mr. Davis:** Mr. Speaker, I guess one should really get down to asking the hon. member to define what he might mean by the word "progress". I would say at this stage I must answer the question by saying the problem is still under active consideration.

**Mr. Pitman:** Perhaps I might be more specific in a supplementary question, if allowed, Mr. Speaker.

Does the Minister intend to introduce a Schools Administration Act into this Legislature allowing at least some debate on the question within the next few weeks?

**Hon. Mr. Davis:** Mr. Speaker, I recall the discussions in the last sessions which, on some occasions, appears to me really just to have finished a few days ago, I undertook either to have an amendment to The Schools Administration Act introduced here or to find some other way whereby this question can be debated; either here or before the education committee. I shall endeavour to live up to the undertaking that I gave to the hon. member.

**Mr. Pitman:** Thank you. Another question, Mr. Speaker: Is an investigation being carried on at present, of teacher-pupil ratio and teaching load in Ontario's schools? If so, what is the purpose of the investigation?

**Hon. Mr. Davis:** Mr. Speaker, there is no formal investigation *per se* on a province-wide basis with respect to teacher-pupil ratio but I think, Mr. Speaker, that if there were one and the hon. member really were seeking out the purpose; one would relate such a study, of course, to the economic investment that we are making in education. Of course, one area of greatest investment relates to the numbers of teachers involved. Of course, if one is looking for economies, the question of student-teacher ratio, I think, becomes relevant. But there is no province-wide study as such at the present moment. But this matter is always under study in some manner or other within the department internally.

**Mr. Pitman:** Mr. Speaker, perhaps I might ask a supplementary.

Would the Minister assure the House that there is no specific and special purpose involved in trying to raise the teacher-pupil ratio or increase the teaching load as a specific means of solving the economic problems of the province of Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I think that when one is looking at the whole question then perhaps we could debate this during the Throne debate. I perhaps shall participate in this area myself. One must look at all facets of what is happening in the educational field to determine where economies can be effected and to isolate one. I could say to the hon. member, "No, you cannot isolate a single area and expect to find a solution here. But at the same time you cannot overlook any area where the cost factor is really fairly significant."

**Mr. Speaker:** The hon. member for Kent placed a question with the Premier which has been re-directed to the Minister of Public Works.

**Mr. Spence:** Mr. Speaker, a question to the Minister of Public Works: How much money has been spent to date on the Centennial project for Ontario? When will this Centennial project be completed?

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, the answer to the first question is that The Department of Public Works has made payments totalling \$19,765,585.54 to date.

As far as the completion is concerned; buildings "A" and "C" were completed and handed over to the Centennial staff in early October 1968. The contractor is endeavouring to complete the external work on building "B" by January or February 1969, and the external work such as sodding and grading will be completed in the summer of 1969.

**Mr. T. Reid:** Mr. Speaker, on a point of order, my understanding was that the Ministers were in a certain order. I have three questions of the Minister of Education.

**Mr. Speaker:** The hon. member, if he had been observing this afternoon, would have realized that we have gone back today to the former system. Perhaps on Monday, until it has been decided, we will go back again to the procedure of referring them to Ministers in turn.

However, the hon. Minister for Scarborough East had my eye and he now may place the questions which he had.

**Mr. T. Reid:** Mr. Speaker, I hope you do not change *Hansard*, to read "member". I would be delighted to be a Minister in a Liberal administration in 1971.

Interjections by hon. members.

**Mr. T. Reid:** Mr. Speaker, I have a question for the Minister of University Affairs. It is in three parts:

(a) Why did York University have to turn down 700 academically qualified students last fall, as reported by York University president Dr. Murray Ross in his annual report released on Tuesday, November 26?

(b) Does the Minister agree with Dr. Ross that continued lack of government financial support may damage York's system of college clusters on its Keele Street campus, and does the Minister agree with Dr. Ross that the college systems at the Keele Street campus "are not simply frills to be dispensed with in times of financial stringency" because the college systems make it possible to maintain personal contact with each individual student, thereby making the likelihood of destructive student rebellion a great deal less?

(c) What financial steps is the Minister taking to ensure that 700 academically qualified students will not have to be turned down again by York University in 1969-70, as reported in—

**Mr. Speaker:** Order. That is the end of the question and the hon. member has not been reading the questions as submitted. He has been substituting other words. However, the variations—

**Mr. E. Sargent** (Grey-Bruce): It was close.

**Mr. Speaker:** Yes, it was pretty close, as the hon. member says. The hon. Minister has the floor.

**Hon. Mr. Robarts:** That is good enough—

**Mr. Sargent:** We will get the Prime Minister later.

**Hon. Mr. Robarts:** That is 100 per cent.

**Hon. Mr. Davis:** Mr. Speaker, one might express the thought that they were as accurate as the wishful thinking expressed by the hon. member as to his own political future in 1971.

However, dealing with the question, Mr. Speaker, I have not had an opportunity to read all Dr. Ross's report, so I cannot comment in detail on all aspects of the question. But I think two or three points must be made: (a) I am sure that York University was not the only university not to admit all applicants—

Interjection by an hon. member.

**Hon. Mr. Davis:** If the hon. member will wait until I am finished, he may have to retract what he has said. Just be patient. You wait, and you will have the opportunity, and if you are big enough, you will.

Before we were somewhat interrupted, Mr. Speaker, I was trying to get around to this question of the 700 students at York University. What happens is, Mr. Speaker, that the students of this province make multiple applications—they apply at more than a single institution. As a result of this, a lot of universities receive applications from students—

**Mr. Sargent:** That is always the answer.

**Hon. Mr. Davis:** If the hon. member will just be patient, I have an answer for him.

If one takes this into account, I think it is quite reasonable to anticipate there will be some universities which will receive a number of applications from students who are selecting that institution as their first, or perhaps second, third or even fourth choice. I do not intend to make a lengthy government statement on this, but I think even the hon. member can share some pride in this fact that I am going to relate next. The fact is that first year enrolment in Ontario this year increased to 26,664 students from 22,000 just one academic year ago. This is an increase of approximately 21.2 per cent. And despite this very significant increase, Mr. Speaker, the universities of this province in total were enabled, through policies of their own and of the government, to accommodate all students who met the admission requirements in some university in the province of Ontario, and I say with respect, Mr. Speaker, this does not apply to very many jurisdictions.

When the member for Grey-Bruce suggests that we should be ashamed of the fact that certain students could not get into York, I think we can be very proud of the fact that a student who received proper marks in grade 13 was able to find a niche in some university in the province of Ontario. I have stated in this Legislature before and I state it again, no matter what plans we develop there is no question that some students will not always be able to get into the university of their first choice. I think the most important aspect, Mr. Speaker, is that the students found some place in a university—and they are all good universities—in this province. I know now that the member for Grey-Bruce will be delighted to get up on some future occasion and compliment the government and the universities for this very admirable accomplishment.

Mr. Speaker, I think it would be presumptuous of me as a layman to pass an opinion with respect to the second part of the question. I do not propose in this Legislature to get into a lengthy debate as to how academic programmes are best developed or administered within individual institutions. Surely this is a matter that must be determined by that institution. Dr. Ross has some very strong points of view and I would be the last one to take issue or dispute them, because I do not pretend to be as knowledgeable as the president of York as to how the programme should be administered within that particular institution.

I would say with respect to the last part of the question, we are taking steps, as we have in the past two or three years, to see that all the universities in the province of Ontario, once again in an equitable way, receive the amount of financial support that will enable them, in total, to accommodate the number of students who will be graduating from grade 13 this year and will be seeking admission into some university in the fall of 1969. I think, Mr. Speaker, this is as helpful as I can be on those three questions.

**Mr. T. Reid:** By way of a supplementary question, if I may, with all due respect to the hon. Minister's ability to think logically, I suggest that the arguments he put forward—

**Mr. Speaker:** Order! Is the hon. member asking a supplementary question? At the moment he is making a suggestion. Will he please frame a question?

**Mr. T. Reid:** My question, Mr. Speaker, is this:

Would it be proper to deduce from the Minister's remarks that York University is quite entitled to reduce its growth rate, in order to maintain its individuality in terms of staff-student relationships?

**Hon. Mr. Davis:** Mr. Speaker, as I understand the situation in York—and the hon. member can correct me because I understand he is still very closely associated with that great university—the question of the college concept does not necessarily relate to the student-professor ratio; it relates to the number of students within, shall we say, a physical or environmental structure whereby the relationship may or may not be close, I would not know. But it does not necessarily relate to the total number of professors available for the total number of students. This is not necessarily a part of the college structure

*per se* as I understand it. So I do not think the hon. member can interpret what I have said one way or the other in that regard.

**Mr. T. Reid:** Mr. Speaker, a question for the Minister of Education this time:

How many Indian schools in Ontario are inspected by supervisors of the programmes branch of The Department of Education? How many pupils are enrolled in these schools? How many of these schools have television sets in them? How many of these schools have more than one television set in them?

**Hon. Mr. Davis:** Mr. Speaker, as the hon. member knows, the federal department of Indian affairs provides, equips, and actually operates the Indian schools in the province. At the request of the federal department we do arrange for—"inspection" is not the right word any more—we do arrange for visits by departmental staff. The main purpose behind these visits is to ascertain that these schools are following the Ontario courses of study, so that the child, who may leave that particular school at any stage of his schooling, may readily move into the total Ontario school system.

**Mr. Nixon:** Why can the Minister not call it inspection?

**Hon. Mr. Davis:** We are getting away from that. I thought the hon. leader of the Opposition agreed with—

**Mr. Nixon:** I thought he was a visiting resource.

**Hon. Mr. Davis:** That is what I am saying, we make visitations, but we are not having formal inspections *per se* any more. We use the term "visit".

**Mr. Nixon:** They have no resources either.

**Hon. Mr. Davis:** There are 56 Indian schools that are currently being visited by members of the Ontario department. With respect to the question of equipment or enrolment, I shall endeavour to find this out for the hon. member, but I think he could perhaps more rapidly ascertain it from the federal department, because this is where we are presently going to get the information for him. I am informed, though, through that agency, that every Indian school within range of a television transmission tower is equipped with one or more TV sets. With respect to numbers and equipment, I shall endeavour to obtain this for him from the federal authorities.

**Mr. T. Reid:** Mr. Speaker, by way of a supplementary question, with all due respect to the Minister's memory, will the Minister in his next September report use the word "visit" instead of "inspect", which is the word he used in his September, 1968, report?

**Hon. Mr. Davis:** Yes, Mr. Speaker, it takes a while to bring about these philosophical changes. We are very hopeful that the term "inspection" *per se* will fade from the vocabulary of the—

**Mr. V. M. Singer (Downsview):** Why does the Minister not strike it out of the dictionary?

**Mr. T. Reid:** I would suggest, Mr. Speaker—

**Mr. Speaker:** Order! The hon. member has a right to ask a supplementary question, not to make suggestions.

**Mr. T. Reid:** If the Minister would allow, Mr. Speaker. Is the Minister of Education not responsible for educational television in this province? If so, surely he should know whether the Indian schools have television sets.

**Hon. Mr. Davis:** Mr. Speaker, I do not want to get involved, because this really provokes a rather lengthy answer as to the question of responsibility and the view of the member for Scarborough East on ETV and how it should be administered. I really am delighted to have the question but I am not really prepared to answer it. I will get the actual number of TV receivers for him, but the first part of his question, I think, would provoke a very lengthy discussion on this occasion.

**Mr. T. Reid:** Mr. Speaker, my final question for the Minister today, is:

Regarding assistant superintendent Walter Currie of the supervision section—and it is still called the supervision section, Mr. Speaker—of The Department of Education, who has been charged by the Minister to undertake a study of the educational needs of Indian children in isolated parts of the province, what meetings has he had with: (a) the Minister of Indian Affairs of the federal government, (b) the hon. Robert Andras of the federal government, (c) the Indian-Eskimo Association? And finally, Mr. Speaker, how many miles has Mr. Currie travelled in Ontario since his appointment?

**Hon. Mr. Davis:** Mr. Speaker, not wishing once again to become controversial, I would say to the hon. member that I detect some

slight difference between "inspection" and "supervision", but perhaps he does not.

To answer part (c) of the question first, I guess, Mr. Currie is himself a member of the executive of the Indian-Eskimo Association. He is a former vice-president and is presently chairman of the educational committee, so there is a fairly close liaison between Mr. Currie and the department and the same Mr. Currie is the chairman of the educational committee of the Indian-Eskimo Association.

He has met with Mr. Chretien and Mr. Andras informally on several occasions in the course of his activities relating to Indian education, but the majority of his contacts have been with the federal government or with the senior officials of that government, and these have been rather frequent and quite productive. For example, at present a joint programme is being developed with the federal government for a special course for teachers of Indians. This is something new that is being discussed. The assistant superintendent, Mr. Currie, does not meet formally—or has not since his appointment—with the federal Minister, and I think in fairness one would anticipate that if there were to be such a formal meeting it really should be on a ministerial level.

With respect to the number of miles Mr. Currie has travelled, I understand he has travelled across the province several times since joining the department in August. This is only an approximation—I cannot be too specific—but the approximate number of miles travelled by air and by road would be, we think, somewhere around 8,000.

**Mr. T. Reid:** Mr. Speaker, in the way of a supplementary, if the Minister would permit, would the Minister suggest that Mr. Currie ask the federal people how many pupils are enrolled in the Indian schools so the Minister could answer my first question?

**Hon. Mr. Davis:** Mr. Speaker, Mr. Currie or somebody shall certainly find out. As I say, the hon. member probably has as speedy access to the federal authorities as we do, but certainly we shall get this for him.

**Mr. Speaker:** The hon. member for High Park has the floor.

**Mr. Shulman:** A question of the Attorney General, Mr. Speaker.

When will The Attorney General's Department complete the study of the different problems in connection with the CNE auto racetrack forwarded to us by The Depart-

ments of Municipal Affairs, Transport and Highways, and will the findings of The Attorney General's Department be made public?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the department is not making a study of the nature suggested by the hon. member for High Park. The opinion of the law officers has been sought by certain persons as to the legal aspect of the matter, and our opinion will be given to those people who have sought it. The opinion of the department is as a rule not made public and we will not be making it public in this case.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Public Works.

Has Mr. Robert Clark, executive-director of supply been given a staff? When was Mr. Clark appointed? Have any economies resulted from Mr. Clark's appointment, as originally forecast? Are departmental buyers still shopping for the province on a decentralized basis as reported in the *Financial Post* of October 5, 1968?

**Hon. Mr. Connell:** Mr. Speaker, the answer to the first question is "yes". The answer to the second question is February, 1968. He commenced duties on March 11, 1968. On question 3, the economies of central purchasing originally forecast and announced are anticipated but were not confined to any period of time following Mr. Clark's appointment. On question 4, yes.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Connell:** Yes.

**Mr. Shulman:** Inasmuch as Mr. Clark's appointment was forecast to lead to centralized buying, when will Mr. Clark begin centralizing buying as was the intention of the government?

**Hon. Mr. Connell:** That has already started.

**Mr. Shulman:** It has started?

**Hon. Mr. Connell:** Yes.

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Education. What was the cost of printing the report on the Ontario College of Art, September, 1968?

**Hon. Mr. Davis:** Mr. Speaker, the cost of printing the report was \$5,998.65.



**Mr. Burr:** A supplementary question? Could the Minister inform the House why 11 of the 28 pages in this report are blank, two others are virtually blank, and four are at least half blank?

**Hon. Mr. Davis:** Mr. Speaker, in that I did not design it, I could not comment on that. I would only say that while there may be some blank pages, that does not detract, I think, from the quality of a very excellent report.

**Mr. Speaker:** The hon. member for Kent has a question of the hon. Minister of Agriculture and Food. I missed him before.

**Mr. Spence:** Mr. Speaker, my question to the Minister of Agriculture and Food:

Is the Minister aware that in southwestern Ontario the farmers produced approximately 68 million bushels of corn in 1967, a large portion of which was shipped to Montreal and Port Colborne—where there is no corn produced—at 21 cents a bushel, and that the American corn was shipped to both markets at eight cents per bushel? Will the Minister make a feasibility study of the possibility of locating a corn processing plant in southwestern Ontario where the corn is produced, in order to improve the income of the corn producers in southwestern Ontario?

**Hon. Mr. Stewart:** Mr. Speaker, I welcome the opportunity to reply to this question because I am sure the hon. member is aware of the corn industry study that was announced some weeks ago by me, and which will be carried out by the present farm income committee when they have completed their assignments as far as their income report is concerned. That report will be submitted early in January. The committee will be carrying out in more detail a study of the corn industry, right from the research that goes into the production of the seed, to maturity dates and what have you, and quality of production that would flow from such research. It follows right through all of the stages of the cost of the seed, the cost of the fertilizers involved in the planting, the pesticides, the herbicides, and the cost of growing an acre of corn in the various areas of Ontario. Their terms of reference also cover transportation costs, storage facilities, and, as is indicated in your question, the possibility of establishment of corn processing industries in the corn-growing areas of southwestern Ontario. By the same token, Mr. Speaker, I would not want to be left unsaid that corn is now being grown in many areas of Ontario,

particularly eastern Ontario. I would not want to—

**Mr. Sargent:** A lot in this House, too.

**An hon. member:** You should know.

**Hon. Mr. Stewart:** From what comes from over there, I would say that if it could be spread on the corn fields of Ontario we would get better crops of corn.

Let me say this, Mr. Speaker, that we would not want to leave unstudied the wonderful area of eastern Ontario from which you come, sir, because we know there are corn industries in that area that are using corn that is now grown in eastern Ontario. Corn from western Ontario is now moving to the industries of eastern Ontario.

The freight rates that you mention here are, I gather from what you say, the rates that pertain at 20 cents a bushel by rail compared with eight cents by water. This is a significant difference. But I hope that the committee will be able, in its investigations, to determine how this might be equalized to some degree. We will look forward to that report.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** I have a question, Mr. Speaker, for the Minister of Mines.

Can the Minister inform the House of the present state of affairs concerning the location of the zinc and copper smelters to be built by Texas-Gulf Sulphur to process their ores from their Ecstall mining operations?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, you will remember at the time of the estimates of the department last year I indicated that we had been in very close contact with Texas-Gulf in relation to this very important matter. We had been informed that feasibility studies had been undertaken by that company and the feasibility studies, we were informed by the company, were going to be ready by January 1, 1969. We have continued this close contact with the company and just within the last week we have been informed by the company that they, in turn, have been informed by their consultants that these feasibility studies will not now be ready for at least a few months after the date that they had originally given to us. So the only progress report I can give the House at the moment is, that I hope that before this session is prorogued next spring, we may have some-



thing a little bit more specific in relation to the location and the feasibility of building these smelters in Ontario.

**Mr. Speaker:** The hon. member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Speaker, I have a question of the hon. Minister of Transport.

In view of the *Globe and Mail* story from Detroit this morning that the Ford Motor Company is recalling 81,200 cars because of faulty brakes, can the Minister assure the House that Canadian models with this problem are being recalled immediately so that the defect may be rectified?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, yes. The manufacturer informed us, in the usual way, of this recall programme now under way and affecting some 5,731 cars in Canada. These vehicles will be examined for a possible defect in that the brake hose may have been installed with a torsional twist causing it to take on a buckle which in the case of the front wheel would bear against the brake drum at three-quarter right or left lock.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, before I ask my question here, I would like to rise on a point of privilege as a taxpayer about this pile of conglomerate rubbish here. I would like to know where we are going to stop subjecting the taxpayers of this province to pay for this kind of nonsense.

**Mr. Speaker:** Perhaps the hon. member would proceed with his questions which he has placed with the Speaker's office.

**Hon. Mr. Robarts:** Mr. Speaker, I would like to point out that the "conglomerate rubbish" as referred to by this—

**Mr. Sargent:** Of which the Prime Minister is a great part.

**Hon. Mr. Robarts:** His leader simply asked that all this be made available in all deliberations in his remarks in this House, so they had better get together—

**Mr. Sargent:** Do not tell me—

**Mr. Speaker:** Order, order! The leader of the Opposition has the floor.

**Mr. Nixon:** Mr. Speaker, on the point that has been raised and replied to by the Pre-

mier: He should surely recall that the deliberations, that these pamphlets report, are now a full year old. I brought to his attention yesterday, in my remarks, not that we get the reports from that committee but that it advise a standing committee of the Legislature rather than a committee of the Cabinet.

**Hon. Mr. Robarts:** I just cannot accept the fact that the hon. leader of the Opposition would agree that this is a conglomerate—

**Mr. Singer:** He did not say that.

**Hon. Mr. Robarts:** Or whatever the term the hon. member used. I might say that if you bother to read it, it is as topical today as it was when it was delivered.

Interjections by hon. members.

**Mr. Speaker:** Order, order! The hon. member will proceed with his—order, order! The hon. member will now proceed with his questions.

I would also point out to the hon. member that when Mr. Speaker takes the floor the member will return to his seat until he is given the floor again.

The hon. member now has the floor.

**Mr. Sargent:** Mr. Speaker, a question to the Attorney General: Has the Attorney General read the transcript of the Elwin A. Rogers case?

1. Will the Attorney General advise why Mr. Rogers has never been granted the privilege of any citizen, the right to enquiry into his case?

2. Does the Attorney General agree that because of a traffic offence a person can be locked up and subjected to inhuman treatment by police and authorities and have no recourse for months of imprisonment?

3. Will the Attorney General agree to reopen this case and to focus public attention on such a machine that can perpetrate this to a law-abiding citizen?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. members will perhaps recall that Mr. Rogers is the gentleman who entered on the floor of the House in 1966, in order to address the Legislature.

**Mr. Sargent:** He is still trying to get justice.

**Hon. Mr. Wishart:** He has visited my department on many occasions. He has been interviewed by at least four of the lawyers

on my staff, including the Assistant Deputy Minister. His various allegations have been reviewed in similar detail by other departments including The Department of Health and The Department of Labour. The files respecting this and other complaints of Mr. Rogers go back to 1964.

In reply to the specific case raised by the hon. member for Grey-Bruce, Mr. Speaker, I would point out that when this gentleman was stopped for speeding on the Don Valley Parkway in 1964, his conduct was such that the court referred him to the Ontario Hospital for observation.

**Mr. Sargent:** It does not say that here.

**Hon. Mr. Wishart:** I am saying it to the hon. member now.

He was then committed to the hospital for a period of five months, under The Mental Hospitals Act for the purpose of treatment. Since that time he has visited us on various dates with various problems. We have, to the best of our ability, attempted to answer his questions. Unfortunately, we have not always been able to satisfy him. We have, however, investigated his complaints most thoroughly and cannot find justification for his allegations.

We do not propose to institute any further investigations.

**Hon. Mr. Randall:** On a point of order, Mr. Speaker, may I speak for this gentleman? He is in my riding. The kindest thing I can say is that the gentleman is emotionally upset and the—

**Mr. Sargent:** What do—

**Mr. Speaker:** Order, order, order.

**Hon. Mr. Randall:** The kindest thing—

**Mr. Speaker:** Order. I do not think that this is the proper place for the Minister to enter this particular area. The hon. member will proceed with his questions.

The hon. member has a question of the Minister of Transport.

**Mr. Sargent:** Mr. Speaker, a question to the Minister of Transport. Is the Minister aware that the hidden windshield wipers on the 1969 automobiles have been indicted as a serious safety hazard and will act as a horizontal guillotine for passengers involved in head-on collisions?

What steps is the Minister taking in this regard?

**Hon. Mr. Haskett:** Mr. Speaker, the question comes in two parts.

My answers are: to the first part, "no", and to the second part, "at the moment, none".

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Attorney General. Will an inquest be held into the death of Mr. James O'Brien, as requested by Mr. Paul Falkowski of the United Steelworkers of America? If not, why not?

**Hon. Mr. Wishart:** Mr. Speaker, I would like to say I personally wrote to Mr. Falkowski on November 26. I advised him that Doctor Cotnam, our supervising coroner, would review the matter to determine whether or not an inquest should be held.

I can advise the hon. member that the review by the chief coroner is not yet complete. When it is, he will make a decision as to whether or not an inquest will be held.

**Mr. Martel:** Another question of the Attorney General, Mr. Speaker. Will the Minister accept the request of the safety committee of the United Steelworkers of America that jurors in an inquest be given the opportunity to visit the site of an accident to familiarize them with the conditions giving cause to the accident, and thus enabling jurors to arrive at a more informed verdict and recommendations?

**Hon. Mr. Wishart:** Mr. Speaker, we do take jurors to the scene of an accident or a death that they are investigating, in every case where we think it will assist the investigation. We advise that this be done but the decision is one that is made by the coroner who is carrying on the inquest.

Our attitude is that the jurors should see the scene of the fatality where it will assist the inquest proceedings.

**Mr. Martel:** Mr. Speaker, a supplementary question. In view of the fact that many of the jurors involved in mining accidents have never seen a mine, and because of the difficulty in ensuring that all jurors do in fact, who have not seen a mine, get to visit it, it almost becomes a compulsion for this to happen so that they can—

**Mr. Speaker:** Order. Will the hon. member place his supplementary question?

**Mr. Martel:** Will the Minister instruct the coroners that those members of a jury who have never seen a mine, see the site of the accident so they can have a fair chance of good recommendations?

**Hon. Mr. Wishart:** Mr. Speaker, I think, having been a Crown attorney and having assisted at inquests on quite a number of occasions, the important thing is that the persons who are to give the evidence to the jury, which is presided over by the coroner—those persons who are usually summoned by the Crown attorney after consultation with the coroner—are the persons who should be fully aware of all the circumstances and that there be sufficient evidence in the way of description, sketch, and all the other evidence that is available; that those are the persons who should acquaint the jury with the facts of the matter. I do not think it is necessary in every case, for all the jurors to be taken to the scene of the fatality.

**Mr. Martel:** It might help.

Mr. Speaker, a question of the Minister of Education. Will the Minister arrange for a vote of the students at Chelmsford Valley district composite school to determine whether the school should be turned into a French environmental school?

If yes, will the vote be taken before the end of this year so that the \$1.5 million approved for new construction can be utilized in time to provide adequate facilities by the beginning of the next school year?

**Hon. Mr. Davis:** Mr. Speaker, I really do not think there is any legislative way whereby I could arrange for a vote. And obviously, even if there were one, there is no legal authority in the present board to institute French-language instruction until after January 1, 1969. I would suggest that really the decision would have to be that of the new divisional board which assumes its obligations within a few weeks. Perhaps the best way to approach it, from the students' point of view, would be to have some of the students or students' council make some representation to the new divisional board after it assumes its obligations on January 1, 1969.

**Mr. Martel:** Mr. Speaker, a supplementary question then, if I might. Is the Minister aware that there is apparently going to be a serious problem of housing the number of students involved come next September, and that any delay in this could necessitate a staggered system at night?

**Hon. Mr. Davis:** I understand that there is some urgency with respect to the planning of the addition at that particular school. I do not see how this really relates to the question of it being a school where French is the language of instruction. I do not think the two are related.

**Mr. Martel:** Mr. Speaker, if I might ask the Minister: If it is turned into an all-French school where will the English students go? The boards in the surrounding area are quite concerned whether there will be an influx in their area.

**Hon. Mr. Davis:** Mr. Speaker, surely this is one of the obligations, one of the reasons why next Monday—and I hope everybody votes before they come back here to the Legislature Monday—this is one reason the new board is being elected, just to help resolve these problems.

It would really, I think, be presumptuous of me to dictate to the board that is in the process of being elected, just how they should come to grips with the situation. Surely, this is part of their responsibility. I cannot, at this stage, give the hon. member answers to these individual situations at all.

**Mr. Speaker:** The hon. member for Downsview, finally. He has been very patient. I commend him for his patience.

**An hon. member:** He has got great patience.

**Mr. Singer:** As ever.

Mr. Speaker, my question is for the Attorney General. In view of the reply made by the Minister of Highways—the text says “yesterday” but it was a few days ago now—to a question to the effect that wherever warranted construction speed zones are removed on the highways during the evenings and weekends, has the Attorney General instructed police not to lay speeding charges in certain 45 mile per hour zones on the Queen Elizabeth Way?

**Hon. Mr. Wishart:** No, Mr. Speaker, I have not so instructed the police and I would presume that the police would not be issuing summonses where there are no breach of the traffic signs as posted. If there are no signs in the construction zone then the ordinary traffic speeds apply to that road.

The police do not go laying summonses and they do not need instructions to refrain from issuing them, if there are no signs to the contrary.

**Mr. Singer:** By way of a supplementary question, Mr. Speaker: In view of the fact

that certain information has come to our attention in any event, the police have been laying charges after the construction hours are over, would the Attorney General look into it and ascertain what the situation is and take whatever action is necessary?

**Hon. Mr. Wishart:** Yes, Mr. Speaker, I will be glad to, but I do not quite understand. Police have been laying charges and issuing summonses, I take it.

**Mr. Singer:** Yes.

**Hon. Mr. Wishart:** For speeding after construction ceases—is this a case where there are no signs?

**Mr. Singer:** Yes, the signs go up in the daytime, while construction is going on, and come down at night, but the police are still—

**Hon. Mr. Wishart:** Well, if they come down at night I would—

**Mr. Singer:** They do not come down—I am sorry, they do not come down. But the charges are laid.

**Hon. Mr. Wishart:** I will check it out but I would like to get the facts the hon. member has. I will check it.

**Mr. Speaker:** The hon. Minister of Correctional Services.

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, mine is in answer to a question which I took as notice from the hon. member for Essex-Kent (Mr. Ruston). He is out of his seat for the moment, perhaps the Attorney General might proceed with his—

**Mr. Nixon:** We would like to have the answer.

**Mr. Speaker:** Then perhaps the Minister would give the answer.

**Hon. Mr. Grossman:** Mr. Speaker, the hon. member for Essex-Kent on November 26, asked me a question in three parts, the first part of which reads, "Is it the policy of the department to provide compensation for property damage caused by individuals who are wards of the province in training schools?"

The answer, sir, is that the department is concerned with losses suffered by individuals in a community, under such circumstances. Therefore, each case is considered on its individual merits, as was the occurrence referred to in the second part of his question, which is, and I quote again, "Will there

be compensation for tractor damage, destroying of antiques and other valuables at the Harper residence north of Cobourg as a result of the escape of nine residents of Brookside School on August 28?"

Mr. Speaker, when this incident occurred the superintendent of the school and the deputy superintendent visited the home of the owner, Mr. Eric Harper and informed him that the boys who had caused the damage would be made responsible for cleaning it up. This was done by the boys under the supervision of our staff and incidental expenses for such things as glass, door locks and so on, amounted to slightly over \$100 plus the labour of our maintenance staff. Action of this nature is also taken as a salutary measure for the boys responsible.

The department offered to repair the damaged farm tractor at our own institution with our own skilled mechanics. This offer was refused by Mr. Edwin Harper on behalf of his uncle Mr. Eric Harper.

And the third part of the question, "Has any disciplinary action been taken with respect to the conduct of the Brookside supervisor who said to one of the nine Brookside boys who was apprehended with a bleeding hand"—And there follows then, Mr. Speaker, a rather outrageous statement which was alleged to have been made, and which I, with my middle class morality hesitate to repeat and I will not. It was reported in the *Cobourg Sentinel-Star* of September 4.

The answer, sir, is that the quotation from the newspaper—which, it should be noted, was reported as being overheard at third hand—was investigated and it was established that the supervisor did not make this statement. As a matter of fact, the superintendent of the school advises me that such a remark would be entirely out of character having regard for this particular staff member's philosophy and attitude towards his work at the school during the 13 years he has been with us.

**Hon. Mr. Wishart:** Mr. Speaker, yesterday the hon. member for High Park asked a question which I was not able to answer at that time. I promised to answer it today.

The first part of the question: "Why was the death of Kenneth Haines on October 29 in the Scarborough General Hospital not reported until five days afterward?" The answer, Mr. Speaker, is that it was the opinion of the officials at Scarborough General Hospital that the case was not a reportable death required to be reported to the coroner's office.

An autopsy was performed at the hospital and it was ascertained that the child had died of natural causes. When certain articles began to appear in the newspapers the hospital felt it wise to report it to the coroner so that it might be reviewed by him. This was therefore done and the matter was investigated by the coroner.

The second part of the question: "Is it true that Mr. Haines was refused admission to another hospital shortly before his death?" Actually, the person was a child of one year of age by the name of Haines. I am informed that the child was never refused admittance to any hospital.

The facts as they are related to me is that this child, aged one year, was taken by the mother to St. Mary's Hospital on two separate occasions during the course of treatment for an infection. At each time, the child was treated and then was sent home. At the same time, the child was under the care of the family's physician. When the child was home on the last occasion, it went into convulsions rather suddenly, the mother telephoned the St. Mary's Hospital, and they advised that the child be brought in immediately. Police and the fire department officers rushed the child to Scarborough General Hospital because it was nearer, and the child was admitted there.

The third part of the question: "Why is the coroners' office not holding an inquest in this unusual death?" The answer to that is: The cause of death has been established as one from natural causes; the coroner's office does not feel that an inquest is necessary. I would just like to add, Mr. Speaker, that I wrote the hon. member on November 13, this year, in answer to his enquiry, and recited to him in my letter the finding of the autopsy as to the cause of death. I set that forth in my letter to the hon. member.

**Mr. Shulman:** Would the Attorney General accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Would the Attorney General agree with me that if a child is sent home from a hospital a few hours before it convulses and dies, the practice should be to treat it as an unusual death which merits an inquest?

**Hon. Mr. Wishart:** The hon. member has much more medical knowledge than I have, but I can think of situations that I think perhaps we have all experienced, where deaths and serious situations which result in death

arise very suddenly, even after treatments in a hospital, or at home.

**Mr. Speaker:** Orders of the day.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, with your permission I will ask His Honour if he will come into the Chamber and give one bill Royal Assent.

The Honourable, the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. R. Macdonald (Lieutenant-Governor):** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed a bill to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following is the title of the bill to which Your Honour's assent is prayed:

Bill 2, An Act to amend The Municipal Act.

To this Act the Royal Assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to this bill.

The Honourable, the Lieutenant-Governor was pleased to retire from the Chamber.

The first order: Resuming the debate on the amendment to the motion for an address in reply to the speech of the Hon. the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, in the traditional style, I would indeed very sincerely like to offer my compliments to you as I commence the first contribution that I have made to this, the first large formal debate of this session.

I am interested in the comments you made concerning the rules of the House, particularly the question period. I have been watching the clock these last few days, and keeping an ear on the questions as well, and as we consider these matters I think we might be wise to think in terms of the fact that the question period really is for questions of immediate urgency. There are other ways of obtaining information from the government.

Questions can be put on the order paper, where they are answered—particularly those questions that require a good deal of research and involve figures, and so on.

But if we are to have an efficient and orderly House, I think we might, all of us, pay some attention to the fact that the questions are supposed to have at least some degree of urgency and some degree of public interest. Public interest is a fairly broad term, and it does not include some of the purely local matters that are the subject of questions here. I only throw that out as a suggestion. We will be looking at this whole matter of questions in the next few days, but that is an observation I would like to make.

I would like also to welcome all the members back from their summer vacation, if we could put it that way. It did seem to me it was nothing more than a long weekend. I heard the same barracking coming from the same quarters, and the same questions from the same quarters, but for my part, Mr. Speaker, I can only say that my happiest days in government are spent inside this Chamber, and I have no objections to sitting here for any given period of time. I am delighted to be back and dealing with the business of the public in an open manner such as we do here.

I would hope that we will be able to complete this Throne Debate and some legislation by approximately December 20, which is the Friday prior to Christmas, and then we might await the completion of the Budget and the good news that it will contain before we reassemble.

One of the large events of the period since we last met was the members' tour of northwestern Ontario. I thought it was quite successful. We were fortunate in the weather. In fact, wherever we went we were told we got the first decent weather in northwestern Ontario during the whole summer. I have asked my own members here for comments on that tour. These tours will continue. I would hope that perhaps not next fall but the year after that, we might take a tour into another part of northern Ontario.

Mr. E. Sargent (Grey-Bruce): How about Japan?

Hon. Mr. Robarts: We will deal with that when we get to it. I have some ideas in that regard too, Mr. Speaker.

I would welcome any suggestion that any of the members may have as to how these tours may be made more productive. It

occurred to me as we went about northwestern Ontario that we might easily have offered the members a choice—in other words, instead of attempting to move as a body wherever we went, we might have been able to break down the examination that we were doing and the visits we made, into various units so that members could make up their minds as to what was of particular interest to them.

I think anyone comes away from a tour of that kind with some sensation of the vastness of northern Ontario, and the fact that a five-day tour in northern Ontario really is not very much in terms of a true examination of the country, or a chance to speak with the people and find out what they are thinking. It did occur to me that we might organize it somewhat differently another time. If any member, as a result of last fall's tour, has any ideas as to how it might be improved, we would be pleased to receive his comments.

While there are various matters that I could deal with here that have been touched upon by previous speakers, one thing that rather intrigues me is the constant reference to my own retirement. These come particularly from the Opposition and I get the feeling there is a good deal of wishful thinking going on over there—

Mr. D. C. MacDonald (York South): Do not blame it on us, all the public prints have been speculating.

Hon. Mr. Robarts: I went through all this, you see, so I have no problem about discussing it, because I went through a similar situation prior to the last convention of our national party, when no one would really believe me when I said I was not going to be a candidate for the national leadership.

Mr. R. F. Nixon (Leader of the Opposition): That was good thinking!

Hon. Mr. Robarts: But it does seem to me that inasmuch as I am frank enough to put my intentions on the table, I would like to hear some expression of opinion from the Opposition. For instance, our friends over there are in the habit of changing their leader about every two years, and I was just wondering whether there is any such intention over there at the moment. Perhaps we could put these questions to them, if they put these questions to us. I sit here and I see the hopefuls, and I sometimes think by the tone of question that is asked and the approach that is being taken that maybe each one is



trying to build a position for the next spasm of leadership change that will take place in that group. I detect in the member for Grey-Bruce (Mr. Sargent) that he would like to have another run at it. I am certain he would, and he wants to improve his record from the last time.

Interjections by hon. members.

**Hon. Mr. Robarts:** Oh, there are the old perennials. I do not know about the hon. member for Sudbury (Mr. Sopha), I do not think he really cares any more. But there is some new blood; the hon. member for Sarnia gives every indication to me of really casting a long and envious look on that seat down in front. I sit in this House pretty constantly and I can look across there and I can probably see the interplay of expression on those faces better than you can see it from where you sit, and sometimes it is—

**Mr. MacDonald:** How about the hon. member for Humber (Mr. Ben)?

**Hon. Mr. Robarts:** The hon. member for York Centre, too, I think is rather keen, that member from this great city of Toronto that is so soundly supported by the member for Grey-Bruce in this Legislature—I think perhaps he thinks he might have a chance. There was one more but I will save a comment about him until I am going through the reveries once again.

Now when we turn, of course, to the other—

**Mr. MacDonald:** That has been settled, the Prime Minister does not have to speculate on it.

**Hon. Mr. Robarts:** Oh no. There, Mr. Speaker, is a real dreamer. He thinks it is settled. The other thing is, you see, if you sort of take the natural progression of things—it does not necessarily have to happen this way—but about every four years we have an election and the last election was in 1967, so that empirically, I suppose you might say that we would have another election in 1971. But does this group have to go through this agony again between now and 1971? I wonder, well I do not worry, but I am so interested. It has been a fascinating few weeks. We all read the paper with great eagerness to see what the frank comments were going to be on that particular day. Now the hon. member for High Park (Mr. Shulman) has indicated that he will be a candidate next time and it seems to me the hon. member for York—he has been in the House so little I have forgotten the

name of his riding—the hon. member for Mt. Royal in Montreal—that was his riding. He spent three months in Montreal, fruitless I might say, but none the less I have a feeling that he might aspire to the post over here too. We do not know about the hon. member for Riverdale (Mr. J. Renwick), we do not know whether he will aspire again—we do not even know if he has accepted the result of the last one. But, nonetheless, I think this will probably be an exercise that we will all have an opportunity to view between—

**Mr. Sargent:** What is the Prime Minister worried about?

**Hon. Mr. Robarts:** I am worried about my group of stalwart friends here. These are the people that will eventually clean up the thing again you see, but for laughs we watch these performances. I would not presume to suggest, but I can only tell you that we will watch with interest and we will see who really will lead this group into the next election. I have never heard an expression of opinion from the hon. member for York South that he intended to stand. It may be he has made such a statement, but it has not come to my attention. These are the things that interest me when all these questions are continuously put to me about what my personal future may be.

**Mr. Sargent:** Why does the Prime Minister not tell them, and make them feel good?

**Hon. Mr. Robarts:** Well I guess that is a fair assumption and one that I could not quarrel with. There are other things that have happened in the intervening periods. One was the select committee on taxation and this gave certain members who just came into the Legislature last year an opportunity to take part in the functioning of our select committees. I understand that this was a good committee, that it functioned very well.

However, I understand there were certain members of it who found their freedom of action sort of cut off in the latter days. After examination was made and the conclusions were to be reached all of a sudden the hand of the hierarchy reached up and said “thou shalt not do it that way in this committee, thou shalt do it this way, according to the dictates of the caucus and the socialist experts who advised it.” I just wondered what kind of an experience that was for those men who laboured long and hard, did a terrific job, came to some conclusions with their own consciences and their own minds as to what recommendations should and would be right,

and then found that these all had to be changed because the hierarchy said "no, no, no, that is not the way we want to go."

Interjections by hon. members.

**Hon. Mr. Robarts:** Well I wonder personally what the reaction is of the individual members on that committee who eventually were given their orders—let us face it, they were allowed to go along and listen to the submissions and do the research, but when the chips were down, they took their orders and signed, or not signed, agreed or disagreed, according to the hierarchy of the party, and their socialist advisors.

It seems to me—

Interjections by hon. members.

**Hon. Mr. Robarts:** Mr. Speaker, with the reaction I get I must be right.

Mr. Speaker, I want to make a few comments about federal-provincial relations and constitutional matters. On July 23 last, the Provincial Secretary (Mr. Welch) addressed this House at some length about the course the government of Ontario is pursuing in connection with major federal-provincial and inter-provincial issues, and I would like to review for the House some of these issues and the events associated with them. I would like to bring the members up to date on the events concerning inter-governmental relations that have occurred since the House rose last July.

Yesterday, the twenty-seventh day of November was the first anniversary of the Confederation of tomorrow conference which was, you will recall, convened by this government upon the direction of this Legislature. I believe the direction was almost unanimous, perhaps there was one dissenting vote, but in any event, certainly the vast majority of the members of this Legislature approved of the government doing what it did in calling that conference. I think that in the light of what has happened since, we can now be proud of what credit we can take in that event.

No specific decisions, of course, were reached at that conference and none were intended to be reached. It was not the purpose of the conference to reach decisions. The conference was convened so that the leaders of all of the governments of Canada, of all areas of Canada, could get together and discuss with each other, through the medium of radio, television, newspapers, with the people of Canada, the issues which they believed and thought were responsible

for the stresses and strains that had been developing in our federal system of government. I think that the conference was completely successful in meeting the goals that we established for it.

The leaders of the governments of the Atlantic provinces, for instance, spoke to us about their very deep-seated economic problems. The Prime Minister of Quebec explained for us the difficulties faced by French speaking people of Canada and their belief in the necessity to ensure for them their linguistic and cultural survival and growth.

**Mr. Sargent:** It cost a million dollars too.

**Hon. Mr. Robarts:** Mr. Speaker, when you are dealing with the future of your country I do not think you consider dollars and cents.

I think that the representatives of the prairie provinces and British Columbia expressed primarily a strong desire to understand more fully what was going on in the other parts of Canada, and the challenges that Confederation offered. These matters have traditionally been much more debated here in central Canada than they have been among our western neighbours, and I think that when they realized what the situation was, they indicated, of course, their willingness to participate in the discussions which would be entered into, in order to resolve some of the difficulties that were laid out before us all at that conference.

Despite the differing viewpoints—because the viewpoints did differ, quite markedly—and despite the different approach taken by different areas of the country, there emerged eventually from the conference a very definite spirit and mood of co-operation. Anyone and everyone who became in any way involved in this conference, either as a participant or as an observer, or by radio, television or the press, realized that moderation and understanding really are the prerequisites, the basic fundamental prerequisites to the successful solution of Canada's constitutional problems.

This conference was notable in two other respects: First, by opening the session to journalists, the television cameras and radio microphones for the first time in the history of our country, we were able to ensure that the people of Canada would join in the deliberations about the future of our country. By so doing, we set a precedent. I feel quite certain, no one will attempt to reverse this precedent, because I believe that the very presence of the people of Canada had contributed a great deal to the success of that

conference and to the constitutional conference held in Ottawa in February.

I hope that our future federal-provincial conferences of heads of government will be opened to the people of Canada through the news media. I welcome this; I believe it is a healthy and a mature step forward in our approach to matters of vital importance to the people of our country. I am informing the Prime Minister of Canada by letter, that insofar as Ontario is concerned, we are agreeable and indeed we are very anxious that any arrangements which will help to make the December conference and future conferences open to the public will be made. We will do anything on our part to ensure that this is done.

We have no interest whatsoever in going to Ottawa and discussing behind closed doors the matters that are of fundamental interest to all the people of Canada. Now, when we get into some of the financial and budgetary questions—long-range budgeting of course, it may be impossible for a whole variety of reasons to have these conferences open. But I think many conferences are closed which do not need to be closed. I think you can always have executive sessions if you need them, to discuss certain matters when it would not be in the public interest to disseminate the information produced, but that does not mean you put a lock on at the beginning of day one, and take it off at the end of day three or four or however long the conference may be. As far as this government is concerned, we would like to be able to put our position on a whole variety of subjects before the people of the province and the people of Canada. We do not want to be muzzled by closed conferences. We accept the position that there may be information that cannot be made public but that can be sorted out and dealt with in a separate way.

If I may digress for a moment, I would like to suggest that perhaps it is time we gave some consideration in this Chamber to the advisability of allowing access to our proceedings here in this Legislature for television and radio coverage.

The people of Ontario would be better informed about the important debates in each session if television and radio were allowed to cover the proceedings with live broadcasts. Of course, the Legislature itself must retain control over access to the Chamber by television and radio, but I believe that it might be possible. I only put this forward as a proposition, because I realize there are enor-

mous technical and economic difficulties involved. The Legislature must always retain control over itself and the affairs here, but we should be able to reach some agreement between the Legislature and the media involved in order that we can decide, for instance, what debates might profitably be subjected to live coverage.

For specific examples of what I think might be appropriate: the addresses by the leaders of each party at the beginning of this debate. I do not think we could subject the public to six or seven hours of it, because you would lose your audience. I am told that in Australia there is one radio channel tuned in to their Parliament that is never shut off. It just goes on all the time, and it is never listened to either; that is the ultimate result.

There would have to be, I think, some degree of discrimination, but I can think of debates we have had here on resolutions that were of wide significance beyond the mere local issues that we dealt with in a great deal of our work here, and would be of interest to the people. The people would like to hear the expression of opinion as advanced by members speaking here; the Budget Address, the addresses of the leaders of parties in the Budget debate where policies are being set forth—broad policies as advocated by different political parties and different groups in the House. Surely, Mr. Speaker, these matters could be and would be of value if some of these debates could be broadcast and all our people could share them.

I would propose, as this session proceeds, to set up a committee to do some examination in this field to see if it is, in fact, feasible. The preliminary examination would include, of course, the whole question of cameras, lighting, and so on, and sponsorship time. Well, we will leave the questions and make-up to the individual members if they feel they need it. I suppose they are using it now.

But in any event, returning to the Confederation of Tomorrow conference, and leaving that short digression, a great deal of preparation, of course, went into it. We provided this material that was spoken of so highly by the hon. member for Grey-Bruce; this was given to the delegates from all across Canada. This material was distributed to them all, to provide background for their discussions. And here we have the theme papers of the conferences, the verbatim report of the proceedings, which is a very valuable reference work indeed. Included here is a translation of a special supplement of *Le Devoir*, entitled "Quebec in the Canada of

Tomorrow". If you really want to understand the Quebec viewpoint, I suppose you could call that a bible of position because it contains all the thinking of the best brains in Quebec, dealing with this problem from their point of view.

Now, sir, the positive spirit we generated there was carried forward to the conference of Prime Minister and Premiers during the first week in February, and I reported on this in some detail last February. I should like to recall the two important agreements that were reached at that conference. First, the participating governments reached a consensus on language rights; and second, they agreed to undertake a comprehensive review of the constitution of Canada. For this purpose, the Prime Minister and Premiers constituted themselves as they are continuing, as a constitutional conference, and they established a committee of officials to aid them in their consideration of the constitutional review.

The continuing committee of officials, or CCO as it is called, was organized in the spring following our conference, and has since met on four occasions. It will meet once more before the constitutional conference reconvenes next month. In accordance with its mandate, that committee of officials established a full-time secretariat which is directly responsible to the 11 governments which constitute the continuing conference. Thus all the governments concerned have control in this development. In other words, it is not being run by one level of government; it is being run by all 11 governments, which I think is a very important point.

**Mr. Nixon:** May I just ask a brief question? The continuing committee to which the Prime Minister is referring—is that the one that was constituted by the Confederation of Tomorrow group?

**Hon. Mr. Robarts:** No.

**Mr. Nixon:** It is the one from the February conference?

**Hon. Mr. Robarts:** Yes.

**Mr. Nixon:** Was there not a continuing group from the conference a year ago, here in Toronto, as well?

**Hon. Mr. Robarts:** I will mention the outcome of that, and what it has done, but this is a continuing committee of officials whereas that other committee that you are referring to is really the committee of heads of government.

**Mr. Nixon:** Has it met?

**Hon. Mr. Robarts:** Yes, but this Continuing Committee of Officials, as I say, has met four times and will meet once more. The delegates from Ontario are the Deputy Treasurer and Deputy Minister of Economics, Mr. H. I. Macdonald, and the Deputy Minister of Justice and Deputy Attorney General, Mr. A. R. Dick. The other governments of Canada are represented on this committee by similar senior public servants. It has worked very hard as a committee to provide the preliminary analysis which is necessary to the leaders of the government in their comprehensive review of the constitutional challenges facing Canada. There are many of them, and it is very difficult to sort them out by subject or in any priority at all. It is not easy even to decide where one should start.

The progress achieved to date has necessarily not been very dramatic—I would have to say that—because of the many opinions on these issues that we have in various regions of Canada. It is not simply a question of getting together and deciding what we can agree upon. You first really have to agree upon what you disagree about, and attempt to reconcile these many conflicting points of view. I am sure that everybody will recognize, as I mentioned earlier in these remarks, that the primary necessity in this is an enormous amount of patience. It is a novel exercise. It has not been done before, and patience is necessary, because we must seek to understand one another's views about these very fundamental matters related to the future of Canada.

This committee will submit a formal report on its work at the constitutional conference next month. It will be the responsibility of the Conference itself, after it has received that report, to provide the committee with further instructions about the nature of the review, and the future direction of the work of that continuing committee.

I mentioned a consensus was reached concerning language rights at that conference as well, and it consisted of three parts. This is taken from the final communique:

Recognition by this conference that as proposed by the Royal Commission on Bilingualism and Biculturalism, and as a matter of equity, French-speaking Canadians outside of Quebec should have the same rights as English-speaking Canadians in Quebec. Secondly: Recognition as the Royal Commission on Bilingualism and Biculturalism has recommended of the desirability of proceeding by governmental

action as speedily as possible, in ways most appropriate in each province and without diminishing existing rights, recognized by law or usage. Thirdly: The establishment of a special committee to examine the report of the Royal Commission on Bilingualism and Biculturalism and the views expressed at this conference on the report, and on other matters relating to language rights and their effective provision in practice, and to consult on methods of implementation, including the nature of possible federal assistance, and on the form and the method of constitutional amendment.

That is quite formal language, but it has to be, because it has to embody the positions that are put forward by each of the 11 governments.

The special committee referred to in this last part of the consensus was created at the first meeting of the continuing committee of officials in May. Since that time the subcommittee on official languages has met twice, once in July and again in October. At these meetings the subcommittee examined the recommendations of the first report of the Royal Commission on Bilingualism and Biculturalism and exchanged information on problems of implementing bilingual programmes. A report of its work and progress will be submitted to the conference next month.

The position of the government of Ontario on the provision of bilingual services was explained in detail at the February conference. I reviewed it for the House here on February 27 of this year. We stated then, as now, that we endorsed the guiding principle and the spirit of the first volume of the Royal Commission report, namely that both English and French be recognized wherever the minority is numerous enough. We also announced on the two occasions in February, the creation of four task forces which would undertake a full examination of the report, particularly as its recommendations affected Ontario. These task forces are examining the administration of justice, the Legislature and provincial statutes, municipal administration, and are looking at the provincial public service. I gave an interim report on that work to this House on July 22.

The reports of these task forces were submitted to the government last month, and I believe the hon. member for York South referred to these in his remarks of yesterday. I congratulate him on the use of French in his contribution to the Throne Debate, and it was the only difference I could find in the

whole speech from his contribution from the last three or four years, but it was a very significant one, and I enjoyed it.

**Mr. MacDonald:** There were portions of my speech that the Prime Minister must have missed.

**An hon. member:** You are improving, MacDonald!

Interjections by hon. members.

**Mr. MacDonald:** When can we see these reports?

**Hon. Mr. Robarts:** Mr. Speaker, I do not know that they really are public documents. These were task forces established within the government service. They did not hold public hearings, and so on. They were drawn up as a basis for action by the government. They are presently being examined, and I have some doubts as to whether really they are documents that should be made public. But in any event, they will be the basis for the policies that the government will announce. At the moment we are looking over what they have been able to dig out and what is in those reports, and I will report to the Legislature before this session is complete.

Sir, last July this Legislature passed a motion permitting the use of both English and French in the deliberations of this House. Legislation authorizing the establishment of public French-language secondary schools and classes were also approved. Legislation was also passed to provide a statutory basis for the French-language elementary schools which have existed in Ontario for many years.

**Mr. Speaker,** before I review the progress of bilingualism in the field of education, I should like to mention one other matter. Recently, we were all pleased, I am sure, to learn of the early intention of the government of Quebec to introduce legislation which would guarantee the rights of both French- and English-speaking people in Quebec to have their children educated in either of the two languages. I would like, really, to remind everyone that this assembly passed such legislation last July. I offer this reminder not in a self-congratulatory manner to the members of this House, but I think it is a fact that can probably be easily overlooked. The fact is that Ontario has taken the lead in such matters, and it has done so to ensure the equal educational opportunity of all the residents of this province. I think in this



respect that we have much in which we can take pride.

Sir, when the committee on French-language schools was established by government a year ago it was charged with two tasks. The first was to prepare the necessary legislation. This was one, of course, and the government has implemented the committee's proposals in that regard. Since that time the committee has turned to such questions as curriculum, teacher education, financing and related matters. The report of this committee is nearing completion on these other matters and will soon be presented to the Minister of Education.

We have been greatly encouraged by the goodwill and by the action which led many boards of education to introduce French-language instruction this past fall, although the bill will not come into effect formally until January 1, 1969. I think this indicates the depth of goodwill and understanding that exists among the people of the province, and their basic recognition of the justice of this position that it is a right for people to have their children talk in their own language. I think that many of our children are being served now, rather than a year from now, because of the attitude taken by many boards. There are two specific instances of this that I might mention to you. In Ottawa, the collegiate institute board took under its control this fall the former private French-language secondary schools in that city, and those schools are now integral parts of the public secondary school system.

You will recall that under the new legislation, French-language committees will be created, made up of four French-speaking representatives and three members appointed by the board. These committees will act, in effect, as advisory committees to the boards who are charged with the responsibility of administering these schools. Their role will be extremely important to the proper functioning of French-language secondary schools.

In Ottawa, approximately two weeks ago, a meeting was held to choose the four French-speaking representatives. I was delighted to learn that 3,500 people turned out at a local high school in order to choose four people to sit on that advisory board. Then, in the same evening, the Ottawa collegiate institute board named its three members to the committee and this, I think we would all agree, is a very enthusiastic beginning for this programme.

I feel certain that this relationship that has developed in Ottawa will develop in other

parts of the province, and will serve as a model for other parts of the province, too. In other parts of the province, the initial progress may not be so striking. It will take time, of course, but it is heartening that matters are going ahead in the way that I have indicated here. It justifies all our faith in the inherent good sense of our people and in their ability to successfully arrange these matters without strife and without acrimony such as we sometimes experience in this House.

The second instance to which I refer is the ceremony held in Welland on Monday of this week. I was to have participated and at the last moment was unable to do so. The hon. member for Stormont appeared for me. I am referring, of course, to the official opening of Confederation Secondary School, the first French-language composite secondary school to be established in Ontario. This school, once again you see, has been opened well before the legislation goes into effect on January 1 next, and this too reflects the ability of the people of that area to get together and the desire that they obviously show to solve these problems in a proper fashion.

To conclude my remarks on this particular subject of French-language schooling and instruction, I would like to stress my own confidence in the continuation of the work we have done. We will meet as a government and as a Legislature to see to the needs of our Franco-Ontarian people and Franco-Ontarian community. We will do it, I hope, in what will be the most efficient and practical fashion. We recognize and have spoken often, of course, of the great contribution that this community has made to our entire province. We have accepted the principle of bilingualism, we are engaged in its implementation and we look forward to this being done not in a token fashion, but in a sincere way, so that it will produce the ultimate results over a long period of time which we believe are possible and necessary.

These things will all, of course, play their part in the strengthening of the total unity of Canada, and I think also will make us all more aware of the interdependence of the various parts of Canada and the various units which make up Confederation. Evidence of the interdependence of the various parts of our country is provided by the frequent meetings which are taking place between the provinces themselves, and between the federal and provincial governments.

A very wide variety of dialogue has taken place in recent months. It is on the rather



dramatic matters such as constitutional reform that the real confrontations take place. These are the matters that are brought forcibly to everyone's attention. But there is an enormous amount of co-operation and interaction that is going on that does not necessarily get as high a degree of publicity.

In Saskatchewan, and I will mention this later, all the Premiers met in August. We have had federal-provincial meetings dealing with health, consumer affairs, and various fiscal matters, and interprovincial meetings dealing with mining, trucking and transport. Then, of course, there is the annual meeting of the Canadian Council of Resource Ministers, and there have been all the meetings which I have described to you relating to the continuing study of the constitution.

So as we move along there is a great deal of intergovernmental co-operation taking place, and I think that it is wise that this is emphasized and drawn to the attention of the public, because I think a good many people do not really realize what is going on. Of course, the ultimate objective of all this consultation must be to improve the administrative governmental machinery of our country, and the federal and provincial governments must work together if there is to be harmony in their efforts and if there is to be maximum efficiency. I can assure you that interprovincial co-operation is flourishing between the provinces. There is a great deal of co-operation, and I am quite satisfied, quite confident, that it will continue in the future.

I have mentioned the meeting of provincial Premiers held at Waskesiu, Saskatchewan, in August. A very wide-ranging agenda was dealt with there, including proposals for provincial co-operation on pollution control, securities regulation, problems of provincial and university financing, administration of Indian affairs—which concerns us all a great deal and which is a problem for each one of the ten provincial governments—housing, and of course, the report of the continuing committee of the Confederation of Tomorrow conference.

At Waskesiu, among the resolutions passed by that meeting, were those requesting further consultation with Ottawa on health and fiscal matters. Another initiated a review leading to uniform guidelines for pollution control, because we must have national guidelines dealing with pollution. This is becoming more and more apparent, but they do not exist now. Another was aimed at achieving greater consultation on the growing problem of alcoholism and drug addiction, which

is a problem besetting every provincial government. We agreed also to improve the effect of these conferences by concentrating attention, at each meeting, on several common areas of concern.

Next year we will meet in Quebec City and we are already at work on four problems—housing and urban problems, health, education and pollution. The continuing committee of the Confederation of Tomorrow conference, which was the committee referred to by the leader of the Opposition a moment or so ago, will meet in the new year to review progress on those matters dealt with by the Confederation of Tomorrow conference—namely regional disparities, linguistic rights, and a review of the constitution.

This is the continuing committee, and I am chairman of that committee, but that committee really was set up in order that the Confederation of Tomorrow conference would not simply disappear from the scene. The Confederation of Tomorrow conference was really not instituted with an idea that it would in any way supplant a federal-provincial constitutional conference. On the other hand, it did demonstrate that there could be a good deal of good done in this country if the provinces met together and discussed some of their common problems. So that continuing committee really is there in order that this machinery can be kept available when it will be needed.

While I am discussing Ontario's relations with the other governments of Canada, I would like, at this time, to express my own personal sorrow, and I think the sorrow of the people of Ontario, at the heavy loss suffered by Canada and Quebec in the death of the hon. Daniel Johnson, a month or so ago. He was Prime Minister of Quebec for only two years, but he became very well known to the rest of Canada. I think he displayed moderate views, but he certainly was insistent on establishing the rights and the needs as he saw them for his own people in Quebec, and in his support of all the rights of French Canadians, wherever they might live. I think all of us will remember how he used the Confederation of Tomorrow conference to put his point of view in Ontario and across Canada, and certainly it was a great loss to all of us when he died.

I wish also at the same time to offer my congratulations to his successor, the hon. Jean-Jacques Bertrand, on his appointment as the leader of the party and the government. I have known Mr. Bertrand for some years, and I am quite confident that the close

relationship that has existed between Quebec and Ontario will not be in any way diminished by the fact that he has replaced Mr. Johnson. We will, of course, continue to do anything in our power to develop a close relationship, in order that we may find solutions to the problems that beset us.

I suppose also, while I am referring to people in other provinces, I might refer to Premier Manning of Alberta who is retiring after 25 years as the leader of the government in that province. You see what is possible, gentlemen. We always refer to him as the senior member of the Premiers' club, but that very fine man indeed did so much for his province, in so many ways, and I would take this opportunity to congratulate him on the record of service he has to Canada, and to his own people in Alberta, and to wish him well on his retirement. I think one thing retirement is costing him is attendance at the Grey Cup game here on Saturday, the first time in 20 years that Calgary has been able to come east. In any event, I guess they are getting ready to choose his successor; it happens in all jurisdictions.

Sir, I am pleased to have had this opportunity to review some of these matters, and the progress that has been made since we last discussed these matters here in the House. I would say that in some way significant advances have been made in the question of languages, and intergovernmental contacts have proven generally more sophisticated. Such difficulties as have inevitably been encountered in the process of constitutional review will be discussed, and, I would hope, faced squarely at next month's meeting of the constitutional conference and at the meeting of Ministers of Finance which will immediately follow. The fact that these two meetings will be held during the same week helps to emphasize the fact that constitutional review and fiscal economic problems of Canada are inextricably linked together. A satisfactory solution of either is impossible without a satisfactory solution of both, and we intend to pursue the crucial matters with renewed vigour.

I am very aware of the leader of the Opposition's comment, when he said that we were using our participation in constitutional reform in this country as a threat in connection with our discussions about fiscal matters with the federal government. Mr. Speaker, I will only say this, that I think we have a reputation for co-operation and desire in the field of constitutional reform, and certainly we will not use the term "opt out". I do not know whether it was intended in this way,

but in my ears that was quite offensive. This province will never opt out of any discussion which is for the benefit of Canada.

But I must tell you, if the Confederation of Tomorrow conference proves one thing and nothing else, it proves that there are great areas of this country that are vastly more interested in what is going to happen to them economically than they are in what is going to happen to the constitution. To wander around in the theoretical areas of certain forms of constitutional reform, when you have not solved the economic imbalances from one region to another in this country, will be a very bad exercise indeed. These matters have to proceed together, and we have to solve the problems of our people, whatever they may be. We cannot separate them out.

I will deal with this with some other remarks I have to make, but I will point out now the constitutional implications in some of the discussions that have taken place with the federal government just recently. I think the leader of the New Democratic Party has a good grasp of this, as I read in his remarks yesterday.

I would say that the process of arriving at solutions depends to a great extent on the attitudes of the governments involved. At conferences on these questions, the federal government and the provinces must regard each other as partners in an enormously complex federal system. There can be no room for paternalism, or unilateral action, and provided that attitudes of reason and moderation prevail—and we should do our utmost to encourage those attitudes—the government of Ontario is optimistic about the outcome of the continuing financial and constitutional discussions.

But we are not interested in going to Ottawa to any conference to be faced with a cut-and-dried position which has never been discussed, and where we are told to take it or leave it. I think it must be obvious to anyone that this is an attitude that will get us no place, and certainly will not solve the problems of this country. I think every day it becomes more obvious that for Mr. Sharp and Mr. Benson and his cronies to turn to us and say, "Go and impose your own taxes, do what you like, but do not ask us to give you any more room because we are not going to. Get your taxes where you like," can lead to situations that I think are very destructive indeed.

In this province, I suppose, we could establish without too much difficulty a very

sophisticated fiscal bureaucracy. We could collect our own personal income tax and our own corporation tax. We are big enough to do it, we have the resources and manpower to do it. But what would we create? We could very easily create something that in the hands of some government some day could effectively block any fiscal or monetary policy that the federal government might choose to introduce. This is the type of thing we want to avoid. We do not want to be put in the position where we create competing systems, we must co-operate.

In a country the size of this one with the problems it has and with the 20 million it has, the whole secret to our survival is co-operation and not unilateral action, because the provinces have grown up whether the federal government wants to accept the fact or not.

Now, sir, I am into, of course, the next section of my remarks and that is that the major problem—and I believe this has been said by both the other leaders in the last two or three days—the major problems that we have to face during this current session will relate one way or another to finance. Perhaps of all these, the most important is the way in which Ontario will restructure its taxation system. Hand in hand with it is the more immediate financial problem with which the government is dealing and which has been made more difficult by our failure to achieve what we feel is a reasonable balance of taxing room between the federal and the provincial governments. Believe me, this is not a request for a hand-out. This a request for room, for elbow room to manoeuvre, and I think this is getting through at long last. We do not go to Ottawa asking for hand-outs, we go to Ottawa looking for room to raise the money that we have to raise to provide the services that our people not only want, but need.

A number of important measures will also be placed before the Legislature during the session relating to the rationalization of our taxation system. Chief among these are measures relating to our relations with the municipalities and the structure of local governments in Ontario. There is, as I have said, a direct relationship between federal-provincial financial problems and the forthcoming constitutional discussions where one of the main items on the agenda will be an approach to the distribution of powers between the federal and provincial governments. The meeting ground for these intergovernmental relationships will be found in the decisions we take on the tax structure. The relation-

ship is direct because the extent to which the province can meet the major recommendations of the report of the Ontario committee on taxation—that is, the Smith committee—and transfer part of the burden on the regressive property tax to more progressive tax fields now shared by the federal and provincial governments will be dependent in large part on the division of revenue from these shared tax fields between the federal and provincial governments. In other words, if we are to relieve the homeowner of the regressive taxes that presently rest on him, we have to have more space in the progressive tax field, because we have to replace that money from tax from another source. Surely this is what the exercise is all about—where the incidence of tax lies. This is the question really.

Now, if we are to restructure our tax system in the province to benefit the homeowner and to relieve him of the tax on property, then we are looking for more elbow room, if I may put it that way. We are looking for more areas of funds to make the replacement in the field of the progressive tax. I do not consider this in any way to be looking for a handout. If it is necessary, if the federal government want it, if they force us into it, we will impose our own income tax system. I have pointed out some reasons why I do not agree with it. I do not think it is a good thing from an administrative point of view. But on the other hand, there is this question about "he who spends should tax" and we are prepared to accept our responsibility in this area. But, I think we should all be aware of the fact that it is not really a very effective solution to the problem.

**Mr. Nixon:** Just a point of clarification, if the Prime Minister will permit. Are we to assume then that if the federal position remains unchanged, that we will have separate provincial income tax from what the Premier has just said?

**Hon. Mr. Robarts:** No. I must make it very clear that there are such discussions going on here and, no, the government has come to no decision. All I point out to you is that if it proves to be necessary to accomplish the purposes of the government we are able to do it. That is the burden of my—

**Mr. Nixon:** It was my understanding of what the Prime Minister had read.

**Hon. Mr. Robarts:** No, I am not, and I would not want to leave that impression because I do not think it is a proper position to take. What we are examining here are the

alternatives and the courses that are open to us.

**Mr. MacDonald:** The "shut" case at the moment is the federal case?

**Hon. Mr. Robarts:** Well, there is a degree of rigidity there that we hope might change. In any event, this is not an open and shut matter as far as this government is concerned. But if we are to—I loathe reading speeches but sometimes, Mr. Speaker, it is necessary.

**Mr. Sargent:** Who wrote it, or does he write his own speeches?

**Hon. Mr. Robarts:** I do not know where the member could assume that, because I have been ad libbing all the way through between the sentences.

**Mr. Nixon:** Maybe that is what did it.

**Hon. Mr. Robarts:** Yes. Well, maybe that is what did it. We will have to go to *Hansard*.

However, federal-provincial—now I am reading—federal-provincial tax sharing is not only important to finance this shift from the property tax so that we may increase the equity of the overall tax structure, it is also important if we are to contain total provincial-municipal tax levels and, at the same time, maintain our commitments. In other words, if we are to keep the total amount of taxes collected by the municipalities and by the province within reasonable bounds, if we are to meet our commitments, this whole question of federal-provincial tax sharing must enter into the picture, it just simply cannot be excluded. We are faced with a situation where the distribution of powers cannot mean much if one level of government has the superior revenue capacity and unlimited spending capacity and at the same time is able to initiate new programmes and determine the expenditure priorities of other levels of government. The government of Ontario believes we must simultaneously come to an agreement on the most equitable and efficient distribution of both revenue and expenditure powers.

I would just point this out to you, we are being pushed into Medicare, which from the point of view of this government is not necessary in the province at this time, and is not one of our top priorities. We are going to be pushed into it by a level of government that is taxing us for it before we get it, and then it has already served notice that five years from now it will through some arrangement push the whole thing back on us. Now,

what can we expect at the end of five years? The introduction of another programme? The imposition of another programme here that we may not agree with or whatever government may be in power here does not agree with? And then we go through this whole exercise again. This is the worrying thing. Because, I would suggest to you that with the tax increases the federal government is putting on presently and with its withdrawal from the shared-cost programmes, as it is indicating it is going to, it is going to have very substantial surpluses in a relatively short number of years. What political party can withstand the political pressure of spending surpluses? We will be sitting here, if we cannot get some rational solution to this problem, fighting with a real financial problem with another level of government sitting there ready to repeat the whole performance. It is related directly to the constitutional question of what powers the various levels of government have as well as what their revenue sources are.

The thing that astonishes me is that here we are about to sit down to try to decide how we are going or what we are going to do to amend our constitution and we have never been able to agree on the method by which we are going to do it. Now does that not come first? In my opinion that should be the first:

**Mr. Nixon:** Federal leaders tried to scuttle it right here—Diefenbaker.

**Hon. Mr. Robarts:** Well, Mr. Speaker, I am responsible for the government of this province. I stand in my chair here speaking for Ontario and—in my humble opinion there are no politics in this—there are no party politics in it at all. I have had the same arguments with several governments of my own political stripe that I am having with this government, and frankly I hope we will be able to keep partisan politics out of this because it is too important to get involved here.

**Mr. V. M. Singer (Downsview):** What powers are you seeking that you have not got now?

**Hon. Mr. Robarts:** None.

**Mr. Singer:** Well then you—

**Hon. Mr. Robarts:** The hon. member has missed the point. He might have gone ahead to ask the question "what powers are you prepared to surrender if you do not get the revenue?" That would have been a much

smarter question to have asked. However, having asked it myself I do not feel compelled to answer it.

So when we participate in the meeting of Prime Ministers and Premiers on December 16, we will then present the basic position of the Ontario government. This is: If we want to live in a federal country we must respect the central tenet of federalism that central and regional governments should each be responsible and sovereign in their own fields. At the same time we recognize that we will never be able to agree on watertight compartments between federal and provincial responsibilities, but I think we can do a great deal better than we have done to date. As I have said on many occasions in the past, governmental activities in all countries are becoming increasingly interdependent. We just have to look at the international monetary system today to have some appreciation of the necessity for co-operation internationally as well as nationally.

We must acquire more sophisticated means of inter-governmental co-operation and co-ordination of policies. Nevertheless, if co-operation and co-ordination are to work, there cannot be an assumption of superior power which will upset the priorities and decisions of the other governments. There cannot be an automatic assumption that the federal government, the central government in a federal system of government, is the superior power. It is this unstated assumption that leads to most of our difficulties in the field of federal-provincial relations at the present time, because there seems to be an automatic assumption that our decisions can be made in Ottawa and we can still have a federal system that will function. This means that you change from a federal system to a central system, and this is what we would wish to avoid.

Three weeks ago the hon. Provincial Treasurer (Mr. MacNaughton) asked the Minister of Finance a series of very blunt questions about the federal view of federalism in federal-provincial financial matters. The unmistakable reply of the federal government was that the provinces should look to their own resources if they have financial problems. On the other hand the federal government has implied by its actions on the question of Medicare and its general attitude, as expressed in many fields, for example, securities and legislation regarding pollution, that it regards the provinces as branch plants of the federal government.

These branch plants are expected to carry out programmes and policies devised in

Ottawa and financially assisted by the federal treasury. The option which the government of Ontario proposed is to sit down together and jointly work out our spending priorities; to share our revenues on the basis of our spending responsibilities. This position that we have advanced on so many occasions, which is really right out in the open now, seems to have been rejected.

Mr. Speaker, we now have a choice and we may act as a responsible government by planning our own programmes and setting our own priorities, or we may act as a branch plant of the federal government and react to, and fall in line with, federal initiatives. This is really what is being offered to us. And our choice, of course, is very clear, and I think we have made it clear over these last few years. We will take what we consider to be the responsible approach on behalf of the people of this province.

Now, Mr. Speaker, I would deal with several matters connected with the plans of the government to overhaul the taxation structure of the province. Since we last met the select committee on taxation carried out its public hearings and submitted its report—which I have already commented upon in part. I should like to take this opportunity to congratulate and express the appreciation of all members of the House for what this committee did and the members who served on it. In all my time around here I have never seen a select committee act with more despatch, do more work, get more done, in a lesser period of time, and I think that each member of the committee is fully justified in being proud of what he did in his participation in this work.

At the same time that committee was at work, a special task force within the government was conducting an evaluation of the report of the Ontario Committee on Taxation and subsequently took over the recommendations of the select committee. The task force examined the financial implications and their relationship to an overall government approach to the restructuring of our taxation system, as well as inter-governmental financial relations. This work has now been completed. It provides a comprehensive body of technical information which will allow the government to formulate its decision on the reform of a tax structure within the context of emerging federal-provincial developments. That is why we are unable to come forward now, of course, right at the moment, with a firm and positive recommendation as to what we are going to do. It all plays itself out



against the background of what will eventually happen between the federal and the provincial governments.

In a few minutes I shall speak in some detail about one of the main recommendations of the Ontario Committee on Taxation, namely, regional government. The government has decided to deal with regional government at this time because we believe that the reform of our municipal system of taxation and provincial-municipal financial relations depend upon a rational base of local government.

During the course of this debate — the Throne Debate — the Minister of Education (Mr. Davis) will make announcements related to the structure of school grants in the context of the new consolidated boards of education. Because education is the largest single item in the budgets of both the province and the municipalities, the financing of education is fundamental to any reform of taxation in this province.

The establishment of regional school boards is basic to the rationalization of our system of school financing—it had to be done first—and therefore through the school boards to the rationalization of the entire municipal tax structure. As I point out, it is the largest single item there. It is important, therefore, to understand that these developments on regional government and the financial structure of the boards of education represent important and essential moves in a long-range plan dealing with the problems set out in the reports of the Smith committee and the select committee. Decisions on the tax structure cannot properly be taken until we know more fully the context of the complete federal provincial fiscal situation within which our decisions, of course, must be made. Once this is determined, the province can then make decisions in all these areas and begin to implement a programme of tax structure reform designed to increase the equity of the total provincial-municipal tax system, and to provide a viable base for financing required public expenditures.

In advance of the meeting of the Ministers of Finance and Provincial Treasurers next month, the hon. Provincial Treasurer will be making a more detailed report to this House on the position that this government has adopted in its discussions with the federal government, and we will give you notice, Mr. Speaker. Subsequently the Treasurer will draw together all the areas which I have mentioned relating to our financial land taxation policies in a statement giving the gov-

ernment's overall position on the reports of the Ontario Committee on Taxation and the select committee, and this probably will be embodied in the budget statement and budget papers.

Mr. Nixon: Would this be called a white paper?

Hon. Mr. Robarts: Well, Mr. Speaker, we do not—a white paper is not an instrument that has been widely used in this House.

Mr. Nixon: The Treasurer has promised a white paper.

Hon. Mr. Robarts: Well, you can call it anything you like. What I am saying is that it will be put before the House in the form of statements of policy, but they may come from several directions. They must all be taken together because there are so many departments involved; for instance, the Minister of Municipal Affairs will make a very long statement on regional government which is certainly inexplicably bound up with the reform of taxation.

Mr. E. W. Sopha (Sudbury): It was promised for November which has almost fled.

Hon. Mr. Robarts: Who promised anything?

Mr. Sopha: Well did not the Treasurer say—

Hon. Mr. Robarts: The government did not promise anything.

Interjections by hon. members.

Hon. Mr. Robarts: He tried to pin this on us at the last election, and we proved that we had never promised anything.

Mr. Singer: He has just given us an—

Hon. Mr. Robarts: I think you are getting a pretty good background on just what is—

Mr. Singer: When do we get into the foreground?

Hon. Mr. Robarts: Oh, be patient; in the fullness of time.

Interjections by hon. members.

Hon. Mr. Robarts: The other side of the financial picture deals with government expenses. As I stated when I participated in the Throne Debate during the last session, and as the Provincial Treasurer outlined in his budget statement, the government is developing a much more sophisticated ap-



proach to the establishment of expenditure priorities. It is also developing a system to ensure that costs are controlled, and that we are achieving the most efficient use of tax dollars. At the heart of this system is the Cabinet committee on policy development. This committee has been meeting frequently since the last session adjourned in July, and in August this committee established general targets for use by the Treasury Board in its consideration of departmental estimates. These targets related to the aggregate amount of expenditures which will be allowed in the forthcoming budget, and to general priorities among expenditure programmes presented by the various departments. In other words we are here looking at the total picture of expenditures and the priorities into which those expenditures must fit. These decisions were based on an analysis of the first year of the five-year expenditure projection taken from the various departments and agencies of the government. During the summer many meetings were held between the Provincial Treasurer, the Ministers and the officials of various operating departments to explain the financial problems and priorities that the government had established.

Following the decisions of the Cabinet committee, letters were sent to all departments by the Provincial Treasurer, setting out guidelines for the preparation of the 1969/70 estimates of each department. Throughout this entire process the staff of The Department of Treasury and Economics and the Treasury Board secretariat dealt with the total fiscal problems and economic expenditure priorities, the analysis of departmental estimates and forecasts, and the means of promoting operational efficiency. As a result, the decision-making process for governmental expenditures this year marks the beginning of the programme-planning budgeting system which is being introduced generally into the entire government budgetary process. I can assure you that these changes in techniques and the development of these administrative techniques in an organization the size of the government cannot be done overnight.

In addition to the work in the current budgetary cycle, the Cabinet committee on policy development has been active in other areas. Among other subjects it has discussed the work prepared within the government on the two taxation reports, the questions of regional government and the relationship of regional government with regional development. We have dealt with position papers on transportation policy, the relationships be-

tween the government and Hydro, external aid, immigration, social security programmes and a whole host of educational policy matters.

A new practice, Mr. Speaker, to those who are interested in how the government functions has also been established whereby the Treasury Board refers to the Cabinet committee on policy development matters coming before it which require policy clarification or decision. In other words, the Treasury Board is not a policy-making body. It is a body designed to ensure that the money is spent within the policies laid down by the government.

Mr. Singer: That means that they talk to each other?

Hon. Mr. Robarts: Yes.

Mr. Sargent: Who lays down the policy?

An hon. member: He just told the member a moment ago.

Hon. Mr. Robarts: What I say falls on some deaf ears. However, that is all right, it will all be in *Hansard*. I am pleased to report that the new system is working smoothly and we are getting some of the bugs out of it. It will provide us with a very systematic approach to overall governmental decisions, which becomes more and more difficult, of course, as the government grows larger. I had some discussion with one Treasurer of this province in days gone by and he told me how he did the budgeting in those days when the budget was small. He could do it at his own desk and in his own office in about an hour and a half. It is not that simple today.

Well now, Mr. Speaker, I would like to get into the whole question of regional government. The whole political structure of our province, indeed of our country, is shifting and changing. Sometimes it is a fact that we are slow to recognize some of these changes and the need for them, and sometimes they have in fact taken place before governmental structures catch up with the changes that have actually occurred.

During the last session of this House, legislation was introduced, which I mentioned, to consolidate into larger, more efficient units the more than 1,500 boards of education of this province. I pointed out here when I was Minister of Education about ten years ago there were over 4,000 boards of education in this province. Today there are slightly over 100. That consolidation becomes effective on January 1, and I think we would

all join in saying a word of appreciation to the people outside this Legislature in the local municipalities who have worked so hard to make this thing possible. We have had excellent co-operation from the local school boards, from people who saw their jobs disappearing and who were faced with the inevitable fear that the human animal has of the unknown. They had to deal with something new and they did it well, and we are grateful to them because without their co-operation it never would have gone as smoothly as it has.

The result of all this is, of course, that we will have an enormously strengthened and a more equally distributed system of education. In 1966 I had the honour of introducing the policy of the government of Ontario on regional development. That policy statement, which I have here some place in this pile of paper, is known as "Design for Development", and it sets forth the plans of the government to achieve for all economic regions of the province an equitable share in a purposeful provincial development programme.

Much has been accomplished since "Design for Development" was outlined in this House. The greatest change, in my opinion, has been in the degree of acceptance by the public and local officials of regional activities and regional planning, as opposed to purely local parochial activities and planning. I was interested to read in a recent report of the Erie region economic council the results of a questionnaire the council had drawn up to gather "grass roots" opinion on regional development. Based on the questionnaire and subsequent discussion at a series of meetings throughout the region, the Erie economic council came to such conclusions as these about "grass roots" attitudes:

There is a general realization that society is actually living on a regional scale now; there is a genuine willingness to study developmental problems objectively; a sharing of assessment and dormitory expenditures will bring about regional thinking and budgeting faster than any other single influence; that urban areas should not be separated from rural areas surrounding them; and that annexation as an adjustment factor in territory is of limited value today. May I say that the regional development councils are doing an excellent job in the essential task of communicating to the government the requirements of the people of their region?

For some time, Mr. Speaker, the government of Ontario has been engaged in planning a closer relationship of regional economic

development and the structure of local government. We have been moving forward on two fronts: the analysis of regional economic development, as outlined in "Design for Development", and through the local government reviews undertaken in various parts of the province. They are, of course, interrelated. We have now reached the point where both must be carried forward together, in concert with one another in a single, unified policy.

I should like at this time—

**Mr. Sargent:** What a lot of nonsense. Is this your 1956 speech?

**Hon. A. Grossman** (Minister of Correctional Services): The hon. member does not understand it.

**Hon. Mr. Robarts:** I suppose anything one does not understand is automatically categorized as nonsense.

I should like at this—

Interjection by an hon. member.

**Hon. Mr. Robarts:** "Design for Development", that is what the hon. member told me four years ago; to update my thinking! I have sat here for a good many years. I have been told when the great takeover was going to come. I have not seen it yet.

**Hon. Mr. Grossman:** When the hon. member for Grey-Bruce becomes leader.

**Hon. Mr. Robarts:** Well, we wish the hon. member luck the next time round.

Now, the objectives of regional development are the "provision of the best possible environment for our people" and the "creation and maintenance of an atmosphere which will encourage economic growth and development throughout the province". In so stating, the government emphasized that it has the responsibility to carry out and give direction to regional land use and economic development planning. These were spelled out in three principles which the government considers to be essential to regional economic development.

First, the government accepts the responsibility of guiding, encouraging and assisting the orderly and rational development of the province.

Second, the efforts of the government should be complementary to the private sector of the economy in helping to create an atmosphere for growth and development.

Third, policies must be cast in the mould of Ontario's conditions and not simply bor-

rowed from other jurisdictions where fundamental characteristics and institutions may differ.

Further, Design for Development states that the regional plans and priorities of the government should contribute to the total environmental development and economic performance of the province.

Mr. Speaker, as I have stated in this House on other occasions, we are determined to produce guidelines for our regions so that both the public and private decisions which affect our development can have realistic relationships to one another.

The government of Ontario has pursued the objectives of Design for Development with vigour. The government has encouraged each region of Ontario to achieve its social and economic potential within the overall framework of the province. The government has encouraged the care and conservation of our natural environment. The government has achieved greater efficiency and effectiveness in its service to the people of Ontario through closer co-ordination of departmental activities.

Since Design for Development was announced, the regional development programme has moved forward rapidly. The first task, of course, was to bring together an inventory of all the programmes, policies and information of the various departments of the government which would be of value in an emerging regional programme. This was completed in 1967. The next task was the evaluation and projection of detailed basic economic trends of each region in the province. This is just now in the process of being completed.

Our analysis of the basic trends throughout the province has led us to group our regional potentials into three categories. One category will be that of a region of self-sustained growth, where the major problems are those of urban expansion. The second will be a region of inconsistent or fluctuating growth, where some assistance may be necessary in order that the region may achieve its full potential. The third category is that of slow growth, where major assistance may be necessary if the region is to achieve its full potential.

While this research and evaluation has been carried out within the regional development branch of The Department of Treasury and Economics, the regional development programme has involved many other activities, all leading to the formulation of plans

for economic growth in each region of the province. These activities have resulted directly from the measures that were announced in Design for Development.

As an example, the Cabinet committee on policy development is dealing with the relationship between regional development policy and the establishment of regional governments. The advisory committee on regional development has met frequently this year, and has before it a wide variety of regional programmes put forward by departments of government which have regional interests.

These include the master tourist plan of the province being undertaken by The Department of Tourism and Information; the review of the recommendations of the goals plan of the Metropolitan Toronto and Region Transportation Study, which is now being conducted by a special subcommittee chaired by the director of the regional development branch; and the special study on the future development of the Niagara Escarpment, which is now before the government.

A large part of the committee's time has been spent discussing the strategies to be followed in developing regional plans and in co-ordinating these plans with the regional activities of the various governmental departments and agencies.

The regional development councils have been an integral part of the planning process and are now submitting to the government their own proposals for strategy of development within their own regions to cover the next five years. Along with the intensive research taking place within the regional development branch, the university research programme in regional development is now beginning to bear fruit. I am certain that before the end of this session the hon. members will have an opportunity to see the results of some of the studies conducted by 14 universities. In addition to this I am sure that the members will be pleased to know that the "Economic Atlas of Ontario", which is the most complex publishing project ever undertaken by the University of Toronto Press, will be released in a few months.

The co-ordination of the regional activities of various departments and agencies in the field is also progressing. The regional advisory boards of civil servants have been meeting regularly in each of the ten economic regions and, like the regional development councils, the advisory boards have prepared their own views about the course development should take in their own regions during the next five years.

So, fortified by the results of these activities, the government will begin within weeks the formulation of actual plans for the regional development programme. Work has already begun in three regions: northwestern Ontario, where special ARDA regional development programmes are being carried out; the central Ontario region, which has had the benefit of the MTARTS study; and the mid-western Ontario region, which has selected by the regional development branch for a pilot approach to regional planning. The first stage will emphasize solutions to problems of an economic and social nature. The second stage will deal with the improved use of our natural environment. From these plans will come targets for broad use of our land, the character and amount of economic activity in each region and recommendations for the most effective implementation of regional programmes by both provincial and local departments and agencies.

Since Ontario is becoming increasingly an urban society, with the largest proportion of our people living in urban areas and many others employed in urban areas I believe we shall be seeking many of our solutions in the urban centres. A substantial share of the potential of all regions of the province will be provided by the urban centres. One of the challenges in establishing our regional development plans will be to select those urban centres, both large and small, which will be appropriate growth points for the type of region in which the centre is located.

Having reached this stage, Mr. Speaker, we have brought together two separate streams of government action: those dealing with regional economic development and those dealing with the structure of local government throughout Ontario. I am sure that you will agree that the delineation of regional government areas will, in all likelihood, be centred on these urban-centred growth points.

In "Design for Development" it is clearly stated that the implementation of the regional development policy of the government could lay the groundwork for changes in area government which might be considered appropriate. As I have said, Mr. Speaker, that moment has now come. Regional government and a regional development programme are closely associated. We believe that in Ontario we must have strong local government coupled with a meaningful regional economic programme. We have been discussing these matters in terms of phases and stages; perhaps we might well consider

that we are now embarking on phase two of "Design for Development".

You will recall, Mr. Speaker, that in the recent Speech from the Throne, his honour, the Lieutenant Governor, stated that:

Among the measures to be placed before the hon. members will be proposals to institute regional government in various areas of the province where sufficient study has been completed.

The rationalization of our structure of local government has occupied the attention of the government for some time. As our province has become more and more urbanized, it has become increasingly apparent that the mechanism of several hundreds of small municipalities has become an inadequate means of meeting the requirements of the people of Ontario in the second half of this century. We envisage in the restructuring of municipal government on a regional basis that there will be an accompanying significant reduction in the total number of municipalities now existing in Ontario.

In recent years we have received and considered the report of the select committee on The Municipal Act and related Acts, known as the Beckett report, the report of the Ontario committee on taxation, the Smith committee, and the advice of the select committee which considered the recommendations of the committee on taxation. The need for larger units of local government was expressed in each of these studies. In the case of the Smith committee and the subsequent select committee report, it was emphasized that the restructuring of municipal financing can achieve maximum benefit only if, at the same time, we can achieve a more rational approach to the numbers and size of local governments. Indeed, both committees made it clear that the reform of municipal financing and municipal structure are required if we are to overcome the basic problems of local governments.

In our planning for regional governments, we can draw upon the considerable advice and expertise resulting from the local government reviews ordered by the government in recent years and the detailed work of the Metropolitan Toronto and region transportation study. We can draw upon the experience in Metropolitan Toronto where, since 1954 we have had one of the most successful forms of local government in operation anywhere. We can draw upon the experience of the new regional municipality of Ottawa-Carleton, which is the first of what can be described as a true regional government.

As I have indicated, there is also a wide public acceptance of the need for govern-

mental responsibility on a regional basis. Almost every conference in recent months related to our current urban challenges has suggested that a major barrier to municipal solutions is the fragmentation of our municipal structure.

The basic aim of the government in arriving at the policy of establishing regional governments is to make local government as strong and meaningful as possible. As our society becomes more complex, the people of Ontario to whom governments are responsible, must be able to participate in the decisions and direction of their government. If our municipal partners are unable to cope with the problems they face because of their small size, limited financial resources and inability to provide the services which all residents of Ontario should expect, participation becomes meaningless.

British journalist Alistair Cooke emphasized the situation recently when he said the "breakdown in society comes when people cannot recognize any public obligations beyond their family." Surely we must ensure that the people of Ontario have an opportunity to participate in local units of government which are large enough to be meaningful and which will have a resource base sufficient to their responsibilities. We have the opportunity, Mr. Speaker, to avoid the difficulties which are besetting the cities to our south. We have the opportunity to provide for the people of Ontario horizons of such breadth that a person will feel an obligation to his community beyond his obligation to his family. Indeed, we must provide a framework within which he will be eager to participate in the further strengthening of local government.

Having established that regional governments are the best means so far designed to achieve this aim, I can assure the hon. members that the government will move toward the implementation of our objective as quickly as possible.

In establishing a series of regional governments, the government of Ontario has established specific guidelines. The government accepts the five criteria for regional government set out by the Ontario committee on taxation. They are: 1. A region should exhibit a sense of community; 2. A region should have a balance of interests; 3. There must be an adequate financial base; 4. The region should be large enough so that local responsibilities can be performed efficiently; and 5. Regional boundaries should make possible maximum co-operation between regions.

To these criteria put forward by the Smith committee, the government has added three others of immense importance. First, we shall seek community participation in the formation of regional governments and, where possible, we shall strive to achieve community acceptability of the proposal. Second, we shall seek to have the new regional boundaries, or combinations of them, usable by other institutions. And third, we propose that in cases where there are to be two tiers of government within a region, the smaller units would be designed using the same criteria used at the regional level.

In announcing the policy of the government to establish a series of regional governments across Ontario, I should like to emphasize that we do not propose to put regional governments into effect in all parts of Ontario at one time. The Speech from the Throne indicated that they will be established first in those areas where sufficient study has been completed. For example, the regional municipality of Ottawa-Carleton becomes effective on January 1, 1969. But we have been working on that for probably five years. Other local government studies have been completed or are nearing completion. Basically, we shall establish regional governments on the basis of priority of need. As one looks about the province it is apparent that not all areas are in urgent need of immediate regional government. We shall respond first where the present structure of local government is obviously not adequate to meet existing change.

At the next opportunity during the debate of the reply to the Speech from the Throne, the hon. Minister of Municipal Affairs (Mr. McKeough) will outline a schedule of proposals for the establishment of regional governments. He will also deal further and in some detail with the rationale which will be used in deciding where and how a regional government will be established.

Mr. Speaker, in my discussion today I have been referring primarily to the requirements of southern Ontario. In doing so, I am also mindful of the pressing needs of the people of northern Ontario. As the hon. members are aware, during the tour of northwestern Ontario by members of the Legislature in September, I announced that an interdepartmental committee had been established to examine government at the district level in northern Ontario. We expect to have the committee's report by mid-1969 and will proceed quickly with the formulation of policy. The Minister of Municipal Affairs will have more to say on some specific structures of government in



northern Ontario when he takes part in this debate.

The primary responsibility for carrying out the programme of regional government will rest with The Department of Municipal Affairs and the Minister. He and his department will work closely with the policy development committee of Cabinet which, appropriately, resulted from Design for Development. Through the policy development committee we shall achieve close co-ordination of the regional government plans of The Department of Municipal Affairs, the programme of regional economic development, the overall programme of provincial development administered by The Department of Treasury and Economics and the related programmes of other departments.

Now, sir, I have put this on the record although I fully recognize that this is not one of the most stimulating addresses that one could make. None the less it is a broad and detailed statement of what the government proposes to do and I would suggest to you that as we go through this, as we debate the various matters that will come before this House as a result of these policies we are putting before you, you will have an opportunity, if you understand it and you wish to, to participate in what is really a very exciting and very stimulating period in the history of our province. These are very fundamental matters. The restructuring of our entire system of local government through a system of regional governments; the consolidation of our school districts; the programme of regional economic development; the rationalization of our provincial-municipal system of taxation; must be, in the final analysis, a tribute to the people of this province.

All these things are interrelated and all must be carried forward together. The people of Ontario recognize this and, I am confident, are prepared to accept the substantial challenge of accomplishing all of these tasks simultaneously, and the fact that, of course, they are going to involve a great deal of change from present structures and present ways of doing things to which many people may have become accustomed.

We are embarking on the greatest restructuring of local government in the history of this province. We shall be altering a system of municipal government begun by Governor John Graves Simcoe in 1792. The establish-

ment of regional government will be, in my opinion anyway, as major a change in our day as was The Baldwin Act of 1849 which set up the basic municipal structure as we now know it.

So, sir, we must succeed in what we have set out to accomplish if we are to meet the aspirations and the needs of the people of this province. Indeed, if we are to develop the tremendous potential of this province and all its people, we must be successful in these things we are proposing, because we are building here not only for today and tomorrow, but for many decades to come.

Mr. Sopha moves the adjournment of the debate.

Motion agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will move as indicated. There will be none of the routine business of the House. We will assemble here at 10 o'clock.

On Monday afternoon we will resume this debate. On Tuesday I would propose to deal with second reading of the expropriation bill in order that we may get it into committee and on its way.

I move that the House do now adjourn.

Mr. V. M. Singer (Downsview): Mr. Speaker, before that motion is put, could the Prime Minister tell us when it is expected that that bill will get into committee? Before Christmas? After Christmas?

Hon. Mr. Robarts: It would be my hope that it will get to committee as soon as we can complete the debate on second reading.

Mr. D. C. MacDonald (York South): Wednesday of next week!

Hon. Mr. Robarts: I will arrange the committee meeting as soon as it is read. I am very anxious to get that bill through and let it get Royal Assent by Christmas. There are a great many expropriations going on in the province and the sooner this becomes law the better.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, November 29, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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## LEGISLATIVE ASSEMBLY OF ONTARIO

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FRIDAY, NOVEMBER 29, 1968

The House met at 10 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning we have students with us, in the east gallery, from Wilcox public school in Toronto, and in the west gallery from the International Institute, Toronto, and Woodbine junior high school in Don Mills.

**Hon. W. G. Davis** (Minister of Education and University Affairs): Mr. Speaker, one of the most significant and really encouraging features of our observance of the 150th anniversary of the birth of the Hon. George Brown has been the active and enthusiastic participation of the board of governors, the faculty and the student body of the community college which bears the name of the great Canadian statesman.

I should like you Mr. Speaker, and the hon. members, to be aware of the fact that it was on the initiative of the college that the city of Toronto designated this week as George Brown Week.

I believe that over 150 students and faculty members served on the various committees which developed a whole week of special activities. I suggest, Mr. Speaker, that they are certainly entitled to our gratitude.

So Mr. Speaker, I am very pleased indeed to have occupying seats in your gallery members of the board of governors of George Brown College; its chairman, Mr. Barry Lowes; its president, Mr. C. C. Lloyd; and also Mr. Ron Lessley, the president of the students' administrative council. With your permission Mr. Speaker I should like to have them all stand to receive our greeting.

Mr. Speaker we are also privileged to have with us a very distinguished member of the faculty of the University of Edinburgh in the person of Professor G. A. Shepperson, who has come to deliver the George Brown memorial lectures at the University of Toronto.

As you know sir, our own Professor Careless was in Edinburgh this fall to deliver these lectures at a number of Scottish universities. We are delighted to have Professor Shepperson with us on this occasion and I will

ask him to stand as well to receive the greetings of this House.

Just one other point to observe, Mr. Speaker, having been somewhat involved with these ceremonies and having visited the University of Edinburgh myself, I should point out, particularly for the enlightenment of the members opposite, that in the ceremonies later on this morning the guard of honour will be composed of the Lorne Scots Regiment from the great counties of Peel, Dufferin and Halton, which constituencies, I think, are in their entirety represented on the Conservative or Tory side of the House on this occasion. I think this demonstrates very clearly just how non-partisan our observances are when the regiment from those great counties forms the guard of honour on this very special occasion.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, the last opinion expressed was somewhat involved—I too will probably be working it out some time this afternoon. But I would like to join the hon. Minister of Education (Mr. Davis) in extending a very warm welcome from this Chamber to the chairman and the members of the board of governors of George Brown University, and also to Professor Shepperson.

Mr. Speaker, we also have with us Mr. George Brown, who is the grandson of the man we are honouring today. Mr. Brown, sir, if you would stand I would like to introduce you to the Chamber.

With Mr. Brown is Mr. James L. Cooper, publisher of the *Globe and Mail* which is the successor through several evolutions of the newspaper with which the original Mr. Brown was associated. Mr. Cooper would you stand please.

**Mr. R. F. Nixon** (Leader of the Opposition): Not quite in the same tradition.

**Hon. Mr. Robarts:** Well that is a matter of opinion.

Also with us here is Dr. Ross Cameron, who officiated at the ceremonies at the graveside this morning.

I understand that Mr. Brown's home is in Argyleshire, Scotland; I also understand that

in the tradition of his forefathers he is the treasurer of the local Liberal Party in that area and I am informed that the treasury contains about two pounds.

Now, sir, today, November 29, is the 150th anniversary of the birth of the Hon. George Brown, a Scottish immigrant who made Ontario and Toronto his home, who founded *The Globe*, who contributed as perhaps few other men have—or have been able—to the formation of this country in the 1860's, and who was a member of the great coalition that created Confederation.

He also attended the Charlettetown conference and the Quebec conference which led to Confederation. He was the representative of the people of this province at both those conferences and was subsequently a member of the Senate of Canada. Last, but certainly not least, he was probably the founder of the Liberal Party as we know it now in Canada.

You will recall, sir, that it was in 1964 the government announced, in the Speech from the Throne of that session, that we proposed to honour the memory of great Canadians in a formal way. This ceremony today is in continuation of that policy.

We celebrated and marked the 150th anniversary of the birth of Sir John A. Macdonald, who was of course a contemporary of Mr. Brown and probably his greatest political antagonist. On every member's desk has been placed this morning a bronze medallion which was struck by the government in honour of this event, and there is also a newspaper on everyone's desk which was published by the George Brown College of Applied Arts and Technology.

I would offer my congratulations to the student body. There are representatives of the student body here this morning and it will be present when we meet outside in a few minutes. I think this newspaper, plus the medallion and programme, which will be distributed when we go outside, will constitute, in the years that lie ahead, a very interesting and very living souvenir of this occasion.

Now as part of what we have done here to honour Mr. Brown and to mark this occasion we announced that we would present a George Brown collection of Canadiana to the University of Edinburgh, in the city in which Mr. Brown was born. This was done several weeks ago by the Minister of Education. We arranged, as the Minister has said, for lectures to be delivered in Edinburgh by Professor J. M. S. Careless, who was the

biographer of Mr. Brown. This was done several weeks ago during the time the Minister was in Scotland. Professor Shepperson is here to deliver three George Brown memorial lectures to the University of Toronto. He has delivered two of them and the third will be delivered tonight.

It was, as hon. members will recall, at the instigation of the Minister of Education and University Affairs that the college of applied arts and technology recently created in Toronto was named after Mr. Brown. At the instigation of the board of governors of that institution, firmly supported by the students, the city of Toronto has by proclamation declared this week George Brown Week in Toronto. A large number of special activities began on Monday of this week and have been carried on throughout the whole week. So it has been a week of celebration and activity to honour the memory of this great Canadian.

Now, sir, I would also like to point out, finally, that we will, as a government, present a two-volume biography of Mr. Brown to some 500 secondary school students throughout the province; and we have, as well, established a George Brown graduate fellowship in journalism so that Mr. Brown's name will live on in the future and, we hope, with even more recognition than it has in the past.

Earlier this morning a service was held at the Necropolis where Mr. Brown, Mrs. Brown and his parents are buried, and shortly we will go outside for final ceremonies to mark the occasion.

Mr. Brown was born in 1818 in Alloa, near Edinburgh, and came to North America in 1838. He went originally to New York, where he engaged in various business ventures, and came to Toronto in 1843.

Shortly after his arrival, according to his biographers, he decided that this country, which he had adopted, required what he called "a purely political paper," and thus was born *The Globe*. It is interesting to go back into the history of this country and see how many newspapers did have their origin in the desire to have an organ to promote a certain political philosophy.

He founded *The Globe* in 1844 — he was then only 26 years of age — and he developed it into a very powerful organ of opinion indeed. Last year, as we were celebrating the 100th anniversary of Confederation, we did a lot of reading of old newspapers, and the early editions of that paper make very interesting reading.



Mr. Brown's grandson, who is here, informs me that Mr. Brown really was not personally terribly attracted to political life; but his involvement in political affairs, through his paper and the positions he took there, almost forced him to participate actively. He was very active in politics in Canada and in Ontario in the 1840's, '50's and '60's.

He entered Parliament in 1851. He represented several constituencies in Toronto, and some west of here, during the period. He was in the government some 20 years.

I think politics were perhaps more bitterly fought in those days than it is now. Reading those old papers one becomes aware of the personal animosities which were brought out into the open. If they exist today I think we manage to conceal them, but in those days there was no concealment of the personal animosities that men felt for one another. There were battles over ideas and ideals and parties and personalities; and of course George Brown and John A. Macdonald, on opposite sides of the political fence, were very bitter enemies indeed.

However the great thing about Brown, and the thing for which we remember him most, was that at the most critical and at the most bitter period of this whole affair, he rose above his personal position and set aside his differences with Macdonald in order to resolve what had become a true governmental impasse. Canada was very deeply divided and simply not functioning under The Act of Union, and this resulted in the whole series of short-lived and pretty ineffective governments. There were tensions and prejudices of course, that were very deep; and it was in this atmosphere that Brown took the initiative and set aside his personal position for the good of Canada. I would say his initiative at that time probably opened the road to Confederation and without it, had he not acted as he did, had he not been able to control his personal feelings for the good of the total country, perhaps we would not have the Canada we enjoy today.

I suppose there have been few moments more dramatic in our history than when this reconciliation took place.

John A. Macdonald stood in the centre of the Assembly room of Parliament on June 11, 1864, to give meaning to the truce, and Macdonald spoke first. He was followed by Brown who praised Macdonald and his followers for their approach to the question of Confederation and expressed the hope that the members too would approach the idea of Confederation with but one desire,

to consider it in the interests of both sections of the province of Canada and to find a settlement of the difficulties—the political and governmental difficulties of that day.

In reading Brown's life you become aware that he had great respect for the parliamentary system. During the debates leading to Confederation he expressed his views on many occasions, and always in terms to stress they were endeavouring to adjust, harmoniously and with calm discussion, greater difficulties than had plunged other countries into the horrors of civil wars.

Mr. Brown and Mr. Macdonald, and those other Fathers of Confederation, brought together, really, what were scattered, lonely and widespread settlements in British North America. I think that the events of last year, and subsequent events relating to constitutional matters, can only lead one to the conclusion that these men really created something much greater than even they anticipated.

The great lesson we have to learn from those very stormy days of the 1860's preceding Confederation, is that in a country such as ours—which has such diversities in people, geography, area and living conditions—open dissent and conflict of opinion are both necessary and inevitable.

One of our leading educators pointed out not long ago, and I quote his words:

Under the right circumstances dissent becomes a creative, social force, and problem solving can be a constructive national experience lifting a society to new heights of achievement.

I do not think we should back away from the dissent and arguments of our own period in history, because out of it will be hammered a better and proper solution for problems we face. This of course was the approach taken by these men in the '60s. They fought mightily and eventually they sat down together to do the creative work, after the fighting had achieved as much as it could achieve in the production of new ideas, new attitudes after a very close examination of all the alternatives that were available.

We remember Brown for the great wisdom and foresight that he showed in knowing when to put aside partisan fighting and unite all efforts to the one common goal.

It seems somewhat ironic that a man who contributed so much to his country should have died what was really a needless death. He died from an infection resulting from a

gunshot wound in the leg inflicted by a disgruntled former employee.

Now sir I would make one more point, which is that it is somewhat significant that we are paying tribute to George Brown in 1968 because this year is being observed by the United Nations and member countries as the International Year for Human Rights. When we look at this man's record, apart from politics and government, we find that he was one of the outstanding supporters of the American abolitionist movement in the 1850s, along with Sir Oliver Mowat, another very great Canadian whom we will honour in due course, and another great Liberal. Mowat and Brown helped to establish the Anti-Slavery Society of Canada.

Brown was very outspoken in his feelings about slavery. He used his paper to promote anti-slavery. He described his attitude towards slavery in very simple terms. He said: "It is a question of humanity".

I think we must think of him too in terms of that side of his character and what he did in the whole area of abolishing slavery.

So in a formal way, on the 150th anniversary of his birth, I should like to express the gratitude of the people of Ontario today for what we have and what we are able to enjoy because of the efforts of this man.

There was a tribute expressed at the time of his death, which I might place in the record of this House this morning:

No country is more indebted to its leading statesman than Canada is to George Brown.

This is not the place to discuss party questions in a party spirit, but it is a place to point to the life and labours of one of whom our country may well feel proud. He has done the work of a giant. His name and the mighty deeds he wrought for Canada are his grandest monument.

Mr. Speaker, may we in our time be worthy of the country and of the attitudes that were shown by this man and his colleagues of those days in creating what we are privileged to enjoy today.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I am not used to hearing the Premier eulogizing Liberals and when he moved from George Brown to Oliver Mowat I thought for a moment he would have to begin counting on the fingers of his other hand.

Today, of course, is a specially important day for those of us representing Liberal principles and the Liberal Party in this House,

since the Premier has correctly stated that we consider George Brown the founder of our party, and certainly a hero in the development of public life in the province.

I would agree also with the Premier when he points out that George Brown took a major role in the events leading up to Confederation. It was his selfless decision to co-operate with John A. Macdonald, rather than continuing the rivalry that had been a part of public life for so long in Canada that really caused the change in spirit that made Confederation possible.

I know you will recall, sir that the resolution for the committee to examine the possibilities for Confederation had been moved by Brown, and he in fact was chairman of the committee of the House that had investigated it. It was this committee's report, put before the House and agreed upon by Macdonald and Brown, which the Premier has recounted, that led to the great events that founded our nation.

I hope all visitors to the House, and others who perhaps have not done so recently, will take the opportunity to look at the outstanding portrait of George Brown that is in the hall just outside this Chamber. It is surely one of the finest in existence; and it shows him to be a very handsome man indeed, with a taste in style, particularly his haircut, which would fit in very much with modern fashion.

I was talking to the Minister of Correctional Services (Mr. Grossman) just before the House began and he was saying that he was thinking of allowing his sideburns to grow in that fashion which I would say are most distinguished.

It was just, I think, two years ago, on examining the picture as I sometimes do when coming into the House that I found a hole punched in it and I thought perhaps one of the reactionary Progressive Conservatives, in thinking about those early days, had poked the tip of his umbrella through it. But I see that it was promptly and effectively repaired, because it is certainly one of the treasures we have in the halls of this particular building.

The Premier also has referred to the rivalry between John A. Macdonald and George Brown, which was a very real thing. It was not the sort of rivalry and animosity that was put aside when they left the House or when they left the platforms of public debate. I think it had a serious effect on the lives of both of them; and certainly on their parties and to some extent the course of public events in the united provinces of Canada before 1867. It was a great thing

indeed that the two men were able to put aside this personal animosity, although it often was just below the surface, even during the period of Confederation negotiations.

George Brown did climb to the top of the pile on one occasion and he probably has the distinction of being the Prime Minister in our history, in the general sense, who occupied office for the shortest time of all. Somehow or other he was always just one down to John A. Macdonald.

Macdonald of course had great influence with the majority of the members of the House and particularly those who had no political affiliation, whom Macdonald called "loose fish"; and he seemed to have a great aptitude for netting those loose fish on important votes. But there was one occasion in 1858 when his aptitude let him down. It was on a resolution that would provide for a fixed capital of the united provinces. In order to keep all sections of the country calm, John A. Macdonald had up until that time decreed that the capital would move on occasion from Kingston to Montreal and sometimes to Quebec City. We can think of the problems that members would experience in travelling to Quebec City on the one hand, or for the French members in coming to Kingston on the other. John A. Macdonald found what I would think would be a rather typical solution to this problem when he decided they had to have a fixed capital. Since he could not safely nor successfully solve the problem politically, he decided he would send a petition to the Queen herself to make the decision.

I have no doubt that he wrote her a private letter at the same time expressing his views, but when this resolution to put the problem to the Crown, to the sovereign, for solution was put before the House, George Brown quite properly opposed it. During the debate which followed, which was not too long, he was successful in having the House agree with his resolution that it should be decided by the members themselves. In fact the government was defeated on the resolution and Brown, being a worthy politician, immediately jumped to his feet and moved the adjournment of Parliament.

This, I suppose, is the classic way that the leader of the Opposition hammers the nail home once the government has been defeated in the House. It is a lesson, I suppose, that has stood us in good stead. I think a similar attempt was carried out in this House in 1944 or '45, and it might well have been the procedure in the House of Commons a few months ago.

The point is, however, that John A. Macdonald was sustained in defeating the motion to adjourn, and after the House rose that day Macdonald, being a very clever politician, an intelligent man and an able public servant, thought the situation over and in fact decided he would tender his resignation to the governor, even though he had been supported in the final motion of the day. The governor, of course, had no recourse but to select the leader of the Opposition to form a new administration, since the Prime Minister did not ask for dissolution.

It is interesting to note that in the communication from the governor to George Brown, he explicitly said that the governor's invitation to form a new administration did not carry with it any commitment that if there were difficulties subsequently the new Prime Minister would have the right to a dissolution.

So George Brown, who had been fighting in Opposition for so many years, decided that he would accept the invitation. He himself as Prime Minister, and his very small Cabinet, were sworn into office the Saturday or Sunday following the defeat in the Legislature on Friday. The following Monday the new administration was defeated in the House, before the Prime Minister and his Cabinet had an opportunity to occupy their seats, since the rules in those days, of course, required the Prime Minister to resign and stand for re-election before he accepted the extra emolument.

This is a rather unfortunate situation. It is referred to by historians as the double shuffle. Conservatives normally think of it as an occasion where John A. Macdonald put it over on George Brown once more; and the Liberals tend to think of the honest, straightforward approach to public affairs that was so characteristic of George Brown's career.

I do want to say something more specific about George Brown the man. The Premier has already indicated the tragic end of his life. He did experience many difficulties, although he was extremely successful in business and as an author, publisher and editor. Certainly in many ways he was successful in politics although his letters to his wife—many of the most interesting ones were published in today's *Globe and Mail*—are full of the feeling shared by some politicians now that surely there is a life that is better than the one that binds the politician to public affairs day and night.

It has been indicated by some historians that it was the moderation of the political fire in his belly that was responsible for his

ability to co-operate with John A Macdonald. This moderation can be traced to the fact that fairly late in life he met a Scottish girl and married her, and that he became so involved and appreciative of family life and the finer things of life, that perhaps his partisan stands were moderated somewhat.

He is normally considered not only a citizen of Canada, but one of the main citizens of Toronto in those days. However I think it should be remembered that he was also very much a citizen of the rural part of this province. His paper, the *Toronto Globe*, was referred to as the "Scotchman's Bible," before people became so careful about the pronunciation of the word "Scotsman". Happening to come from the township of Dumfries myself I can assure hon. members that he has many countrymen of similar views in my part of the world.

As a matter of fact he was the representative for North Oxford, a part of which I represent at this time, as well as a part of the county of Haldimand, from one time to another.

He also was most interested in the agricultural development of Ontario. He carved from the river flats near Brantford, a famous thousand-acre tract, still called Bow Park Farm, which he established as a model farm and to which experts from all over the world came to buy stock and to examine the new methods of agriculture that he fostered at that time. When I drive in from my own farm in that area day by day to Toronto I sometimes think of the many trips that he must have taken from the farm in Brantford to his responsibilities here in Toronto.

As a matter of fact, I was discussing this at the unveiling of a plaque to George Brown at Bow Park Farm this summer and a farmer who happened to be the reeve of Brantford township came up to me and showed me an old coin which had been passed to him by his father, and so on down the line, which had been given to one of the farmer's families years ago when he overtook George Brown on the way to the railway station in a rush trip down to Parliament. One of the horses in the team had dropped dead in its traces and Hon. Mr. Brown was marooned by the side of the road. The farmer had given him a lift into the station and George Brown had insisted on giving him some coins in payment and these coins have been passed down in the family ever since.

So while we think of George Brown as a great industrialist, a wealthy man, a man who appreciated the fine things of family life, and

a politician in many ways *par excellence*, because his political ability was tempered by the spirit of co-operation to which the Premier has already referred, we must never forget that his associations were with the rural community in Ontario as well and these were much appreciated and are still remembered.

Assessing his career, there is no doubt that he was the major influence in making, let us say one of the major influences, in making possible Canadian Confederation. He lived a full and strenuous life; happily sometimes, honestly always. In George Brown and his career we recognize a good man and a great Canadian.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, today we honour the memory of a man who in a very real sense can be described as the first Father of Confederation.

He conceived the idea. Ten years before its ultimate achievement, the dream of bringing together the British colonies of North America into one nation captured his imagination and he promoted that dream when most people, including Sir John A. Macdonald, were unconvinced or even opposed.

Events conspired to support him in his promotion. The politics of the United Canadas were increasingly deadlocked. The British colonies were threatened by the American republic, aroused by its own civil war. As the 1860's wore on, many came to accept George Brown's dream as the only solution to the political impasse at home and to the external threat from abroad.

Men like Sir John A. Macdonald were won over to his view and with his consummate skills, Sir John A., became the architect of its realization. It is one of those episodes of our history, Mr. Speaker, that was high political drama. As the Prime Minister has indicated, two men of bitter political animosities buried their differences and their act of statesmanship did much to galvanize the divided peoples and pave the way for the creation of a new nation.

Vu dans la perspective de plus de cent ans, il y a un aspect de la carrière de George Brown qui mérite un nouvel examen.

Quand le Canada Uni fut établi en 1841, le Canada Est avait une plus grande population que le Canada Ouest. Mais avec le passage des années ce fut le Canada Ouest qui devint le plus peuplé des deux. George Brown préconisait la "représentation par population", un mouvement politique qui recherchait une plus grande représentation politique pour l'Ontario.

Il était inévitable que la poursuite ardente

d'une telle cause gagnerait pour George Brown la réputation d'être anti-canadien français. Et il est certain que George Brown n'est pas aujourd'hui considéré comme héros du Canada français.

Mais je voudrais suggérer, Monsieur l'Orateur, qu'en réalité George Brown n'était pas anti-français. Le principe qu'il soutenait était un principe fondamental de la démocratie.

Peut-être que la meilleure preuve de son attitude envers le Canada français se trouve dans le fait qu'il appuyait avec tenacité le concept d'union fédérale qui permettrait aux Canadiens français au Québec et aux Canadiens anglais en Ontario d'être maîtres chez eux en formant une nation nouvelle et unie.

Au cours des premiers débats de la Confédération, Sir John A. Macdonald aborda l'idée d'un état unitaire, ce qui aurait certainement produit l'assimilation du Canada français dans une population croissante anglaise. Grâce à sa lutte implacable en faveur d'union fédérale, George Brown remporta la victoire qui devait créer les conditions dans lesquelles le Canada français pourrait survivre.

Many things have been said this morning, Mr. Speaker, about George Brown, and I shall not repeat them. The flavour of the man's ideas and the substance of those ideas, it always seemed to me, can best be gotten in that magnificent speech of his during the Confederation debates, perhaps the most significant political speech in Canadian political history. I would like to quote a few brief passages from that speech, Mr. Speaker.

I know it is rather impossible to recapture the original flavour. May I remind members of the House that it was delivered in the Parliament buildings in Quebec City in February of 1864. And this is the account of it from the official biographer, or the most definitive biographer, J. M. S. Careless.

He stood in his place at the forefront of the government benches and he looked out at the hushed assembly of the two Canadas, the packed shadowy galleries beyond, and beyond again the snows of Quebec and the iron-hard St. Lawrence. "The scene presented by this chamber at this moment," he said with quiet emotion, "I venture to affirm has few parallels in history. One hundred years have passed away since these provinces became by conquest part of the British Empire. I speak in no boastful spirit—I desire not for a moment to excite a painful thought. What was then the fortunes of war of the brave French nation might have been ours on that well fought field.

"I recall those olden times merely to mark the fact that here sit today the descendants of the victors and the vanquished in the fight of 1759 with all of the differences of language and religion, civil law and social habit, nearly as distinctly marked as they were a century ago. Here we sit today, seeking amicably to find a remedy for the constitutional evils and injustices complained of—by the vanquished?—No, but complained of by the conquerors!

"Here sit the representatives of the British population claiming justice, only justice; and here sit the representatives of the French population discussing, in the French tongue, whether we shall have it.

"One hundred years have passed away since the conquest of Quebec, but here sit the children of the victor and the vanquished, all avowing hearty attachment to the British Crown, all earnestly deliberating how we shall best extend the blessings of British institutions, how a great people may be established on this continent in close connection with Great Britain. Where in the pages of history shall we find a parallel for this?

"Look at the map," he urged. There was Newfoundland the size of Portugal; Nova Scotia as big as Greece; New Brunswick as big as Switzerland and Denmark combined; here, Lower Canada as large as France; Upper Canada larger than the British Isles; and beyond British Columbia equal to the Austrian Empire in extent—and the Northwest greater than the whole European realm of Russia.

"The bold scheme in your hands is nothing else than to gather all these countries into one—to establish a government that will seek to turn the tide of European emigration into this northern half of the American continent—that will strive to develop its great natural resources—and that will endeavour to maintain liberty and justice and Christianity throughout the land."

And he went on, Mr. Speaker, saying to people that if they rejected the Quebec resolutions they had the obligation not only to present alternatives, but alternatives that were acceptable. He built his case with what one chronicler of the times described as a "prodigious power". And he came to the close, as Careless says,

In deeper, quieter tones once more he appealed for fair consideration. "Let not hon. gentlemen approach this measure as

a sharp critic deals with an abstract question striving to point out blemishes and display his ingenuity, but let us approach it as men having but one consideration before us; the establishment of the future peace and prosperity of our country."

And then came the peroration:—"It may be that some among us will live to see the day when a great and powerful people may have grown up on these lands and when one united government under the British flag shall extend from shore to shore. But who would desire to see that day if he could not recall with satisfaction the part he took in the discussion.

"I have done," he ended simply, "I leave the subject to the conscientious judgment of the House."

A speech, Mr. Speaker, which provoked thunderous applause; applause, I suggest, which is echoed down through the years and which has been shared in by every Canadian who has read it and drawn inspiration from it.

One of the leading Quebec papers said that it was the best of the ministerial speeches and it added:

Si nous étions haut-canadien, nous élèverions une statue de bronze à ce redoutable politicien.

If we were Upper Canadian we would raise a statue of bronze to this redoubtable politician.

Well Mr. Speaker, we have raised a statue of bronze. This morning we are going out to lay a wreath at its base—to commemorate the life of a man who was a giant in his day, who caught the original vision of this nation and did so much to translate that vision into a reality which we have inherited.

As we strive to reshape confederation today, may we be worthy of those who first created it.

Hon. Mr. Roberts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.00 o'clock, a.m.



## APPENDIX

ALPHABETICAL LIST OF THE MEMBERS OF THE  
LEGISLATIVE ASSEMBLY OF ONTARIO

(117 Members)

*Second Session — Twenty-Eighth Parliament*

Speaker: Hon. Fred McIntosh Cass, Q.C.

Clerk of the House: Roderick Lewis, Q.C.

Member	Party	Constituency	Post Office Address
Allan, James N. ....	P.C. ....	Haldimand-Norfolk ....	411 Maple St., Dunnville
Apps, Syl .....	P.C. ....	Kingston and the Islands .....	241 Alwington Place, Kingston
Auld, Hon. James A. C. ....	P.C. ....	Leeds .....	Parliament Bldgs., Toronto
Bales, Hon. Dalton .....	P.C. ....	York Mills .....	Parliament Bldgs., Toronto
Belanger, J. Albert .....	P.C. ....	Prescott and Russell ....	Sarsfield
Ben, George .....	L. ....	Humber .....	1134 Dundas St. W., Toronto 3
Bernier, Leo .....	P.C. ....	Kenora .....	Hudson
Boyer, Robert J. ....	P.C. ....	Muskoka .....	620 University Ave., Toronto
Braithwaite, Leonard A. ....	L. ....	Etobicoke .....	Suite E., 1500 Royal York Rd., Weston
Breithaupt, J. R. ....	L. ....	Kitchener .....	90 Church St., Kitchener
Brown, John L. ....	N.D. ....	Beaches-Woodbine ....	339 Millard Ave., Newmarket
Brunelle, Hon. Rene .....	P.C. ....	Cochrane North .....	Parliament Bldgs., Toronto
Bukator, George .....	L. ....	Niagara Falls .....	Box 280, Chippawa
Bullbrook, James E. ....	L. ....	Sarnia .....	881 Tudor Close, Sarnia
Burr, Fred A. ....	N.D. ....	Sandwich-Riverside ....	4005 Howard Ave., Windsor
Carruthers, Alex .....	P.C. ....	Durham .....	Garden Hill
Carton, Gordon R. ....	P.C. ....	Armourdale .....	217 Sandringham Dr., Downsview
Cass, Hon. Fred McIntosh .....	P.C. ....	Grenville-Dundas .....	Parliament Bldgs., Toronto
Connell, Hon. T. Ray .....	P.C. ....	Wentworth North .....	Parliament Bldgs., Toronto
Davis, Hon. William G. ....	P.C. ....	Peel North .....	Parliament Bldgs., Toronto
Davison, Norm .....	N.D. ....	Hamilton Centre .....	100 Delaware Ave., Hamilton
Deacon, D. M. ....	L. ....	York Centre .....	Glenburn Farms, Unionville
Deans, Ian .....	N.D. ....	Wentworth .....	38 Beaconsfield Dr., Hamilton
Demers, Gaston .....	P.C. ....	Nickel Belt .....	Chelmsford
De Monte, Dante M. ....	L. ....	Dovercourt .....	29 South Kingslea Dr., Toronto 18
Downer, Rev. A. W. ....	P.C. ....	Dufferin-Simcoe .....	Box 239, Parliament Bldgs., Toronto
Dunlop, Edward .....	P.C. ....	York-Forest Hill .....	45 Charles St. E., Toronto 5
Dymond, Hon. Matthew B. ....	P.C. ....	Ontario .....	Parliament Bldgs., Toronto
Edighoffer, Hugh .....	L. ....	Perth .....	147 Nelson St., Mitchell
Evans, D. Arthur .....	P.C. ....	Simcoe Centre .....	Box 87, Bradford
Farquhar, Stan .....	L. ....	Algoma-Manitoulin ....	Box 421, Elliot Lake
Ferrier, Rev. William .....	N.D. ....	Cochrane South .....	292 Cedar St. N., Timmins

Member	Party	Constituency	Post Office Address
Gaunt, Murray	L.	Huron-Bruce	Wingham
Gilbertson, Bernt	P.C.	Algoma	R.R. #1, Richards Landing
Gisborn, Reg	N.D.	Hamilton East	26 Martin Rd., Hamilton
Gomme, Hon. George E.	P.C.	Lanark	Parliament Bldgs., Toronto
Good, Edward R.	L.	Waterloo North	175 Tennyson Place, Waterloo
Grossman, Hon. Allan	P.C.	St. Andrew-St. Patrick	Parliament Bldgs., Toronto
Guindon, Hon. Fernand	P.C.	Stormont	Parliament Bldgs., Toronto
Haggerty, Ray	L.	Welland South	R.R. #1, Sherkston
Hamilton, Maurice	P.C.	Renfrew North	R.R. #5, Pembroke
Haskett, Hon. Irwin	P.C.	Ottawa South	Parliament Bldgs., Toronto
Henderson, Lorne C.	P.C.	Lambton	R.R. #3, Oil Springs
Hodgson, R. Glen	P.C.	Victoria-Haliburton	P.O. Box 240, Haliburton
Hodgson, William	P.C.	York North	R.R. #1, Kettleby
Innes, Gordon W.	L.	Oxford	R.R. #1, Woodstock
Jackson, Donald	N.D.	Timiskaming	Box 333, Kirkland Lake
Jessiman, James	P.C.	Fort William	127 South May St., Fort William
Johnston, Allister	P.C.	Parry Sound	South River
Johnston, R. M.	P.C.	St. Catharines	10 Canal St., St. Catharines
Johnston, W. Erskine	P.C.	Carleton	Carp
Kennedy, R. Douglas	P.C.	Peel South	2065 Camilla Rd., Cooksville
Kerr, George A.	P.C.	Halton West	377 Brant St., Burlington
Knight, Ron H.	L.	Port Arthur	Duke's Trailer Court, R.R. #3, Port Arthur
Lawlor, Patrick D.	N.D.	Lakeshore	154 Lake Promenade, Toronto 14
Lawrence, A. B. R.	P.C.	Carleton East	90 Sparks St., Suite 500, Ottawa 4
Lawrence, Hon. Allan F.	P.C.	St. George	Parliament Bldgs., Toronto
Lewis, Stephen	N.D.	Scarborough West	342 Millard Ave., Newmarket
MacDonald, Donald C.	N.D.	Yorh South	Parliament Bldgs., Toronto
MacKenzie, Harold	L.	Ottawa Centre	Box 1279, R.R. #2, Ottawa
MacNaughton, Hon. C. S.	P.C.	Huron	Parliament Bldgs., Toronto
Makarchuk, Mac	N.D.	Brantford	15 Lynnwood Dr., Apt. 601, Brantford
Martel, Elie W.	N.D.	Sudbury East	46 Ferguson St., Capreol
Meen, Arthur K.	P.C.	York East	95 Lord Seaton Rd., Willowdale
Morin, Jules	P.C.	Ottawa East	101 Wurtemberg, Ottawa
Morningstar, Ellis P.	P.C.	Welland	97 Alberta St., Welland
Morrow, Donald H.	P.C.	Ottawa West	2975 Richmond Rd., Ottawa 14
McKeough, Hon. W. Darcy	P.C.	Chatham-Kent	Parliament Bldgs., Toronto
McNeil, R. K.	P.C.	Elgin	R.R. #2, Springfield
Newman, Bernard	L.	Windsor-Walkerville	1290 Ypres Blvd., Windsor
Newman, William	P.C.	Ontario South	Balsam P.O.
Nixon, Robert F.	L.	Brant	Parliament Bldgs., Toronto
Olde, Neil L.	P.C.	Middlesex South	Melbourne

Member	Party	Constituency	Post Office Address
Paterson, Donald A.	L.	Essex South	1 Georgia Ave., Leamington
Peacock, Hugh	N.D.	Windsor West	1555 Pelissier St., Windsor
Pilkey, Clifford G.	N.D.	Oshawa	801 Regent Dr., Oshawa
Pitman, W. G.	N.D.	Peterborough	1364 Gordon Ave., Peterborough
Potter, Dr. R. T.	P.C.	Quinte	276 Charles St., Belleville
Price, Henry J.	P.C.	St. David	27 Bloor St. E., Toronto 5
Pritchard, Mrs. Ada	P.C.	Hamilton West	93 Bold St., Suite 904, Hamilton
Randall, Hon. Stanley J.	P.C.	Don Mills	Parliament Bldgs., Toronto
Reid, T. Patrick	L-Lab.	Rainy River	P.O. Box 187, Fort Frances
Reid, Tim	L.	Scarborough East	38 Guildcrest Dr., Scarborough
Reilly, Leonard M.	P.C.	Eglinton	639 Yonge St., Toronto 5
Renwick, James	N.D.	Riverdale	Suite 15, 20 St. Dennis Dr., Don Mills
Renwick, Mrs. Margaret	N.D.	Scarborough Centre	Suite 15, 20 St. Dennis Dr., Don Mills
Reuter, Allan E.	P.C.	Waterloo South	45 Main St., Galt
Robarts, Hon. John P.	P.C.	London North	Parliament Bldgs., Toronto
Rollins, Clarke T.	P.C.	Hastings	R.R. #1, Bancroft
Root, John	P.C.	Wellington-Dufferin	Orton
Rowe, Russell D.	P.C.	Northumberland	546 Lakeshore Rd., Cobourg
Rowtree, Hon. H. Leslie	P.C.	York West	Parliament Bldgs., Toronto
Ruston, Richard F.	L.	Essex-Kent	Box 4, South Woodslee
Sargent, Eddie	L.	Grey-Bruce	868-2nd Ave. E., Owen Sound
Shulman, Dr. Morton	N.D.	High Park	378 Roncesvalles Ave., Toronto 3
Simonett, Hon. J. R.	P.C.	Frontenac-Addington	Parliament Bldgs., Toronto
Singer, Vernon M.	L.	Downsview	111 Richmond St. W., Suite 603, Toronto 1
Smith, Gordon E.	P.C.	Simcoe East	P.O. Box 128, Orilia
Smith, John R.	P.C.	Hamilton Mountain	42 Sunninghill Ave., Hamilton
Smith, Richard S.	L.	Nipissing	676 McIntyre St. W., North Bay
Snow, James W.	P.C.	Halton East	589 Argus Rd., Oakville
Sopha, Elmer W.	L.	Sudbury	Box 1206, Sudbury
Spence, John P.	L.	Kent	Muirkirk
Stewart, Hon. William A.	P.C.	Middlesex North	Parliament Bldgs., Toronto
Stokes, J. E.	N.D.	Thunder Bay	Box 62, Schreiber
Trotter, James B.	L.	Parkdale	227 Riverside Dr., Toronto 3
Villeneuve, Osie F.	P.C.	Glengarry	Box 27, Maxville
Welch, Hon. Robert	P.C.	Lincoln	Parliament Bldgs., Toronto
Wells, Hon. Thomas L.	P.C.	Scarborough North	Parliament Bldgs., Toronto
White, Hon. John H.	P.C.	London South	Parliament Bldgs., Toronto
Whitney, Norris	P.C.	Prince Edward-Lennox	R.R. #1, Consecon
Winkler, Eric A.	P.C.	Grey South	Hanover
Wishart, Hon. Arthur A.	P.C.	Sault Ste. Marie	Parliament Bldgs., Toronto
Worton, Harry	L.	Wellington South	15 Queen St., Guelph
Yakabuski, Paul J.	P.C.	Renfrew South	Box 219, Barry's Bay
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Young, Fred	N.D.	Yorkview	717 Woburn Ave., Toronto 12

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HON. GEORGE ELLIS GOMME .....	<i>Minister of Highways</i>
HON. RENE BRUNELLE .....	<i>Minister of Lands and Forests</i>
HON. DALTON ARTHUR BALES, Q.C. ....	<i>Minister of Labour</i>
HON. ROBERT STANLEY WELCH, Q.C. ....	} <i>Provincial Secretary and Minister of Citizenship</i>
HON. THOMAS LEONARD WELLS .....	<i>Minister without Portfolio</i>
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The quorum of the said committee to consist of five members.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 2, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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MONDAY, DECEMBER 2, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have with us in the galleries students from several schools. In the east gallery from the T. L. Kennedy Collegiate Institute in Cooksville and Emery Junior High School in Weston; and in the west gallery from Macville Public School in Bolton.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the annual report of the Hydro Electric Power Commission of Ontario 1967.

**Mr. Speaker:** Motions.

Introduction of bills.

## GOVERNING BODIES OF UNIVERSITIES

**Mr. T. Reid** (Scarborough East) moves first reading of bill intituled, An Act to provide for the governing bodies of universities.

Motion agreed to; first reading of the bill.

**Mr. T. Reid:** Mr. Speaker, the bill reconstructs the governing bodies of universities, replacing boards of governors and senates with one governing council having democratic representation of undergraduate and post-graduate students, faculty members, alumni, who would include the public community, and the administrative staff and including other appointed and ex-officio members representing governmental links.

Mr. Speaker, the purpose is to defuse the explosion building up on a university campus by instituting some reforms now.

## THE OPHTHALMIC DISPENSERS ACT, 1960-1961

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Ophthalmic Dispensers Act, 1960-1961.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to prevent the sale of glasses in Ontario which have flammable frames.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question for the Prime Minister.

Will the Premier take steps to see that the standing committees of the House will be convened within the next few days so that the members of the committees will have an opportunity to indicate to the chairman their views on the work that their committees should undertake, besides simply the reviewing of bills, and that such decisions on the programme of work for the individual committees that are arrived at can be set in motion?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, the Clerk of the House is in the process of organizing the committees and I assume they will all be set up within the next few days.

I would just like to point out that legislation and the way we deal with it in this House is the main purpose of being here, and of course this must be the primary function of the committees. There is no reason why these committees cannot do in their wisdom whatever they decide when there is no legislation before them.

The private bills committee will be dealing with private bills and the legal bills committee will be dealing with The Expropriations Act. Those two committees will take quite a few of the members; but in any event the committees will be organized and ready to function, I would think within a week.

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Tourism and Information.

1. Has the Ontario Heritage Foundation, whose purpose it is to protect historic buildings in our province, taken any steps to purchase Lambton Lodge, on Beverley Street, the home of George Brown; and Earnscliffe in Ottawa, the home of Sir John A. Macdonald?

2. Since the George Brown home is located in close proximity to the George Brown

College, has any thought been given to purchasing this fine property so that it can be preserved and developed to serve the needs of that growing institution?

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, in connection with the first question I would just explain to the leader of the Opposition that the George Brown house on Beverley Street is part of a larger property which is presently owned by the Metropolitan Toronto corporation and is leased to the retarded children's association for one dollar a year.

The property—that is the original Brown house and the land on which it originally stood—is one part of this entire property. There were some additions made to it over the years. We have been having discussions with Metropolitan Toronto at this point, on an informal basis, about the acquisition of this property and the possible leasing of it again to the retarded children's association until they find other suitable quarters.

There is a problem here of just how much property would be acquired, what would be done with the excess in the future and so on. I have also discussed this with the Minister of Indian Affairs and Northern Development, who has indicated to the heritage foundation and to the province that the federal government would be prepared to join with the province in acquisitions of properties of national historic importance.

As far as Earncliffe is concerned, the Ontario Heritage Foundation has not been involved in its acquisition. I understand it is presently the residence and office of the British High Commissioner, although there were several inquiries made about that several years ago.

If we are able to acquire this property—if the funds are available—the chances are, I would expect from what the Ontario Heritage Foundation has indicated, that it would be acquired and then leased, as I said, to the Retarded Children's Association but preserved so that at some time it might be used for some other purpose more associated with the memory and the affairs of the Hon. George Brown.

I hope that answers the questions of the leader of the Opposition. There are, as he can understand, some problems in these things where a number of jurisdictions are involved.

**Mr. Nixon:** Mr. Speaker, if I might just ask a supplementary question. Is the Minister aware through communications which the Ontario Heritage Foundation might have had

with Metropolitan Toronto that this is, in fact, a site which would be extremely valuable for razing and replacing with high-rise apartments? I have heard it indicated that it is within the realm of possibility that this particular property might be put to that use. It would certainly be a shame if the heritage foundation lost an opportunity to acquire it and let it go, thinking that because it was presently owned by Metropolitan Toronto it was going to be upgraded as an historic site.

**Hon. Mr. Auld:** I am not aware that any specific approach has been made to Metro to put it up for sale, but I think I can assure the leader of the Opposition that we are cognizant of its importance—that the heritage foundation is—and I would doubt that Metro would do anything without letting us know because they have been aware for some time of our interest.

**Mr. Nixon:** Mr. Speaker, I have two questions for the Minister of Energy and Resources Management, one remaining from last week when the Minister was absent. If I might put them he might answer them all at one time since they have to do with Ontario Hydro.

1. What are the projected electrical energy requirements for Ontario in December, and can the Minister assure the House that all electrical commitments and requests will be met over the month of December?

2. What will be the effect of the protracted strike of Consolidated Edison workers on power-sharing arrangements between Ontario Hydro and the Niagara Mohawk Power Corporation if the North East Power Co-ordinating Council directs either Ontario Hydro or Mohawk-generated power into Westchester county or New York City?

3. In what circumstances may Hydro decline to supply power to the international grid?

4. With supervisory rather than technical personnel control in New York City, is there any possibility of a repetition of a widespread blackout of November 9, 1965; is there still a possibility of equipment damage due to load demands from New York State?

5. Under what authority does Ontario Hydro enter into international agreement and understanding?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, in answer to the first question, No. 188, the first part: It is anticipated that the peak requirement for electrical energy for the total

Ontario system of Ontario Hydro will be approximately 10 million kilowatts in December.

The second part: No one can guarantee an uninterrupted supply of energy at any time. Nevertheless, barring abnormal contingencies, Ontario Hydro expects to be able to meet its commitments.

On the second question, question No. 207, the first part: The North-East Power Coordinating Council is a voluntary association and has no authority to direct its members to allocate power in any way. Hydro may decline to supply power to any interconnected system under any circumstances which make such action desirable from its viewpoint.

The second part of that question: Hydro has no reason to believe that operation of the Consolidated Edison's system by supervisory personnel will increase the possibility of a wide-spread blackout such as that of November 9, 1965. Ontario Hydro cannot foresee any reason why equipment on its system should be damaged by New York load demands.

The third part of the question: Ontario Hydro enters into international agreements and understandings relating to the exchange of power and energy under the authority granted by the Lieutenant Governor of Ontario in Council, the National Energy Board of Canada, and in some respects the International Joint Commission.

**Mr. Nixon:** Mr. Speaker, I might ask a supplementary question of the Minister: Has a warning gone out from Ontario Hydro, similar to that which was sent out last year, indicating that the peak demands over December, which are usually the highest for the year, might possibly cause some special difficulties in the meeting of these requirements?

**Hon. Mr. Simonett:** Mr. Speaker, the answer is yes!

**Mr. Nixon:** I would like to follow that up with a further question of the Minister. Am I right in assuming, Mr. Speaker, that the situation is very similar to what it was at this time a year ago?

**Hon. Mr. Simonett:** Mr. Speaker, I do not know whether I can answer that question. I think that at one time it was felt there would be ample power this year, but due to technical problems in one of our plants, which they hope will be remedied, perhaps this week—but if not we could have a problem for a short time.

**Mr. Nixon:** Could the Minister tell us which plant that is?

**Hon. Mr. Simonett:** Mr. Speaker, I understand that it is one unit at Lakeview and has to do with broken blades in a steam turbine.

**Mr. Nixon:** I have a question, Mr. Speaker, for the Minister of Health. Has the Minister of Health received representation from the township of Osgoode concerning air pollution; and if so what action is the Minister planning to take in the township of Osgoode and the county of Carleton?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, the only communication we had from the township of Osgoode concerning possible air pollution had to do with road dust. Since the council was complaining and since we felt that they had responsibility to keep road dust down, they could deal with their own problem, and they were so advised.

**Mr. Nixon:** Might I ask the Minister, Mr. Speaker, if he sent no one down there from the air pollution control branch?

**Mr. Speaker:** The hon. member for Yorkview has a question for the Minister of Trade and Development which he might place in view of the fact the Minister must leave shortly.

**Mr. F. Young (Yorkview):** Mr. Speaker, a question of the Minister of Trade and Development: In the land acquisition by the Ontario Housing Corporation in Waterloo county, how many acres were acquired from: one, Renmore Development Limited; and two, McDonald Sutherland Industries Limited?

What legal firm or firms acted for the Ontario Housing Corporation in these transactions?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, the answer to the first question is 345.8 acres; and the answer to the second part is 2,432.

The legal firm which acted for the Ontario Housing Corporation on these transactions was McGibbon, Harper and Haney, 45 Erb Street East, Waterloo, Ontario.

**Mr. Speaker:** Today I would propose to have the questions answered by Ministries in order of precedence. In the last question period last week we did it by members, and until we have a decision on how to do it, I propose to alternate.

The hon. member for Sudbury East has a question from last Thursday for the Minister of Health.

**Mr. E. W. Martel (Sudbury East):** I have a question for the Minister of Health: Has the Minister received any complaints from workers at the Fecunis mill to the effect that dead fish have been removed on several occasions from the water intake pipe and that the water is almost undrinkable?

Is the Minister aware of the company's attitude in this matter, which was expressed in a letter to the union?

The company appreciates that there is somewhat of a problem with the taste of the Fecunis water; however any change in the present water system would necessitate a very considerable expenditure.

What action will the Minister take to rectify this matter?

**Hon. Mr. Dymond:** Mr. Speaker, I have not had any such communication.

**Mr. Martel:** A supplementary question: Would the Minister then accept a sample of this water and have it analyzed to determine what the problems are and have this matter rectified?

**Hon. Mr. Dymond:** I would suggest that the community likely knows where the water sample should go, sir. Our labs are always ready to deal with those things as they are referred to them.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question from last week.

**Mr. B. Newman (Windsor-Walkerville):** In view of the recent announcement by the Ford Motor Company indicating that the company intends to increase its industrial activity by a very extensive expansion of production in Windsor, would the Minister of Health inform the House whether there have been consultations with the company to determine the effect of such expansion on air pollution in the Windsor area? If so, would he tell the House whether plans have been submitted by the Ford Motor Company and approved by him to abate the danger of a substantial increase in pollution?

**Hon. Mr. Dymond:** Mr. Speaker, we have just opened our office in the Windsor-Essex area and I expect the regulation will be passed this week taking over responsibility for air pollution control in that area.

We have had no formal application from the Ford Motor Company so far, but we have been in consultation with them and have indicated to them what will be required of them before they can expand the plant.

**Mr. B. Newman:** Thank you.

**Mr. Speaker:** The member for Humber.

**Mr. G. Ben (Humber):** Yes, Mr. Speaker, I have a number of questions to ask of the hon. Minister. First, has the Joe Gawa Motel at Gravenhurst been purchased as a nursing home?

If so, is that building satisfactory for such a home? Is it a satisfactory location? What was the cost of purchase per square foot? What is the cost of changes required to convert into a nursing home?

**Hon. Mr. Dymond:** Mr. Speaker, the answer to one, two and three is "yes".

The answer to four and five is that this is a private transaction and I have no idea whatsoever of the cost involved, we have nothing to do with that.

**Mr. Ben:** I have another series of questions.

Does the Minister agree with the definition of "death" which was released by the Canadian Medical Association on Thursday, November 28, 1968?

Have there been any discussions with federal officials regarding the definition of death?

Does the Minister agree with the Canadian Medical Association that in the case of a transplant operation where death occurs that two physicians, independent of the transplant team, must determine death?

**Hon. Mr. Dymond:** Mr. Speaker, the definition of "death" is very much to the fore at the present time. It is a combined medical and legal question and it is being discussed with medical and legal advisors. Until we have some guidance from our advisors in these fields, no discussion will be had with the federal government. When we have such advice, then we will enter into discussions with our federal counterparts.

**Hon. A. Grossman (Minister of Correctional Services):** You are dead when you are dead!

**Mr. Ben:** Will the Minister accept a supplementary question?

In view of the Minister's statement, to which I subscribe, should the Canadian Medical Association be making the statements they did in the press over the weekend pertaining to their definition of death?

**Hon. Mr. Dymond:** Mr. Speaker, I can think of no more appropriate body to offer public definition of "death", since one's death certificate can be signed only by a qualified



physician. I can think of no body better qualified to define "death" than are my colleagues in the profession.

**Mr. E. W. Sopha (Sudbury):** This government is more qualified to define death.

**Mr. Ben:** Well why wait for a legal opinion if the Minister considers them to be the qualified body to make the definition?

**Hon. Mr. Dymond:** Mr. Speaker, I think the hon. member wants to become a little facetious and enter into a discussion.

We all know the reason for a new or modern or changed definition of death. I think every doctor knows when his patient is dead and yet, in the light of things that are transpiring today in medical science, I think it is quite necessary that this whole question be reviewed; if for no other reason than for academic interests.

**Mr. Ben:** How about that woman they revived at the coroner's office?

**Mr. Speaker:** The hon. member for Downsview.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, I have two questions for the Minister of Health.

Would the Minister provide this House with details of the investigation by his department into the circumstances surrounding the death of Whitby Psychiatric Hospital patient George Manning?

Secondly, what are the regulations of the Whitby Psychiatric Hospital concerning patients' smoking?

**Hon. Mr. Dymond:** Mr. Speaker, I have learned this morning that an inquest is likely to be ordered into his death, and therefore it would be quite inappropriate for me to comment upon the results of the department's investigation.

The rules in respect of smoking at Whitby Psychiatric Hospital are: Smoking permitted only in designated areas. Patients are not permitted to smoke in bed and the patients are not permitted to carry matches.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Health.

Will the Minister in conjunction with the Minister of Social and Family Services (Mr. Yaremko) recommend to the Cabinet that Essex county be assisted in building a rest home or another home for the aged to alleviate the extreme shortage of facilities for senior citizens needing some form of bed

care not available to them in local hospitals in the county?

Part two, would the Minister agree that if rest homes were available the need for continued expansion of our hospitals may be avoided to some extent?

I have another question and probably he could take it at the same time.

Has the Minister considered the matter of paying 100 per cent of Ontario Medical Association fees through OMSIP in order to avoid an increase in fees as announced recently by the Ontario Medical Association?

**Hon. Mr. Dymond:** Mr. Speaker in answer to the hon. member's first question: My department has nothing to do with the provision or approval of domiciliary care facilities, so I think this question should rightfully be placed with the Minister of Social and Family Services.

In respect to question 192: Yes, I have considered this possibility, but I do not think that it should naturally follow that the action anticipated by the hon. member would be followed by the Ontario Medical Association.

**Mr. Ruston:** I have a supplementary question, Mr. Speaker. Does the Minister believe that the medical profession is being fair in accepting 90 per cent of their rates for some of their services while at the same time accepting 100 per cent from other payees?

**Hon. Mr. Dymond:** Mr. Speaker, I did not get the hon. member's question. Would he like to ask it again?

**Mr. Ruston:** Does the Minister believe the medical profession is being fair in accepting 90 per cent of their rates for some of their services while—at the same time—accepting 100 per cent from other sources?

**Hon. Mr. Dymond:** Mr. Speaker, I am neither qualified nor permitted to answer for the Ontario Medical Association.

**Mr. Speaker:** I still have questions to be asked of the Minister of Health. The member for Humber has a question of the Minister of Social and Family Services.

**Mr. Ben:** Mr. Speaker, does the Minister of Social and Family Services rate higher in priority than the Minister of Education (Mr. Davis)?

**Mr. Speaker:** Yes, indeed. If you would consult the table of precedence in the Executive Council.

**Mr. Ben:** What is the parental cost of maintaining a child under the children's aid society? How many children from the Ontario housing complex at Thistle town have become wards of the children's aid society during the past two years?

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, \$1,780; and 49.

**Mr. Ben:** Forty-nine cents?

**Hon. Mr. Yaremko:** No, that is 49 children. Again, \$1,780 even; and 49 children.

**Mr. Ben:** Mr. Speaker, may I ask a supplementary question?

**Hon. Mr. Yaremko:** Yes?

**Mr. Ben:** Does the Minister know how many of the 49 are still wards of the children's aid society?

**Hon. Mr. Yaremko:** I will have to check into it. That is the figure for the past two years.

**Mr. Speaker:** The hon. member for Waterloo North has a question for the Minister of Financial and Commercial Affairs.

**Mr. E. R. Good** (Waterloo North): A question, Mr. Speaker, for the Minister of Financial and Commercial Affairs: What was the total cost to the province of Ontario for the consumer affairs conference held at the Coronet Motel, Kitchener, early this November?

Secondly, why was no registration fee charged to help defray the cost of dinner and entertainment?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, the total cost to the province of the consumer affairs conference held at the Coronet Motel in Kitchener on November 12 to 13, was approximately \$4,270.

In order to answer the second part of the question, Mr. Speaker, it is necessary to elaborate briefly on the intent of the conferences. The programme, which began early this year with a conference at the Lakehead and has included others at Woodstock, North Bay and Kingston—prior to the most recent and largest at Kitchener—has a bilateral intent.

In the department we are, on the one hand, seeking to disseminate and distribute information to a cross-section of the buying and selling public, and at the same time we

wish to accumulate as much information for our own purposes as possible from those who attend. Simply put, we recognize that the entire area of consumer affairs has become more complex and diverse in the past few years than at any time in our history, and though we have had consumer-oriented legislation in Ontario dating back to the early 1930s, much of our consumer law is of recent vintage.

It is because we accept that the public cannot always be expected to be aware of every change that happens and because consumer legislation affects all of our citizens that we embarked on a programme to try to educate as many people as possible.

When we went to Kitchener, as at the other centres mentioned, our aim was to tell our story and at the same time listen and learn from those present.

In effect, we said: Here is our programme. We want you to know about it. We hope you will carry its content back to your neighbours and organizations. We hope also that you will tell us your views and suggestions with respect to where we might improve our present approach.

Having invited people to take part, disseminate information and give their views, it was decided that we should, in fact, treat them as guests of the province for this purpose. That is why—as we have proceeded through this first phase of a pilot project to involve the people in our activities—we have not seen fit to charge a registration fee. Officials of The Department of Financial and Commercial Affairs are presently evaluating this first phase of our educational programme.

A decision based on this study will determine whether we should proceed with this approach, or if some other method should be adopted to make the public aware of its consumer rights and responsibilities under the laws of Ontario.

**Mr. Good:** Thank you.

Would the Minister answer a supplementary question? Does he have the figures of the number of people registered?

**Hon. Mr. Rowntree:** It was approximately 500.

**Mr. Speaker:** The hon. member for Yorkview had a question of the hon. Minister of Transport.

**Mr. Young:** Mr. Speaker, in view of the charge by Ralph Nader that tires manufactured by six major tire firms failed to meet

the standard set up by the United States government, what assurance have we that tires being sold in Ontario are meeting our standards?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, tire safety standards were first adopted in Ontario on February 13, 1967, and subsequently the new Canadian Standards Association performance specifications were made effective on July 1, 1968, after we had initiated arrangements with all other provinces that would allow them to take uniform and simultaneous action.

We have had no complaint under either set of standards that I am aware of. I might add, sir, that the Canadian Rubber Association is under direction to report immediately to me any such complaints that it may receive.

**Mr. Young:** Could I ask a supplementary question through you, Mr. Speaker? Is The Department of Transport doing any tests in respect to the standards of this province?

**Hon. Mr. Haskett:** Mr. Speaker, no.

**Mr. Speaker:** The hon. member for Humber has a question from last week of the Minister of Education.

**Mr. Ben:** How many adults have completed the course in occult science at the Centennial College of Applied Arts and Technology in Scarborough?

Of the graduates, how many are specializing in alchemy, vampirism or lycanthropy; and how many are just plain witches?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, one is prompted to ask whether this type of question comes under the guise of great public urgency and importance, but I shall answer it nonetheless.

I think it should be pointed out at the outset that I am really a little bit interested in part four of the question, but I will come to that when I finish answering the first three. That is logical, I guess, Mr. Speaker.

The course referred to is an extension course given in the evening by the college and as such is in response to local interest. In other words, the initiative came from outside the college itself and as a result is not subject to review by the board of regents, as are the courses for credit in the regular programme. I would think the hon. member might enquire from the president or the director of the extension programme of Centennial college regarding any of the details, the curriculum, and so on. I am really not

in a position to help the hon. member with that.

I am informed that there are 70 presently enrolled; and this, of course, will come as a great surprise to the hon. member; there is a waiting list for the next session of this particular course.

I am a little concerned about section four of the question, Mr. Speaker, because it would indicate to me that the hon. member is suggesting that perhaps some of the 70 people who have taken an interest in this course are just plain witches. One might even observe that surely this is almost a contravention of the Ontario Human Rights Code to suggest that these people might be just plain witches who wished to study this course. I have to confess, Mr. Speaker, I have no personal interest in pursuing such a course, but I say with respect to the hon. member that I know the fourth part was asked perhaps in a facetious way. If it was meant seriously, it really is not becoming to the hon. member.

**Mr. Ben:** With your permission, Mr. Speaker, does the Minister of Education think it appropriate in the province of Ontario that a college run a course with public money called "occult science" and imply that it is a science?

**Hon. Mr. Davis:** Mr. Speaker, I think the hon. member should be well aware that one of the great advantages of the community college programme, as we call it in this province, is for the colleges to respond to areas of interest; particularly when this is not subject to the review of the council of regents, that is when it is not for credit and where there are a number of people within the area who wish to pursue this particular study. Surely one of the responsibilities of the community college programme is to react to the interests of the citizens that the college serves.

**Mr. Ben:** The Minister is evading the question. I am not passing judgment on the merit of entertaining the citizens of Scarborough. Should the provincial money be spent on a project called "occult science" when the—

**Mr. Speaker:** Order! The hon. Minister has answered that question as he prefers to answer it. The hon. member for Sandwich-Riverside has a question for the Minister.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question for the Minister of Education. How many copies of the report of the Ontario College of Art, September, 1968,

were published? How many copies were distributed, and who printed the report?

**Hon. Mr. Davis:** Mr. Speaker, 5,000 copies were published; 3,000 copies have been distributed to date and the printer was Cape and Company Limited.

**Mr. Burr:** Mr. Speaker, may I ask a supplementary? Does the Minister not feel that if we had an auditor general in Ontario this publication might have been printed more cheaply at a saving to the taxpayers?

**Hon. Mr. Davis:** Mr. Speaker, I do not know just what relevance an auditor general would have with respect to the cost. If the hon. member is suggesting that the cost of the publication itself was excessive, I would be prepared to discuss this with him during the estimates of the department. I do not know what relevance an auditor general *per se* would have with respect to this.

**Mr. Speaker:** The hon. member for Scarborough East has a question?

**Mr. T. Reid:** Mr. Speaker, a question of the Minister of Education. When will the Minister of Education make available to the Legislature and the public the evaluation of educational television programmes by the Ontario Institute for Studies in Education which was to be done last year? Does this evaluation by OISE include evaluation of programme planning and programme production as well as the actual ETV programmes themselves? Who is in charge of this non-departmental evaluation at OISE?

**Mr. Speaker:** Perhaps the hon. member for Peterborough would place his question, No. 200, which also has to do with ETV, and the Minister might answer them—

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I do not think that this question has any relationship with the working of the Ontario Institute for Studies in Education, but perhaps the Minister would like to answer both of these questions at the same time.

**Hon. Mr. Davis:** Mr. Speaker, to answer the question of the member for Scarborough East. The evaluation statistics which were collected by the institute in co-operation with the ETV branch have now been completed and are under study in the department. I am informed that the initial reaction has been most favourable and I would suggest that we will be in a position to make these available prior to—or certainly during—the discussion of these estimates of the department.

The answer to the second part of the question: "No." The study was really in the form of a survey of the recipients and the users of the programme. With respect to the personnel involved, I am endeavouring to obtain this information for the hon. member. There were several people at the institute involved and I shall endeavour to find out these people for him.

**Mr. T. Reid:** If the Minister allows, a short supplementary: Is an evaluation taking place outside The Department of Education on programme planning and on programme production?

**Hon. Mr. Davis:** Mr. Speaker, I think the hon. member would have to be more specific on whether he is referring to an evaluation with respect to content or costs or what have you. I am not really sure what the hon. member is asking.

**Mr. T. Reid:** Mr. Speaker, I will not prolong this. I am referring to the Minister's remarks on June 6, 1968 *Hansard*, pages 4039 and 4040 in which I asked the Minister if he was having an outside evaluation done on programme planning and programme production as well as the programmes themselves. At that time, Mr. Speaker, the Minister of Education said that he would endeavour to make his own definitions of these and let me know what type of evaluation is taking place.

**Hon. Mr. Davis:** Yes, Mr. Speaker. As I recall the question, I was under the impression, and I think properly so, that we were relating this to the quality or content of the programme, which is really part of the institute's study.

On the question of, shall we say, cost and so on—this is not being studied by an outside agency at the moment, because we are still very much in the beginning stages with respect to our own productions.

**Mr. T. Reid:** Mr. Speaker, I think we could continue this during the estimates.

I have a second question for the Minister of Education.

When will the report on pre-school programmes for culturally disadvantaged children prepared by Professor David W. Brison, of the Ontario Institute for Studies in Education, be made available to the members of the education committee of the Ontario Legislature?

**Hon. Mr. Davis:** Mr. Speaker, a preliminary report has in fact been published and is avail-

able now from the institute. I am also informed that these studies are continuing and that a second report will be available probably in the summer of 1969.

**Mr. T. Reid:** Mr. Speaker, the third question for the Minister: How many straps have been purchased by Ontario schools so far in 1968?

**Hon. Mr. Davis:** Mr. Speaker, I guess I will not provoke any sort of discussion. I will just say, to the hon. member that this information is not available to the department. Our grant regulations do not incorporate within the operating or capital grant structure any allowance for the purchase of straps within the school system. We do not know.

**Mr. T. Reid:** Mr. Speaker, could I ask a supplementary: Does the Minister believe in corporal punishment?

**Mr. Speaker:** Order!

**Hon. Mr. Davis:** Mr. Speaker, I fully recognized what the hon. member was trying to do and I say with respect, that surely the question period is not one for provocative questions leading to debate—

**Mr. Speaker:** Order, order!

**Hon. Mr. Davis:** Obviously it cannot be answered.

**Mr. Speaker:** Order! The hon. member's supplementary question is quite out of order and therefore calls for no reply from the Minister.

The hon. member for Peterborough has the—

**Mr. T. Reid:** Mr. Speaker, could I ask the Minister a supplementary?

**Mr. Speaker:** If it is supplementary to the original question, yes.

**Mr. T. Reid:** Mr. Speaker, do I understand correctly from the Minister's remarks that he accepts no responsibilities for schools in Ontario purchasing straps?

**Hon. Mr. Davis:** Mr. Speaker, I would make it abundantly clear that the department does not provide finances whereby straps may or may not be purchased by the schools. I thought that even for the hon. member my answer was relatively clear and I have said nothing more or nothing less.

**Mr. T. Reid:** A lot less!

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. S. Lewis (Scarborough West):** It is abundantly clear.

**Mr. T. Reid:** But the department supports corporal punishment.

**Hon. Mr. Davis:** That is not what I said.

**Mr. Speaker:** Order! Order!

**Mr. T. Reid:** How about Sutton District High School?

**Mr. Speaker:** Order! The hon. member for Peterborough has the floor.

**Mr. Sopha:** Will you tell us; what did he say?

**Mr. Pitman:** Mr. Speaker, I would like to address my question to the—

**Mr. Sopha:** I couldn't understand whether he was for or against strapping.

**Mr. Pitman:** Once the debate between the Minister and the member for Sudbury is completed I would like to address my—

**Mr. Sopha:** Well, it is important to know.

**Mr. Pitman:** I would like to address my questions—

**Mr. Speaker:** Order!

**Mr. Pitman:** I would like to address my questions to the Minister of Education.

In view of the recent report released by META indicating that students, even in Metro Toronto, see only one to two hours of educational television a month, on the average, has the Minister made any decision in regard to making grants to schools for equipment, such as video tape recorders and coaxial cables, making it possible for schools to make efficient use of this medium?

**Hon. Mr. Davis:** Mr. Speaker, I really thought I had answered this question a few days ago here in the House, but perhaps I did not. It was asked by one of the other hon. members when we were discussing the question of availability.

I indicated at that time that the question of grants for VTRs was presently under consideration. The problem that exists with VTRs is that there are four or five, perhaps more, being produced that are not necessarily compatible one with the other or with the other hardware that is available in ETV.

The department is in the process now of analysing and preparing specifications for a VTR that is compatible. Of course, then the



decision will be made as to whether there will be grants available.

Obviously, in order to have a comprehensive approach to ETV, there must be VTRs available for the school system. I have said this before in the House. The type of machine—the specifications—have not as yet been determined and, of course, the decision relevant to grants and amounts available will have to be made at that time.

**Mr. Pitman:** I wonder if the Minister would answer a supplementary question, perhaps to assure the House that this whole question of VTRs is not related to the wider problem of providing the network, which I think is in the works, in relation to the speech from the Throne and the legislation proposed.

**Hon. Mr. Davis:** No, Mr. Speaker, the problem of VTRs relates to the greater flexibility needed in timetabling. It does not relate to the transmission, which is the key or core to whatever programme is developed.

**Mr. Pitman:** The second question, Mr. Speaker.

Is the Minister aware that residents of Cowper, Conger, Gibson and Baxter townships, in the Parry Sound-Muskoka area, will not be given an opportunity to vote in the election of the county school board—elections that are going on at the present time?

**Hon. Mr. Davis:** Mr. Speaker, persons who live in school sections in the territory without municipal organization are able to vote since secretaries in the school boards in such areas have the same responsibility with respect to the election as clerks of municipalities. This is a problem that occurs only in areas where there is no municipal council or no school section and hence, perhaps very few, if any, permanent residents.

Under section 81(4) of Bill 44, which makes the divisional board responsible for elections in such areas in the future, this problem cannot then recur.

**Mr. Pitman:** This is a supplementary question, Mr. Speaker.

Is there any possibility of providing these people with any kind of representation, in view of the fact that they will be taxed in the next two years without any representation?

**Hon. Mr. Davis:** Mr. Speaker, I think this is a matter that would have to be studied after we see just what the experience is today. As I say there will be very few permanent residents affected in any way.

**Mr. Pitman:** About 2,000 in these townships.

**Hon. Mr. Davis:** Being a part time resident in one of the townships mentioned in this particular question, I am relatively familiar with the problem. As I say, it is something that cannot recur, but there was no school board and no municipal organization in a portion of the four townships that were mentioned.

**Mr. Speaker:** The member for Welland South has two questions.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, I have two questions for the hon. Minister of Energy and Resources Management.

When will the report be tabled on the joint programme being done by the Ontario Water Resources Commission and United States agencies at the Canadian Centre for Inland Waters, investigating the technical input required by the International Joint Commission on Lake Erie and Lake Ontario?

Question No. 2, will the Minister advise the House if the report which the Ontario Water Resources Commission is presently preparing on the feasibility of exporting water, our most valuable resource, is completed and the date when it will be tabled in the House?

**Hon. Mr. Simonett:** Mr. Speaker, I have these as two separate and distinct questions, 166 and 167, so I answer 166, your last question, first.

The Ontario Water Resources Commission is not engaged in any study on the feasibility of exporting water. The commission is carrying out a survey of its northern water resources, which will include an inventory of ground and surface waters presently discharging to James Bay and Hudson Bay, as well as a study of the existing and future socio-economic water requirements of the area.

The federal government is carrying out at the same time a series of hydrologic engineering studies to investigate the feasibility of the various possibilities of diverting water from one water basin to another, or from one water course to another. These studies are being co-ordinated by the federal-provincial committee to ensure that there is no unnecessary duplication of effort. The studies commenced in 1966, and are expected to be completed in 1975.

In answer to question No. 167: The Ontario Water Resources Commission has col-



laborated with other agencies in the United States and Canada, including the federal Department of Energy, Mines and Resources, of which the Canada Centre for Inland Waters is a part, in conducting studies on the pollution of Lake Erie, Lake Ontario and the St. Lawrence River being sponsored by the International Joint Commission.

These studies have been undertaken by the Ontario Water Resources Commission as part of its own water quality survey programme, as well as in connection with its contribution to the report on the International Joint Commission study. This report is now in preparation, and it is expected that it will be completed in April of next year.

**Mr. Speaker:** The hon. member for Downsview has questions for the Attorney General.

**Mr. Singer:** Yes, Mr. Speaker, I have two questions for the Attorney General. Will the Attorney General state the position of his department with respect to the decision of Oshawa Coroner J. A. Patterson that an inquest into the death of Whitby Psychiatric Hospital patient George Manning is not necessary?

The second question: Will the Attorney General comment on the fact that this death occurred on Saturday, November 23, and was not reported until late the following week?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the position of the department is that of the supervising coroner, the chief coroner for Ontario. The inquest has been ordered. It was ordered on November 29, and the matter was also reported to the police with a request for an investigation.

The death occurred, as the hon. member said, on November 23. Dr. Patterson, the official coroner, immediately examined the situation. His opinion was that an inquest was not necessary.

He did, however, report the matter to Dr. Cotnam on November 27—four days later. After reviewing the matter, Dr. Cotnam decided that an inquest should be held and that there should be a police investigation.

That police investigation is going on. I think there was, perhaps, a lapse of time which may not have been reasonable, but the report was looked into immediately.

**Mr. Singer:** By way of a supplementary question: Does the Attorney General intend to have a chat—or have someone have a chat—with the local coroner, which would seem to be indicated?

**Hon. Mr. Wishart:** I think it having been reported to the chief coroner and he having taken the action he has, I am quite sure this covers the situation. I think the fact that the hon. member brought it to the attention of the House will perhaps have some effect.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, before bringing up my questions to the Attorney General, I have a matter of privilege which I wish to raise. On November 27 in this House, I asked a series of questions to various Ministers in connection with the raceway which has been proposed for this city.

It is one of the privileges of this House to have our remarks recorded in *Hansard*, and we are also given the privilege of making changes if there is an error in punctuation, or in diction. But, of course, it is quite important that the sense of the reply or the question not be changed.

One of the questions which I asked at that time to the Minister of Highways—I am sorry he has just left the House—was whether Metro could close the Lake Shore Road without the Minister's permission.

The Minister replied—and I quote from the preliminary *Hansard* which was reported widely in the press:

Metro Toronto cannot close the Lake Shore Boulevard under conditions referred to in the question without the approval of the Minister.

This reply was printed in all three Toronto newspapers, and was not followed by any comment in the House by the Minister nor any retraction.

Today, I found to my shock when I received the final *Hansard*, his remark has been changed to read as follows, Mr. Speaker:

Metro Toronto can close the Lakeshore Boulevard under conditions referred to in the question without the approval of the Minister.

This, sir, is exactly the opposite of the reply given. I wish to draw this to your attention sir, so you will take whatever action you feel is necessary.

**Mr. Speaker:** Thank you, I shall.

**Mr. Shulman:** Questions for the Attorney General: Does the Attorney General intend to take any action in connection with Magistrate Kenneth Langdon's refusal to jail 16-year-old offenders? And will the Attorney General follow Magistrate Langdon's advice and advise the government to raise the age

limit for juvenile offenders as has been done in other provinces?

**Hon. Mr. Wishart:** Mr. Speaker, I am aware of the procedure followed by Magistrate Langdon in this case and others. At present, at least, I do not intend to review the matter in my jurisdiction. The situation rises from the fact that the Criminal Code does not permit persons being placed on probation prior to conviction.

We have discussed this with the federal authorities, and it is my understanding that this matter is being reviewed with the possibility of amendment. The question of changing the age limit of juvenile offenders from sixteen to some higher age is also under consideration at the federal level.

I think the hon. member knows that amendments to the federal code are before the federal House. A bill is before the federal House. We have discussed it, and I understand the matter is being considered there.

**Mr. Shulman:** I have two supplementary questions to follow on your reply, sir.

First, is the Minister aware that Justice Minister Turner was reported in the press of November 29, 1968, as saying that magistrates:

Come under provincial jurisdiction and it would not be proper for him to interfere in any way with the matter in which they conduct their courts.

The only way he could become involved in the Langdon matter, he explained, would be if the Ontario Attorney General would send him a report on the matter and ask for advice or direction.

In the light of this comment, would the Attorney General follow up this matter?

**Hon. Mr. Wishart:** Mr. Speaker, I have not seen the article the hon. member is reading and I am not sure, of course, as to its exactitude. But I reiterate that it is a provision of the code which prevents a magistrate from placing people on probation except after conviction. And I reiterate that we have discussed this with the federal authorities. It is my understanding that the question of changing the code in this respect is being considered at the federal level.

**Mr. Shulman:** Does the Attorney General agree with me that it is very bad for justice in this province to have different sentences given out for the same offences, depending on whether a person is sentenced in Halton or some other part of the province?

**Hon. Mr. Wishart:** Yes, I think I would agree with that, Mr. Speaker. And if this were not being considered now with a view of change, I would be more greatly concerned than I am. In fact, we are discussing it and asking the federal authorities in whose hands it lies to make the change.

**Mr. Shulman:** I have a second question, Mr. Speaker, for the Attorney General. Has the Minister investigated the usurious charges by illegal bail bondsmen as reported on page 38 of the *Telegram* of August 8, 1968? What were the results of that investigation? Does the Minister intend to take steps to wipe out this practice? And if so, what steps?

**Hon. Mr. Wishart:** Mr. Speaker, this matter is under investigation by the Crown attorney for the county of York, Mr. Grayburn, who has been asked to undertake it.

**Mr. Shulman:** Will the Attorney General inform the House of the results of that investigation?

**Hon. Mr. Wishart:** Mr. Speaker, I think I shall await the report before I decide what to do with it.

**Mr. Speaker:** The hon. member for Wentworth has a question of the hon. Minister of Municipal Affairs.

**Mr. I. Deans (Wentworth):** Yes, Mr. Speaker, a question of the Minister of Municipal Affairs: When will the residents living in full recovery Ontario housing projects receive their municipal tax rebate?

Secondly, will people receiving mother's allowance and the like be receiving this rebate?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, I think the member refers to housing projects under section 8(1) of The Residential Property Tax Reduction Act. The eligibility or otherwise for the rebate is the responsibility of the Ontario Housing Corporation and I would suggest if there are specific examples or questions, then the hon. member might question the Minister of Trade and Development (Mr. Randall), because in the first instance that is where the rebates will come from, not directly from Municipal Affairs.

In reply to the second part of the question, with regard to mother's allowance or other such allowance, the receipt of a mother's allowance by the tenant, or for that matter by a landlord, will not disqualify—

**Mr. Deans:** Might I ask the Minister a supplementary question?

**Hon. Mr. McKeough:** Does the member want the answer? He has asked two questions, and I am on the second part.

**Mr. Deans:** I am sorry. I was going to ask him to repeat it first of all because I did not catch the ending of it, and then I want to ask another question. I could not hear the Minister's answer.

**Hon. Mr. McKeough:** All right.

**Mr. Deans:** Does that make sense?

**Hon. Mr. McKeough:** What I said was—yes, the member could not hear, all right—what I said was that the determination under section 8(1) is the responsibility of the Ontario Housing Corporation and I would therefore suggest the member ask the Minister of Trade and Development, particularly if the member has some specific examples.

**Mr. D. C. MacDonald (York South):** Are the Minister and he members of the same Cabinet?

**Hon. Mr. McKeough:** We are members of the same Cabinet but if the member would look at the legislation he would find out that it is the responsibility of the Ontario Housing Corporation.

Interjections by hon. members.

**Hon. Mr. McKeough:** The member seems to be awfully touchy that he has asked the wrong Minister the wrong question.

**Mr. Lewis:** Has the Minister ever tried to get an answer from the Minister of Trade and Development?

**Hon. Mr. McKeough:** No, I am not asking the questions, the hon. member is, so try it.

**Hon. Mr. Grossman:** Does the member mean that is why he asked this Minister?

**Hon. Mr. McKeough:** Is the member ready for the second part of the question? Does he want the second part of the question answered?

**Mr. Deans:** I even want the first part answered.

**Hon. Mr. McKeough:** Then ask the Minister of Trade and Development.

**Mr. Deans:** I might point out if I may, I am quite sure—

**Mr. Speaker:** Order! The hon. member will take his seat. The hon. member has the privilege of asking questions but not making

statements at this time. Now, does he wish to ask a supplementary question of the Minister?

**Mr. Deans:** Mr. Speaker, I would like the question that I asked answered.

**Mr. Speaker:** The hon. member asked the question in the manner in which he thinks best, the hon. Minister has answered the questions in the way he thinks best. I believe the hon. Minister has answered.

**Mr. Deans:** Mr. Speaker, the hon. Minister has not yet answered the second part. He said he had an answer—

**Mr. Speaker:** Order! The hon. Minister asked if the hon. member wished the answer to the second part of the question and as I recall it the hon. member said he wanted the answer to the first part. I have already pointed out to him that the first part has been answered so far as the Minister is prepared or wishes to answer it at this time, so perhaps the hon. Minister would now answer the second part.

**Hon. Mr. McKeough:** I would be delighted to, Mr. Speaker. The answer to the second part of the question is that the receipt of a mother's allowance by the tenant or any other similar allowance would not disqualify her or him from receiving the rebate.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Hon. W. D. McKeough (Minister of Municipal Affairs):** In rising to take part in this debate, Mr. Speaker, I join with others in complimenting you at the beginning of this new session on the wise and judicious manner in which you chair the deliberations of the House.

I of course join in congratulating the mover and seconder of the address in reply, the hon. member for Prescott and Russell (Mr. Belanger) and the hon. member for Fort William (Mr. Jessiman).

Interestingly enough, in the matter which I propose to deal with today, that of regional government, I suppose it is safe to say that

those two members have had as much to do with the regional government proposals which have been announced as any two members in the House. The member for Prescott and Russell was very much involved in the deliberations leading up to the bill entitled An Act to establish the regional municipality of Ottawa-Carleton; and certainly the hon. member for Fort William has been most involved in the discussions and the deliberations leading up to the announcement a week ago today with regard to the Lakehead cities.

I want to just mention one other matter of concern or record, I think, Mr. Speaker, pertaining to my own riding and that is to record in *Hansard* the death of my predecessor, Mr. George Parry, who is, of course, very well known to many members of this House.

He served as the member for Kent West from 1945 to 1963, a period of 18 years. He was a good member. I think all members on both sides would agree with that statement. He represented his constituents well, he was a loyal member of the government and of the party and it is a loss indeed to all of us in the Chatham area, to his family and to me, because I counted him very much as a mentor and as a good friend. I did want to record those thoughts in *Hansard*.

Mr. Speaker, I now turn to really a follow-up on what the Prime Minister (Mr. Robarts) had to say at the close of his contribution to the debate on Thursday pertaining to regional government. I want to amplify somewhat the remarks which he made and perhaps chart some direction for us in these months ahead.

Mr. Speaker, this is an historic time for local government in Ontario. This province is embarking on a programme which will recast and reform our entire municipal system in a way more fundamental than any ever attempted since the present system was organized. I think, Mr. Speaker, that observers will look back and say that local government in Ontario was established in 1849 and re-established in 1968.

Let me briefly restate the main point in the Prime Minister's statement of last Thursday so there will be no misunderstanding here, or outside this House. The government of Ontario has accepted the objective of regionalization of municipal government in Ontario, and will move toward the implementation of this objective as quickly as possible. I shall have more to say about the schedule of implementation later on.

As the Prime Minister has said, we will use several criteria as our guidelines in designing regional governments. Five of these

criteria have been spelled out in the report of the Ontario committee on taxation, the Smith committee, and we accept these as entirely valid. For the record, let me say that the criteria suggested by the Smith committee, and accepted by this government are:

1. A region should exhibit a sense of community identity based on sociological characteristics, economics, geography and history;
2. A region should have a balance of interests so that no one group or interest can completely dominate the region;
3. There must be a financial base adequate to carry out regional programmes at a satisfactory level;
4. The region should be large enough so that local responsibilities can be performed efficiently by taking advantage of economies of scale; and
5. Regional boundaries should facilitate maximum interregional co-operation.

We accept as I have said, Mr. Speaker, these criteria as part of our guidelines for the design of regional governments.

However, we have also adopted three additional criteria. The first of these is community participation and, where possible, community acceptability. This does not mean that any municipality will have a veto over regional government proposals in its area. What we do want is participation by all communities in an area in the discussions leading to the formation of a regional government.

While we, in this House, must accept final responsibility for any regional government legislation, we will work with communities in developing specific proposals. This important criterion was implicitly recognized by the select committee on the Smith report when it said:

We think that every opportunity should be given to local initiative, experience, and wisdom in establishing new regional governments.

The second additional criterion is that the new regional government boundaries should be useable by other institutions in the regional administration of their programme. We have in mind two types of institutions. The first includes provincial departments and agencies; the second local units of education.

As pointed out many times in this House, particularly in the white paper "Design for Development", there are a multitude of varying overlapping and unco-ordinated boundaries being used by different provincial departments for regional administration pur-

poses. We hope that the new regional government boundaries will provide all government departments and agencies with a set of rational, economically sound, "building blocks" which they can use in drawing up their administrative boundaries.

Some departments and agencies may not want to have the same number of administrative or planning regions as we expect to have regional governments. A recent study, supported by the regional development branch of The Department of Treasury and Economics, suggested that most departments used between five and 15 regions in their work. Nowhere are the varying needs of the government departments and agencies more important than in the relationship of local governments to the province's regional development programme.

Hon. members will remember that one of the points in "Design for Development" was that the government would be moving towards the establishment of more uniform administrative regions for government purposes. As the Prime Minister said in his statement, the key to the relationship between the two programmes is the use by both the urban-centred regions.

For economic development and planning purposes, the province need only be divided into a small number of regions—at present, of course, there are ten economic regions—but these regions will be composed of two or more regional government areas.

The second type of institution is the local unit of education. Up to now county boundaries have been the basic format for the re-organization of school boards. It is our aim, and that of The Department of Education, that as new regional governments are formed, we will attempt to design them so that they and the school authorities will be co-terminous, or will have co-terminous outer boundaries.

The third and final additional criterion we propose is this: In cases where there are to be two tiers of government within a region, both tiers should be designed with the same criteria.

The implications of adopting this could be far-reaching. Accepting this approach means that regional government is not simply a strengthening of the existing county-local municipality system, nor is it the superimposing of a new tier of regional government upon the existing local municipal structure. Rather, we are saying that the region and the subordinate local municipali-

ties must be designed together using the same guidelines.

Mr. Speaker, I would now like to discuss briefly a few of the salient characteristics which our new regional governments will exhibit. I shall do this by describing regional government characteristics under four headings: 1. The size; 2. The shape; 3. The internal structure; and 4. Representation on regional governing bodies.

**Size:** The Ontario committee on taxation observed that the size of a regional government should be the result of the interplay of two factors—service and access.

On the service side the major determinant of size is the population base needed to carry out effective local government programmes. Our experience and discussions with other departments and with municipalities suggest conclusively that a minimum regional population of from 150,000 to 200,000 is required for the efficient provision of most local services.

Access is described by the Ontario committee on taxation in the following terms:

The most widespread participation possible on the part of all, or virtually all, individual citizens . . . in terms of capacity to influence public policy decisions and to enforce responsive and responsible administration.

Obviously, access becomes virtually impossible in many rural and northern areas if we adhere rigidly to our minimum desirable population figures—areas would be so large that individual access to regional decision-making would be meaningless. To this extent, our regional governments will show variations in population and size.

However—and I wish to emphasize this—our objective is a set of regional governments with a population of at least 150,000 to 200,000.

If we adopt a similar line of reasoning for the lower tier in a two-tier system of regional government, I suggest that the minimum population of local municipalities in a region should be from 8,000 to 10,000.

**Shape:** The shape of a regional government will depend ultimately on the nature of the area we define as appropriate for regional government purposes.

The definition of the appropriate regional complex entails some significant decisions. Most important, should we, as implied in the Smith report, sharply distinguish between rural and urban areas or should we



try to combine rural and urban within one region?

The government proposes that regional government must be viewed in terms of the urban-centred region. By this I mean that the region will cover the major urban centres and the surrounding areas which together share social, economic and physical services.

We accept this definition of the region. The old distinction between urban and rural interests is breaking down—rural and urban attitudes are moving closer together all the time. In earlier times when transportation was primitive and economic activity was on a small scale, we could think of Ontario as a series of small self-contained communities divided into two identifiable societies—city and country. Each of these societies had its own values and aims.

Now, however, we are one society where some live in big communities and others live in towns, villages or rural areas. But our aims—the education we seek for our children and the services we expect from our governments—in other words—the quality of life we all strive for—is not so different regardless of the type of community we live in.

Another reason for accepting the urban-centred region is a trend which I have already mentioned. There is a great common sharing of services between rural and urban Ontario. I refer to a sharing of services not only at the municipal level, but also hospitals, schools, commercial services, employment and a variety of other activities.

Because of this emerging community of interest, the shape our regional governments will take covers the urban centre and its rural hinterland, both of which are, in fact, mutually interdependent.

Internal structure: When we turn to the internal structure of our new regional government, one question is paramount—one-tier or two-tier regions?

One-tier regional government means that a region will have its municipal services administered by one municipality covering the entire region. Two-tier regional government will divide municipal functional responsibilities between two levels of local government—a regional municipality and a group of smaller local municipalities.

It is, Mr. Speaker, our decision that judgments respecting the question of one- or two-tier regional governments must be made on an individual regional basis following detailed study and consultation in each area.

When we make this decision in each area it will be based on the following factors:

Size of the proposed region—a very large region may require lower-tier municipalities in order to retain the vital element of accessibility.

Population distribution within the proposed region—the degree of concentration of population will be an important factor in determining the form of the regional government structure.

Distribution of fiscal resources—these may well determine whether it is possible to have financially viable lower-tier units.

Physical and social geography—a range of hills, a lake, a river or cultural and linguistic differences in a region, may lead to a decision to have two tiers in order to provide effective services and to preserve existing social communities in a region.

These, together with local attitudes, Mr. Speaker, are the things we shall take into account when deciding whether a particular area will have one- or two-tier regional government.

This leads me into another point on internal structure. If we are to have two-tier systems in parts of Ontario, how is the total package of municipal functions to be distributed between the regional and local municipalities? There will, of course, be some variation among regions, but in general we accept the distribution of functions recommended by the Ontario committee on taxation and endorsed by the recent select committee.

Before we discuss the matter of representation, it might be useful at this point to list briefly those functions where we see the new regional governments as having paramount or complete jurisdiction.

Property assessment: To ensure uniformity of the tax base, assessment can be administered most efficiently when covering a large number of properties.

Taxation billing and collection: Tax billing is closely tied to assessment in a procedural sense. Tax collection could be regional or local; we can see no overwhelming argument favouring either tier.

Capital borrowing: This must a regional responsibility for several reasons, including the desirability of pooling credit and the need for a unified long-range capital plan.

Planning: In the two-tier system there is a division of responsibility for various public services.

There will also be a division of responsibility for the preparation and implementa-



tion of planning policy within the region. The regional municipality will be responsible for the broad, overall physical and economic framework for regional growth, and for the planning of those facilities under their direct jurisdiction. Within this general framework the local municipality will prepare more detailed plans.

The local plans prepared will be consistent with and complementary to the development policies expressed in the broader plans of the regional municipality.

In turn these plans must be consistent with and support the policies enunciated from time to time in the province's regional development programme.

To this end, my department is working closely with The Department of Treasury and Economics.

**Police and fire protection:** We agree with the Ontario committee on taxation that this could be either a local function or shared between the local and regional municipalities. Police protection, preferably, will be on a regional basis.

**Arterial roads:** Roads and related traffic control designed to provide service to the entire region must be under regional jurisdiction.

**Transit:** We agree with the Smith committee and the select committee that the planning for public transit must be integrated with the planning for the entire region. To this extent the regional government must be involved in the transit function. Whether the actual operation of a transit system is a regional or localized responsibility will vary.

**Sewage and garbage collection and disposal:** These two functions lend themselves to a sharing of responsibilities between tiers. The lower tier municipalities are appropriate for the initial collection of sewage and garbage, while the region is best suited to provide the necessary large centralized disposal and sewage treatment plants.

**Water supply and distribution:** Water intake and purification, and primary trunk distribution are large-scale operations which should be at the regional level. On the other hand, secondary distribution could be a lower-tier function.

**Health and welfare:** We are now moving towards larger units of local administration for these functions through regional health units, county welfare units and district welfare administration boards. This is happening because these functions require a large population base in order to provide the complex specialized services our society demands. For

this reason, I visualize health and welfare as regional government functions. In addition, to the extent that municipalities participate in the planning and financing of hospitals, this is also a legitimate regional responsibility.

**Conservation:** It may prove impossible to integrate the conservation authorities completely within a regional government system. The problem is that conservation authorities must use watershed boundaries reflecting their very specialized role.

If a conservation authority is entirely within a regional government we might consider the possibility of making the authority directly responsible to the regional government council, or perhaps making the authority a special committee of council.

If, as will often be the case, the conservation authority has boundaries covering all or parts of two or more regional governments, municipal representation on the conservation authority governing body, perhaps, should be from the regional government.

**Parks:** Parks should be a shared function with the regional municipality having jurisdiction over parks serving the whole region.

We visualize all other functions remaining at the local tier in any two-tier regional government.

One further point remains to be noted in our discussion of the internal structure of the new regional governments. As these governments are formed, we will adopt a vigorous policy of strengthening the municipal councils by removing powers from existing special-purpose bodies and turning these powers over to the regional or local municipality.

Examples of the fields we have in mind for a more direct role by the municipality are—parks, recreation, planning and community centres. These functions could be carried out effectively by committees of council, perhaps including appointed citizens, and would be directly accountable to the council on all matters of policy, including finances.

**Representation:** The fourth subject I wish to refer to in describing our concept of regional government is representation. The new regional government councils will be the most important policy-making bodies in local government, indeed, second only to this House.

There is no doubt in my mind that the only acceptable principle today is representation by population. In the past, the principle of "rep-by-pop" has been honoured in theory and violated in practice by all levels of government. However, we have seen recently a significant movement toward recognition of

this concept both in this House and in the federal Parliament. We expect a similar movement at the municipal level as regional governments are organized.

I accept the validity of the argument that rural ridings with fewer voters than urban ridings must be assured of adequate representation. However, I must emphasize that in our regional government system we will place a high priority on a system of representation giving all residents a reasonably equal voice in regional decisions.

Another aspect of representation deals with the special problems of a two-tier regional system. Two methods of selecting regional council members can be used: They may be directly elected to the regional council, or they may be indirectly elected by becoming elected members of lower tier units and then being designated to sit on the regional council. Members will note that the present county system is a form of indirect election, as it is indeed in Metropolitan Toronto.

I must say, in all frankness, that we do not know at this time which system is superior. Convincing arguments have been advanced for both forms of election. In view of this we hope to experiment with two-tier regional governments embodying both principles in order to see which form does, in fact, work better.

These, then, are the major elements we hope to see in our regional government system. To summarize, we are working toward regional governments which will embody the following characteristics:—

1. A regional size which balances accessibility and the efficient provision of services. A minimum regional population of from 150,000 to 200,000 and, if two-tier, a minimum local population of from 8,000 to 10,000.
2. The region will cover both the urban community and the rural hinterland with which it shares economic, social and physical services.
3. Regions may be one- or two-tiered, depending on local circumstances.
4. If two-tiered, the regional level will have many significant responsibilities including assessment, planning, arterial roads, health and welfare.
5. Municipal councils will be strengthened by removing the powers from any special-purpose bodies and turning these powers over to regional or local municipal councils.
6. Regional government representation will be based on population.

7. In the two-tier regions, regional council representatives may be directly or indirectly elected.

Implementation: I come now, Mr. Speaker, to the second major field I wish to discuss—how we propose to implement our regional government programme.

As stated by the Prime Minister earlier, we do not propose the uniform establishment of regional government at the same time in all parts of Ontario. I should point out that this is where we part company with both the Ontario committee on taxation and the select committee, which recommended the establishment of a firm inflexible schedule leading to full implementation of regional government by a fixed target date.

Our approach is somewhat different although the result—full regional government—will be the same. We do not propose to tie ourselves down to a fixed target date, for three very basic reasons.

Firstly, we do not believe that all areas in Ontario are in equal need of immediate regional government. The critical areas are those where local government institutions are not responding to existing or anticipated change. The reasons for this non-responsiveness are inherent in the structure, and are beyond the influence of any one municipality acting alone.

The symptoms of this critical stage may take one of many forms such as increasing fiscal difficulties, a retardation of necessary growth, or a decline in the level of municipal services. In general, these areas tend to be in the urban and urbanizing parts of southern Ontario.

We will establish regional governments on a problem-area priority basis, concentrating our attention on these parts of Ontario where the situation is most serious.

**Mr. V. M. Singer (Downsview):** Is that all the select committee advised?

**Hon. Mr. McKeough:** No, they tied the whole of Ontario to a specific deadline at the end of 1971.

**Mr. Singer:** Not the select committee on municipal affairs.

**Hon. Mr. McKeough:** Well I suspected that too.

The second reason for not accepting an inflexible deadline is that we do not yet have sufficient trained and experienced personnel to cover all Ontario. We see the importance of concentrating our talents in those areas where the need for change is greatest.

The third reason for not accepting a fixed target date for full implementation is probably the most important of all. One of the cardinal principles we are following during implementation is the meaningful involvement of the local communities. Our desire for local participation is such that we will, in some cases, endure delays in the establishing process in order to give local opinion time to form and express itself.

While this will not become an excuse for inaction, it does mean that we should not begin the process by setting inflexible target dates which will inhibit, or could even prevent, the local participation we all want.

I cannot overemphasize the importance of the role to be played by local communities—and indeed by the hon. members on both sides of this House. In a very real sense, the entire programme of regional government will fail if the people in the region are not convinced of the programme's merits. These are the people who will have to live with and run the regions once they are established.

To repeat then. In scheduling implementation of regional government, our approach is to concentrate on priority areas with the objective of making regional government universal in the shortest possible time.

In general, the procedure we propose to use is very close to that recommended by the select committee. It will be a four-stage process in most cases:

Stage 1: Discussion and consultation between the province and municipalities in a region. This may take the form of a joint study, a series of joint meetings, a local or a provincially directed study. In many respects, this stage will be similar to the local government review concept with which we are familiar.

Stage 2: Preparation of a specific proposal by the province which I will formally present to the municipalities in the region.

Stage 3: The development of a final proposal and draft legislation based on reactions to the proposals in stage 2.

Stage 4: Presentation of legislation to this House, passage, and establishment of the regional government.

There will be great variations on how this approach is used throughout the province, so the hon. members should not be surprised when the process appears in some cases to become telescoped or elongated.

At this point Mr. Speaker, I would like to outline those areas where we are now concentrating our attention and indicate some of

the concrete steps we propose to take over the next two years.

I should make one point here. In what follows I shall be referring to areas by naming counties. In doing this I do not wish to leave the impression that the existing county boundaries are to be used in all cases for regional government purposes. At this time boundaries are not fixed.

As I said recently to the Association of Ontario Counties,

Regional government . . . will probably involve many departures from the existing set of county boundaries . . . in some instances the existing county boundaries may represent a logical regional unit, but this may prove to be the exception rather than the rule.

Niagara region: In the Niagara region, covering the present counties of Lincoln and Welland, a comprehensive local government review was completed over two years ago. We have now finished our study of the review and are preparing a concrete proposal to present to the municipalities in the area. I will be making this presentation in January and legislation creating regional government in the area will be introduced during the course of this session.

Ottawa-Carleton: As the hon. members are aware, legislation was introduced earlier this year to establish the regional municipality of Ottawa-Carleton. This legislation becomes fully effective on January 1, 1969. The regional municipality comprises the county of Carleton, cities of Ottawa and Eastview and the adjoining township of Cumberland.

Metro Toronto: The area on the three sides of Metropolitan Toronto is probably the key area of the province in terms of the need for changes in the structure of local government.

To the east of Metro I have arranged an early meeting with representatives from municipalities in Ontario county and the extreme western portion of Durham county. Within twelve months I hope to be able to present specific proposals on regional government to the municipalities in that area. An important planning and development study has begun in Ontario county. I expect that the data generated from this study will be most useful in the framing of regional government proposals.

On the west side of Metro, a local government review was completed in 1966. Evaluation of this review has led me to the conclusion that the recommendations embody a concept of regional government with which

we cannot agree. In part, we reached this conclusion because the review visualized a distinct separation of the area into one urban and one largely rural region. This is not in accord with our principle of the urban-centred region covering both urban and rural areas.

In addition, the virtually unanimous rejection of the review recommendations by local opinion was a factor in our decision. We have now had preliminary discussions with Peel county on their proposal for a regional government, and I intend to have similar discussions shortly with Halton county.

At this stage it is not clear whether there will be one or two regional governments in the area, although I believe that in the long run one region will prove to be a better solution. In any case, I hope to be able to present specific proposals in this area within the next few months. The timing of these proposals is contingent upon the completion of the Hamilton-Wentworth local government review, which includes the town of Burlington, now part of Halton county.

North of Metro there has been much public discussion about regional government for York county. I have had several meetings with various groups in this area and hope to enter into discussions with municipalities within the next two months. It appears that we may be in a position to make a proposal for regional government north of Metro in 1969.

I should note that our discussions with municipalities on the three sides of Metro will be greatly aided by the work done through the Metropolitan Toronto and Region Transportation Study. Accurately described as the first example of truly regional planning in Canada, MTRTS is proving valuable in establishing the developmental framework within which we can test our regional government proposals.

There is an additional benefit as well. In other areas of Ontario we have had to start regional government studies with an extensive process of basic data gathering and interpretation. This will not be necessary in this area because of MTRTS, so the whole schedule of regional government can be accelerated, east, west and north of Metro.

We have long recognized the desirability of inter-municipal co-operation in defining and solving problems common to a number of adjoining municipalities. During the past twenty years, with the advent of rapid urban growth and unprecedented mobility of people

and goods, this co-operation is no longer merely desirable but absolutely necessary.

One of the techniques we have used in the past to facilitate co-operation between groups of municipalities in the Toronto region and other areas of the province has been the joint planning board. It has been criticized on the basis that few comprehensive plans have been produced. This I grant, but the inter-municipal discussions which it has generated have been extremely influential in creating a favourable climate for planning, in developing an understanding of the "region", and the urgency of looking at things on a broader scale than the single municipality.

It must be understood that it never was considered to be the final answer in handling problems of common interest to several municipalities, but rather an intermediate step to be used until we are able to rationalize local government in the province.

The establishment of regional government units with the resulting new relationship between local municipalities, will permit many joint planning boards to be eliminated because their *raison d'être* will have disappeared. Many other boards will have their boundaries adjusted to coincide with the boundaries of the new regional municipalities.

The common boundaries of the planning area and the area of regional government jurisdiction will permit delegation of a number of planning approval functions to the regional authority. Such delegation will occur when we are assured that the regional authority has formulated development policies expressed in an official plan under The Planning Act.

It is my expectation that, following the establishment of regional municipalities around Metro Toronto, the present boundaries of the Metro Toronto planning area will be revised to bring about an exact relationship with regional government boundaries. When Metro Toronto brings forward an official plan, this will permit the delegation of certain planning powers which Metro does not presently enjoy.

I expect to enter into discussions with Metropolitan Toronto on these matters within the next two months.

Hamilton-Wentworth: Regional government for the Hamilton-Wentworth area is now under study by a local government review commission. The commissioners expect to hold public hearings early in the new year and to report to me within six to

eight months. Following this report, I shall hold discussions with the municipalities in the area and then present them with a specific proposal. One of the first decisions which must be made is whether Burlington should be part of a Peel-Halton region or part of the Hamilton-Wentworth region.

**Waterloo area:** Another detailed study which we expect to receive shortly is the final Waterloo area local government review. Within six months I hope to be able to offer a regional government proposal to this area. We should be in a position to present legislation to this House within 12 to 14 months.

**Brant area:** Intensive local and provincial-local discussions are now taking place in the Brant county area. In our discussions, I have suggested that the possibility of a larger regional unit should be considered.

**Norfolk-Haldimand:** A detailed study of planning in Haldimand and Norfolk is now beginning, prompted in part by new industrial development in that area. The results of this study may well point to a need for a larger regional government.

**Northern Ontario:** The question of regional government in northern Ontario poses special problems because of the dispersion of population and the primary resource base of the northern economy. We are devoting particular attention to municipal government reform in that area.

In September the Prime Minister announced the formation of a special committee to report on the issue of how regional government could be introduced in northern Ontario. The terms of reference are broad. Some of the questions the committee will be examining are:

What structural form should local government reform take in the north?

Is it feasible to adopt the proposals of the Ontario committee on taxation for contract municipalities in areas where regional government is not possible?

Is the Lakehead local government review proposal, for a district regional government with limited powers, applicable in that and other areas of the north?

What special provision must be made for municipal services in unorganized areas?

The committee is now at work and has been asked to report by July 1, 1969 to a special committee of Cabinet. Until receiving and studying this report I do not intend to make any regional government policy pro-

posals of general application to northern Ontario.

In the interim, however, we do propose to proceed with a local government reform programme in three northern areas.

**The Lakehead area:** On Monday, November 25, I announced our intention to proceed with the amalgamation of the cities of Fort William and Port Arthur, and parts of the townships of Neebing and Shuniah. I intend to introduce legislation implementing this decision as soon as possible in this session.

Prior to the introduction of this legislation I shall go to the Lakehead in January with specific proposals arising from our discussions with the local inter-municipal committee and from studies in my department. The regional aspects of the Lakehead local government review are part of the terms of reference of the committee on local government in northern Ontario, and no decision will be made on this aspect until after the report of the committee.

**Muskoka district:** A local government review is now underway in the Muskoka district. A preliminary report has been made and I expect a final report in early 1969. If all goes well, I should be able to introduce legislation for reform of local government in Muskoka during this session.

**Sudbury area:** Finally, the question of local government reform in the Sudbury area has been occupying much of my attention recently. Several local hearings on regional matters have already been held by the Sudbury Municipal Association, and the Nickel Basin Planning Board assisted in the preparation of the Nickel Basin planning study completed in early 1967.

The province has now decided to proceed with regional government in this area on a priority basis. As a first step I have asked the chairman of the Ontario Municipal Board, Mr. J. A. Kennedy, QC, under section 45 of The Ontario Municipal Board Act, to undertake a detailed study of local government in the Sudbury area—

**Mr. Singer:** Is this the Minister's way of getting rid of Kennedy? The only way he can get him off the municipal board?

**Hon. Mr. McKeough:** He is not leaving the board.

**Mr. Singer:** Oh, how is he going to do both?

**Hon. Mr. McKeough:** If the member would read section 45 of The Municipal Board Act he would find that out.



To continue: —and to report his findings to me in six to nine months. He has agreed to do this and will begin this task immediately.

I have offered Mr. Kennedy full access to the staff and information of my department, and I know that municipalities in the Sudbury area will act in a similar fashion. With Mr. Kennedy's great background in the field of local government, I am sure that he will provide me with valuable guidance in determining the shape and nature of regional government in the Sudbury area.

We are now working with Mr. Kennedy on the terms of reference for his study and I hope to make a further announcement in a few days outlining the physical area and the precise questions to be considered.

I shall be announcing specific proposals in other areas during the course of the programme. I think you will agree, Mr. Speaker, that the implementation schedule I have outlined is more than enough to keep us busy, in the short-run at least.

Closely related to the programme of regional government is our programme to encourage the consolidation of existing municipal units. Most local municipalities are now far too small to be viable units of local government, even at the lower tier of a regional system. For example, I mentioned before that the minimum acceptable population for a lower-tier municipality is from 8,000 to 10,000.

At the moment 90 per cent of our municipalities are below this minimum figure, and 270 have a population of less than 1,000. The median population of an Ontario local municipality is only 1,775.

The effects of such a limited population base are shown when we consider that one in three of our local municipalities spends less than \$100,000 annually on municipal programmes. This small size and the restricted fiscal base means that with, or even without, regional government in an area, we must pursue a vigorous policy of municipal consolidation.

As a first step, I have ordered an inquiry into the structure, organization, and methods of operation of all the municipalities of Ontario; and I shall invoke section 25A of The Municipal Act. This means that all proposed changes in municipal boundaries, such as annexations or amalgamations, which are submitted to the Ontario Municipal Board, will now be referred to my department for study. We will examine each proposal to see if it is in agreement with our regional programme and results in the creation of

more viable municipal units. Only when we are satisfied on these grounds will such applications proceed through the Ontario Municipal Board.

I should also add that the creation of larger more viable units through municipal consolidation will greatly simplify one problem we face in the new two-tier regions. Earlier, I referred to the principle of representation by population as an essential ingredient of regional government. With consolidation at the local level, there will be greater uniformity in population among lower-tier units, and it will be much easier to have equitable representation at the regional level.

As the Prime Minister noted in his statement, the primary responsibility for the regional government programme will rest with the Minister of Municipal Affairs. In doing this, I will be working very closely with the policy development committee of Cabinet.

I have asked the municipal research branch to assume day-to-day responsibility for regional government studies and implementation. The municipal research branch will, of course, be working in very close liaison with the other branches of my department and with other departments and agencies of government. This is a programme which, by its very nature, cuts across branch and departmental lines and can only succeed with the understanding and co-operation of all departments of government.

Mr. Speaker, I have outlined in some detail our plans for the necessary changes in the municipal system of Ontario. These changes are fundamental to the future well-being of local government, and thus to the social and economic health of the whole province.

To bring these plans to their ultimate success will require the deep involvement, not only of every member of this House, but of every responsible human being within the boundaries of Ontario.

It will take much dedication to perform these tasks, but I fervently believe, Mr. Speaker, that this day will stand out as a great landmark in the perspective of municipal history in this province of Ontario.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, if you will allow me to postpone for a moment the traditional pledge of fealty to you, I should like to say that we in the official Opposition welcome this announcement by the Minister of Municipal Affairs (Mr. McKeough) which marks a significant step forward in the political life of Ontario.



You will appreciate, Mr. Speaker, that one of the greatest marks of discouragement for people in public life—and you and I can have a private exchange, in the absence of the press, as only a few of their members are presently in the gallery, so we can sort of have an *ex cathedra* exchange about it. One of the greatest items of discouragement—as I was saying to you—is that there is not much, at least from this press gallery which attends us here, in the way of analytical approach to political developments within the province.

It is particularly germane to say that in the realm of regional government, because I do well recall the first year that I sat in this House with my colleagues, the member for Downsview (Mr. Singer), and the member for Niagara Falls (Mr. Bukator)—that will be ten years ago this June. It was in the first year that they became members of this legislative assembly that they began to advocate the inauguration of regional government in Ontario. And every year after the initial impetus those two members gave it, they returned to that theme. I think both of them—I may not be correct but certainly the member for Downsview—became a member of the so-called Beckett committee. That was a committee attended with great longevity; I think it was reappointed three times—

**Mr. V. M. Singer (Downsview):** Four times.

**Mr. Sopha:** Thank you, four times. I think perhaps it marks a record in an age that keeps records, that on four different occasions it sat between sessions and its report was interlaced with many specific proposals about the implementation of regional government. And, my friend, the member for Downsview, on times too numerous to mention returned to that theme and pointed to the report of the Beckett committee and urged the government and, indeed, successive Ministers of Municipal Affairs—I think there have been something like three or four in our time, in the last decade—urged upon all of them that forthright steps be taken.

He spoke out of a sense of urgency to get ahead with the task of creating rational economical and sensible units of regional government in this province. So he, at least, can have the satisfaction that today, December 2, 1968, after ten years of efforts, that the Minister of Municipal Affairs—the fourth one, he should bear that in mind—gets up in his place and finally announces a concrete programme for the development of that useful tool of governing the political life of the people in this province.

Now, from the general I go to the particular and take note of the Minister's remarks made in relation to the Sudbury basin. And I preface what I have to say by referring to the fact that my colleague, the hon. member for Sudbury East (Mr. Martel) and my colleague, the hon. member for Nickel Belt (Mr. Demers)—the three of us—have been involved in a very intimate way in the studies that have taken place up to this time in the Nickel basin toward the end which the Minister now assists in a very concrete way today.

The Minister properly takes note of the role played by the Sudbury and District Municipal Association under the leadership of Mr. Solski, the mayor of Coniston, and other municipal leaders in the area. What they did was hold public hearings in all parts of the basin. This, of course, was commensurate with the remarks made by the Minister last spring when he said that he would like to see the initiative come from the local area. His remarks fell on fertile ground in Sudbury because the municipal association carried on a very active, very dynamic programme of acquainting the people of the area, the municipal leaders and the councillors about the necessity for creating a rational system for the management of the affairs of the Basin.

Now, I say two things: Throughout the province, not only in Sudbury—I am more familiar with it in that area—but throughout the province for a long time we have had regional services. One of the themes, of course, of that system, in welfare and children's aid—and more recently in education—has been that the boundaries of them have not been coterminous. I am rather of the opinion that this in itself has created a disparity and somewhat of a chaos in the minds of people who, after all, seek to identify with geographical areas. Now, I hope, that will come to an end.

It is unique in the Sudbury basin, of course—and I never lose the opportunity to make mention of this fact—that The Department of Municipal Affairs came along and installed the care of our senior citizens, homes for the aged, welfare and children's aid on a regional basis. That has been a fact of life for a good many years in some of those areas. And, significantly, The Department of Municipal Affairs always had its mind made up, Mr. Speaker, that the mining companies ought to pay their fair share of municipal taxation. The trouble was that The Department of Municipal Affairs never let anyone else know about its thinking. In a very sinister way—I do not think that is too strong a word—that

department came in and for the purposes of homes for aged and welfare, it assessed the mining companies and made them contribute as is proper. But, in all the other important areas attached to human beings: education, sewer and water, such relatively minor things as street lighting, police protection and the multiple services that people living in municipal units demand and require in a civilized society, The Department of Municipal Affairs vacillated in its dedication to the principle that the mining companies should pay a just and equitable proportion of the cost thereof.

As a result, of course, it gave the mining companies a free ride, imposing the burden on the human beings as distinct from the corporate enterprise. The human beings, the workers, had to pick up the cost of these very expensive services without assistance from those who organized the exploitation of the vast and rich ore bodies that exist in the Sudbury basin.

Now, it is hoped—and I have always thought this way—that life will change and from this day forward we will make a new approach to this problem. I always envisaged regional government as being the sole method by which we, in the Sudbury basin, could envelop the mining companies, once we got them in a political unit. Then from that time on, the government could no longer be oblivious to the pressure of municipal leaders and would have to remove the legislative exemption to municipal taxation that now exists.

The second thing I would say to the Minister—and I note that I stayed for his speech whereas he has departed as I make mine—the second thing is—and I hope it will be reported to him—that having left the boundaries in the Sudbury basin open I would seriously recommend to him that the unit which is most amenable, in a rational way, to regional government is that geographical area we connote with the term “Nickel basin”. If you will, Mr. Speaker, the Sudbury basin—that remarkable geological anomaly which is so rich in base metal ores—can be pictured as being shaped somewhat as a saucer with the ore bodies to be found around the rim. Sudbury is situated on the southern rim of the Laurentian Shield. Lake Wanapitei is more or less on the northern rim. The united townships of Drury, Denison and Graham are on the western edge and the hamlet of Wanapitei is on the eastern edge. The ore body, of course, is encountered as far away as Onaping, to the north-west.

Well that, if I have drawn you a visual picture Mr. Speaker, is the Sudbury basin, comprising some 20-odd municipalities. And I hope the Minister will indicate to Mr. Kennedy that that is the area that ought to be studied.

The danger of course, and here is where the Smith committee fell into error, the danger is in sending people from southern Ontario who most usually and habitually think that northern Ontario begins at the Jolly Miller in Hogg's Hollow. That is where they think it begins.

They fail to appreciate the vast area of these judicial districts. Sudbury is some 17,000 square miles. I calculated—let me see if I can remember—nine out of every 10 people, live within the Nickel basin as I have defined it. The danger is that larger boundaries, containing a good deal of wilderness area will be defined as being the appropriate unit.

In any event, I will leave the subject and say that I myself, and I am sure my hon. friends from Nickel Belt and from Sudbury East, will avail ourselves of the opportunity to make representation to Mr. Kennedy when he comes.

It is to be noticed, of course, that the Minister has chosen well, because he has chosen a native of the area, a man who is very familiar with the characteristics of the Sudbury basin.

Now, sir, forgive me for digressing in a parochial manner in referring to my own constituency in the light of this important announcement.

I pledge my annual oath of fealty to you, sir, and am delighted to see you robust and in good health and occupying that chair as you do. I want to indicate to you that I myself, sometimes acting under great restraint, will do everything I can to make your life as pleasant as possible in the difficult role that you carry out in managing the affairs in such a desperate lot as there are among the 117 here.

I was delighted to see the member for Waterloo South (Mr. Reuter) named as chairman of the committee. He handles that difficult task very well, his success no doubt was the reason that he was chosen.

I am going to return to the theme of the committees in a moment, but first, before leaving yourself, I want to note to you, sir, that the pecking order that you have lighted upon in the asking of questions is very interesting. You keep referring to the fact that you will continue to allow them to be

asked in the order of seniority over there among that raft of 22 that we face every day, until this is finally determined. You say that discussions are on the way. I know very well that I will not be invited to those discussions when this very important decision is made, so I have to give my advice publicly in the Legislature.

I think with the greatest respect—now I speak to you as a judge, you will appreciate what I mean—with the greatest respect sir, you err in your pecking order in that it does not recognize the power centres in the Conservative Party. What you have done, you see, is seem oblivious to the fact that the people from London and Middlesex come first. They are absolutely first.

You have accorded to the one who sits to the Premier's (Mr. Robarts') right seventh position. And this is bad, mark you.

I well recall the Sunday afternoon, motor-ing down from Sudbury, when I was listening to CFRB and they were interviewing the first citizen about his government and the people around him. They said, near the end of the programme—I think it was Gordon Sinclair, who is always capable of the most varied, and the most penetrating questions—Gordon Sinclair asked how much these guys get. That's a very important thing to him.

He said: "Now how many Cabinet ministers have you got, Mr. Robarts?" And he said, "I've got 22". He should have shud-dered when he thought of them.

Mr. Sinclair pursued and he said, now of the 22 who do you think of as being of the greatest assistance to you, of having the keenest mind, the most ability? And without stopping so much as to swallow his bubble gum, the Premier said: "The hon. Charles MacNaughton."

You see, he designated him as the heir apparent, the successor. And his attitude, so far as I can see, has not changed one whit.

So I do not think that you really can follow it up, Mr. Speaker, keeping Lin Piao in that position. You have to recognize that there is a new foundling, the one left on the doorstep by the Smith committee. You know what I mean, and it is opportune to find this out.

You see had the Prime Minister encountered the same response among the electorate of Ontario in other parts of the province as he did in northern Ontario, he would have been the leader of the Opposition. Not a very good one, which is why he did not go to Ottawa. But that is where he would have ended up, because of the

15 members from north of the French River, he only came back with six, the other nine are in the Opposition.

And the only Cabinet ministers that were defeated of course were from northern Ontario. So he did not appoint any more. We remain with the Minister of Lands and Forests (Mr. Brunelle) and the Attorney General (Mr. Wishart). For the Ministry of Mines which ought to be a northern portfolio, he picked a man literally from Bay Street. That is where his office is and that is his constituency. What is more fitting than for Bay Street to be running the mining industry; they have been doing it for 60 years in this province.

He did not appoint one from northern Ontario. He deprived us, passed over the member for Nickel Belt, who sat there, frantic, almost. He goes home and he waits by the phone, waiting for John P. to call.

The member for Kenora (Mr. Bernier) expected to get a call. But none from northern Ontario.

Well what is more just to a man who rules the province from London, but that he pick another from London? After all this fellow has been doing the constituency work for the last 10 years and an effort must be rewarded.

So really, I wish you success, but I venture to predict that by about Thursday that pecking order of yours will have gone the way of others of the like.

Now it is unfortunate that the Prime Minister is not here. I do not really see that he should come in and listen to my speeches, even though I must say the other day I stayed and listened to his.

I am going to delay the remarks I wanted to make on the constitution and the financial affairs until, hopefully, he returns when I resume on Wednesday, but I do want to say this about the committees.

To anyone sir, who thinks about it, the method of handling the estimates in this House is unsatisfactory. I believe entirely in, and I am glad to follow in every way that I can, the remarks of the leader of the Opposition (Mr. Nixon) when he calls for a change in our method of determination on that important part of our work.

Now the Prime Minister said just today, and you ought to have heard him, sir, that the reason this House is called is to pass bills. He seems to say that is the prime and basic reason for assembling this Legislature. I say to him, in greatest respect, not so. That is one of our duties, but surely of

equal stature with that duty, is the imposition of the responsibility of the official Opposition with our friends to the left, to examine into the gathering and spending of money in this province. And were I asked to establish them in order, I would put the second, as I have defined it, as of more importance.

The Department of the Treasury and the new Department of National Revenue I single out for special attention. And I say this about those two departments' handling of the estimates: Not only do they deserve the closest inspection, but they also ought to accord to members of the Opposition the greatest flexibility in making complaints and stating their grievances about almost any aspect of the life of the province.

And it is with a great deal of sadness that I recall last year, toward the end of that long hot summer, in the estimates of The Department of the Treasury, that I rose to my feet and I wanted to make some observations about the federal/provincial tax relations. They were a matter of great concern to the government and to thinking people of this province at that time.

But I did not get very far until both the Premier and the Treasurer (Mr. MacNaughton) got up, and with the assistance of the Chairman had me cut short, saying that the leader of the Opposition, as the lead-off speaker, had dealt with that subject and it was appropriate only to a lead-off speech, and accordingly I should not be allowed to continue; and I was not.

Now having protested that; it rather denigrates, I am sure you will agree, from the freedom, the capacity of any private member of this House to have something to say about the very vexing problems that face this nation and its provinces about the ordering of financial affairs in relation to that person out on the street who pays 35 cents out of every dollar he earns. If he earns between \$5,000 and \$10,000, he pays 35 cents of it to the three levels of government.

Hon. J. H. White (Minister of Revenue): That is a misleading statement.

Mr. Sopha: Well he does—35 cents of each dollar of his income. I checked that today with the director of statistics of the province. If the Minister wants to argue with him, his name is Dr. Cheng. He might call him up.

Hon. Mr. White: That is the proportion of the gross national product.

Mr. Sopha: I am not going to get sidetracked into an alley. If the Minister takes another view of it, he may do so when he gets up to speak.

Did you notice, sir, that since he has become a Minister, he has become even more raucous than he was before, even more? You would have thought the heights of power would have mollified and mitigated him somewhat.

In any event, six months ago, when I presumed to make some remarks about the relations of the two levels of government, I was going to say very quietly, as I am going to say now, that a matter of very anxious concern to the taxpayers of this province is the vast amount of money the federal government spends on national defence.

I make that statement in the light of the remarks made by the Hon. Eric Kierans on television recently, about which he has been questioned in the House of Commons. In the light of his observations, it is open to a member of the Liberal Party to announce three cheers for the forthright way in which he treats it—telling the Canadian people that, as one member of the Cabinet in Ottawa, he believes that Canada might well examine its role in NATO and NORAD.

It can be put very simply this way—if, as a Canadian, you are faced with the choice between supplying a Browning rifle to a Turkish tribesman in Anatolia, and providing medical care to an Indian child at home, then the preference becomes pretty obvious.

The fact is that we as Canadians have deprived ourselves to a large extent of the capacity to make the good life for our people, because of the towering oppression of that \$1.7 billion, amounting to 16 per cent of their budget, spent by Ottawa on defence.

Quite in contrast to the debate at the Oxford Union in the 1930's—some members will know to what I refer—but quite in contrast to the climate of thought at that time, it seems to me as I look around the world in which we live that there is a greater disposition on the part of civilized people to shy away from the warlike and the military, and a greater disposition to see if we cannot resolve the great conflicts of the world by ratiocination—by the spirit of compromise and by open mindedness.

Now I submit to you, sir, that to say those things is not to cast oneself in the role of a peacemonger, if that is a dirty word. It is a plea to fellow human beings that maybe in 1968 we can finally determine that the major problems besetting the world are not military,

they are not military or defence—the major problems are sociological and economic. They surround the starvation, misery, ignorance, disease that afflict the greater proportion of the inhabitants of this world.

If faced with the choice, I am able to make it easily. To be faced with the choice of paying for this hardware that is poured into NATO or supplying wheat, industrial machinery, medical supplies, school supplies—as a Canadian I am ready to make that choice. Among the people we represent there are a good many who question the spending of that 16 per cent of the federal budget.

If that figure could be reduced, then I dare say there would be greater flexibility at the senior level of government in dealing with the financial problems of the provinces. That figure of \$1.7 billion would be somewhere—I recall the Premier saying—would be somewhere in the neighbourhood of the deficit of all 10 provinces. I do not know, but the Minister of National Revenue will speedily correct me on that.

In other words, if that were treated as a surplus, it would just about equal the deficit of the provinces.

I am glad I had the opportunity to say that. I wanted to say those things last spring. Probably they are not very significant, but I say them because, Mr. Speaker, there are a good many people out in the streets who feel the same way.

I just have time to say wistfully that it was a pity that the *Globe and Mail*, in its article of Friday, following the Premier's speech and its editorial of this morning, so completely distorted the position that we have always taken on this side. The *Globe and Mail* emphasized a remark that was made off the cuff here directed to the Premier as an aside as indicating that the Official Opposition was chiding him about wanting more powers from Ottawa.

Well, let it be said that the Official Opposition has long ago recognized that one of the most anxious problems of our Confederation—and it is a wonder that we have survived after 100 years of facing one of the greatest problems—perhaps the root problem of our Confederation has been that the provinces are too powerful. They have too many powers. Perhaps if I look back, maybe it would be 10 years ago that I advocated in this House that in a rewriting of the constitution, the provinces might well decide to give up some of their powers to the central government; and I enumerated some of them.

For example, labour relations with industry organized on a nation-wide basis. I do not see why it should not be governed by the central authority. It would certainly do away with the dangers implicit in the Act of the government of British Columbia this day, when a law goes into force saying that the Cabinet of British Columbia has the power to declare an industry to be essential, any industry, and to direct compulsory arbitration.

We have seen irresponsible labour legislation in various parts of this province.

Another area in which I advocated giving up legislative authority was over the trust companies and other financial institutions, so as to make power over the monetary system—the federal government now has it over banks—a composite matter so that government could truly and effectively influence the monetary policy of this country.

The Minister of Financial and Commercial Affairs (Mr. Rowntree) has recently come into this by way of recent announcements of his.

The third one is marketing. I do not see why two different inspectors should look at the same apple and determine who has the right to grade it on the basis of whether it is going to be sold in Belgium or whether it is going to be sold in Duntroon. It seems to me rather a silly duplication of effort.

A fourth one of course is national securities legislation. The charade that goes on in this country of the disparate jurisdiction over the marketing of securities is just bewildering and the Minister of Financial and Commercial Affairs is making progress in that area.

One of the banes, one of the great inhibitions and the limitations to the political development of this country—as I said in an aside to the first citizen on Thursday last—has been the failure of the politicians in this country, in the 68 years of this century, to come to some resolution around the common round table in the Canadian way as to what shall be the most meaningful and efficient distribution of legislative power!

That is the great inhibition on our political development, and I hope and pray that at the conference—to take place in mid-month—that the politicians will begin from the springboard of saying to each other, Mr. Speaker: Now look, let us see whether we cannot set out rational, intelligent and effective areas over which each of the levels of government should be responsible.

I want the federal government to have legislative authority over all those things that concern Canada as a nation. I want the provincial governments to have legislative



authority over those things that affect Canadians as human beings, all those intimate matters of concern that are personal to the human. We have many of them now.

It is from that basis that I see a sensible approach to the final resolution of these great constitutional difficulties that have beset us over the first seven decades of this century.

Mr. Speaker, should I move the adjournment?

Mr. Sopha moves the adjournment of the debate.

Motion agreed to.

### NOTICES OF MOTION

**Clerk of the House:** Notice of motion No. 1, by Mr. Singer.

**RESOLUTION:** That this government should enact a Tenants' Bill of Rights to protect tenants from harsh and excessive terms in rental control including: 1. Provision for a standard form of lease. 2. The rights of a tenant to limit his advance payments of rent to two months' rent as a maximum. 3. Deposit moneys paid by the tenant as security against damage to a premises to be outlawed completely. 4. Forbidding terms in a rental agreement whereby the tenant surrenders the protection of any legislation passed for his protection. 5. Enacting and enforcing regulations that will guarantee the tenant basic safety and health standards. 6. Outlawing exclusive agreements between the landlords and suppliers that deny the tenant's right to free access to goods and services. 7. Forbidding landlords to levy any extra charges on the tenant not specifically contracted for, such as the assignment of leases by tenants. 8. Establishing a tenants' appeal board.

Mr. V. M. Singer (Downsview): I move resolution No. 1, standing in my name, which has just been read.

**Clerk of the House:** Notice of motion No. 9, by Mr. Deans.

**RESOLUTION:** That this government should introduce legislation for the protection of tenants of self-contained units in multiple dwelling accommodation and single family dwellings to include: 1. Abolishing security deposit. 2. Establishing a Rental and Tenancy Review Board. 3. Enacting a standard form of lease to be used by all landlords. 4. Prohibiting landlords from charging tenants a fee for subletting an apartment. 5. Outlawing all clauses in

leases restricting tenants' right to purchase milk, bread, other foodstuffs and personal service from the merchant of their choice. 6. Prohibiting landlords from charging for extra occupants. 7. Requiring landlords to provide adequate standards of maintenance, safety and health for their tenants. 8. Requiring landlords to carry liability insurance. 9. Abolishing the landlord's right of distress. 10. Authorizing the courts to delete any clause of a lease which, in the court's opinion, is unreasonable. And further, the government should so amend The Municipal Act as to permit municipalities to pass by-laws governing and controlling terminations of leases and the levels of rents imposed on rental properties within these municipalities.

Mr. I. Deans (Wentworth): I move resolution No. 9, standing in my name, which has just been read.

Mr. Speaker: The hon. member for Downsview has the floor.

Mr. Singer: Mr. Speaker, in speaking to this resolution and in following my hon. colleague from Sudbury (Mr. Sopha)—as he was talking about what happened in the north last October 17—it recalled to my mind the remarks of one Ernie Jackson, who I think is well known to members on that side of the House, when he was reviewing the events of last October 17. His remark apparently to his leader was: "We are losing in the cities."

I think as you look around the membership of this House you will recognize that the Tories are losing in the cities and they are losing in the north. Their base of power is rapidly being reduced from centres where there are concentrations of people. Why, Mr. Speaker? Because the Tory party does not seem to care about individual rights and the protection of those rights.

I am very sorry that the Minister of Trade and Development (Mr. Randall) is not in his seat because he has been assigned the responsibility for providing housing in this province. There has not been a more dismal failure by any Minister—in my opinion and in my experience in this House—than that exhibited by this Minister in the provision of housing for the people of Ontario.

It is government policy apparently that housing does not have a high priority. The end result, Mr. Speaker, here in Metropolitan Toronto is that we probably have a housing crisis of the gravest consequences that has existed since Toronto came about. The end



result of it is that we are selling 50-foot serviced lots in the municipality of Metropolitan Toronto as far north as Finch and Sheppard for \$15,000 a lot. This is one of the results of the lack of a housing policy of this government.

Then, of course, once you get the lot—if you can afford it, Mr. Speaker—you have to put a house on it and by the time you finish with the house you are up to \$30,000. Where then do people go to live? How do they acquire houses? How do people build apartment buildings? What kind of rents have to be charged? What kind of treatment is given to tenants?

Well, Mr. Speaker, this again is where the government exhibits its crass lack of concern about the interests of the people who live in our cities. This is what Mr. Jackson was talking about when he told his Premier that "We are losing in the cities." This is why they were losing in the cities.

What has happened, Mr. Speaker, in the municipality of Metropolitan Toronto? It is as though one small group of people had cornered all the coffee in the world and people continued to want to buy coffee. The people who controlled it then decided since they have the monopoly they can charge as much for it as they want, and the price of coffee went up. This has happened occasionally in our economic system.

What has happened here in Metropolitan Toronto is that a small group of people have managed to control all of the land on which you can build apartments. The price is so high that very few other people can get into that kind of economic endeavour. The end result—land being so scarce, the cost being so high and there being no alternative—is that the tenants of this province unfortunately are at the mercy of the people who control all of the coffee in the world. They are at the mercy of the people who control the buildings. When we have a vacancy rate of a fraction of 1 per cent of all of the apartment units in this great city, it is small wonder that the law is the law as determined by the landlords, particularly when the government sits silent and will not change the law.

It was more than nine months ago, Mr. Speaker, when I debated and put forward the same resolution that stands in my name today and what was the action of government? Well, there was a reference to the law reform commission. The Attorney General (Mr. Wishart) advised us a few days ago the law reform commission will report

and, hopefully, some day soon someone might get down to examining the report.

Maybe it is going to follow the programme adopted, insofar as our financial crisis is concerned. There will be a select committee to examine the report of the law reform committee. There will be a Cabinet committee to examine those two committees' reports. We will get white papers and blue papers, and so on, and maybe in a year, two years, five years—who knows—we are going to have a new law affecting the rights of landlords and tenants.

Well, Mr. Speaker, it is going to be a little late, as so many actions of this government are more than a little late. It was eight months ago, Mr. Speaker—something over eight months ago—the date was March 20 of this year—that I read to this House extracts from this document—the wonderful lease used by the Ontario Housing Corporation. With some embarrassment, I guess, the government suggested they were going to have it revised.

I asked the Minister of Trade and Development when we would be likely to see that revision. That was just a few days ago. He said, "Hopefully, within a month we are going to see a new form of lease for the Ontario Housing Corporation."

Mr. Speaker, you are a member of the Law Society of Upper Canada. I would suspect that on occasion when you were in private practice clients came to you and said, "Will you draft me a lease?" I would suspect that you would not have kept those clients very long if you had to say, "It is going to take nine months to prepare a new draft of a lease." Yet the government, with all of the authority it has at its command—with legal departments in every single branch—nine months having gone by, are unable to bring for the tenants of the Ontario Housing Corporation a lease that is fair and a lease that is equitable.

What other answer can there be, Mr. Speaker, than that the government does not care—that the idea of protecting tenants in public housing just is not very high on their priority list? Either that, or they have not enough talent at their command to get somebody to redraft one of the most unjust documents that I have ever had the misfortune to deal with. It just does not make sense.

Mr. Speaker, there was another thing added in recent months to the problems affecting tenants. The government, during the last election campaign, talked about the rebate that was going to result to landlords

and tenants and so on insofar as municipal taxes were concerned. Some \$150 million of our money is being spent on this and it may be that some of the financial nightmare that we face is a result of this intemperate decision.

However, you will recall, sir; that at the time this announcement was made, some of us pointed out immediately that the ability to get this money back to tenants was very, very limited. We were assured by the Minister of Municipal Affairs (Mr. McKeough) and others: "Do not worry about it, everything will be fine." My attention is drawn to an article that appeared on the front page of today's *Star* under the by-line of one John Doig. He quotes at some length an official—I gather in The Department of Municipal Affairs—and just let me read a very few brief extracts from that:

"But some smaller landlords are trying to pocket the government handout," says Leonard Wood—

And he is that official, sir,

—who is running a special rebate information service at Queen's Park.

And the telephone number is there for anyone who wants it.

"A few tenants have told us their landlords have just flatly refused to pay," says Mr. Wood.

Mr. Wood, an official apparently charged by the Minister of Municipal Affairs, relates this to the gentleman who wrote the article. This does not seem to bother Mr. Wood very much—because things are really difficult. Mr. Wood gets on a little further and says:

"Some of the calls are dealt with. Other calls during the last few months indicate that perhaps about 150 smaller landlords have refused point blank to pass on the rebate."

Another paragraph says:

"But securing a conviction against a landlord would involve the tenant in time consuming trouble. He would have to swear an information at a police station and be prepared to appear in court as a witness if a prosecution follows. Many tenants do not want to take that action to get back their \$55."

These are all things we warned the government about, Mr. Speaker, and these are all things the government did not see fit to take any action about.

The poor tenants again are left to their

own devices if they are going to get any protection. We have this horrible statute and there is no remedy, apparently, in this time of crisis—government created crisis—which will allow tenants to adequately protect themselves.

My leader, sir, in his remarks in the Throne debate a few days ago, said that we, with great reluctance, were going to support a form of selective and voluntary rent control by municipalities, somewhat along the lines suggested by the city of Ottawa in its application for a private bill.

Let me say, sir, it is with great regret that my colleagues and I came to that conclusion that we must do this. We must do this because of the woeful ineptitude of the government in providing proper protection for tenants and proper accommodation so that they can be a free market when it comes to finding apartment accommodation for themselves. This speaks for itself and must follow as night the day that this unusual kind of action would not have to be even put forward in this House if the government had been doing its job.

Mr. Speaker, we hear from the Treasurer (Mr. MacNaughton) of the province of Ontario about the sad financial situation in which we find ourselves. The resolution we now put forward is not going to cost the government any money. All they have to do is get some intelligent legal draftsmen and perhaps a few students of the law to sit down for a concentrated period and rewrite unfair leases and redraft a statute that, by reason of its old fashioned approach, obviously screams for reform.

There must be a new law of landlord and tenant written in accordance with conditions as they exist today and designed to alleviate the aggravated conditions promoted by this government.

You know, sir, the law that we have here in this province. And you well know this was brought over from England. It was originally drafted to protect the landed gentry against the peons—against the people who would dare interfere with the rights of landed gentry in the use and enjoyment of their property in keeping the mass of the people subjugated. The English, in their good sense, had changed that law many years ago, but not in Ontario.

Why is this matter current today? It is important today because the tenant has no opportunity to bargain in the free market for accommodation. He is lucky if he can find an

apartment and, once he gets in, then he is at the mercy, in so many cases, of the ruthless apartment owner.

Let me say quickly, sir—

**Mr. P. D. Lawlor (Lakeshore):** Time.

**Mr. Singer:** No, it is not time. I will be good for a few minutes yet.

Let me say quickly, sir, that there are many responsible landlords who treat tenants properly and fairly and who, once having made a bargain, stick with it.

Let me say in addition, sir, that there are occasionally irresponsible tenants—some people will say there are many irresponsible tenants—who destroy landlords' property—who do not take any great interest in the landlords' property. These facts are true. The obvious fact, however, is that the majority of tenants are no longer in a position in which they are able to bargain, and bargain fairly, for a choice in accommodation and for a contract in which they are going to have reasonable protection.

An Act, a new Act must be drafted and I cannot understand why the Attorney General lets the law reform commission dawdle so long about things that are so important.

Ask Jackson why you lost the seats in the city. This is one of the reasons why you lost the seats in the city—you are not concerned about tenants; you are not concerned about protecting their rights.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Is that the reason?

**Mr. Singer:** Wood—this fellow you have hired to try and help the tenants here—says tough, too bad, unfortunately if you want to get your rebate you will have to go to court. And if it is not worth your while in time and in money, then you are going to lose your \$55.

This is so obvious, Mr. Speaker, but it is unfortunate in the timing of this private members' hour, that there are two resolutions on today. Even if I had the full hour to talk, I still could not cover this field adequately.

However, the various points made in my resolution, I think, speak for themselves. The ones made in the resolution put forward by the hon. member for Wentworth (Mr. Deans) make good sense. The remarks that I put on the record and are in *Hansard* last year, about nine months ago, equally make sense. I am going to come back to this when it is my turn to participate in the Throne debate.

I would urge, Mr. Speaker, with all the power at my command, that the government begin to concern itself with the rights of people and maybe then, Mr. Jackson will not have to weep quite so loudly when the time of the next election rolls about.

I think it is too late for this government. It is just sad that a government that has been entrenched for 25 years has lost all sense of proportion and a real feeling of concern for the rights of people who, through no fault of their own, but really through the fault of government, are forced into an untenable position when it comes to having decent rental accommodation and decent protection in the law to help them.

**Mr. Deans:** Mr. Speaker, in rising to speak to this resolution I do so with the feeling of some frustration, knowing that the probable outcome of this effort and exercise will be complete government neglect.

I would point out though, to you, sir, and to the member for Downsview (Mr. Singer) and perhaps to the government, that the reason I have this on the order paper is not for the purpose of winning votes in urban communities, but for the purpose of ensuring that tenants in this province receive a fair and reasonable tenancy.

The tenants I talk about are tenants not only in apartment buildings owned by private developers, but also are tenants of the Ontario Housing Corporation. I was somewhat disturbed today to find that the Minister in charge of the Act which administers or which has embodied in it, the Municipal tax rebate, does not feel that it is his responsibility to ensure that every tenant, including those in Ontario housing, would be able to receive this. And he does not feel—I am sorry he is not here—he does not feel that it is his responsibility to ensure that the terms of the regulations presently being drafted, would be properly enforced even with those properties that are owned by Ontario Housing Corporation.

I want to direct my remarks in four areas this afternoon, because it is, as the member for Downsview said, a thing that could take us all day. We could quite conceivably discuss this from now until next week at this time and really not have arrived at the final conclusion.

I would begin so by suggesting that the matter of abolishing security deposits is one matter which must receive immediate attention. It is obvious from the amount of mail that one receives that the conditions imposed

upon tenants with regard to security deposits are inhuman and outrageous.

I hold, for any member to see, the amount of mail that has been received, from people who have not received their security deposit upon leaving an apartment. If time was available, I would read to you all of these letters in order that you fully understand exactly what this problem is.

In the city of Toronto there is some \$15 million being held by apartment owners; money that belongs to the tenants and it is being held as a deposit for what no one is quite sure and how you get it back is equally obscure.

It has become increasingly more difficult over the past two years to get the security deposit back even though you leave your apartment in what could be termed reasonable condition. I do not think that it is too much to ask that the entire area of security deposits be reviewed. I think it is abundantly reasonable to request that there be no provision in any lease drawn up that would suggest or demand that any person leave on deposit, with anyone else, any amount of money to show any kind of good faith or allow this person to claim for damages real or imagined.

If a person owning an apartment building finds that the apartment has been damaged in any way, the law is quite clear—the recourse is open and he can follow it the same as any other individual in this society. There is no right and no need for security deposits to be charged by any individual. Therefore, I call upon the government to enact legislation now, to eliminate and to do away with entirely, security deposits for apartment dwellers.

It might be said, just in passing, that in Toronto there is one apartment owner who boasts of the fact that he expects to make some \$20,000 a year on security deposits. It has become a source of income—and a source that the people of this province can ill afford.

In regard to standard lease forms, I would suggest that this government should immediately draw up a standard lease form; one which is written in the English that is spoken by the majority of people of today, one that lays out exactly what can be expected of a person when he takes occupancy of an apartment, in order that it is clearly understood what the terms of this occupancy shall be.

In Ontario we have any number of leases. I have three here. There are probably dozens upon dozens. I have seen many others. Each one basically the same, but with slight dif-

ferences and the slight differences are where the problem arises. Because, unless one is a lawyer or unless one is fairly well educated, it becomes increasingly more difficult to determine what is intended by the leases. Now, I understand that the Urban Development Institute has come up with a lease that is reasonable in its content. The unfortunate part, of course, is that all apartment owners in the area are not necessarily part of the Urban Development Institute. There is no guarantee if the building is sold from one to another, that it will be sold to another person who is a part of the Urban Development Institute. Because of this, we find cases where people have signed a lease that was reasonable only to find that the new owner will not abide by it. I suggest that if we were to draw up a proper standard lease form in this province, this kind of unscrupulous dealing could be done away with.

There are people who have signed: I have one here, for example, who signed a lease in April, the apartment was sold in April, and she discovered that the lease she had signed was of no real value. This is indeed an unfortunate circumstance.

The matter of adequate standard of maintenance and health is one that has come up in Toronto very recently and one in which the deputy leader of this party has taken a very active part and played a rather important role. I do not think one has to go to many apartments, particularly the newer ones—strange though it may seem—to discover that they are not being properly maintained. In any lease that is drawn up there must be adequate provision for the maintenance—both from the point of view of health and of maintenance of the building—in order that it be in a safe condition. I suggest that this could be a function of this government and they should immediately take action upon this.

Finally, I want to talk about the area of rental control. Over the past year and a half—perhaps going back as far as five years—rents have risen without any consideration for the ability to pay of the people who must rent accommodation. In the past six months rents have increased astronomically and much of this increase has been laid at the feet of the government—perhaps wrongly—because of the introduction of the tax rebate. There have been many landlords who have used this as a reason for raising the rents.

I have here a letter, if I can just put my hand on it, which is sent out by one development company called Garden View Properties Limited, in the city of Hamilton. I am quite

sure that many members have read a letter not unlike this, but I will read it into the record. It says:

Due to the new Ontario legislation of assessing buildings, collecting of taxes and further rebating of taxes, we, the management have no other alternative than to increase the rent of apartments. The new rent will be . . .

And they state a figure of \$135 for an apartment plus whatever it is for one reserved parking space or carport, making a total of \$135.

This was an increase of some \$12 a month. This was laid at the feet of this government—wrongly—but it was used against the dwellers of this particular apartment in order to try and force them to pay an additional premium for their apartment. This \$12 is not a lot when one takes into consideration the fact that I attended a meeting not three weeks ago at which 25 out of the 50 apartments or the units in the apartment building are occupied by senior citizens on fixed incomes, and that they had their rents increased by a letter identical to this from the same company by \$15 a month.

Another building in the east end of the city of Hamilton had rents increased by \$50 a month. I suggest that reluctant though we might be to see rent controls imposed, it has become a necessity in this day and age. It is obvious that the apartment owners feel no sense of public responsibility, they have no feeling for the aged. Their only concern is to make more and more and more money. The time has come when we in this government and when you in that government there—I should say perhaps—must recognize, firstly, that accommodation is a necessity of life and is a right of every individual in this province. And secondly, that there is only one way that this can be guaranteed: that is, that the rents being charged will be within the ability of the people who must pay them to pay.

Mr. Speaker, I hope that the government will not feel the necessity to have us bring this up again one year hence. I hope that before the next session we will have legislation covering just these things that I have mentioned and that we will not have to stand in this House and make a plea on behalf of the people of this province for the things that are rightfully theirs. My colleague, the member for Lakeshore (Mr. Lawlor), has comments that he wishes to make on this matter and I will therefore yield the floor.

Mr. G. A. Kerr (Halton West): Mr. Speaker, I find myself in agreement with much of what is in these resolutions. For example, in the resolution of the hon. member for Downsview I agree with items 1, 2, 4, 5, 6 and 7. I think possibly they are similar to most of the ones contained in the resolution of the hon. member for Wentworth. He has added one or two more and time will not permit me, sir, to deal with them.

I think both hon. members have submitted valid reasons why these items should be considered by the government and I will ignore naturally the rather partisan remarks of the hon. member for Downsview, but I must say that the resolution that he has posed and he proposed a year ago should be taken very seriously. I think, for example, Mr. Speaker, that a lease that contains a clause whereby a tenant precludes or waives his right under The Landlord and Tenant Act or any Act of the province of Ontario is an affront and an insult to this Legislature. Certainly, for example, there should be a standard form of lease and its provisions should be an appendix or a schedule to a reformed Landlord and Tenant Act. These are the things that I favour; I have indicated what I do favour and I hope that they will be enacted very shortly.

However, Mr. Speaker, I have mixed feelings about incorporating protection for tenants in a bill of rights. Historically in Canada, the effectiveness of a bill of rights is not too satisfactory. It is subject to all kinds of interpretation and could become embroiled in some sort of a constitutional debate. I suggest that we amend The Landlord and Tenant Act where necessary and we reform the legislation that we have now—which is rather archaic—and introduce new legislation if it is necessary to meet, as has been suggested, our present day circumstances.

Regarding the third provision dealing with deposits, the hon. member for Wentworth spent some time on this point. I think we should remember, Mr. Speaker, that there are many landlords and many tenants in Ontario. Most of them are getting along, most of them are law-abiding and ethical and rarely does either party ever rely on or enforce some of the inequitable or harsh provisions of a lease. However, there are exceptions. There are both landlords and tenants who can make life difficult; it is important, therefore, that our laws and regulations between the parties be equitable. A tenant who is indifferent or contemptuous of property of



others can put a landlord to a great deal of expense and trouble. We must remember that all landlords are not absentee property-holding barons, they are not all living in Toronto and many have large commitments to make. Many have mortgages—sometimes two or three—they have taxes to pay and repairs to make. If many tenants are late with their rent or cause excessive damage or vacate the premises without notice and leave the province, for example, other tenants will suffer. I suggest, therefore, that a small deposit is not unreasonable, say a maximum of about \$50 and this will help in such circumstances. This amount should be set out in the lease; there should be an acknowledgment of payment at the time the lease is signed; and it should be held as a trust fund and interest should be credited to the tenant.

Landlords should be required to publish statements at least once a year of the deposits that they hold in trust and the individual amount or total of each deposit owing to each tenant. If the deposit is not returned when the premises are vacated because of damage, the landlord must inform the tenant in writing what amount is being deducted, what repairs have to be made, and the amount or cost of those repairs should be corroborated by a tradesman's estimate. This should be done before the tenant leaves and if the tenant is not satisfied I think he has his remedies in the courts.

Now this brings me to the part of the resolution regarding, Mr. Speaker, a tenants' appeal board. I suggest, Mr. Speaker, that if the landlord and tenant laws are reformed there is less reason for an appeal board. I would think that the facilities, for example, of our division courts could be used for landlord and tenant cases. Possibly we could set aside a special day for such battles exclusively. I realize that we must have speedy justice and we must have a swift remedy. We have the necessary structure in our division courts for such claims—it should be utilized and streamlined so as to make such an appeal board unnecessary.

I suggest, Mr. Speaker, that such a board could be slower and more frustrating to all parties concerned than a judicial decision.

I understand that the Ontario Law Reform Commission is looking at the present time—and it has been mentioned by the hon. members opposite—looking at the whole field of laws affecting landlords and tenants. I also understand that the commission's recommendations will be available in a very short time to the Attorney General and I think that

there is no reason, if that is the case, why we should not have new legislation at this session of the Legislature.

I suggest, Mr. Speaker, that other matters need attention which are not contained in either members' resolutions. I think, for example, that the provision in a lease whereby if the building is sold by the lessor the tenant may be required to vacate the premises within 90 days of such sale upon notice should be prohibited. This provision is not to obtain in vacant apartments or premises; all this is for is to allow new owners to raise rents and obtain new leases. In other words, to break the existing lease regardless of the length of its term or whether or not the tenant has abided by the terms of his lease.

I think the repair clause in present leases is inequitable. Landlords should be liable for damages that are caused by their negligence. The right to quiet enjoyment should mean that landlords should not be able to enter occupied apartments, at their own whim at any time of day without reasonable notice. The only exception should be in an emergency or a complaint by another tenant—there may be a fire, or a fight, or a tap causing a sink or tub to overflow.

All leases should be completed in full before a tenant signs it and the signed copy must be given to the tenant within a few days of possession. If there is a company involved, the company seal should be attached and anybody that signs as a lessor, or landlord, and the lease is in effect for three, four, or five months, whoever is the landlord should be bound by the terms of that lease. The lease, in my opinion, Mr. Speaker, should be the final document evidencing the rights and obligations of both parties. Any provisional lease allowing a landlord to make other or further rules or regulations should be prohibited.

When a landlord allows a tenant to sublet, the original tenant should no longer be obligated in any way to the landlord under the original lease.

Mr. Speaker, there are many other speakers to follow me and all I would like to say in closing is that as Ontario usually leads the way in Canada in all aspects of law reform the laws dealing with landlords and tenants I predict will be no exception.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, there is no greater urgency in the change of our laws than having to do with the laws between a landlord and tenant.



Now the last speaker, the member for Halton West (Mr. Kerr), has agreed in part with the two previous speakers and I only wish that the member for Halton West spoke for the government, but the way that the government has ignored the landlord and tenant situation in this province, he is pretty obviously speaking for himself.

The present landlord and tenant laws that we have today are basically the same as about the year 1200. They are nearly 800 years old. Now, when we think of the tremendous changes that have taken place, even in the last few years, it is very obvious that we need some vigorous measures that are going to restore some type of sanity and give a security to the living conditions of hundreds and thousands of tenants, particularly in the large urban areas.

A few years ago when a person would rent an apartment it was usually in a duplex or, in some cases, in buildings that at most had 20 suites. Today we have a situation in Metropolitan Toronto where we have somewhere in the neighbourhood of between 170,000 and 200,000 people living in apartments and as a result there is a new type of serf in our society. I say to you in all seriousness, Mr. Speaker, that the tenants in these modern complexes are becoming serfs. They are told if and when they can have a TV antenna. They are told who can deliver bread to their door; who can deliver milk. They can literally be locked out—even when they are in the right. I know of cases where people have paid their rent—the landlord has said, “you have not paid the rent”, and when the tenant has come back to his apartment in the evening his door is locked. Certainly, as the member from Halton West said, he has recourse to the courts. In one case I have in mind the tenant did go to the courts to prove that he had paid the rent, but in the meantime—it took months to prove the righteousness of his case. So I say that one of the major reforms among the many, and the time we have at our disposal, we certainly cannot go into all the details of the landlord and tenants situation, but one of the major reforms that should be made is that a landlord should no longer have the right to distress. It has become simply too involved.

The tenant is completely at the mercy of the landlord. Despite the fact that there are no doubt many individuals who own apartments and try to do their best, the type of landlord we seem to have today is as vicious and greedy an individual as you can find

anywhere in our society. It is time for the government to step in.

There are many things in the two resolutions before us that you and I, 10 or 15 years ago would have abhorred because they interfere with private enterprise, with the freedom of choice. But for hundreds and thousands of people in this province today there is no freedom of choice. It is nonsense to talk about a freedom of choice. When the rent goes up they say: Move if you do not like the price. Where do they move to? And with the high cost of moving, it only adds to the cost of trying to live in this province of ours.

So I say to you, Mr. Speaker, and particularly through you to the members of the government bench—let us have some strong and vigorous action.

I am very happy that my leader has spoken out in favour of rent control. I am one of those individuals who think rent control is long overdue. We are fools to just sit around and get calls from constituents saying: “My rent has gone up three times this year. What can I do?”

They can do absolutely nothing but get out, and again where can they go? It is all right to talk about landlords facing the rising cost of living and rising taxes, but despite the fact that in Metropolitan Toronto the taxes went down this year as a result of the legislation that was passed in this House a year ago, the rents are still going up and up and up. Do we require any more evidence that the landlord today simply must be controlled? That is why I feel we need an appeal board, or a review board. I do not care what you call it, as long as we get some action. They must see to it that the right of distress is done away with, that we have standardized leases, that rents are properly controlled.

It is ridiculous that a landlord can come up with a detailed document like this lease I have here and literally enslave the individual that we call the tenant. This is why I again appeal, with all the fervour at my command, that we do everything we possibly can. Normally a landlord can plan on a vacancy of 10 per cent in his apartments and he can make it a real going concern.

Today there is a vacancy of less than 1 per cent, so do not let the landlords try to kid you they are faced with the high cost of living. They have never had it so good. The landlords have never had it so good—the tenants have never had it so bad. And remember this—when you have restrictions against children, and when people are paying such high rents that they cannot save to buy

their own homes, what is going to happen to our communities when we bear in mind that many experts say that almost 85 per cent of the people of this province will live in apartments by the year 2000? It means that fewer and fewer people, that is the landlords, are going to control the living conditions of very many hundreds of thousands of people who are becoming the modern serf of the twentieth century.

So I urge, Mr. Speaker, through you, that the members in this House, and particularly the members on the government bench, not only support this resolution but bring in legislation with some guts. Let us quit talking out these important resolutions. Let us have some action from a government that has certainly delayed and delayed and delayed. It is time for action.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, in rising to speak to these resolutions today I would take a moment to remind you of a certain misadventure or peradventure, or some sort of thing that went on in the House a year ago today approximately, when speaking on the same issue, at the same time, with the same speaker following me. I have never been forgiven by the member for York East (Mr. Meen) for moving the adjournment of the debate in the light of the dearth of members opposite.

There are a goodly number of faces showing today; I shall restrain myself on this occasion, particularly in the light of the member for York East's desire to speak. I shall try to give him a few moments and get on with this.

At that time I said that while we have lots of stupid, inadequate, confused and interminable laws in this province—and I would mention in this context what Smith has to say about our succession duties statutes—and in connection even with things like mechanics liens actions and the stuff we will be dealing with tomorrow, Mr. Speaker, namely expropriation. What a tangled jungle of verbiage we are in the process of cleaning out—at least the underbrush—it is far from perfect even as it is, as we will find out. In any event, this landlord and tenant law is the single most vicious law in our statutes for some of the reasons indicated by the hon. members who have spoken before me.

The tenant in Ontario has only two rights—one which is nebulous, and the one which is conquering. He has the right to quiet possession, which does not mean "quiet" possession at all—it has something to do with

titles. Secondly he has the right to pay his rent and to pay it on time.

Apart from that in the whole range of these leases and even as set forth in The Landlord and Tenant Act, he is responsible for practically everything else—for repairs, the business of securing the deposits. He cannot sign or sublet without leave. And whether we do anything else or not under this law, due to the present exigencies in Ontario, the notices to vacate must be extended—at least six months' notice to vacate must be given, and within that time the rents may not be raised.

Whether we do anything else or not, we must rectify the problems of evictions, particularly regarding the use of the bailiffs, that ancient institution which we—the member for Downsview and myself—took off on last year, with no effect that I can see thus far. Then the position with respect to distress—a most antiquated thing which does the landlord no good and which usually deprives the tenant of the little wherewithal he has.

The arrangements under these leases are fundamentally opposed to any concept of justice. Justice involves mutuality. Here you have the relative position of the two parties completely disproportioned and overbalanced. The economic power lies all on one side and the dictatorial influence falls one way to the detriment of the other fellow who is supposed to be bargaining in some kind of equality of relationship under contract. If that is the case, then the law itself, by that very factor, rules itself out.

Our whole legal structure is developed in the direction of increasing mutualities, of balancing out in labour relations, in the whole realm of the securities market. The whole theory is to put people in the position where they can deal justly, fairly and somewhat equally with each other.

For the rest of my remarks, Mr. Speaker, I shall concentrate on rental control. We have come from last year's position of asking for a rental review board simply to shame them into some form of decency, to a position where shame no longer counts.

This mentality, I suggest, is a product of this society, it is not something particularly out of the way. We all more or less suffer from it. But this happens to be where the rub is at the moment and we have to go from review boards to actual control. The argument is that to invoke rent control is self-defeating because it will drive capital out of that particular market and the number of units which will be available in future to meet

the demand will decrease, rather than increase, under those circumstances.

I think we do have to meet that squarely, Mr. Speaker. The way I suggest in which it can be done is that, perhaps, while units presently being rented be placed under control, all new developmental units going into effect after a certain date are not placed under control—or at least, are not placed under such controls for a certain period of time. Then the economic advantages may flow back into the hands of the lessor and will stimulate, rather than decrease, the number of new units that will come on to the market.

It has been said to me that some landlords, particularly of large apartment blocks, are increasing their rents at the present time throughout all Ontario. Particularly in those areas like Ottawa, North York, Windsor, Kingston, and so on, which are appealing to or have passed by-laws to this Legislature to give them, in their municipal power, the option to impose these rental controls within their jurisdictions, which I certainly think we ought to give them.

In those particular areas, I say landlords are increasing rentals in anticipation of municipalities being given the power. If such is the case, then *a fortiori*, for all the more reason therefore, is it necessary that rental controls do be brought in to foreshorten and to catch and to roll back the particular viciousness that is involved in this particular anticipation.

Therefore, in order to give my friend a moment's time in any event, I would wind up on the basis that the extended notices ought to be given and that controls ought to be invoked, at least on a temporary basis. If they are rolled back to a certain date—say January 1, 1966, perhaps—in order to make for fairness certain rental escalation causes, based on cost of living or what not, might be written into them so that no injustices are done the opposite way.

**Mr. A. K. Meen (York East):** Mr. Speaker, to begin with may I express my appreciation to the hon. member for Lakeshore for so graciously extending a little bit of his 10-minute period toward the very end of this hour devoted to us private members.

However, I do not want to waste any more of it than that inasmuch as we do want to terminate as close to six as possible. I will complete my remarks as quickly as possible, Mr. Speaker.

I have been appalled, over the years, at the number of offers to lease I have encountered which had some reference to the tenant

agreeing to execute a lease on "the lessor's standard form of lease." I am sure every lawyer in this House has seen that kind of offer. And of course, it is outrageous. You then come up with a lessor's form of lease with the most dreadful, most biased terms in favour of the landlord, of course.

To my mind there should be some standard form of lease; I am not convinced that it should be immutable. I do believe that the parties should be able, in some circumstances, to be able to alter those to suit. But I believe, nevertheless, as expressed by the hon. member for Halton West, that some standardized form should be included in a revised form of our landlord and tenant legislation. The sooner that is done the better. Then if the parties want to execute an offer to lease—generally they are very abbreviated in form—they can refer to that standard. Or, even better, they can attach a copy of it to the agreement to lease, which then becomes a part of the subject of being formally completed.

I would think, in dealing with the part of the resolution concerning deposits, that this is a sort of two way street. If you have tenants who are transitory in nature, and move out and leave rent unpaid or leave a damaged apartment, the inevitable beneficiaries of that law are the other tenants in that apartment. Because, inevitably, the landlord who has to bear that cost, who has to make those repairs and—despite the law that is in his favour entitling him to recovery of his claim from his erstwhile tenant—is unable to find that tenant, and has to bear that loss out of his revenues, eventually passes that along to his other tenants in the form of increased rental.

However, I do subscribe to the view that this \$15 million mentioned by the hon. member for Wentworth—\$15 million held by various landlords throughout this domain—might very well be accessible at an interest rate of, let us say 6 per cent, as a statutory form of interest to be paid to the tenant, and in that way, let us say acceded annually against his rental. He gets the benefit of the money that his landlord is holding. The landlord has to benefit from the use of the money; he has it there as security if such is required at some later time. The eventual beneficiaries of all of that are, of course, the 99 out of 100 perfectly satisfactory tenants.

**Mr. Singer:** Why not 9 per cent, the rate at which he has to borrow?

**Mr. Meen:** The hon. member is suggesting an annual rate.

I would suppose there might be some merit in setting it at a higher rate than 6 per cent. We have traditionally set interest rates by statute at somewhat less than going rates to avoid any large sums being taken into these accounts, as I understand it. But this would certainly, by setting it at a higher rate—the going rate at the banks, that sort of thing—might very well justify it. It might cut down the amount of deposits that are taken by the landlords, and certainly would hasten their return.

I agree with the member for Halton West when he observes that this money should be held in trust. Bankruptcies and the like would then not prejudice the moneys that had been held. But I would have some reservations about suggesting that they should be wiped out entirely. I think in the long run that could be detrimental to the tenant.

I wonder if I might ask the hon. member, through you, Mr. Speaker, if he has ever lived in an apartment in which there were two or three or four milk deliveries every morning? I can tell him that I have, and I think that this problem of limiting the deliveries in apartments to one milk delivery, one bread delivery, and that sort of thing, may have its advantages as well as its disadvantages. I have also lived in an apartment in which there was such a restriction and in my case I did not know about the restriction until after I had signed the lease. Well, that is not very good either. It can be very irritating and I would suggest that something ought to be done.

**Mr. Lawlor:** Did the member not read his lease first?

**Hon. A. Grossman** (Minister of Correctional Services): Lawyers never do.

**Mr. Meen:** That is a very good question, Mr. Speaker, I did not read the lease before I signed it. That is a shameful admission, but I think it might very well be said that a shoemaker's children sometimes go barefoot. In any event, this kind of clause may very well be an advantage to a tenant but it should be set out in bold face type in any lease, not in the regulations and not in the fine print of the lease. I would suggest, however, that it can lead to abuses. Some landlords, it is

alleged, are taking commissions back from the people who get the concession in their apartment buildings. That should be outlawed. I do not know how one would police it but certainly it should be, it is contrary to good conscience and should not be permitted.

Mr. Speaker, we have passed the witching hour of six o'clock and I therefore, with regret because I did have some other observations to make, but with regret I think I should move the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Tomorrow we will continue with the Throne Debate.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, the Prime Minister (Mr. Robarts) advised us that Tuesday was going to be second reading of The Expropriation Act. Is that not correct? Or have the plans changed again?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, the Prime Minister did mention that would be the order of business on Friday, I think. I am not sure whether that would interfere with the hon. member for Sudbury continuing his debate.

**Mr. Speaker:** The hon. member for Sudbury stated he would continue on Wednesday.

**Mr. H. Peacock** (Windsor West): He said there would be a shuffle.

**An hon. member:** He will probably go from Tuesday to Wednesday.

**Mr. Singer:** It is clear then that we are debating second reading of The Expropriation Act?

**Mr. Speaker:** Yes.

**Mr. J. B. Trotter** (Parkdale): Better get together over there.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 3, 1968

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 3, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon, we welcome as visitors to the House, in the east gallery, students from St. Philip Neri Separate School in Downsview and Fern Avenue Public School in Toronto; and in the west gallery from St. Veronica's Separate School in Toronto and folk from the Adult Education Centre in Waterloo.

Presenting reports.

Petitions.

Motions.

Introduction of bills.

## THE AIR POLLUTION CONTROL ACT, 1968-1969

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, The Air Pollution Control Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to set standards for the consumption of fuel in this province, which will lower the level of sulphur in that fuel so as to eliminate the air pollution problem in this province.

**Mr. Speaker:** Before we embark on the normal question period before the orders of the day, I would like to remind the hon. members that there are rules which govern the asking of questions orally before the orders of the day. It is most difficult for a member to expect an answer from the ministry if the question is not worded so that it is reasonably understood. Likewise, if it is a hypothetical question or a question of government policy, it is most unlikely that it would be answered. And if it is answered, the member can expect, of course, a hypothetical and perhaps long answer from the ministry.

I point these things out so that the members will understand that there are two sides to the question period.

I would also like to point out to the members that the rules specifically required—and

I must say that Mr. Speaker has not been strictly following the rules—the matters embraced in questions must be of urgent public importance.

I think the hon. members will agree with me that a great many of the questions asked are not of such urgent public importance that they should not be placed on the order paper. I shall endeavour from now on to put those questions which do not appear to be of urgent public importance on the order paper rather than have them asked here.

I would, therefore, respectfully ask that the government departments and Ministers to whom these questions are directed and appear on the order paper, would endeavour to ensure that an answer to the same is brought in within a reasonable time. Otherwise, there is no point whatsoever in having the question asked or placed on the order paper.

I am sure that both these matters will receive the co-operation of the members on all sides of the House.

I would say one thing further; that unless a question as directed to me is obviously in bad taste or in unparliamentary language or something that is not proper in Mr. Speaker's opinion, I certainly make no attempt to alter or change the question. If the ministry receiving it does not like the way the question is worded, the ministry will just have to answer it in the terms that they interpret it.

In my opinion, the question period is a period for the members to elicit the information which is very necessary to them and to the public at this particular time.

Now with that in mind, we will proceed on the questions today in the order in which the members catch my eye, after the hon. leader of the Opposition has asked his.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, you almost frighten me off from these questions today, but I will assume that they are in order until you rule otherwise.

My first question is to the Prime Minister.

Will the Prime Minister comment on the federal offer to share off-shore mineral rights with the province?

Secondly, is Ontario working out a joint approach to off-shore jurisdiction in Hudson Bay with Quebec and Manitoba?

Third, is it the intention of the government to raise the matter at the December Constitutional conference?

And if you will permit me, Mr. Speaker, I have a further question that is similar to the ones I have just read that perhaps I could add at this time.

Will the Prime Minister inform the House what items he has suggested for inclusion in the agenda of the Constitutional conference?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, there are two subjects here.

First, dealing with the offer made by the federal government, it was made by a statement in the House of Commons yesterday by the Prime Minister of Canada.

**Mr. E. W. Sopha (Sudbury):** I thought he wrote a letter.

**Hon. Mr. Robarts:** And he wrote a letter—just wait for it, wait for it—he wrote a letter on Friday which was delivered in my office about a half an hour before I walked into this House yesterday. So we have not had an—

**Mr. Sopha:** He could have given it to the Premier at the Grey Cup game.

**Hon. Mr. Robarts:** So we have not had an opportunity to examine the proposition fully as yet.

May I point out also that Ontario's interests, apart from the—

**Mr. E. Sargent (Grey-Bruce):** He is touchy today.

**Hon. Mr. Robarts:** I am never touchy, Mr. Speaker.

Ontario's interests, apart from the possibility of sharing in that portion of the revenue the offer makes for minerals and oil on the off-shore—that is the salt water if I may use that term—our direct interest—is in Hudson Bay. If hon. members read Mr. Trudeau's statement they will see that he did not draw any lines in Hudson Bay, he said those would be drawn in the next two or three weeks. So we really do not know what we are speaking about in that regard.

The second part of the question: Is Ontario working out a joint approach to off-shore jurisdiction in Hudson Bay with Quebec and Manitoba? As I have said in this House before, the legal opinion we have obtained is that Hudson Bay is not an international

waterway. In other words, it is entirely enclosed by the land mass of Canada and therefore is not in the same position as the ocean boundaries of Canada on the east coast and the west coast. This legal opinion may be good or bad, but it is the one we have.

What Quebec, Ontario and Manitoba have been doing for some years is discussing the possibility of extending the boundaries of the provinces out into the bay so that they would encompass the land beneath the waters. The bay just has our provincial boundary.

The Great Lakes extend to the international boundary which, in many cases, is some considerable number of miles off-shore from high or low water mark on the coast. So hon. members, our position in regard to Hudson Bay and James Bay is not comparable to that of the coastal provinces if I may put it that way. What we had been attempting to work out with the other provinces was a method of extending the boundaries into the bay.

I would say at the present time that the land underneath the Hudson Bay, I suppose, belongs to the territories, because the provincial boundary by description is the low-water mark of Hudson Bay. Where those negotiations rest at this moment in view of this present offer, you see, the federal government can change the boundaries of the province if it sees fit upon application by the provinces concerned, if they agree on the changes they want.

It does not need to but it can by statute. I do not recall the title of the statute but our situation in Hudson Bay really is not comparable to the situation on the east and west coasts.

The third part of the question: Is it the intention of the government to raise the matter at the December Constitutional conference? I am inclined to doubt it, simply because we will have a very full agenda for the time available.

There is a new proposition made in this very short time before that conference convenes and I think all provinces would be interested in examining the situation pretty carefully before we decided to raise it at this conference. I doubt that we would have a firm position to put in that period of time, and whatever we would do in regard to Hudson Bay would, no doubt, have to be done in co-operation with the two other provinces.

**Mr. Sopha:** He did not mention it at the Grey Cup game?

**Hon. Mr. Robarts:** I did not sit beside him at the Grey Cup game.

**Mr. Sopha:** I saw them on TV and they sure looked cozy.

**Hon. Mr. Robarts:** Mr. Speaker, I think that was during the athletic part of the Grey Cup that the member saw me contiguous to the Prime Minister of Canada—

**Mr. C. G. Pilkey (Oshawa):** The Premier was not in Yorkville either!

**Hon. Mr. Robarts:** No, I was not in Yorkville with him either. But in any event—no, I did not discuss this with him; he did not mention it to me. His letter was in the mail at that time.

Now the next question the hon. leader of the Opposition asked concerns items we have added to the agenda. I have from the Prime Minister of Canada a letter marked "confidential" in which he sets out an agenda. I have not answered that letter as yet. I have a draft on my desk which I do not think is yet complete.

I would say this in general terms: The agenda submitted is fairly broad and in a general way will permit us to make a good many of the points we want to make. There may be some additions we will make and some general comments we might make on the conduct of the conference. Those I will reveal to the House when the decisions have been made and when it is proper to do so.

**Mr. Nixon:** Mr. Speaker, if the Premier will permit us a supplementary question.

Does he not feel, from his comment this afternoon, that the land under the Bay is actually a part of territories? Does he not feel that it might undermine the legal position he has, that Ontario has a mineral right to that land?

**Hon. Mr. Robarts:** Mr. Speaker, we have never advanced the position that we have the legal rights to the minerals under the Bay; there may be a question of the legal interpretation and so on. But our approach to it, going back to the days of Mr. Lesage in Quebec and Mr. Roblin in Manitoba, was to make a joint application to the federal government to revise the boundaries of the three provinces, to run those boundaries out into the Bay, and in this case the question of who had jurisdiction would not have—if our proposition had been acceded to, then the whole thing would have settled itself right there, because we would have made that part of the Bay a part of the province,

just as I point out to you that portion of the Great Lakes is part of the province, that is the bottom of it which extends out to the international boundary.

**Mr. D. C. MacDonald (York South):** That was worked out at the breakfast table at the Royal York about four or five years ago.

**Hon. Mr. Robarts:** There was a news report—in actual fact it had been worked out at the breakfast table in a hotel in Winnipeg not at the Royal York. There is some slight element of truth in that, but there were many questions involved in the proposition at that time. The government has changed, but we have been examining this again. We do not admit it, one way or the other, but I point to members that we have a legal opinion which states that it is an inland waterway; therefore, not international, and by definition, in a statute setting up the boundaries of the province, the boundary of Ontario is the low water mark on Hudson Bay. That is a statutory fact, so that you cannot really argue that the province of Ontario extends a foot beyond.

**Mr. Nixon:** Mr. Speaker, just one additional supplementary question. Is it not true that the recent findings of the Supreme Court of Canada indicate that those lands under Hudson Bay do in fact come under federal jurisdiction?

**Hon. Mr. Robarts:** Mr. Speaker, I would not say that. That was a reference to the Supreme Court concerning offshore mineral rights of the province of British Columbia extending into the Pacific. In other words the judgment can only apply to the particular case put before the court, although certain principles could be drawn from it. I think it could be argued that those principles might not apply to Hudson Bay, but you still have to get around the fact that the statutory boundary on the north of the province is the low water mark of Hudson Bay.

**Mr. Nixon:** My next question is for the Minister of Energy and Resources Management, but I am told that the Minister of Municipal Affairs is prepared to answer it.

**Mr. Speaker:** I was of that opinion also.

**Mr. Nixon:** I would ask, what is the text of the letter from Ontario Hydro warning of the possibility of an energy shortage in December, and second, to whom was such a warning sent?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, the following is

the text of the letter from Mr. George E. Gathercole, Chairman of the Hydro Electric Power Commission of Ontario, addressed to the chairmen of municipal electrical utilities, except the northwestern region.

Dear Mr. Chairman:

Throughout the fall, we reported to many of you at district OMEA meetings on our capability to meet increased demands on our system during the forthcoming peak season. At the time, we advised that our margin of power reserve, though much less than we would like to see, appeared to be slightly improved over a year ago.

This position has now been altered by the inability of one supplier to complete repairs to a 600,000 kilowatts of steam turbine capacity. Barring unforeseen breakdowns, we will have sufficient capacity to meet our primary power requirements. But because of the aforementioned delays, we are running closer to the line than we had originally anticipated. This, of course, is a temporary situation, and every effort is being made to get all equipment back on the line as soon as possible.

We do not expect any interruption of power service to your municipality, but should a serious breakdown in generation occur and it becomes necessary to shed some primary load, this will be carried out on a rotational basis with the object of limiting the length of interruptions to our customers to no more than 15 minutes.

Let me emphasize again that this is a temporary situation. The regional manager will keep your utility apprised of developments.

The second part is answered by No. 1.

**Mr. Speaker:** The member for Beaches-Woodbine has a question of the Prime Minister.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, a question to the hon. Prime Minister:

Does the Prime Minister have a plan to utilize the vast resources of the private sector in close collaboration with the government in meeting the urgent needs of emotionally disturbed children? If not, what alternative does the Prime Minister propose to placing disturbed children in training-type institutions?

**Hon. Mr. Robarts:** Mr. Speaker, the white paper on this whole subject was presented here in January, 1967, and the government has accepted the broad proposals contained

in that white paper and we are in the process of implementing them.

In answer to the second part of the question, if the member refers to the Speech from the Throne, there is a sentence in there which states that legislation will be forthcoming, and I quote: ". . . which will allow the steady development of a programme to assist children with mental and emotional disorders." When that legislation is introduced in this House, the whole question of the government's programme will be discussed.

**Mr. Brown:** A supplementary question, please. Does that imply that there will be an alternative to the placing of children who are emotionally disturbed in reform institutions?

**Hon. Mr. Robarts:** Mr. Speaker, I think we will have to wait until the programme and legislation develop.

**Mr. Speaker:** The hon. Minister of Trade and Development has the answer to a question from yesterday.

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, this is the answer to a question by the hon. member for York South (Mr. MacDonald) asked a couple of days ago:

The Ontario Housing Corporation has no exclusive right to the use of the HOME label. Since the introduction of the HOME plan, a number of builders have used it for advertising purposes. I believe I am correct in saying that Beaver Lumber used "Home Ownership Made Easy" in its catalogue this year to describe the arrangements which could be made for home ownership through that company. A number of builders have used the term HOME when advertising the availability of dwellings which they have constructed on lots leased or purchased from Ontario Housing Corporation under the HOME plan. It has also been used by builders advertising their willingness to build for lessees of HOME lots.

The particular advertisement to which the hon. member refers related to three detached dwellings which had been constructed on HOME lots in Bramalea.

In answer to question 2: Since the HOME plan was introduced in the Metropolitan Toronto area, homes have been made available at a cost which permitted families having incomes of less than \$7,000 to purchase. Of the relatively few houses left for sale at Bramalea, the selling prices are such that an income of approximately \$7,700 is required.

**Mr. MacDonald:** If the Minister would permit a supplementary question:

Since the term HOME was coined by the province and not designed in the original instance to assist private developers, has its use been with the authority and the approval of the government?

**Hon. Mr. Randall:** I think I made it perfectly clear. We coined the phrase but the builders are using it because they are offering their services to build on HOME lots provided by the government or leased by the government to various builders. For instance, if an applicant made an application to rent a lot from us, there is nothing to prevent some builder, who has the techniques and the skills, from advertising that he is prepared to build a home on a HOME lot, and this is where I think some of the confusion may come in advertising. But in the long run what it has done has brought a lot of good, capable, small builders back into the building industry who formerly could not get lots to build on.

**Mr. Speaker:** The hon. Minister of Education has a statement and reply to some questions from the other day.

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, as a result of a supplementary question asked by the member for Scarborough East (Mr. T. Reid)—I sometimes get the Scarborougs a little bit confused—I just wish to read to the House a memorandum that has been under discussion in the department for a period of time and which will be going out to the principals and directors and secretaries of the boards.

Re corporal punishment:

Hitherto it generally has been assumed that while corporal punishment was not specifically authorized by any Act or regulation, it nevertheless was condoned under section 40, subsection 1(b) of Ontario regulation 339-66—

**Mr. Speaker:** Order, order!

The hon. member is rising on a point of order.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, if I recall the rough copy of *Hansard* correctly, you ruled my supplementary question out of order yesterday. In view of the fact that the Minister is now responding to a question that you ruled out of order, and the fact that I have three questions relating to this, I was wondering if it would not be

proper for me to place my questions before the Minister comments.

**Mr. Speaker:** The hon. member's question was ruled out of order yesterday and the Minister's reply yesterday was ruled out of order. I think those rulings were quite in order.

The hon. Minister is now making a statement which I think he is entitled to make; and in due course the hon. member may ask his questions when his turn comes or when he catches Mr. Speaker's eye.

The hon. Minister may proceed.

**Hon. Mr. Davis:** I repeat:

Re corporal punishment:

Hitherto it generally has been assumed that while corporal punishment was not specifically authorized by any Act or regulation, it nevertheless was condoned under section 40 (1b) of Ontario Regulation 339/66 which states that, "A pupil shall submit to such discipline as would be exercised by a kind, firm and judicious parent".

Without commenting in any way on the responsibilities or prerogatives of parents, it is suggested that this regulation should be interpreted as providing within the context of the schools, an atmosphere of respect, and trust between students and teachers with the cultivation of individual responsibility as a major goal.

The provincial committee on aims and objectives of education in the schools of Ontario in dealing with this matter made this observation, "A child is not a young adult, and just as we accept his need to increase in wisdom, we must assume his need to grow toward maturity of conduct. The application of punishment in the area of behavioral learning is not more defensible than its application in any other area of learning".

Consequently, it is considered that the use of corporal punishment, in any form is not appropriate in the schools of Ontario and it is recommended that principals and teachers refrain from its use.

This memorandum, Mr. Speaker, will be distributed to the schools, the latter part of this week or the early part of next week.

**Mr. T. Reid:** Mr. Speaker, could I ask the Minister a question pertaining to his statement?

**Mr. Speaker:** On a point of clarification yes.

**Mr. T. Reid:** Do I understand correctly, Mr. Speaker, I may ask my question now?

**Mr. Speaker:** If it is for purposes of clarification of something contained in the Minister's statement.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, on a point of order. I believe I am correct in stating that you have not permitted questions from members on this side of the House in respect to Ministers' statements before orders of the day.

**Mr. Speaker:** If the hon. member would listen to what Mr. Speaker just said. I said that for purposes of clarification a question may be asked but not for the purposes of engaging in a debate or asking questions which are not of clarification.

**Mr. Peacock:** Mr. Speaker, further to my point of order, I did hear you say, for the purpose of clarification?

Through the last session of this House, which is the only session which I have attended, I understood the rule clearly that there were not to be questions from members on this side for the purpose of clarification following a Minister's statement and when attempts were made to ask such questions, you ruled them out of order.

**Mr. Speaker:** Well, I will be most pleased to check the matters raised by the hon. member. I am delighted to find that he is as well up in the rules and precedents as he is and I will be guided by what I find in the records of the House for last session.

I am firmly of the opinion that if there is a matter which needs to be clarified in a Minister's statement every member—any member, is entitled to ask for clarification. But I am also firmly of the opinion that the precedents of this House do not allow a debate to evolve from a Minister's statement and unless a question is merely for clarification, a debate must be evolved if the question is allowed.

So, the member is quite correct on the basic principle he is stating.

**Mr. Peacock:** Well, Mr. Speaker, that would be a very welcome precedent if members were permitted to ask questions of clarification.

**Mr. Speaker:** Except that unfortunately it would leave Mr. Speaker in a bad position with respect to his opinion of clarification and that of each member. Therefore, it having been drawn to my attention by the

member I will rule today, until I have had the opportunity of looking it up, that there will be no questions on the Minister's statement, and I will be prepared to advise the House tomorrow.

The member for Scarborough East has my eye for questions, he has a series of questions.

**Mr. T. Reid:** Mr. Speaker, with your ruling I would like to place these questions separately although they all relate to the question of corporal punishment in schools, and I realize fully that with regard to my first question the Minister has already answered it in part.

What regulations, if any, has the Minister of Education of Ontario laid down concerning the use of corporal punishment in schools which receive financial assistance from the Minister's department? For example, can any teacher administer a strapping to a child with an approved strap?

**Hon. Mr. Davis:** Mr. Speaker, perhaps the hon. member, if he has three questions all relating to this subject, he would perhaps like to ask all of them and I will answer all of them at the same time.

**Mr. T. Reid:** I would prefer to place them consecutively, separately.

**Hon. Mr. Davis:** Well, Mr. Speaker, as the hon. member has observed I have already answered that particular question.

**Mr. T. Reid:** Do I understand correctly, Mr. Speaker, that the Minister has answered the question about—"can any teacher administer a strapping to a child"—

**Mr. Speaker:** The Minister has stated that he has answered the question and it is within the Minister's powers or authority to answer a question how he wishes. The member may ask the question within the rules how he wishes so that question is answered as far as the Minister is concerned. The member will move to the next question.

**Mr. T. Reid:** The second question is this: How many strappings were administered in the 1967-68 school year to children attending schools which received financial assistance from the Minister's department? How many children received those strappings? How many were girls? How many of these children received medical treatment as a consequence of such strappings?

**Hon. Mr. Davis:** Mr. Speaker, The Department of Education does require a substantial



amount of information from the local boards relating to their day-to-day operations, their economic problems, questions of quality, etc. I must say to the hon. member we do not require from each individual school in the province of Ontario the number of young people who have been disciplined by a particular teacher, how many of them happen to be young men or young ladies, and quite frankly I am just not in a position to give that information to the hon. member. We do not have it.

**Mr. T. Reid:** Mr. Speaker, I would like to ask a supplementary, which I think is in order, because it does not require facts, it requires—

**Mr. Speaker:** Perhaps the member will place his supplementary question.

**Mr. T. Reid:** Does the Minister agree with Dr. John Griffin, Director of the Canadian Mental Health Association, that "in point of fact there is little evidence that corporal punishment really does a child any good"?

**Hon. Mr. Davis:** Mr. Speaker, I do not purport to be an expert in these matters. I think I have indicated the government's, the department's, and the Minister's own personal view in the statement I gave, which the hon. member has accepted as the answer to his first question. I think it is already self-evident.

**Mr. T. Reid:** Mr. Speaker, I would reply on a point of clarification that I did not accept the Minister's first answer to the question. It is insufficient.

Interjections by hon. members.

**Mr. Speaker:** Order, order.

**Hon. Mr. Davis:** To the hon. leader of the Opposition: Did he ever administer the strap?

**Mr. Nixon:** Never.

**Mr. T. Reid:** Mr. Speaker, another question on this subject. Does the Minister of Education of Ontario agree with city of Toronto school trustee William P. Ross that corporal punishment in the city's schools smacks of class distinction, that is, the instance of strapping is higher for children from lower-income homes than for children from higher-income homes?

**Hon. Mr. Davis:** Mr. Speaker, I think with great respect that for the hon. member to ask me whether I agree or disagree with a

trustee of the Toronto school board who may, or may not, have facts that are not available to me, really is asking a great deal. I just do not have the information upon which trustee Ross based his opinion so obviously I am not in a position to give one of my own.

**Mr. T. Reid:** I shall attempt to forward this information to the Minister of Education of this province.

**Mr. Speaker:** Does the member have further questions of the Minister of Education and University Affairs?

**Mr. T. Reid:** Mr. Speaker, relating to a different area, the question is in two parts.

1. Will the staff members of Ontario's elementary school teachers' colleges receive special financial assistance to enable them "to take study leaves to improve their academic qualifications", in view of the expected assumption of academic and administrative control by the universities of teacher education—as reported in the second annual review of the committee of presidents of the universities of Ontario?

2. Will the capital and operating costs of education of elementary schoolteachers at universities be based on formula financing?

**Hon. Mr. Davis:** Mr. Speaker, perhaps the hon. member wishes to proceed separately, but the member for Peterborough has a series of six questions which he coupled into one relating to the same report. I am quite prepared to answer them all individually but if we could treat them all together I would be delighted to do so.

**Mr. T. Reid:** Mr. Speaker, I will ask the second question relating to the same report. Now that the presidents of Ontario universities have withdrawn their support for the Minister's proposed commission to study post-secondary education in Ontario—as stated in the second annual review of the committee of presidents of the Universities of Ontario, pages 4 and 5—is the Minister going to go ahead with the study?

**Mr. Speaker:** Perhaps the hon. member for Peterborough would now place his question?

**Mr. W. G. Pitman (Peterborough):** On the same question, Mr. Speaker, I asked: Have the presidents of the Ontario universities withdrawn their support of the commission to study post-secondary education, as suggested—and perhaps the member for Scarborough East's question might be a supplementary as

to what the Minister will be doing if that indeed is the case. Would the Minister prefer that I ask all these questions in relation to the teachers' colleges?

1. Have tentative or final agreements been signed with all 14 Ontario universities with regard to the provision of teacher education on university campuses by 1969?

2. Will the province of Ontario make special provision for residential needs made necessary by the expansion of the universities to accommodate teacher-education students?

3. Will individuals applying to the universities as teacher-education students be identified as such on application?

4. Will these students be asked to meet the same admission standards as those identified as applicants for courses in arts and science?

5. Will there be any rebate in fees for teacher-education students?

6. Has any decision been made in relation to the affiliation of the Stratford Teachers' College?

**Hon. Mr. Davis:** Mr. Speaker, trying to answer them in some order that is related to the order in which they were asked, may I begin with respect to the question of staff and what will happen on the assumption by the universities of the responsibilities of teacher education: This matter is still under discussion between officials of the department and representatives of the committee of presidents. There has been no final decision on any of these matters, although perhaps in reading the report the hon. member feels that this is implied. In fact, no decision has been made and I am speaking here with respect to section 2 of this question because, once again, there has been no final decision made. It is contemplated, however, that formula financing will be employed for all programmes within the university; and this will extend, of course, to teacher-education where it can be applied.

I think there will have to be some preliminary study to determine what weighting should be given for teacher education; and this, of course, will be the responsibility of the committee on university affairs.

With respect to part one of the question from the member for Peterborough, my answer, I think, is indicated in the answer to the member for Scarborough East. The report from the committee of presidents indicates, perhaps, a greater finality than in fact has been achieved, there have been no tentative or final agreements signed with the

14 Ontario universities. Although I do say, Mr. Speaker, we are very encouraged at the progress that has been made.

Question 2: As a result there has been no decision with respect to Stratford.

Let us perhaps deal with 4, 5, 6, and 7, because really the answers here once again relate to the implied finality, or the indication of great progress as set out in the report. With respect to No. 4, we anticipate that the universities will treat the students going into the educational courses in the same way as they would students entering any other course at the universities, and make whatever provision is necessary for them, whether it be student residences or other ancillary services.

This would also apply, of course, to question No. 5. We anticipate the universities would set up their requirements for admissions. I think it is relevant to note that actually we have set for 1969-70—I believe it is, or 1970-71—minimum requirements for 1969-70 of 60 per cent average on grade 13, which would make this consistent with the general admission requirements of the universities in any event. This would be the requirement into our own teachers' colleges.

Then No. 7, will there be any rebate in fees? This, Mr. Speaker, has not been determined at this stage.

With respect to the second question asked by the member for Scarborough East, and that is question No. 3 from the member for Peterborough, we have had continuing discussions with the committee of presidents and with OCUFA with respect to the proposed commission. As I understand their report and our discussions with them, they feel, and we tend to agree, that there should be a reorientation of emphasis with respect to the proposed commission. We are waiting for some alternative proposals. We have some as well, which we are in the course of submitting to both the committee of presidents and to OCUFA to see just what orientation or what direction they should take.

I think the feeling of the committee of presidents—and I share this point of view—is that sometimes we tend to look to commissions to resolve certain problems that appear to be somewhat distant today. In fact, what we are attempting to achieve is a better way of making decisions more expeditiously than we have in the past. I could give an example, Mr. Speaker, of the decisions with respect to computers, the decisions with respect to libraries. These are matters that might ordinarily have been part of a broader study

which had to be determined, you know, like yesterday. So they are still continuing discussions with both organizations, as the proposed study moves ahead, and I suggest that it will be somewhat different from that which was originally suggested.

**Mr. Pitman:** Mr. Speaker, I wonder if I might ask one or two supplementary questions. I think the news story this morning indicated that all teacher education would be on university campuses by 1969. Could the Minister give any indication on how many programmes it is expected there might be by 1969?

**Hon. Mr. Davis:** Mr. Speaker, I am not prepared to guesstimate at this point, but I can say that all teacher education will not be, shall we say, done in conjunction with the university by 1969. This would be practically, technically and probably educationally impossible. I cannot say how many at this point.

**Mr. Pitman:** I wonder if I might ask the Minister whether he can assure the House that there is no priority to be given to those who are entering university in relation to applicants who apply for teacher education. Perhaps I might explain; it might well be that universities will have to raise their admissions—standards—in order to simply cut down the numbers. What I really wish to have is an assurance that there will not be priority given to teacher education on this basis as related to those applying for arts and science.

**Hon. Mr. Davis:** Mr. Speaker, I would like to think that we would all be interested in giving teacher education some degree of priority; I certainly do. I confess I am not completely objective. I would like to think that it will not be done in this particular fashion.

**Mr. Speaker:** The hon. member for Scarborough East; has he a supplementary?

**Mr. T. Reid:** Yes, Mr. Speaker, arising out of the Minister's remarks, the second review of the committee of presidents states that the main reason they have withdrawn their support from the commission is that they have their own commission which is studying the question of universities across Canada. I was wondering if the Minister could assure us that there will be a study? I interpreted his remarks to mean that; and that it will examine very closely, the relationship be-

tween the universities and the other institutions of post-secondary education in Ontario, in terms of libraries, accessibility to computer data, resource centres and so forth.

**Hon. Mr. Davis:** Mr. Speaker, as I say, there will be reorientation and the reason the hon. member gave is one of the reasons, because of the national study that is going on. When a decision is made as to the proposed terms of reference, I will be quite prepared to inform the House, and we can have some discussions here.

**Mr. Speaker:** The hon. member for Grey-Bruce has some questions, three from the other day and some today.

**Mr. Sargent:** Thank you, Mr. Speaker.

**Question to the hon. Minister of Financial and Commercial Affairs:** On Thursday, November 14 the *Toronto Star* released the information that the assets of the Atlantic Acceptance Corporation Limited have increased by \$5 million in the first nine months of this year, and now amount to \$102 million. What steps does the government plan to redistribute this to the thousands of people who lost fortunes in the so-called collapse?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, the affairs of this company are under the control of the Montreal Trust Company, which was appointed the receiver and manager according to the provisions of the federal Bankruptcy Act. In that capacity as manager and receiver, I assume that the Montreal Trust Company will make distribution of the assets according to their obligation under The Bankruptcy Act, and at such time as meet the exigencies of the situation. The conduct of the receiver-manager is directly under the federal Bankruptcy Act.

**Mr. Sargent:** Will the Minister answer a supplementary question?

**Hon. Mr. Rowntree:** Yes.

**Mr. Sargent:** Of all the related companies involved in this financial collapse, how many people were convicted and how many went to jail?

**Mr. Speaker:** That is not a supplementary question to the question already asked by the hon. member. If he wishes—

**Mr. Sargent:** He said he would answer the question—

**Mr. Speaker:** Order! The hon. Minister said he would answer a supplementary question. The question posed is not supplementary; it may be placed tomorrow by the member if he wishes.

**Mr. Sargent:** Why should the Minister field their troubles for them? Let them worry about it.

**Mr. Speaker:** If the hon. member has another question for the same Minister, perhaps he will ask it.

**Mr. Sargent:** Then I take it—

**Mr. Speaker:** Order!

**Mr. Sargent:** I will put a question then—

**Mr. Speaker:** Order!

The hon. member has not asked a supplementary question. He will now proceed to his next question or someone else will have the floor.

**Mr. Sargent:** A supplementary question to that question then. Do I take it that if the government—

**Hon. J. H. White (Minister of Revenue):** The member is embarrassing his leader.

**Mr. Sargent:** The Minister should not worry about that, he embarrasses his leader all the time.

Interjections by hon. members.

**Mr. Sargent:** In a supplementary way, is the Ontario government not going to take any steps to help these people who lost their fortunes? Is the Minister doing anything about it?

**Hon. Mr. Rowntree:** We have no control over the bankruptcy operations, or management of this company in bankruptcy, nor do we have any control over the supervision of the liquidation of the assets of this bankrupt company.

**Mr. Sargent:** Even though he is the responsible Minister?

**Mr. Speaker:** Order. The hon. member has another question. He should place it, please.

**Mr. Sargent:** Thank you, Mr. Speaker. A question to the hon. Attorney General (Mr. Wishart): On November 15, Chief Mackey was quoted in the *Toronto Daily Star*—

**Hon. A. Grossman (Minister of Correctional Services):** That is last week's question.

**Mr. Sargent:** A question to the hon. Minister of Correctional Services: In view of the fact that a common police court judge in Philadelphia ordered an investigation last July after a young defendant—I am sorry, this is so painful for the Minister—

**Hon. Mr. Grossman:** It is painful for everybody here.

**Mr. Speaker:** Order.

**Mr. Sargent:**—a young defendant told him he had been repeatedly raped by prisoners. Will the Minister advise:

1. Has he any reason to believe Ontario institutions are any better?

2. Is homosexuality as rampant in Ontario institutions?

3. Does he have to have a personal complaint of such a charge before he will call for an investigation?

Hon. members all laugh, but it is happening every day and they are all laughing about it.

**Hon. Mr. Rowntree:** The hon. member is answering his own question.

**Mr. Speaker:** Order.

**Hon. Mr. Grossman:** Well Mr. Speaker, I am sure you, sir, having regard for your comments at the opening of this session today, and having regard for what you said, sir, about matters being urgent and unambiguous—I think, sir, this certainly comes under the heading of being neither urgent nor unambiguous. There is no source given to this statement which the hon. member reads; there is no reference to any institution; there is no reference to conditions in any institution. How, therefore, can I, sir, compare our institution with a condition allegedly existing some place not identified, the conditions of which are not specified? Mr. Speaker, with all due respect, it is impossible to answer this question.

**Mr. Sargent:** That is too bad. Will the Minister answer a supplementary question then?

**Hon. Mr. Grossman:** No.

**Mr. Sargent:** Mr. Speaker, we should build our jails so that some day the Minister might be in them himself. He should not be in charge of a department if he cannot—

**Mr. Speaker:** Order.

**Hon. Mr. Grossman:** Mr. Speaker, I do not know just how much of this you intend to put up with. The hon. member has just made an unparliamentary remark, and I think he, sir, along with other members of this House, has to have some sense of responsibility. I ask you to ask the hon. member to withdraw that remark.

**Mr. Speaker:** I am sure the hon. member will.

**Mr. Sargent:** Mr. Speaker, that is a well known quotation and it is used in the plural: "We should build our jails as though we may use them ourselves."

**Mr. Speaker:** That is what the hon. member meant?

**Mr. Sargent:** And he is not supervising this department—

**Mr. Speaker:** Order. I am sure the hon. Minister will accept that explanation of the quotation.

Now the hon. member has further questions which he should place.

Interjections by hon. members.

**Mr. Sargent:** It happens to the best of people, believe me.

A question to the Attorney General: On "Front Page Challenge" last night, it was revealed that electronic bugging in the sales offices of automobile agencies and real estate firms is a common practice in the city of Toronto. Does the Attorney General know of a single case of this and, if so, how many cases?

What charges have been laid?

Will the Attorney General satisfy this Legislature that electronic bugging is not being used in the Ontario Legislature buildings by hiring an electronics bugging surveillance firm to make a sweep of this building?

How far does he plan to let this matter go before he makes a move?

Does he say it is a federal matter?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I did happen to see "Front Page Challenge" last night. I saw the whole programme. There was no statement, no revelation that electronic bugging was happening specifically in Toronto. It was general to the country. The lawyer who was on that panel happened to be counsel for the commission in British Columbia which studied the subject and made a report. He indicated that there was widespread bugging between business

firms to steal their business practices, secrets and so on. I dare say it goes on, as he indicated, across the country. There is no law which makes this a crime or an offence in any way.

**Mr. Sargent:** To protect the public, that is all.

**Hon. Mr. Wishart:** There is no law. The hon. member surely knows because I am sure I have stated at least three times in this House that we have made representations as long ago as two years, that there should be federal legislation across the country in this field, making it perhaps a crime, certainly some kind of an offence, to invade privacy. And we have specifically made a recommendation with respect to the use of it by police forces in criminal investigations. I think the hon. member is aware too, that there has been an indication the federal government is moving to action in this area. I am not sure that he has received the information which I have, that a commission in Ottawa, appointed by Parliament there, is making a study now of this whole question of the invasion of privacy.

**Mr. Sargent:** A supplementary question here? Under the protection of consumer affairs—the consumer public—is there not an area of concern on your part in the buying of cars and real estate with this practice going on?

**Hon. Mr. Wishart:** This again, I think, arises from the hon. member's impressions he got from that programme, "Front Page Challenge" yesterday evening, perhaps.

**Mr. Sargent:** This is common knowledge.

**Hon. Mr. Wishart:** Yes, there may be some of this going on. The Consumer Protection Acts come under the jurisdiction of my colleague, the Minister of Financial and Commercial Affairs, but I feel that this is a field where there should be legislation which is the same across the country, that it should be defined as to what the nature of this invasion of privacy is, what kind of an offence it is, how serious it is, and what safeguards should be thrown around it and what penalties should be imposed for a breach of the law which, as I say, is being studied, which our federal government is moving on. I think this is a proper approach to the matter.

**Mr. Sargent:** So if it takes ten years—

**Mr. Speaker:** Order.



**Mr. Sargent:** I have a question of the Provincial Treasurer: Will the Minister advise if the province is already involved in the purchase of common stocks and, if so, does the government retain investment counsellors? Who are they? If not, why should the province not be authorized to buy common stocks as an investment for retirement systems and pension funds in fixed interest investments, corporate industrial bonds and first mortgages on private housing? How much money is available in the total pension and retirement funds in the total provincial system?

**Mr. Sopha:** Did the member have any Leitch?

**Hon. C. S. MacNaughton** (Provincial Treasurer): Delighted to say "no".

**Mr. Speaker,** my first impulse, sir, has been to take this question as notice. Secondly, request that it be placed on the order paper, but as I read it, I found that I could answer parts of it and I will have to have a little explanation from the hon. member as to what he wants in the way of information with respect to other parts.

If I may pursue it that way, sir, there are really three parts involved in the first paragraph and the answer, of course, to the question as to whether the province is already involved in the purchase of common stocks is "no". So, presumably, the other two questions are to be answered in the negative or they are not applicable.

To revert to the last part of the question—which is, how much money is available in the total pension and retirement funds in the total provincial system?—I might say that information will take a little time but we will do our best to put it together under the various pensions that are associated with the government's operations.

But it is the other one that presents me with a little problem. It requires an expression of an opinion, Mr. Speaker, on two questions that would appear to contradict each other completely. The first part of it is: Why should the province not be authorized to buy common stocks as an investment for retirement systems and pension funds? And it goes on from there to say in fixed interest investments, corporate and industrial bonds and first mortgages on private housing.

I find that very difficult to sort out, because of course fixed interest investments and common stocks have very little relation-

ship one to the other, and maybe, Mr. Speaker—

**Mr. Sargent:** But the Minister is not doing—

**Hon. Mr. MacNaughton:** Maybe, Mr. Speaker, the hon. member would help me out by clarifying the question a little bit.

**Mr. Sargent:** Thank you, Mr. Speaker. It is very important, I think, to realize that other jurisdictions—in New York, for example, you have a \$3 billion cash flow probably a year and many times you have this money sitting idly by, not doing anything. Then it is the experience of other administrations that they place this money—they retain investment counsellors as to where to put their money in the interim and I think if you are not doing it, it is time you got on—

**Mr. Speaker:** Order.

**Mr. Sargent:** It is time you got on the job and made some money.

**Mr. Speaker:** Order. Now the Minister has had it clarified, he might be able to answer it.

**Hon. Mr. MacNaughton:** Alright then, Mr. Speaker, I can pursue that a little further and I know we are belabouring and beleaguering the whole question period here in this manner but I must say I could not have answered the question in the form in which it was submitted.

The cash flow is well employed but I still am obliged to go back to the hon. member for assistance to help me answer this question, to determine the relationship between a common stock as an investment for—

**Mr. Sargent:** That is a mechanical—

**Hon. Mr. MacNaughton:** To determine the relationship between a common stock as an investment for retirement system and pension fund and then, fixed interest investments, because I do submit once again, there is no relationship to the two.

**Mr. Sargent:** The Minister is right. Nobody is arguing with him there.

**Hon. Mr. MacNaughton:** Well, that was the member's question.

**Mr. Sargent:** Then the Minister submits, Mr. Speaker, in a supplementary way, that these others—the state of New York—they are all wrong doing these things?



If that is not so, why is the Minister not doing it?

**Mr. Speaker:** Order.

Perhaps the member should, outside of the House, get in touch with the Provincial Treasurer and clarify the question and obtain some good—

**Mr. Sargent:** It is a good job he is not in private business because private business could not afford—

**Mr. Speaker:** Order. The member has other questions, will he place them?

The member will place his other questions please.

**Mr. Sargent:** Mr. Speaker, this is to the Minister of Financial and Commercial Affairs.

When is the government of this province going to step into the picture and force banks to give help to the small businessman?

When is the government going to put a stop to all this "friendly bank" advertising which is just a hoax?

When does the Minister plan to revise the rate of interest being charged by the personal loan and finance companies in this province?

**Hon. Mr. Rowntree:** Well, Mr. Speaker, I am sure that the hon. member must know that The Bank Act of Canada governs the banks of this country and that the supervision is through the Chief Inspector of the banks in the bank division at Ottawa.

We have no jurisdiction over any of the banks, and I take it you mean banks in the sense of the name banks—

**Mr. Sargent:** The government controls liquor advertising—

**Mr. Speaker:** Order.

**Hon. Mr. Rowntree:** Now the question of—  
Interjection by an hon. member.

**Mr. Speaker:** Order.

**Hon. Mr. Rowntree:** Does the member want the question answered or not?

**Mr. Sargent:** He should do his best, Mr. Speaker.

**Hon. Mr. Rowntree:** Well now—"when does the Minister plan to revise the rate of interest being charged by the personal loan and finance companies?"—and again I have got to tell the member that he must be aware, hon. sir across the floor, that the rate of

interest for small loans is controlled by The Small Loans Act, which is again a federal responsibility.

**Mr. Sargent:** What does the Minister do?

**Hon. Mr. Rowntree:** Well, here is where we come into the picture, and I thought this would have been in the question.

Our chief attack on this matter has to do with the disclosure of the cost of credit and, once full, true and plain disclosure of the cost of credit is made in any contract of credit, where credit is being extended with respect to the purchase of goods or indeed, with respect to the loan of moneys, once that disclosure to disclose to the borrower or the purchaser the full, true and effective rate of interest that he is going to pay, then the final choice as to whether a deal is made or not, rests on the part of the purchaser of goods or of the investors.

Now, great efforts were made several years ago to have this type of legislation made uniform across Canada by the various provinces and I think it may be said that the legislation with respect to the kind of disclosure of the cost of credit is uniform on the part of the provinces across the country.

There was some other earlier reference to our interest as a department in the question of improper practices, by competitors or, indeed, the selling agents, those doing business with the public and I think the government's position was put forth by the Attorney General. He indicated that this matter must be approached, if any solution is going to be effective, on a national basis. Already there is this current investigation and a study of this matter, of the invasion of privacy, at Ottawa, and as soon as there is some further information from that group we will be in a position to reconsider just what our position is.

**Mr. Speaker:** The hon. member has two questions from last week of the Minister of Health (Mr. Dymond). Does he wish to ask them or withdraw them?

**Mr. Sargent:** I do not have them here, Mr. Speaker, I will withdraw them.

**Mr. Speaker:** The hon. member for Beaches-Woodbine has a series of questions and has the floor.

**Mr. Brown:** Mr. Speaker, I have a question of the hon. Minister of Education.

Does the concept of universal compulsory education exclude the emotionally disturbed child?

What is The Department of Education doing to guarantee this right to children in local school board areas?

**Hon. Mr. Davis:** Mr. Speaker, the school system of course does not exclude any child. Just as recently as August 19, 1968, there was a re-organization of the special education resources of The Department of Education to provide consulting services to the local school systems. There is a programme consultant in special education in each of the regional offices now in the province and in addition to that, there are seven provincial supervisors at the department's central office, one of whom, Dr. Joan E. Bowers, is responsible specifically for programmes for emotionally disturbed children. The member might very well be aware of these appointments which were published in the Minister's report.

The overall objective is of course that the best possible educational opportunities will be provided for each child in the province and consistent with this objective is the establishment of the larger units of school administration to extend such benefits.

I am sure that the hon. member is quite aware that it is practically impossible to have classes for emotionally disturbed children where the board is operating perhaps in a six- or eight-room school with a minimum number of students, economically and educationally of course, it just could not have been done.

The Department of Education has established, with The Department of Health, eight regional diagnostic and assessment centres with highly competent staff and The Department of Education employs, in each of these centres, a regional educational consultant whose role is to serve as a liaison between the centres and the school system.

Now to elaborate, Mr. Speaker, which I think one should really do during the estimates rather than at this particular time, on the entire question of special education, I think one should also point out that the schools for the blind and the deaf make provision for students with emotional problems as well as with physical disabilities.

In the same way, The Department of Education gives professional help to the schools for the retarded.

On the question of trained teachers in the field of special education I would perhaps here, give credit to the Ontario chapter of the Council for Exceptional Children which, from October 24 to 26, 1968, held a highly

successful conference of special education teachers in London. Over 1,700 special education teachers attended—

**Mr. Brown:** Point of order, Mr. Speaker. What is the relevance of this particular remark to the question I asked about the exclusion of emotionally disturbed children from the public school system?

**Hon. Mr. Davis:** Well, Mr. Speaker, I am indicating, not only are they not excluded but the many programmes that are under way in The Department of Education, in complete co-operation with The Department of Health, to improve the number of teachers available and so on, and I thought really, the hon. member would be most interested in having this information. If he does not wish to have it, Mr. Speaker, I am of course not insisting upon giving it to him. But I thought he would like to know this.

**Mr. Speaker:** In my opinion it is quite in order and in answer to the question placed by the member.

**Hon. Mr. Davis:** The department itself holds an annual summer course for training teachers in the area of special education and I thought this would be particularly helpful to the hon. member because the enrollment this past year in summer courses exceeded some 2,000 teachers. This course included training specifically for teachers of the emotionally disturbed, the perceptually handicapped, the mentally retarded and those with hearing or vision disabilities.

I think it has also been stated here before, but just to impress upon the hon. member the way we are actively pursuing solutions to these problems, that we have concluded visits now to various educational institutions in the United States to identify those courses for which special education teachers in Ontario will be given credit. This was quite a significant departure for us and of course, we are making within our own department, plans for future teacher training institutions, for programmes in the whole spectrum of exceptionality.

**Mr. Brown:** Mr. Speaker, may I have a supplementary question, please?

Is the Minister aware of any child in the province of Ontario who has been excluded from public school because of emotional disturbance? If he is not aware, then I suggest he read his correspondence.

**Hon. Mr. Davis:** Mr. Speaker, with great respect to the hon. member, I read my cor-

responsiveness as diligently as I can. I recognize that out of 1,900,000 young people in the province of Ontario there will always be situations where the system does not, at this stage, completely adapt itself to the needs of each and every student.

We are endeavouring to bring this about to the best of our abilities. I think the hon. member, more than anyone else, should be aware of the great strides that have been made with respect to the education of emotionally disturbed children in this province. If he does not know, he should.

I would say, Mr. Speaker, without becoming at all political or without, in any way, indicating the, shall we say, the progress that has been made by The Department of Education, I say, with great respect and humility, I question whether there are many more comprehensive programmes in like jurisdictions with respect to the emotionally-disturbed child, than in the school system that we have here in the province of Ontario.

**Mr. Brown:** There are still kids being excluded.

I have a question of the hon. Minister of Health.

In the light of Judge Little's comments about the placement of emotionally disturbed children in training schools, does the Minister of Health agree that these are suitable facilities?

What is The Department of Health doing to provide adequate facilities for emotionally disturbed children, as an alternative to that programme?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, both as the Minister of Health and as a physician, I very heartily endorse the statement made by Judge Little.

Our training schools are eminently adapted and established to treat certain children with emotional disturbances. In our view, for the child who has been assessed by the multi-discipline team, and for whom there has been recommended the kind of programme available in our training school system, no better can be provided.

The second part of the question: The Department of Health is proceeding with the development of the programme as outlined in the white paper and which stated government policy.

**Mr. Brown:** Mr. Speaker, a question of the hon. Minister of Correctional Services.

How many emotionally disturbed children are there in Ontario training schools at the present time?

What are the differences in the facilities provided for the emotionally disturbed child in the training schools and the services provided for delinquents in the training schools?

Is there segregation of these children?

Is the Minister content to receive emotionally disturbed children into his programme?

**Hon. Mr. Grossman:** Mr. Speaker, I feel that as the hon. member has not really defined the degree of emotional disturbance to which he refers, it is impossible to answer that question.

He is asking about the segregation of the emotionally disturbed and unless I know precisely the degree of the emotional disturbance he is referring to, it would be impossible to answer that.

Perhaps it might be helpful, Mr. Speaker, if I referred to a statement which I made in this House on this matter. I am quoting from *Hansard* of April 1, 1965, page 1846:

There have been suggestions that many of the children committed to training schools should not have been sent there because they were emotionally disturbed, but that they should have been admitted to some other type of institution.

**Mr. Brown:** That is true.

**Hon. Mr. Grossman:**

I would be the first to admit that there are emotionally disturbed children in training schools. In fact, the majority of the children in our training schools are emotionally disturbed to some degree and perhaps this can probably be said of practically everyone in society. It is a matter of degree.

Mr. Speaker, I quoted that merely to emphasize why it is impossible to answer this question. I do not know how I could do it.

**Mr. Brown:** I have a question of the hon. the Attorney General.

Is it the policy of The Attorney General's Department to send emotionally disturbed children to training schools rather than to provide services for these children and their families in the community?

If not, what is the policy of the department?

Is the Attorney General aware that there are treatment beds available in places such as Browndale and others?

**Mr. Speaker:** Order! Order! The hon. member has consistently strayed from the wording of his questions, would—

**Mr. Brown:** Sorry, I—

**Mr. Speaker:** Would he please follow the wording?

**Mr. Brown:** I will do that.

**Mr. Speaker:** He has it within his power to put in those words when he submits a question, but he has not done so.

**Mr. Brown:** I am sorry. I will go back to the text precisely. Thank you.

Is the Attorney General aware that there are treatment beds available for emotionally disturbed children in private institutions such as Browndale, and that there is no need for children to be sent to alternative facilities such as training schools?

Why is Judge Little of the opinion that there are no alternative facilities to training schools available for emotionally disturbed children?

**Hon. Mr. Wishart:** Mr. Speaker, the question begins—is it the policy of The Attorney General's Department to send emotionally disturbed children to training schools rather than to provide services for the children?

The Attorney General's Department does not send children anywhere. The children go before the court—and it is the juvenile and family court usually—and the disposition of their case or their situation is made there.

The policy of the government, as I understand it, is to provide care for emotionally disturbed children, the best possible care using the existing facilities. And I understand that the children are sent to these other facilities from time to time.

I cannot say why Judge Little, in the opinion of the hon. member, and the interpretation he has taken from his words, does not seem to be aware that this is the case. I do not know that he is unaware at all.

I would point out that the government has a continuing and on-going committee studying this matter. To my knowledge it has been in existence for 18 months and is continually reviewing, studying and advising on this whole question. That committee is under the chairmanship of The Department of Health, the Minister of Health, and includes Social and Family Services, Education, Correctional Services and The Department of the Attorney General. That is a continuing, working committee dealing with this whole matter.

**Mr. Brown:** Mr. Speaker, may I have a supplementary question, please?

Does the Minister agree with the Minister of Health and the Minister of Correctional

Services, or disagree, that training schools are appropriate places for emotionally disturbed children?

**Hon. Mr. Wishart:** I think, Mr. Speaker, this is a matter of policy. I do not think I shall answer this question in the form in which it is put.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Education.

Would the Minister inform the House if it is the policy of his department, in relation to Ontario students attending American institutes of higher education, to restrict financial assistance to these students to loans only and to refuse additional assistance which is granted to Ontario students who study in Ontario?

If this is the policy, would the Minister explain to the House the basis on which it is founded?

**Hon. Mr. Davis:** Mr. Speaker, Ontario students who enroll in universities outside of Canada are offered assistance in the form of Canada student loans, only given the limitations of the funds available for student grants. It is felt that our first priority must be to those students who are attending universities within our own jurisdiction. Firstly, because we wish to build up and assist the universities within this province, and secondly, we feel that it is in the best interests of the total community to have whatever funds are available directed to students who are pursuing their academic studies within our own provincial jurisdiction.

**Mr. B. Newman:** Mr. Speaker, if I may ask of the Minister a supplementary question. Do you not consider it much more economical to have these students attend American universities when they cannot get the course in Canadian universities, rather than to build the facility in Canada? That it is cheaper to have another jurisdiction provide—

**Mr. Speaker:** Order! Order! The hon. member has asked his question; he need not answer it himself.

**Hon. Mr. Davis:** Mr. Speaker, I think you have very readily observed that the hon. member was in the process of answering a question. I say, with respect, I think it is very difficult, without a very prolonged discussion between the hon. member and myself, to determine just what faculties he would be

referring to, what types of courses, and so on, and whether, in fact, from an economic standpoint it would pay to have our students move south of the border to take certain specialized courses that are not available here. I really do not think it is something we can deal with in a question and answer period at this moment.

**Mr. B. Newman:** Thank you.

**Mr. Speaker:** The hon. member has further questions of the Minister of Education?

**Mr. B. Newman:** I will ask that of the Minister tomorrow, Mr. Speaker.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Thank you, Mr. Speaker. I have a question for the Minister of Trade and Development. When will the residents living in full-recovery Ontario Housing projects receive their municipal tax rebate?

**Hon. Mr. Randall:** Mr. Speaker, in answer to this question—The Residential Property Tax Reduction Act, 1968, includes a section, 8(1), which refers specifically to tenants of public housing agencies, and this section reads as follows:

Where in any year a tenant of a public housing agency as defined in part 6 of The National Housing Act (1954) Canada, occupies a residential property and pays an amount that is not less than a sum determined in accordance with the regulations made under this Act, having regard to the rental of similar privately owned residential property in the area, the agency shall determine the amount of reduction that would have been made by a municipality under section 2 if the residential property had been assessed and taxed in the usual way, and shall allow such amounts as a reduction in the rents in accordance with section 4 and may apply to the department for reimbursement on the amount of such reduction, and the Treasurer of Ontario shall pay to such agency the total of such amount.

In order to clarify that, Mr. Speaker, may I say the hon. member will thus appreciate that in accordance with the Act, as tenants of full-recovery projects are paying a rental rate which is substantially less than the rent charged for comparable property in private ownership, the rebate is not applicable to them. In this regard I would emphasize that the rental rate charged by Ontario Housing

Corporation in full recovery projects bears no relationship to current market rentals or for that matter the market value of the dwelling. In fact, in certain municipalities, families of lower-income or geared-to-income rentals occupying dwellings of comparable size are paying substantially higher rents.

Ontario Housing Corporation has for some time been working to establish the equivalent of a market rental to determine which of its tenants would be eligible for the rebate. In essence such tenants will be those who, on a geared-to-income basis during the course of the year, have paid in the aggregate an amount which is the equivalent of market rent. These tenants will be so advised prior to the end of the year, and in the case of current tenancies, an appropriate credit will be applied to their rental accounts. A refund will be issued on a *pro rata* basis to those qualifying tenants who vacated during the course of the year.

**Mr. Deans:** May I ask a supplementary question? How does the Ontario Housing Corporation plan to establish what would be charged in similar accommodation when there is no similar accommodation with which to compare it?

**Hon. Mr. Randall:** I think we established the basis when we established what the value of the Green Meadows houses was up in Guelph. We are also establishing what the market rental would be on similar houses in that area, and I think when we get through with this survey we will be able to establish what would be considered a marketable rent on the houses in question.

**Mr. Deans:** At the risk of carrying on, may I ask just one further question? Since you have made mention of the Green Meadows and the establishment of the sale price of the properties there in relation to the sale price of other properties, would it not then be fair to establish the rental in proportion to the amount that would be paid by people were they purchasing the same properties? Does this make sense to you, what I am saying?

**Hon. Mr. Randall:** I do not quite follow the hon. member.

**Mr. Deans:** Would it not be a more fair method to try to establish the rental as if it were the amount being paid on the outstanding mortgage, taking into consideration what it was built for, as opposed to what it might cost were there other units available of the same size in the same area to be



rented? I realize it is a bit difficult but does this make sense to you?

**Hon. Mr. Randall:** Not quite. We have two problems. The first is that if they are paying rent we are trying to get all these fixed rentals on a geared-to-income basis which we think is fair for the tenant as well as for the housing corporation, and until that has been established we do have problems, as hon. members recognize, with those on fixed rent. For some of them, their incomes have doubled and they are still paying a fixed rent, so in effect they are being subsidized by people who are living in a higher-cost unit which is on a geared-to-income basis.

I do not think I can answer the member's question in detail but if you want to submit the question I will be glad to get the information for you.

**Mr. Peacock:** They are not being subsidized.

**Hon. Mr. Randall:** They are being subsidized, so stop kidding yourself.

**Mr. Deans:** May I continue with just one final question? There will be no other after this. Might I ask the question, how can you establish that a rental is being subsidized when the project is on full recovery? When the entire outlay of the municipality or the Ontario government is being recovered through rental, how can you then state that this is being subsidized in any way?

**Hon. Mr. Randall:** Very simply. Suppose a man moves into a house today, and the house cost \$10,000 to build, and we say the rent is \$100 a month and that is on a fixed rental basis. Let us say his income is \$5,000 and it goes to \$10,000 and he still stays in that house and he pays the same rent. We have cases of that in Hamilton and also in Windsor. Then some other family is moving into an Ontario Housing Corporation house today which may cost \$14,000 to build, and the taxpayer is subsidizing that other family. So it is impossible for us to say that this family living in that house is not being subsidized, because for some of these people, their incomes have doubled. The values I have set here for the market price of the house and the rent that is being charged today have no relationship to the cost of the house originally.

**Mr. Deans:** But, Mr. Speaker—

**Mr. Speaker:** Order, the hon. member said that was his last question and we will now

give the floor to the hon. member for Huron-Bruce.

**Mr. Deans:** May I ask for a point of clarification of the Minister?

**Mr. Speaker:** The hon. member for Huron-Bruce has the floor.

**Mr. M. Gaunt (Huron-Bruce):** Thank you, Mr. Speaker. My question is to the Minister of Agriculture and Food.

Is the Minister satisfied with the progress being made and efforts being put forward by the two farm organizations in relation to establishing a single farm organization?

The second part of the question—and there is a typographical error here, Mr. Speaker—should read:

Is the Minister going to propose through the farm income committee a compromise plan which might be acceptable to both parties?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I am wondering if my hon. friend the member for Huron-Bruce is suggesting that the Minister propose a shotgun wedding.

The principle of the one farm organization was clearly enunciated as far as the government's position is concerned during my remarks at the opening of our estimates of this department last spring. I am not aware of what progress is being made between the two farm organizations other than to read the newspaper reports that I have read of the two respective annual meetings which have been held recently.

One must, of course—if one is interested in seeing one general farm organization for Ontario—be disappointed in the apparent lack of progress that has been made in this regard. However, I am not sure what will come of it, and as far as the reply to the second question is concerned, the Minister—I want it clearly understood, Mr. Speaker—does not propose any suggestions to the farm income committee. They are strictly on their own and whatever they intend to report in their forthcoming report which they will be making is entirely up to them.

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** A question of the hon. Minister of Education:

In view of the statement by Mr. W. A. Jones, administrative assistant to the Ontario Teachers' Federation, as quoted in the To-



ronto *Daily Star* of November 29, 1968, that "a flying squad of highly trained teachers could be the answer to upgrading Ontario's far north schools", will the Minister give serious consideration to the suggestion in an effort to come to grips with the problem of inequality of educational opportunities in Ontario's north and northwest?

**Hon. Mr. Davis:** Mr. Speaker, we are always prepared to give consideration to anything that will improve the educational programme of this province, whether it be in the northwest or northeast or the south, any part of the province. I have not had an opportunity to read Mr. Jones' remarks or discuss this possibility with him. I should point out that the department itself has some 140 well-qualified programme consultants as well as the northern corps, and these personnel are available in the northwestern and northeastern parts of the province, as the hon. member well knows. But, as I say, we are quite prepared to consider any worthwhile suggestion.

**Mr. Martel:** A question of the Minister of Health:

Have INCO and Falconbridge submitted pollution control plans as requested by the Minister over a year ago? If so, do they meet the standards established by The Department of Health?

When will work commence on the plans submitted by INCO and Falconbridge and what time limits have been set by the Minister for its completion?

**Hon. Mr. Dymond:** INCO and Falconbridge have both submitted proposals, a short- and long-term plan; these proposals have been reviewed by the air pollution control services and the companies have now been requested to submit definitive plans for approval. The timing for these developments will be included in the programme.

**Mr. Martel:** Would the Minister allow a supplementary question? Has there been a time limit when these definitive plans must be submitted? Did the Minister not say there was—

**Hon. Mr. Dymond:** Yes, Mr. Speaker, there has.

**Mr. Martel:** Well, is there a time limit within which these companies must submit these final plans?

**Hon. Mr. Dymond:** Yes, Mr. Speaker.

**Mr. Martel:** Could the Minister tell us what it is?

**Hon. Mr. Dymond:** No, Mr. Speaker, I cannot.

**Mr. Speaker:** The hon. member for High Park has questions.

**Hon. Mr. Dymond:** Mr. Speaker, just a comment on that: If the hon. member wanted the answer to those questions he could just as easily have put them in his original question. We would have had the information.

**Mr. Martel:** Mr. Speaker, on a point of order, how could I ask the supplementary question which I asked if I did not know that a definitive plan had been submitted, or that the companies had been asked for a definite plan?

**Mr. Speaker:** I am sure, if the hon. member would look at the questions which he himself and others have submitted in this House, that he would readily have the answer to that, because members are not hesitant in "if not, why not" questions, and this would have been an appropriate place for that kind of question.

I would point out to the members that I notice them reading apparently prepared supplementary questions after the Minister has answered and I would respectfully suggest that type of question should not be supplementary but should be included in the original question. The supplementary question should be one which arises unexpectedly from the Minister's answer.

The hon. member for High Park has the floor.

**Mr. Shulman:** A question of the Minister of Health, Mr. Speaker. Are the patients in the Braemar Manor Nursing Home in Exeter, a residential home for special care, to be removed from that home? If so, why?

**Hon. Mr. Dymond:** Mr. Speaker, they are not to be removed from that home to the best of my knowledge.

**Mr. Shulman:** Thank you, Mr. Speaker.

**Hon. Mr. Dymond:** The member is very welcome.

**Mr. Shulman:** I have a question for the Attorney General. Has the Minister investigated charges by members of the police association of Ontario, as reported in the *Globe and Mail* of August 24, 1968, that officers of the Ontario police commission secretly record interviews with policemen?

What was the result of that investigation?

Will the Minister instruct the commissioners of the Ontario Provincial Police that such actions must cease?

Hon. Mr. Grossman: That is an "if not, why not" question.

Hon. Mr. Wishart: Mr. Speaker, I took the matter up with the chairman of the Ontario police commission after that article appeared and I was assured by him, in a written memorandum as a matter of fact, that the investigating officers of the Ontario police commission have no recording equipment and, of course, therefore no conversations with policemen are recorded.

Having said that, I did not feel that questions No. 2 and 3 therefore followed, but I notice in question No. 3 the hon. member is making reference to the commissioner of the Ontario Provincial Police. The first part of the question had to do with the Ontario police commission, that may be a typographical error, but there is no recording.

Mr. Speaker: Orders of the day.

#### THE EXPROPRIATIONS ACT, 1968-1969

Hon. A. A. Wishart (Attorney General) moves second reading of Bill 5, The Expropriations Act, 1968-1969.

Mr. V. M. Singer (Downsview): Mr. Speaker, in commencing the debate on the second reading of Bill No. 5, The Expropriations Act, 1968-69, let me say that in principle we commend the actions of the government for at long, long, long last bringing forth an expropriation Act that to some substantial extent—and I use the word "substantial" advisedly—answers many of the complaints; but not by a long means, all the complaints that have been levied at expropriation procedures in this province certainly for as long as I have been a member of this House and for a lot longer.

You will recall, Mr. Speaker—I think in 1960, if my memory serves me right—that you were the chairman of a committee on expropriation procedures and the whole law of expropriation and you were at that time, I believe, the Minister of Highways. That committee laboured long and hard and brought forth a report. As I recall, my colleagues on that committee at that time were Mr. Gould, a former member for Bellwoods; Mr. Troy, the former member for Nipissing; and the hon. member for Oxford (Mr. Innes). Those three gentlemen, along with several other members of the House—

I believe the member for St. David (Mr. Price) was on that committee. No? Well, he was in the House at that time and will remember the appointment of that committee. Several members of the House joined in that and they brought forth a report that had a lot of merit in it, both as to procedures and as to the essence of the law of expropriation.

As this government moves—and it does not move very quickly—very little really was done about the principle of expropriation. There was an Expropriation Procedures Act and I remember, Mr. Speaker, that it was you who brought that bill before the legal bills committee of the day. You were assisted in that by Mr. Dick, who is now the Deputy Attorney General, and together you pushed through—and I use the word "pushed" advisedly because, as I recall, you were accepting very few suggestions and you changed your mind not a whit from the way you walked into the committee—you pushed through The Expropriation Procedures Act with the promise of a new Expropriation Act that would deal with the substance of expropriation, which would follow in due course.

Well, the phrase "in due course" or "in the fullness of time" is one that many of us here have heard about for a long period of time. Whether it came from Mr. Frost or from the present Attorney General (Mr. Wishart) or the present Premier (Mr. Roberts), it all means the same thing, that the government moves very, very slowly in bringing about changes to basic law, which changes are demanded by the inequities that the basic law presently works on the citizens of the province of Ontario. This thing, Mr. Speaker, goes back over my full ten-year membership in this House, and it is not for lack of complaining in the House. The speeches are multiple, not only mine, but many, many members of this House—some who are here and some who are no longer here—have spoken about the inequities of this Act.

And not only members of the Opposition; many members of the government have spoken about the inequities. There have been select committees and there have been studies and there have been representations. I suppose that at fault, Mr. Speaker, has been the coming and going of Attorneys General, because we have had very little consistency in this office, and it has fallen often to the lot of the Attorney General of the day to concern himself with the law of expropriation. In my time I can recall Mr. Roberts and yourself, sir, and the present incumbent

and there was one more, I don't know, in any event. Oh yes, and Porter, that is right. That is four in a period of a little more than ten years, so it has been hard to bring any consistency in an approach to the substantive law. One would have thought that this would be one of the things the government, for a period of over 25 years, could have been and should have been able to do. They have fallen short of the mark with programmes for reforming the substance of law, so that we could have some consistency of procedure and some up-dating, before these problems assumed crisis proportions.

There was the outcry about civil rights, and then Mr. McRuer was appointed to do his enquiry. I think his enquiry lasted for a period of three years until we first saw his report. Now we have the first three volumes of his report; he told me the other day the fourth is forthcoming soon, but not too soon, so we have the first three volumes of that. A substantial portion of volume No. 3 deals with recommendations about expropriation.

Well, as the government moves in these fields—and I was commenting on it yesterday in relation to the law of landlords and tenants—one report is not sufficient; we need more reports, so we refer the whole matter to the Ontario Law Reform Commission, and they come out with another one, and then, we have two reports. The Attorney General goes into a huddle with his advisers—an important one I would suspect is his Deputy Minister—and they emerge with an Act that, as I said at the beginning, is not too bad in form. I compliment them for coming forward with it.

Before I leave the introductory part of my remarks, I cannot help but remark that the hand of the Deputy Attorney General is quite visible in this statute. It is not hard to see that one who got his initial training in The Highways Department, had something to say about the drafting of this Act, because as you look at it, you will see that perhaps The Highways Department is treated just a little differently than some of the other departments, and perhaps in his mind there is some substantial justification for it.

It would seem to me that we have gone as far as the government now proposes it should go, and when it is going to receive, from many expropriating authorities, complaints about the additional costs this new Act involves, and I feel reasonably certain those are going to come. Since this Act was introduced, I have spoken to a number of municipal officials—who happen to be both

elected and administrative—who have to deal with the administration of matters such as this, and they have expressed concern to me that it is going to cost them quite a lot.

So as I say, Mr. Speaker, when it is somewhat apparent at least to me that there are going to be complaints from municipal councils and municipal officials, from boards of education and from various other people, about the expropriating powers and about this costing them quite a lot of money, I insist it is apparent that the government believes that the expenditure of this kind of money is for the public good. It would seem that they should not have drawn a line of limitation if they came to that basic conclusion and principle. They should have gone the whole way, and I am going to suggest in several instances that they really have not done that. They have gone so far and then said, no farther.

The first instance in which I think the position is reasonably obvious is perhaps related to the last section of the statute, about when it is going to come into force and the effect on present pending expropriations. I do not suppose anyone really knows how many present expropriations are pending—either actual, or expropriations that are reasonably fixed in the minds of the authorities and that they are going to proceed with, although the procedure may not even have commenced. There are, I would say, many thousands of people in this province whose lands have been affected by the act of an expropriating authority, but who have not as yet advanced to the point where they have any idea how much money they are going to get, or really how long it is going to take before they can get before the board that is going to make that determination.

So, I would quarrel with the effective date of this statute, and I would think that it should relate to all expropriations which presently are under way in this province, and these new procedures should apply to all property in which any expropriating authority has begun to move. No matter how else you try to determine this, there is going to be an arbitrary cut-off date that will exclude a whole group of people from the procedures. As I say, most of them are good procedures that are set out in this Act. It would seem to me that the only fair way that expropriations are going to be conducted henceforth, is that the new legislation should apply to all expropriations that are presently outstanding and that have not been settled.

I draw to your attention, sir, section 46 of the Act, in which there has been an

attempt to wrestle with this, and I suggest it is a compromise attempt. It talks about sections 13 to 31 applying in respect to expropriation for which compensation has been settled or determined before this Act went into force. I do not think that is enough. I think that all of the procedures of the Act, all of the tools that are set up which are going to be of assistance to the person whose land is being taken without his consent, should be available in all of those matters wherein there has been no settlement effected.

I am sure, sir, having said that, that the Attorney General is going to ask me how this can be done. I am sure he knows with me that there is a procedure under the rules of court whereby when a matter of procedure has to be determined, once the legislation has laid the principle, reference can be made to a judge in chambers or to a judge in court, and he can set forth the procedures that can and should be followed.

I am sure that his law officers can advise on how this can be set out in this statute. The procedure is not a complicated one; it does not have to be spelled out chapter and verse. But arrangements surely can be made in this statute where all of the benefits of this statute can be available to all of those persons whose land is being forcibly taken from them and who have not as yet reached a settlement. I think this is the only fair thing. So that is the first point I wanted to make.

The next point that concerns me very much—and perhaps to lay a background for this subsequent point, and a number of others—is that we can lose sight, in dealing with this statute, of the fact that we are trying to protect the rights of citizens whose land is forcibly being taken from them, whose land is being taken from them without their consent, who have not chosen to put themselves in this position, but whom some public authority or other has decided must be put in this position for the general public good.

We have to lean over backward, and I say, sir, that is sufficient justification for anything we do in a statute like this. We have to lean over backward to protect the rights of those people to the proper and full enjoyment of their property. If that enjoyment is going to be taken away or interfered with, then they must be entitled to very great consideration, every possible consideration that they can reasonably be given. If it is going to be expensive, then that's too bad, because we are dealing with them in a matter that is unusual, in a matter which they have not sought.

So, having laid the groundwork, let me talk about the interest rates. I do not know why we lawyers, Mr. Speaker, when we write something about interest rates in a statute, always happen to come up with a figure of five per cent. There is no five per cent money today, and there has not been for quite a few days, and it is unlikely in the reasonable future that there is going to be any more five per cent money. There is an interest rate mentioned in this statute, and it is five per cent. Except where there is a penalty provision, where there has been a delay and where it can be increased or reduced, this is the interest rate that applies to compensation money. I think it is unreasonable and I think it is unfair.

In keeping with the principle that we should lean over backward to be fair to people whose land is being taken, if they are delayed in the use of the money that they are going to get, I see no reason at all why they should be limited in interest to a rate of five per cent. Even the law reform commission went further than the statute, and the law reform commission, on page 70, in the summary of its recommendation, said that instead of a fixed five per cent interest rate, interest should be paid at half of one per cent above the current national housing rate for ordinary homeowner loans.

That is not an unreasonable suggestion. I would think that any interest rate mentioned in a statute like this should bear some relation to the modern economic conditions. This is one test, but perhaps another test might be the rate at which the province of Ontario does its borrowing. Perhaps another rate might be the best preferred rate of banks at the time of the final determination of value. I do not really care whether the specific test is any one of those three or perhaps a better one. But it would seem to me, Mr. Speaker, that the interest rate should be gauged in accordance with the cost of money and the value of money today, and not what it was, in the traditional legal sense, at the rate of five per cent, which applied many years ago.

A second point, perhaps not quite along the same line, is my worry about costs that will be paid to the person whose land is being taken. There is a rather ingenious formula being worked about exchanges between the authority and the person whose land is being taken, exchanges of valuation, and exchanges of information. The offer has to be close to the actual value of the land, and the rather ingenious scheme that is suggested here is that if the expropriating

authority comes within 95 per cent of the money that is eventually going to be paid, and the person whose land is being taken does not take it, then the person whose land is being taken is going to be penalized because he is not then going to be able to get his costs for legal advice, and his costs for hiring evaluators. He is going to be penalized.

The Attorney General is going to tell me that is a discretion. I would say to him, when he tells me there is a discretion, that that is not sufficient. Let's go back to the basic principle. If a person's land is being taken, then he is deprived of an ordinary right that he along with everybody else in the community of Ontario enjoys—the right to enjoy his own land. He has to be put to expense to protect that right. He has no way of telling, when the authority comes in and says, "All right, we will give you \$100,000 for your land, and in our opinion, that is 100 per cent of the value," whether or not that figure is realistic. If the man has any business sense at all, or he consults with anyone, they will say that what he needs is advice of two kinds—he needs legal advice and he needs the advice of a competent evaluator, in order that they can tell him whether the figure that is being offered is reasonable or unreasonable.

Therefore, Mr. Speaker, it would seem absolutely logical to me to replace that discretion in the hands of this new board that you are setting up, which can penalize someone whom the board thinks is an unreasonable landowner or a compensation seeker. I would think that we would have to approach this from the basic starting point that that person whose land is being taken is entitled to the full enjoyment of it. He did not seek to be expropriated. He did not seek to be injuriously affected. He is put into that position by one of these 6,000-odd authorities, and he is entitled to seek competent advice, and to buy his own competent advice in order to determine whether or not the offer in dollars that is being made to him is a reasonable one.

It would seem to me, sir, that that should be written into the Act, and the discretion that is given to the land evaluation board should be taken away. When we come to section-by-section treatment of the Act, we are going to propose the proper amendment, in case these remarks have not made sufficient impression on the Attorney General.

Another point, insofar as costs are concerned, is an idea that has some links with the question of a file of necessity. I do not know that it is called a file of necessity, but

I think we all understand what a file of necessity is. I commend the government for making this procedure available in the case of all expropriations—not just in cases that used to cover the hospitals, universities, and the conservation authorities, but this procedure is going to be available in all cases. That is fine.

But again, there are costs involved in going to the file of necessity. I had personal experience in one of these, on behalf of some clients who own property in Sudbury. I am not going to be talking about that one—the Junction Creek Conservation Authority—at some length, Mr. Speaker, not today; but I think the people of Ontario should hear how some of the conservation authorities deal loosely with their rights. In that case, a hearing took place before His Honour Judge Cooper, the district judge of the district of Sudbury.

In order to ascertain whether or not this expropriation or proposed expropriation made any sense, it was necessary for my client, on my advice, to retain expert advice—in this case a very competent hydraulic engineer, who by reason of his experience, by reason of his position, he is a senior professor in the school of practical science in the University of Toronto, was able to look at these plans in a meaningful way, and to say "yes, it is sensible that the dam should be here, and not over there, and if the dam is put in such and such a location it will flood such and such an area, and not others." This kind of advice will often—not in all cases, but often—be necessary in the case of expropriation. But the fact is that the people affected have to come and seek, first, legal advice, and then other kinds of professional advice, putting them to an expense for which, under the present law, they will not be compensated.

I say that is thoroughly unreasonable. I may add, sir, as a result of this kind of an enquiry, that we were able to convince the authority that if the expropriation did go ahead, it should take about half the land it had originally planned to take. But it was only because we were able to act from a factual report produced by a competent professional person. It would seem to me again that we should write in this statute that for these hearings of necessity, where it is important that professional advice should be sought—both legal and other kinds of professional advice—then there should be compensation to the person whose land is being taken for the expense he is put to. I think this is only basically fair.



While I have been talking about the trial of necessity, I have grave doubts, Mr. Speaker, about the procedure of references. The general scheme of the Act is that wherever there is an expropriation, anyone who is affected by it can ask for a reference or a trial of necessity and in due course it will be conducted. It will be conducted as an enquiry in a fashion similar to the enquiries that are conducted in England. In England, I think, they call the man a referee. He goes wherever the problem is, and has a hearing, and evidence is taken, and there are procedures set down as to how all this is done.

Here I think there is a different name for him; is he called inspector? Here he is called an inspector, but the function is substantially the same. He gathers the evidence, he makes a report to the confirming authority, and the confirming authority then decides whether or not the expropriation can or should go ahead. When the amendment to The Expropriation Procedures Act was introduced a couple of years ago—where this kind of a hearing was provided for in the case of universities and conservation authorities and hospitals — the enquiry and the confirming authority both involved the county court or district court judge. I objected to that because I did not think that, first of all, the county court or the district court judge knew very much about it and should not be put into the position where he had to make this kind of a decision.

Secondly, I thought that there should be a political responsibility so that the person making the decision should be answerable in some political form for the type of action that he had taken.

Thirdly, I did not think it should be limited to only three kinds of expropriation procedures. It should cover the whole broad field.

What they have done is to remedy many of these objections. It has been taken from the county court judge. It has been given to a political body. It applies across the whole board.

But where I am still concerned is the division of the various confirming authorities. I would have liked to have seen—and I know there is some discussion on this—I would have like to have seen one Minister of the Crown—and I do not care whether it would have been the Attorney General or the Minister of Public Works (Mr. Connell) or one of them in any event—who would be designated by, probably, the Prime Minister, who would be the

expropriating Cabinet Minister. He would be the person who would receive all of the reports of these inspectors and he would make these judgments or sign these judgments; they would be made in his name. I would think that that would have brought some—this is the procedure in England. I think it is the Home Secretary who makes this decision, or the Minister of Public Works.

I think that procedure would have supplied a consistency of thinking and a method whereby a group of civil servants would look for certain things in these reports. When they were reporting to the confirming Minister, they would have been able to say, "This report seems to answer most of the questions, but it does not deal with this one and that, maybe we should ask some more questions, or maybe because this question is not answered, we should not approve this one."

It would provide for some consistency in civil servants' advice and some consistency in ministerial opinion.

**Mr. P. D. Lawlor (Lakeshore):** How would the member like that job?

**Mr. Singer:** I know. I know no one Minister is going to like that job but what concerns me, Mr. Speaker, is that if the job is spread through the whole 22 or 24 of them—I can never keep track of how many there are—we are going to get 24 different kinds of decisions.

Some Minister, the Minister of Energy and Resources Management (Mr. Simonett) for instance, is probably going to make a whole variety of decisions within his department because he is responsible for a whole variety of different emanations of the Crown. He is responsible for hydro and the water resources commission and Ontario Northern Railway and several others. It may be that the criteria he uses for one will be different from criteria for another; they may come into conflict.

It would seem to me that it would be more sensible if one Minister made this decision.

I recognize there is some argument about this and even some of my colleagues have said it would be better that the Minister of Health (Mr. Dymond) should make all the decisions about expropriations for hospitals. We will know that in every hospital concerned, it is the Minister of Health who makes that decision and he is the fellow to go after if we think something is wrong. Or that the Attorney General is going to be responsible for all jails that are taken.



It is my opinion, Mr. Speaker, that there would be more consistency, more sense, more fairness and more equity if one Minister was charged with this responsibility.

But my most serious objection to the confirming authority is the method in which we deal with municipal councils, or the Act deals with municipal councils and boards of education.

It provides that the confirming authority in those cases shall be the individual municipality or the individual board of education. To my mind, this is probably going to be an exercise in complete and absolute frustration, because it involves an appeal from Caesar to Caesar.

At least where the ministerial decision is being exercised, I must go back to my example, the Minister of Energy and Resources Management. The conservation authority has deliberated and made a decision; the hearing takes place at which their decision is reported on; that evidence goes forward to the Minister who did not take part in the original decision. He sits as a referee; he is a politically responsible person; he has to answer in this House for the decision and he will make his decision in light of the evidence that is put before him.

But in the case of a board of education or a municipality, we run into very serious problems because the original decision-making body is the body that eventually sits in judgment on its own decision.

A municipal council says, "We need that piece of land over there for a park," or "that piece for a garbage dump" or whatever the municipal purpose is. They take the necessary steps under this Act and the inquiry takes place. The report of the inquiry officer comes back to them and they sit down and say, "Well, the inquiry officer has given us a whole bunch of things, but we have already made up our mind." It is an appeal from Caesar to Caesar.

I think this makes bad law. I think when you are asking the body that makes the decision to review itself, that you are just begging for trouble.

It would seem to me, sir, that if the government is going to keep this division of authority and spread it amongst all the Ministers that, for school boards, it should go to the Minister of Education (Mr. Davis) and for municipalities, it should go to the Minister of Municipal Affairs (Mr. McKeough). At least, in that way, you are going to get a more impartial treatment.

My preference, however, as I say, is that we would have one Minister—whosoever he might be—who would make the decisions in regard to all expropriations.

Sir, the question of injurious affection is one that is very difficult to deal with. It is a technical phrase and attempt has been made to define it. The attempt is limited to the position where land has not been taken but where works have gone on on neighbouring land.

And works have to have been constructed apparently before a claim for injurious affection can be acceptable.

It would seem to me that the definition of injurious affection must be expanded. The Attorney General is probably looking through McRuer at the moment and looking for his definition. May I say, sir, that you followed him exactly—you followed him exactly—and while Mr. McRuer made many good suggestions, I do not think he is the be-all and the end-all of all suggestions for new statutes that we draft. In this one, with great respect, I think he was wrong.

I think that insofar as injurious affection is concerned we have to take into consideration the sort of thing that happened on Highway 401. The member for Armourdale is not here today, but he made a most effective speech in this House on one occasion. It did not do him any good because he violently attacked a Minister of the Crown. But he did produce some results for the people who were affected by the widening of Highway 401 as it goes through his riding and my riding.

But what happened there, and what he and I were complaining about at the time, was not that the widening hurt people's land but that constructions on widened portions—the erection of a 30 foot wall—cut off the view; this had an effect. It was only by an unusual procedure evolved for that single occasion and limited to every case where 14-lane highways are constructed in the province of Ontario, that any kind of a remedy was brought forward.

You can recognize by the terms of reference that there are not too many cases where 14-lane highways are constructed in the province of Ontario, so it was designed to answer that criticism.

I do not think, Mr. Speaker, that the definition of injurious affection is broad enough to cover that sort of thing or to cover another sort of thing. Supposing Hydro comes along and says, "we need the land

next door to where you live." They take that and they do not take your land. But on that land they put some kind of an operation that operates 24 hours a day. It is noisy and they have bright klieg lights and generally it disturbs you. I would say, in my understanding of what the English interpretation is of injurious affection, that you would then have been injuriously affected.

It would seem to me that by the very exact definition that has been written into this Act of injurious affection that you have even taken away, or you are purporting to take away, the common law right of nuisance, the common law right of action for nuisance. In the case I have outlined, probably a person who was treated in that way would have no remedy.

There is a third instance where I think something should be done and this is the one that the Junction Creek authorities are presently perpetrating on an awful lot of people up in Sudbury. They have fiddled around with a piece of land under threat of expropriation for a period now exceeding two and a half years without having come to any conclusion.

I would say certainly where an authority acts in this manner they have injuriously affected, or very seriously affected, the rights of the owners of that land. It would seem to me that we should create some form of action that could be, in essence, a punishing action which will punish an authority who has acted in this way without actually doing any taking of land.

I am going to expand on that particular case but it seems to me that the whole definition of injurious affection as now set out in this Act is far too limited. It takes away certain common law that I think now exists and does not seem to answer the kind of problems that will keep cropping up and that we are going to continue to hear about.

I commented on the way by that I could see Randall Dick's hand in this statute. There is an exemption here, early on—I think under the definition section 1(c)—but it does not include the land for the widening of a highway where entry is deferred under section 338 of The Municipal Act.

It would seem to me that this statute should cover all expropriation, whether it is for highways or whether it is for gas storage areas. I want to make reference to that either now or in the committee discussions. There is no reason at all why the ordinary citizen should not have some finality in his

dealing with The Department of Highways, the same as he will have finality if he is dealing with any other department of the government or any other of the 6,000 odd expropriating authorities. I can see no real basis for exempting The Department of Highways. They should be treated the same as everybody else.

An argument is going to be made that maybe you cannot plan as well, and maybe it is a good idea to tie up a portion of a man's land because we do not know which way development is going to take place, and our planning is not complete. My answer to that, sir, is that with all the resources the government have at their command, they should not be acting to take land for highways unless they have plans.

Certainly they are not suffering under any inability to get expert advice. They can have as much expert advice as they want, and they have unlimited funds to draw on, and when they move in this unusual way, taking land forcibly from a person without his consent, it would seem to me that they should know what they are doing, and they should not be able to dilly-dally around with a person's right to enjoy his own land, and postpone it for periods as provided by The Municipal Act. They should be treated the same as everybody else should be treated.

Now then, I am not too sure, some of these suggestions are not in great sequence, but I am going to throw them out as I have made notes of them because there are a variety of sources to which to refer.

The next note that I have here is in dealing with this tribunal, this is the tribunal of evaluation. I think the Attorney General, Mr. Speaker, would be well advised and he has probably already done this, to look at the comparative tribunal in England, and there is an excellent article in the *Canadian Bar Review* called "Winds of Change", I think it was about five years ago. You perhaps referred to that already. The tribunals there consist of two people. Here we have a tribunal of three and McRuer recommends that to you, I know. In any event, two or three I do not think makes a great deal of difference, but it would seem to me that the tribunal should consist at least of a lawyer, and of an evaluator, because I do not think that you are going to get reasonable decisions from just the usual kind or rank of political appointees that often get to fill these roles. It would seem to me that in dealing with matters of this sort, we should go out of our way to hire people who are knowledgeable in the field. I think that you have got to

start off in each one of these tribunals as they sit. I do not care whether they have three or two—arguments could be either way—they should have a lawyer on them, and should have an evaluator, a man whose business it has been to deal with evaluation of land.

**An hon. member:** McRuer got seven.

**Mr. Singer:** Well, we will leave McRuer at a certain point.

I recognize, Mr. Speaker, that this is going to cause some difficulty, because this profession in this province is not one that has a great number of members in it. There are a lot of people who deal in real estate who would like to think that they are property evaluators, but they are not, and the expert property evaluators are few in number, and I think as the Attorney General approaches people to sit on this board, and if he approaches some of these real experts, the good ones, he is going to find that they are making so much money in private practice, that he is going to be in a very difficult position to compete, with the money they are presently making, in the form of a salary inducement to get them to come and serve the government on this kind of a tribunal.

But it may well be, sir, that those should be the people that could and should be tapped for this kind of service, perhaps on a part-time basis and they have a professional association now, and they have regular meetings; officials of The Attorney General's Department go, as I go, to the annual meetings of the American Right of Way Association, the Canadian section, which is a group of these people that deal with this thing. I think that a system of rotation, perhaps you could take, in an expropriation value matter that deals with Sudbury, an official out of the service of Metropolitan Toronto. Perhaps you can take someone from Kingston to sit in judgment on something that is happening—I knew the member for Kingston would be interested in that—to sit in judgment on an evaluation in Windsor. But there are a lot of people if you really begin to think about it, and in our various government agencies; in our municipal councils, working for our municipalities; in hydro, big real estate departments in the municipality of Metropolitan Toronto, in various boards of education and so on. Perhaps these people could be called upon from time to time and on a part-time basis without necessarily making them full-time government employees to sit on it, but I think it is most important that you should have someone who understands

the law and someone who really understands land evaluation. I am awfully worried, Mr. Speaker, that if we do not have pretty rigid and carefully selected—carefully chosen tests for the people who are going to make these evaluations, then we are going to be in constant trouble—that the evaluations are unfair, that the people who decided did not know what they were talking about and so on.

That brings me to another suggestion made by Mr. McRuer that there should be provision for the regular publishing of the decisions of this board of evaluation—perhaps my terms are not right, but the board that determines how much money is going to be paid.

We tried this. We tried to get this sort of thing going for the Ontario Municipal Board and for a year or two there were a couple of volumes of decisions that came out, and then the whole thing sort of disappeared into limbo. Well it seems to me that this is the time when we are starting with a new procedure, that we could begin to establish some kind of precedent, some kind of case law that is going to deal with the method of evaluation, some of the principles, deal with some of the kinds of evidence that is brought in. And this was one recommendation, I think it was in McRuer, that there should be provision in the statute directing the people who are at the head of this board to regularly publish summaries of their decisions together with the reasons. The way it is now, while the statute provides that reasons shall be given, they will only be given to the parties, and the ability for members of the public in the profession, who are not aware of the particular case, to get full knowledge of what has gone on, is going to be very very limited.

While I am talking about experts, I think too, there should be some provision for limiting the number of experts that are available. And again, this balances the scale; limiting the number of experts that are available in any one hearing. There have been hearings where the expropriating authority can retain twelve evaluators, and merely by overwhelming compendium of evidence attempt to overwhelm the municipal board, or whichever judicial body is giving a decision. The person whose land is being taken, only has one evaluator, is only able to afford one, and it would seem to me that the normal rule of court about experts could well be made to apply in this case. You may do this—and you may want to do this in the regulations if you think this suggestion has any merit, but I would think that the number of experts that

can be used at any hearing, either for value, or for necessity, should be limited to one or perhaps two, and that there should be some provision perhaps for increasing that number on application after the reasons have been carefully stated, but in some of these matters where the fight is a hot one, and where the authorities have lots of money, such as government, and it is not unusual to anticipate that the government will go in or the authority will go in, retain all the experts, tie them up so that the individual is unable to have access to them and cannot afford to fight because he has not the dollars to risk on that kind of fight. It would seem to me that there would be some sense in limiting the number of experts that can be used at any one time.

Now, I want to briefly review, Mr. Speaker, a few of the recommendations made by Mr. McRuer and just ask some general questions. Perhaps the Attorney General can deal with them when he comes to reply.

I am referring now to page 1083 of McRuer and I am just going to run down a few of the recommendations. In recommendation No. 2 at page 1083, he says:

The Legislature should not confer the power of expropriation on any body or person unless it is clear that the power is inescapably necessary in the interest of good government, and that there are adequate controls over its exercise.

Well, that is really what we have been talking about. But the fact remains that there are still some 6,000 odd, I have forgotten, every now and then somebody does a new count, 8,000 odd, an awful lot, running into the thousands, of bodies in the province of Ontario that have powers of expropriation. It would seem to me that as a companion piece to this statute and perhaps even before this statute is finalized, that we could and should repeal the powers of expropriation now existing in the hands of these thousands of existing authorities. It seems to me that the necessity for continuing powers of expropriation in the hands of agricultural societies, cemeteries, various transportation authorities, stockyards, the Niagara Parks Commission, since you are transferring park authority to a specific Minister. I do not know—there is a Minister referred to in The Niagara Parks Act—whether that is one that will fall to you in any event or the Provincial Secretary (Mr. Welch). But since this is being done, whatever Minister is responsible for parks perhaps should have authority. The Ontario Telephone Co.—

**Hon. Mr. Wishart:** I do not want to interrupt the hon. member but perhaps it might shorten a little bit the discussion. I appreciate the recommendation of cutting down the number of expropriating authorities and some thought has been given to that. Perhaps something can be done in that regard.

I would like to just point out that by bringing, for instance, the final decision as to the expropriation with respect to hospitals to the Minister of Health; with respect to conservation authorities to the Minister responsible for that, Energy Resources; universities to the Minister of University Affairs—and there are other examples I could give—you have in effect drawn in and brought to one focal point really one person, one personage, one authority, instead of a proliferation of universities, each one making its own decision. The final decision comes down to the one Minister.

I just interject, if I may, at this time to point out that the effect of what we have done, to require that political decision, has to large measure reduced in a sense your expropriating authorities.

**Mr. Singer:** To a certain extent I agree with the Attorney General, Mr. Speaker. You have overcome a very serious defect, but you still have several thousand, many thousand, bodies that have the power at least to harass, at least to force the thing to the point of a decision of necessity being made. It would seem to me that a careful review could take place. I would be surprised if you could do it now, if you have not really looked at it or have it ready to go forward with this statute. I do not think it is necessary to hold this statute up to do it.

**Hon. Mr. Wishart:** Tell us what you would do with your individual boards of education—

**Mr. Singer:** There are only 136 boards of education now, I think, so they are cutting those down. I think there are many hundreds, if not thousands, of boards or bodies that have powers of expropriation where you could take them away completely; where you would find on inquiry that they have never exercised, and where they may never have had any intention of exercising it; or some where they have been exercised in almost every instance and exercised badly.

I think a review could and should be ordered along that line. McRuer has done this and summarized for you in tables here what statutes you have to look at; it is not a mammoth job. You could go down and perhaps send questionnaires to all these people.

I think you would be doing a great public service if you would come in one day and say, "We are taking expropriation powers away from 3,000 agencies that have them, because we do not think they are needed any more." I think you would do something to substantially encourage public faith in the actions of the government in this regard.

Section 6(3) of the statute is substantially the same as recommendation 9 in McRuer and the recommendation is:

Except in unusual circumstances, before final approval is given to the expropriation, persons affected by a proposed expropriation should be given an opportunity to be heard at a formal inquiry. In unusual circumstances, the Lieutenant Governor in Council should have power to permit the expropriating authority to proceed after proper approval without following the inquiry procedure.

That is the essence really of section 6(3) of the statute.

I talked to Mr. McRuer about that and he could envisage one or two instances in which this procedure might be used. But I wonder why it should be used and whether or not there should be some safeguards. Not that I do not trust the Lieutenant Governor-in-Council, Mr. Speaker, but where the public inquiry provision can be waived I think that we are entitled to know why it is being done.

I would think that if there is any necessity—and I would like to hear the Attorney General at some length tell us what the necessity is—if there is a necessity and this section is going to continue in the Act, I think there should be a tabling in this Legislature at the first possible opportunity, of the reasons the procedure has been used to waive the public hearing.

It seems to me that if an irresponsible government wanted to use the power of subsection (3) of section 6 of this Act, that they could circumvent all of the good they talk about in so many other sections. Therefore, while I say I do not mistrust the Lieutenant Governor in Council, or even the present government and the gentlemen who are going to be making these decisions, I think this kind of power to circumvent the provisions of the statute should be most carefully hemmed in with safeguards.

The first safeguard is, why do we need it? I think the Attorney General should put on record at some length why he feels the necessity for this section. It is not enough to say

that McRuer recommends it, because everything McRuer recommends I do not think follows as being part of Holy Writ.

The second thing is, if it is going to be used, then there has to be some method of reporting, some immediate tabling of the reasons for it, so we will know why the Lieutenant Governor-in-Council in his wisdom has exercised this very unusual type of discretion.

The next recommendation of McRuer's which I want to mention—I have already dealt with 10 and 11–12; I see where you got that idea that the municipality should be its own approving authority. I have already commented on that and I say that just because McRuer has said it is so, does not make it so. I think that you are going to be begging for trouble when the municipality sits in judgment on its own decision.

**Hon. Mr. Wishart:** A local body.

**Mr. Singer:** As a local body, but they are going to sit in judgment on their own decisions in private. You do not even say they have to do it in public.

**Hon. Mr. Wishart:** They have to face the electors.

**Mr. Singer:** Electors do not even know what the inquiry officer has said.

**Hon. Mr. Wishart:** What you wanted last year.

**Mr. Singer:** The municipal council says 'we need this land for a garbage dump'. (That is the one that always seems to stir up the great trouble) and they sit and they fight and they argue and they listen to representations and finally they pass their by-law. Then the man who owns the land says 'I do not think you need that land, you should take the land across the street'.

So we have the public inquiry; and then the municipal council gets back the report of the inquirer and they make a decision on whether they were right or wrong.

Does that make any sense? I do not think it does. I do not think it makes any sense at all. There is going to be a review after the hearing of necessity. Let it go to either you, if you are going to be the one Minister, or, if you do not agree with me about one Minister, let it go to your colleague of Municipal Affairs because he will be accountable here. I think you have got to have it one step removed to bring impartiality to that decision.



If the Minister wants to quote McRuer to me look at number 15 of his recommendations—page 1084:

Expropriations by all school boards should be the subject of approval, not by the school boards, but by the Minister of Education.

So McRuer has two principles on the one page, one enunciated in paragraph 1 and one enunciated in paragraph 15. I do not know why he changes, but insofar as boards of education are concerned, he does not trust the boards. He says it should be the Minister of Education, but he does trust the municipal councils. They are both elected. It would seem to me to make much more sense if they were both treated the same way and both approvals be by the responsible Minister.

Hon. Mr. Wishart: There is an appendage, Mr. Speaker, where I note that McRuer speaks of appointed school boards. I think that is what he is thinking of there.

Mr. Singer: I find it hard on occasion to know what goes through even Mr. McRuer's mind when he does not say it in writing. It may be what he was thinking of, but it is not what he said here in No. 15.

In his recommendation No. 18 on page 1085 he deals at some length with procedural matters, and while I recognize that you have in the Act certain powers to pass regulations, the procedures that he sets out are very important and are a real safeguard to make sure that the procedural function of hearings is not so designed as to circumvent the fairness and equity of them. So my question to the Attorney General, Mr. Speaker, is: Why should not procedural matters such as these, as set out in recommendation No. 18, be incorporated as a part of the Act? It may be that his reply will be that he is trying to put them in the regulations. I would like to have some assurance that they would at least be in the regulations. My preference would be to put them in the Act, and I do not think there is any need not to put them in the Act because they are pretty basic suggestions that he makes and they would ensure equity.

The next one is No. 22:

An application to set aside or quash an expropriation should be made to the appellate division of the High Court of Justice.

I do not think we have that in this Act. I could not quickly find it as I went through it. I wonder whether we are denied the right

to take this kind of a proceeding because of the provisions of the Act.

Hon. Mr. Wishart: Which was that—I am sorry—

Mr. Singer: No. 22, the application to quash or set aside. He makes it as a specific recommendation, and I am not prepared to say really off the top of my head whether you have proscribed this remedy or not by the way the statute is written. I think it should be made abundantly clear that an application to quash or set aside still can be dealt with.

Mr. J. Renwick (Riverdale): Mr. Speaker, on a point of order if I may, I enjoy listening to the member for Downsview, but perhaps the remarks which he has made—going through seriatim the recommendations of Mr. Justice McRuer—would more properly be dealt with when we deal with the bill clause by clause. I would ask, Mr. Speaker, that you give consideration to restricting the member for Downsview to the matter of the principle of the bill which is before us.

Mr. Singer: Mr. Speaker, in reply to my hon. friend from Riverdale, I am only dealing with the principles of the bill—

Mr. Speaker: Order, order!

Hon. Mr. Wishart: I want to speak, Mr. Speaker, to the point of order also.

Mr. Singer: I was speaking to the point of order as well, Mr. Speaker.

Mr. Speaker: The hon. Attorney General wishes to speak to the point of order.

Mr. Singer: I started to address myself to the point of order first, Mr. Speaker, as I recall.

Hon. Mr. Wishart: I am sure this will not restrict the hon. member. All I wish to say, if he will allow me, is that I was about to make that point but I felt that perhaps I should be patient and long suffering. But I support his point.

Mr. Speaker: May I say that I was getting the impression myself that perhaps the hon. member for Downsview is not sticking strictly to the bill itself. He is referring to recommendations in another report, which does not necessarily have to do with the principle of this bill. Perhaps he should review the bill itself and stick to the principle of that particular bill.



**Mr. Singer:** Mr. Speaker, I am sure with your great knowledge of the rules of procedure you will agree with me that I have no other opportunity of dealing with the recommendations of McRuer, insofar as expropriation is concerned, except at second reading. It would be quite out of order to deal with them in regard to section 7 or 8 or 9 or 10 of this Act because at that point in committee—

**Mr. J. Renwick:** Mr. Speaker, if the member for Downsview—

**Mr. Singer:** Mr. Speaker, surely I can finish a point of order without being constantly interrupted by the near leader of the NDP.

**Mr. J. Renwick:** I would like to ask, Mr. Speaker, on a point of order—

**Mr. Singer:** Mr. Speaker, I am talking on a point of order.

**Mr. Speaker:** Order, please. I believe that the hon. member for Downsview is speaking to the point of order that had been raised. I made a suggestion, the hon. member for Downsview is replying to it, and I think he is in order at this moment.

**Mr. Singer:** Thank you, Mr. Speaker. If the near leader could just subside for a bit—

**Mr. D. C. MacDonald (York South):** If you would just get in order instead of meandering around—

**Mr. Singer:** You are not credible so we do not need you either.

Interjections by hon. members.

**Mr. Singer:** Mr. Speaker, if I may return to the point of order—I assume the office of Speaker goes on no matter who is in the chair—the point I was making is that it would be quite improper for me to refer to a report such as McRuer's on a committee reading dealing with this bill. I would be limited to dealing with the sections as they are there written, section by section, and either recommending amendments to them or deletions from them. But if I felt that new sections should be put in, I would think it would be quite proper that I would be ruled out of order. Surely the only time I can talk about things that are not in the Act and about pertinent outside authorities is at the time we deal with principles, and that is what I am doing at this point.

**Mr. Speaker:** I recall very distinctly that this matter arose last year during a discussion

on one of the bills, and it is my recollection that my opinion then was that the course of action proposed by the hon. member was quite in order.

**Mr. Singer:** Thank you, Mr. Speaker.

**Mr. E. W. Sopha (Sudbury):** Notwithstanding all those rude interruptions that you are having, we are very interested in what you are saying.

**Mr. Singer:** Section 28 of the McRuer recommendation deals with the whole question of costs, which I have already dealt with, and I would refer the Attorney General to that one. He made some representations in No. 35 about the payment of fees and expenses of the arbitrator, but I would presume that the theme of the Act is that all these fees of all outside people—all people appointed under the provisions of this Act—will be paid for by government and will not in any way or at any time be charged back to the parties, and I would like the Attorney General to deal with that one.

No. 37 deals with an exemption that has been written into the Act relating to The Energy Act and the storage of gas. Again, the remarks I made about exempting highways, I think are applicable there. I want to know at some further length why it is necessary to exempt expropriation procedures under that Act from the general provisions here.

Finally, Mr. Speaker—

**Mr. Lawlor:** Mr. Speaker, on a point of order.

**An hon. member:** Do not stop him, he said "finally."

**Mr. Speaker:** Point of order!

**Mr. Lawlor:** I am having some difficulty following the member for Downsview. He refers to various numbers. The numbers have nothing to do with the bill before us as far as I can see. Would he make clear what sections he is concerned with as he goes through, please?

**Mr. Speaker:** I am sure the hon. member will endeavour to clarify his remarks for the hon. member for Lakeshore, but I hope that the members will realize that the clause by clause consideration of this or any other bill takes place in committee and that the general principles of the bill, whether they are in one or more clauses, are what are under discussion here. Those principles, of course, can include matters which any member feels are

matters of principle not included and which should be included.

**Mr. Singer:** Mr. Speaker, I agree completely with what you said. Had the member for Lakeshore been listening, I repeated it three or four or five times, but I will do it once more. I was not referring to sections of the bill, I was referring to the various recommendations made by Mr. McRuer in—I will give you the full title just so you cannot miss it—

**Mr. Lawlor:** The wording is obvious—

**Mr. Singer:** It is report on the Royal Commission Inquiry into Civil Rights, Report No. 1, Volume 3. I commenced at page 1083 where he summarizes his recommendations in regard to expropriation and he does that seriatim from number one through to number 53. Each one of those are the numbers I have been using for some time. I have made that reference three times, Mr. Speaker, and it is—

**Mr. Lawlor:** That has very little relevance to the bill as such—

**Mr. Singer:**—It is unfortunate that the member for Lakeshore gets up and makes foolish points of order when he has not been listening.

**Mr. Lawlor:** The member's heavy sarcasm—

**Mr. Singer:** Mr. Speaker, in conclusion—yes, the member's ridiculous point of order deserved a sarcastic answer.

**Mr. Lawlor:** My poor fellow—

**Mr. Singer:** Mr. Speaker, finally—

**Mr. Lawlor:** Does the member not read these bills before him?

**Mr. Singer:** In concluding my remarks in connection with this bill—

**An hon. member:** Point of order!

**Mr. A. B. R. Lawrence (Carleton East):** Mr. Speaker, I wonder if the member would permit a question before he concludes. Relating back to something earlier he said with regard to his criticism of the absence of any provisions as to costs at the trial of necessity.

He did not make clear to me at that time whether he felt those costs, if they are to be inserted in the Act under section 7, would be as of right or at the discretion of the inquiry officer.

I would like to know what his recommendation is specifically in this regard.

**Mr. Singer:** That is a good point, Mr. Speaker. My inclination would be that they should be as of right. Perhaps, there could be two scales. One as of right, which is a basic one and perhaps to be increased; perhaps party and party as of right on the lower level, and solicitor and client on the higher level. Because I would think that to properly approach the committee of inquiry in the trial of necessity one need have some kind of professional advice. But if the advice had been sought unreasonably or the hearing of necessity delayed for an unnecessary length of time, perhaps there should not be full costs. Perhaps there could be some scaling.

But I go back to my original principle, that the person who is put through these hearings did not seek to be expropriated. He was sitting there minding his own business when along comes the majesty of government and says, "We are taking your land away; now defend yourself if you want to." And I think he should be compensated for that on both levels. I trust that answers the hon. member's enquiry.

**Mr. A. B. R. Lawrence:** That would include cranks, would it not?

**Mr. Singer:** I do not think, Mr. Speaker, by suffering the odd crank that we are doing a disservice to the community. I think we have got to go back again to the point at which I started and say that a man has the right to enjoy his own property and to be left alone in that enjoyment. Along comes the majesty of government and says, "We are going to take it away from you or, if you want to keep it, you are going to have to go and fight a trial of necessity, or you are going to have to fight for every last dollar that you are going to get on expropriation." Then that man is entitled to compensation for the legal and professional advice that he has to seek to reasonably defend himself. If the odd crank is able to take advantage of it, well, that is too bad.

I would think that we should start with the basic right, not that people whose land is being taken are second-rate citizens as they have been, by and large, up to now. This is a great step forward and this is why we hail it. But I do not think we should stop sort of three-quarters along the road. I think we should go the full way.

I think, Mr. Speaker, that my reply to the question of the hon. member for Carleton East is a fitting conclusion to the remarks I have made.

I hope that the Attorney General will take these suggestions in the spirit that they are offered. I think we can make this a better Act if some of the principles here are changed. By the time it gets to committee perhaps we will have some revisions along the lines I have suggested before the committee.

**Mr. Speaker:** I wonder if the members would allow me a moment. The hon. leader of the Opposition has called to my attention the fact that when the list of students visiting the House today was given to me it did not include a school from the great South Dumfries township. We now have, in the east gallery, students from German School in South Dumfries township.

**Mr. J. Renwick:** Mr. Speaker, speaking to the second reading of The Expropriation Act, 1968-1969, I do want very much to confine myself to the principles of the bill. I am sure you and the Attorney General will assume, rightly or wrongly, that I have read Mr. Justice McRuer's report on questions of expropriation.

**Mr. Sopha:** How can the member assume rightly or wrongly?

**Mr. J. Renwick:** Whatever one wants to.

Let me deal, Mr. Speaker, with two basic principles on expropriation.

One is that unless the subject of the Crown can find in the limits of this bill, the compensation to which he is entitled, he gets nothing else.

Secondly, let us be perfectly clear that the members of this House understand that anybody in the province whose property is expropriated, is expropriated by virtue of a statute of this Assembly. Therefore, the responsibility of this Assembly is to ensure not only that the public interest is served, but that the private interest of the individual whose property is expropriated is served at the same time.

When we come to the bill, I may say that I have, with one exception, serious reservations about approving the bill in principle.

We, in the caucus, will undoubtedly listen to the remaining arguments which are put before the House about the bill before coming to a conclusion as to whether to support it in principle on the second reading.

The one exception is that the bill does provide protection for that person who has been able in one way or another, to bring sub-

stantial pressure on the government, to amend the Expropriation Procedures bill. And that is, the single-family owner-occupied house. In substance, the bill is not bad in that area. It is certainly a very distinct improvement on the situation in which Mrs. Dorothy Graham of Monroe St., or formerly of Monroe St. in Don Mount, found herself when her property was expropriated by the city of Toronto under an urban renewal scheme.

She would, if she were entitled to the benefits of this bill (and of course, in the language of the bill she is not now entitled to the benefits of the provisions of the bill). She would have been entitled to receive, as of right, her market value for the property which was fixed at \$12,000. She would have been entitled to receive, as of right, certain disturbance damages which would have permitted her to receive an additional 5 per cent, which was about \$600.

She would have been entitled to receive her moving costs, and the costs which were involved in her acquiring an additional house or a new house or a replacement house. It is not very clear in the bill whether she would have been entitled to receive incidental expenses to which any person who moves from one house to another has to undergo.

It may be that in the language of the bill one could assume that that would be an additional amount which she would receive.

Then if she wished to do so, she could apply to the land compensation board. I make this point to the Attorney General; the bill does not provide that the expropriating authority is under any obligation to make an additional amount available in order that she may have a home for a home or something somewhat better than a home for a home. She would have to apply to the land compensation board who, by order, could provide that she would get an additional amount of compensation as, in the opinion of the board, is necessary to enable her to relocate her residence in accommodation that is at least equivalent to the accommodation expropriated.

In that respect I think it is fair to say that the bill is an improvement over the existing law. Perhaps a decided improvement. There are very substantial improvements which could be made in the language of the bill in order to make certain that the home-for-a-home provision in fact means what it says. Certainly, I disagree with the Attorney General, who put the province to his form of put-on by suggesting that the words "at least"

really permit the board to grant any substantial improvement in the type of accommodation which the person might be entitled to receive on the home-for-a-home provision of the bill.

There are other areas dealing with the position of the individual single-family owner-occupied home, which we can deal with when the bill is referred to committee, which I assume it will be when it comes back through the committee of the whole House. If one examines the bill in detail, you will find, by and large, that particular class of citizen is protected to an extent under this bill, which protection he did not formerly have.

I am not so unsuspecting of the government to realize that, in fact, the greatest single impediment to an orderly redevelopment of the inner core of the city is the single-family homeowner. By giving the attention which they have given to him, they do provide him with some reasonable compensation. But I think the government has to be very clear that they must be prepared to lean over backwards to ensure that that person, whose property is expropriated for a public purpose, receives very generous treatment.

When we move the amendments for the bill, I think we will endeavour to make certain that that is the case. Otherwise, you immediately place the single-family owner-occupied home and the owner of that home in the position that either he is fortunate to be picked up in the lottery of private development for high-rise apartments—or other developments—and receives an additional amount of money that way, or he is left stranded in a taxation system which makes it more and more difficult for him to remain as a single-family homeowner in those areas of the city where that kind of development takes place. Or he falls in that class of person whose home is expropriated by the activities of government. Therefore, I think that the Attorney General has to make certain, and the government has to make certain, that that person is properly treated.

On that basis, as I say, I think we could bring ourselves to support the bill in principle.

Let me move to some of the other areas. There is an elaborate series of sections in the bill, from 4 to 8, providing for this pre-expropriation procedure. This is the Tory form of institutionalizing dissent and I agree that it is a very valuable procedure for the citizen, to protect him mainly against monumental governmental gas but not really to

protect the individual citizen in a particular situation.

**Mr. Singer:** I did not think this was proposed by a Tory.

**Mr. J. Renwick:** Mr. Speaker, I am certainly under no illusion that James Chalmers McRuer is a Democratic Socialist. What I am saying is that—

**Mr. Singer:** I think he would be the first to agree with you.

**Mr. J. Renwick:** —we should not labour under the illusion that this procedure, valuable as it is within its limited context, in fact is going to permit the individual citizen, in very many cases, to reverse the decision of government, no matter how elaborate the structure or no matter how much one separates the person who is the approving authority from the person who is the expropriating authority.

Therefore, within those limitations, I think we accept the procedure which is set forth, in the absence of any other way of doing it. We accept the proposition that, by and large, an accountable, elected official, either at the provincial level or at the municipal level or the school board level, should be the person who accepts the final responsibility for approving of an expropriation.

But I do not think we should get carried away on the proposition that in some way or other, very many individual citizens are going to be able to change the decision of government. Certainly it is not going to be the case in urban renewal schemes, using this procedure, that, in some way the people in that area are going to have the inquiry officer, and then the approving authority (be it the municipality as presently drafted or a Minister of the Crown if an amendment is brought in) is, in fact, going to say that the urban renewal scheme should not now proceed, and that in some way or other—

**Hon. Mr. Wishart:** Would the hon. member permit a question? At this point I would like to ask, Mr. Speaker, does the hon. member not think that the procedures to which he refers, of trial of necessity and then the final approval by an elected Minister of authority, would have been very effective in some of the conservation grievances we had; a trial of necessity of the area of fairness, the reasonableness of the expropriation, and then the final decision by an elected Minister? Does he not think that might have been very effective in those situations, which are quite familiar to us?

**Mr. J. Renwick:** As the Ministers often say, that is a hypothetical question. Certainly in an urban renewal scheme, which has gone through the elaborate procedures of designation which are required under The Planning Act and under the federal housing Act, it is very unlikely that the individual citizen or group of citizens in an area designated for urban renewal, are going to be able to get the governmental authority to reverse its decision.

In the field of the conservation authorities—and I certainly am not an expert in the area of what lands should or should not be expropriated for conservation purposes—but in the elaborate preparation of plans for the enlargement of a conservation authority, or for the establishment of a conservation authority, it is again not very likely that the individual citizen in most cases, in such a large area of expropriation for a public purpose, is going to be able to get the expropriating authority to change its mind. Again, it may be that, as in the case of the expropriation by the University of Toronto of the property at Erindale, it may be that in that kind of situation the individual citizens or groups of citizens, can show that their property should not be expropriated, but that another area of land should be expropriated for a university purpose. That may also be true of a particular location of a hospital or a particular location of a school. Certainly it is most unlikely in terms of those large-scale public developments which the government must undertake and which require a tremendous amount of preliminary planning. That is not to say that the procedure is not worth having, I just want to put it in perspective so that the citizens of the province should not think that because this procedure is in the statute, that it is in any way very much of a guarantee of protection to them. It certainly gives them a forum in which they can express their views, and as I have said, it does protect the citizens against serious gaps by government. It may well be of course, that the very effect of having such provisions in the bill will mean that government, by and large, proceeds with a considerable amount more care in the elaboration of schemes which require the expropriation of land.

On that particular question of the pre-expropriation procedures, I agree with the comments of the member for Downsview that, if the citizen avails himself of the privilege of a hearing, then it should be up to the expropriating authority to show cause why they are going to expropriate his

land. He should certainly come on first in the hearing, and it would seem to me that the citizen is entitled as a right.

My answer to the question from the member for Carleton East to the question which he addressed to the member for Downsview:

As a right, he should be entitled to his costs of representation, or the expenses to which he should be put, in putting his case before the inquiry, and I would earnestly ask that the Attorney General give consideration to introducing a clause permitting such expenses to be covered.

I noticed also in looking at that particular pre-expropriation procedure that there is no provision for notification to the owners of lands which may be injuriously affected by an expropriation. Now, it is true that if a part of an owner's land is taken, that owner will get notice with respect to the land which is expropriated, but a person whose land may well be injuriously affected, because of the expropriation, is not entitled to any notice. And of course, in a municipal area, where there is going to be a re-zoning, it is customary to give all the owners, the substantial area surrounding a particular area up for re-zoning, an opportunity to come in and state their case. And I would again suggest to the Attorney General that it is very important that a person whose property may be injuriously affected, should have an opportunity also to invoke the provision of section 428, of the draft bill.

**Hon. Mr. Wishart:** Is it to the authority to decide who is likely to be injuriously affected? It seems to me that is very hazy, and probably very difficult.

**Mr. MacDonald:** Was the Minister's answer not to draw any line at all?

**Hon. Mr. Wishart:** No, no, any party, the Act says any party may come to the hearing, any party, as I understand the language, but I do not know, I am just asking for my own benefit—to clarify my own thinking. Should an expropriating authority, itself at that stage, make the decision as to how far out it reaches, how far the effect of its proposed work, construction or whatever, highway, or whatever it may be is going to extend, I wonder how you would—provide the limits. We do provide in a section of the Act that any party may come to that hearing, any party affected—

**Mr. J. Renwick:** Well, Mr. Speaker, I will not argue with the Minister on the question of the very last part of his statement, but I



do not believe that is in fact so, under the sections of the bill. But, to answer his principle point, it seems to me, that there are immediately available two possible methods. One is, that you draw a fairly arbitrary geographical boundary around the area where the expropriation is going to take place, and give those people notice to come and say whether or not they believe their land is going to be injuriously affected by the development which will take place, and then because there is provision for publication in the local newspaper of the application for approval of the expropriation, it would seem to me that any person in that area who then advises the approving authority that he believes his land is going to be injuriously affected, should have a right to make a presentation to the inquiry officer and ask if he be in fact added as a party to the expropriating procedure.

**Hon. Mr. Wishart:** That the inquiry officer shall add any owner whose land would be affected by the expropriation concerned or any modification thereof as a party to the enquiry.

**Mr. J. Renwick:** Is that the—I took that as being limited to the persons whose lands are in fact expropriated. But if that is so, then it goes a considerable way to meet the point which I made, but it may be that the Attorney General should consider a geographical demarcation of an area, so that person would receive specific notice if their lands fell within that area, so they would receive registered notices giving them the opportunity to come before the enquiry officers.

Now, Mr. Speaker, I would like to turn to the other area which is of concern to me. As I have said, the single family owner-occupied home, the owner of that home, by and large, will be much better protected. But I ask him to give consideration to the other classes of persons that are dealt with in the bill, and one class which is not dealt with. The farmer, for a reason which I do not understand, has been excluded from the provisions of the bill. It is true that one can say that a farmer is a combination of a residential owner and he runs a business, but I think that from the point of view of the impact of the expropriating bill, that the farmer stands in a class apart from the small businessman in an urban area who runs a local grocery store who may be expropriated. And it certainly, the law reform commission, in its recommendation gave every indication that it felt that the farmer should be treated as a separate and distinct problem under the expropria-

tion bill, and I would hope the Attorney General would be able to give some definitive reasons as to why the farmer as such was not dealt with as a special circumstance, or a special instance in the bill.

**Hon. Mr. Wishart:** To give him market value, damages for injurious affection, disturbances, relocation, and—if it is his residence—equivalent reinstatement; he is a citizen, and under the Act, he comes to all those benefits. If you said so for a farmer, you would have to say you would do the same things all over again. The farmer is included, that is my answer right now.

**Mr. J. Renwick:** Then, perhaps by dealing with the question of the businessman, I can draw more clearly to the Attorney General's attention, the concern which I have about the bill. I am speaking of the businessman as such—I am now speaking of a person—who is not necessarily the owner of land or the residential accommodation, but a business man who is a tenant and in many cases a tenant without a lease and is operating a business such as a small grocery store in an urban area. The only provision which I can find in the bill is that he would be entitled to business loss resulting from the relocation of the business. There is no indication in the Act as to what constitutes the business loss.

I do not think that there is sufficient jurisprudence that I know of, that can define or elaborate what is a business loss. I would suggest to the Attorney General that if they are acquiring a piece of property on which a business is being conducted, the owner of that business should be entitled to receive at least the net asset value of his business and should in addition be entitled to receive an amount by reason of the good will of the bill. I do not want to get in an elaborate discussion of what good will is, but by and large it basically means that people will continue to deal with them at that store. That has a value, which is separate and distinct from the question of whether or not he is going to be there one year from then or two years from then. Good will is determined on the basis of the past history of that business, and it would seem to me that in this provision of the bill, the businessman should be entitled to a specific definition of the way in which his business loss is to be calculated, and a specific definition of his right to some element for the good will of the business.

It is true that in part of section 19 the board may—and again it is discretionary—if the business is not going to be relocated, in-



clude an amount not exceeding the value of the good will of the business, but again the owner of that business must make his special application to the board in order to get that additional allowance. He is in this case placed in the same position as the person applying for the additional compensation on the home-for-a-home principle under section 15.

Again, I do not know whether the Attorney General is aware of it or not, but the small storekeeper in the urban renewal area of the Don Mount scheme saw before his eyes his customers just disappear from the area as they moved out elsewhere after their land was expropriated. His business ran down to practically nothing. It is not possible for him to relocate anywhere in that immediate area, because in that immediate area, within the radius of ten or 15 miles, there are any number of other small grocery stores or small local stores. That man, even though he did not have the benefit of a lease, is in my opinion entitled to have received by way of compensation, specifically, by law, an amount calculated in reference to the good will of his business, and that is the good will referable to the past three, four or five years in which he was carrying on that business at that location. Instead of that, as my understanding is, he received only the value of the goods in the store, at the price at which he could have sold them retail, and he sold off a goodly number of them that way, plus his fixtures, and nothing else. I think he ended up being offered some amount such as \$1,000 on a business which had a gross turnover, tenuous as it may be, of upwards of \$100,000.

**Hon. Mr. Wishart:** Do we not cover that in section 19, subsection 1?

**Mr. J. Renwick:** No. Because in this particular case, the man did not relocate in another store. He would have had to apply under 19(2), and in this case one does not know unless there is some clear definition of what good will means in this statute. One cannot advise him what he is likely to get, and I would say that the land compensation board is going to have to spell out, in the absence of rules spelled out in the statute, what value is to be attached to good will; what the meaning of good will is; and what the meaning of business law says, and the extent of it, under section 19(1).

Mr. Speaker, I will move on to another case of a person who is without any real care under this statute, and that is the tenant who is without a lease, be he tenant of a whole house, be he tenant of a floor, be

he a roomer, or the occupant of a portion of a dwelling house. As I understand it, even though that person is included under the definition of the term "owner", nevertheless he is only entitled to receive the kind of compensation which is provided in section 18(2) of the bill.

There are a large number of areas of the city where expropriation is likely to take place. Many people who have lived in those same locations for a long period of time as tenants, or occupiers, or roomers, do not have the benefit of any lease, and those persons, in my view, Mr. Speaker, are entitled to their moving costs, and disturbance costs, for being relocated regardless of the expropriating authority which may expropriate them, but particularly in the case of an expropriation under an urban renewal scheme.

**Hon. Mr. Wishart:** I am sorry, I cannot quite follow the hon. member in that. I am trying to distinguish his remarks from the language of section 18 to which he referred, which speaks of relocation, disturbance, moving costs, and subsection 2 to which the hon. member particularly referred:

Shall pay to a tenant occupying expropriated land such compensation for disturbance and relocation as is appropriate having regard to—

—and then several other factors. Perhaps I was not listening carefully enough. If the hon. member would give me his thought again.

**Mr. J. Renwick:** Perhaps, Mr. Speaker, in 18(1) I would point out that the reference is to an owner other than a tenant. Then 18(2) deals with the compensation to be paid to the tenant, and 18(2) depends upon the existence in substance of a lease, although there is reference of a right to renewal of the tenancy or the reasonable prospect of renewal. I am speaking more particularly of the large number of people in the city who are either overholding tenants on a monthly basis or a weekly basis, who do not have any right of renewal or expectation of renewal, but who, nevertheless, by and large have lived there for a long period of time without any legal protection as tenants, subject to one week's notice or two weeks' notice, but lived there in many cases for many years in the central part of the city.

It would seem to me that there should be some provision, specifically that such persons are entitled to their relocation costs and any additional expense they may be put to in

having to pay, quite likely, higher rates for a room or a floor in other parts of the city, than they are paying in the kind of area which is subject again mainly to an urban renewal scheme:

**Hon. Mr. Wishart:** Even though they are free to go tomorrow without saying good-bye? The landlord has no protection in this situation.

**Mr. J. Renwick:** Yes, even though they may be free to go tomorrow, because again they did not choose to go tomorrow. The expropriating authority is not the one to say, "Yes, well you may go tomorrow, therefore we do not have to pay you". It is the expropriating authority which comes in and again, the member for Downsview (Mr. Singer) made this point—they are the ones who came in and disturbed the person in his occupation and it is just as easy to say he may go tomorrow as he may not go for ten years because nobody knows that fact. I do want to draw to the attention of the Minister, Mr. Speaker, that there is no protection for a roomer, or an occupant, or a tenant, who does not have the protection of a lease, and the only place where I see there are some words which may possibly be stretched to cover that, is in the item which refers to "the reasonable prospects of renewal" and that is a very tenuous clause to provide protection for such a large number of people.

**Mr. Singer:** Surely the member means a long term lease.

**Hon. Mr. Wishart:** I am just wondering out loud if it would not be fair—I am wondering about the fairness of putting the suggestion that the tenant may protect himself if he wishes to do so, by entering into a lease and if he says, "I do not want to do that because I am not sure I want to stay here a month, or six months, or a year", he has it within his own power to protect himself by signing a lease—I just wonder.

**Mr. J. Renwick:** Well again, Mr. Speaker, I realize the point the Attorney General makes. The fact of the matter is that many people live without the protection of a lease, many of them do not want to ask their landlords for a lease and many landlords would not be prepared to grant them a lease of any extended term. This is just a fact of life in downtown—in the main part of Toronto—that people do not have leases that live in houses as roomers or boarders or tenants of a floor in a house. It seems to me that it is deserving of the attention of the Minister

to draft an amendment to the bill which will provide for coverage in that particular area.

**Hon. A. Grossman** (Minister of Correctional Services): How could the member draft such a clause?

**Mr. MacDonald:** We will show the Minister when we get on that side.

**Hon. Mr. Grossman:** Impossible.

**Mr. J. Renwick:** Mr. Speaker, if I may, just in summary, deal with those special categories. I think the farmer does deserve special attention in the bill; I think that the business man deserves something more than the rather cursory attention that he has been granted in section 19 of the bill—a method by which his good will, the value of his business, and his business loss is determined under statutory authority so that the person who is being expropriated in those circumstances has an opportunity to make the kind of calculations which he is required to make in order to determine whether or not the offer which he receives is in any way a fair offer.

Insofar as the tenant without the lease is concerned, I think that the Attorney General has got to realize that in the urban centres of the province there are many people who just, for one reason or another, are holding tenants on a monthly basis—or they may never have had a lease and are tenants only under a peril lease—from week to week or from month to month. Those persons should be entitled specifically to provision for at least their relocation costs, including their moving costs and some method by which they can relocate in another room or another floor of the house. In the city of Toronto they are bound to have to pay more money than they are paying at the present time, in most instances. If that is so, then I think there should be some method by which that compensation should be provided for those people.

Then, Mr. Speaker, I would like to turn to another matter. Let me draw it to his attention because we can deal with it when it comes through committee. Mr. Justice McRuer, in his report, provided that the original offer should be accompanied by the immediate payment of 100 per cent of the compensation and in the drafting of the bill in section 25, provision is made for payment of 100 per cent of the market value but this does not provide for the payment of any of

the additional amounts for disturbance which are included in the compensation.

While the Attorney General is considering that particular section of the bill I think that the person to whom the offer is made should be entitled to receive an itemized list of the areas for which he is receiving compensation and not just a lump sum statement of that amount. So that he can in fact see market value—so many dollars, relocation costs—so many dollars, legal moving and other expenses—so many dollars; so that he can have an itemized statement of the amounts which he is receiving so that he can take that and he can compare it with the statute to find out whether or not he is getting a fair deal on each of the particular items included in the compensation.

**Hon. Mr. Wishart:** I think that comes out fairly well in 25(2).

**Mr. J. Renwick:** It may be, but again that deals mainly, as I see it, with the actual appraisal report of the market value and does not deal with the additional costs of disturbance damage which are allocated under the statute.

The next item that I would like to comment about, which I believe is the principle of the bill, is again one which the member for Downsview dealt with, and that is, the question of the statutory five per cent interest. It seems to me that it should be quite possible in this instance for a formula to be set in the statute or provision made that the Lieutenant Governor-in-Council would determine the rate of interest that would be payable from the date on which compensation is to be determined until it is finally paid.

The five per cent is not realistic, and as I understand it, even in the case of student loans, the government now uses a formula which is something in the neighbourhood of 7.75 per cent, which was established in August, 1968. Certainly, under The National Housing Act, the formula which is in use there provides that at the present time, since October 1, 1968, the rate for NHA mortgages is 8.75 per cent.

So it would seem to me, Mr. Speaker, that the Attorney General should give serious consideration to substituting a formula method for determining the interest that is payable by the expropriating authority for the specific rate of five per cent.

My last two or three comments, which again, I think, are related to the principle of the bill, relate to the costs and the expenses of the expropriation procedure itself.

Mr. Speaker, the Attorney General realizes that, with the lack in the bill of any provision for expenses in the pre-enquiry aspect of the expropriation, they are not dealing with the amounts to be included in compensation for the legal and survey and other costs in acquiring another home, and dealing with the costs through to the expropriation. The only provision there is that if you finally land up with the land compensation board, then at that point you are entitled in certain cases, depending on your luck in guessing the numbers game, to your costs within this 95 per cent formula involved in Section 33 of The Act.

**Hon. Mr. Wishart:** I must say I do not like that expression. I think it depends on your reasonableness, or your exactitude in assessing the value of your property. If you carry the expropriating authority, you carry the battle forward and succeed, or succeed within 95 per cent, but it is not a case of guessing at the numbers game. You have a sincere and honest feeling that your property is worth more than you are being offered. If you come within 95 per cent of that, then you get costs. In the language of The Act "at the discretion of the board". That is pretty definite. I must take exception to "guessing". I do not think there is any luck in this. It is true you cannot always tell what a court or a judicial body is going to decide, but if you can establish a reasonable valuation, you get costs.

**Mr. J. Renwick:** Mr. Speaker, I still think that there is a certain aspect of the numbers game, because at that point it is not the owner saying what his land is worth. By that time he will be using an appraiser; he will be using someone who has some skill in the area, and he may, or he may not be within the 5 per cent margin which determines whether or not he gets his costs. I do not recall the name of the case, but maybe the member for Downsview would help me, and maybe the Attorney General himself knows, but there was one on University Avenue, one of the fraternity houses, which finally went to the court—whatever that fraternity was. The court made a very substantial change in what the arbitration board had decided was the value of the property.

**Hon. Mr. Wishart:** In which case the fraternity would have got its costs. Was it upward or downward?

**Mr. J. Renwick:** I think it was downwards. I am not certain.

**Hon. Mr. Wishart:** It was upwards I think.

**Mr. J. Renwick:** There is a situation where it may be up or down in a widely fluctuating amount; in which case if it were down, he would not get the costs under this particular provision, and I think that when you get the—

**Mr. Singer:** The chiropractors' case is the best, the chiropractors who had a series of awards. When it finally got up to the Supreme Court of Canada, they brought it down, they divided it by seven, and I think the plaintiffs lost most of their award in their costs, because it went all the way to the Supreme Court of Canada.

**Hon. Mr. Wishart:** May I just toss out this thought? If you award—I do not want the hon. members to suggest that you pay all costs in any event. If you do, then the chiropractor, the fraternities, or whoever's property is being taken, have nothing to lose. They can go right to the court of appeal. This is something one has to bear in mind.

**Mr. J. Renwick:** Mr. Speaker, I think the court of appeal can deal with costs in accordance with their rules, but we are talking about the land compensation tribunal, which in fact, when you rule out this so-called kitchen table negotiation board is the only area—it is really the first place where there is any sort of a judicial assessment of the compensation being paid. It is really the first run that the person has at it, under rules. The negotiation board is simply an attempt to bring the two parties together.

At that point then it seems to me that the person whose land has been expropriated—going back again to the fundamental principle that he did not ask them to take his land—should be entitled to his costs at the land compensation board without some arbitrary decision as to the extent to which he would be reimbursed for his costs. I do not think it should be discretionary; I think that the citizen in those circumstances is entitled to receive his costs for that expropriation, and I would ask the Attorney General if he would give serious consideration to that particular point.

There are many other points. I want to comment very briefly on the section relating to the retroactivity of the bill. I think that the bill should at least go back to some arbitrary date, and the date which happens to appeal to me is January 1, 1966. I know people can make arguments for many other dates, but I select January 1, 1966, because

I do not see how anyone can look at the section which is included as an appendix in the law reform commission report about the survey done in the Don Mount area without realizing that a very substantial injustice has been wreaked on a large number of people because of the vacuum in the expropriation law at that time. January 1, 1966, would cover the people in the Don Mount area.

I agree there is always the problem of reconstructing what took place, in many cases, but I am quite certain that with the same patience with which the people of Ontario have waited for this bill, the government with patience could sort out the additional amounts of money which the people in the Don Mount area would be entitled to receive under this bill.

It may include other people, but I think it is a very haphazard method to provide in the bill that if you happen to have not settled, then you have the benefits of these compensation provisions, but if you have settled, for many reasons—extraneous reasons—you are not entitled. My only recommendation to the Attorney General is that he select an arbitrary date and make it retroactive to that date, and I certainly recommend, and I intend to so move in committee, that that date be January 1, 1966.

**Hon. Mr. Wishart:** I would like to say that I think it is not fair to say that it is haphazard when you say those things which are done and finished are done. Those things which are still open will get the benefit of the compensation provision of this legislation. There is nothing haphazard about that. We are just saying that for those that have been settled and the amount agreed upon, it is finished. Maybe it is not fair; I would argue it is, but I certainly say it is not haphazard.

**Mr. J. Renwick:** Mr. Speaker, it is haphazard in the sense that the Attorney General does not appear to understand the immense pressures which an expropriation places upon people who are in an area such as Don Mount. There are immense economic pressures to move.

**Mr. Speaker:** Perhaps if the hon. member is not finished with his remarks on the bill, there is not time remaining tonight, and he might move the adjournment of the debate.

**Mr. J. Renwick:** Mr. Speaker, I will finish if the House will just give me the forbearance to complete—

**Mr. Speaker:** Perhaps we would ascertain if the House would be willing to do that, because the hours of sitting are until 6 o'clock.

**Mr. J. Renwick:** I just want to make that point that you are not disturbing anybody's rights which may have been acquired in the interval, other than the expropriating authority's, but what you are doing is rectifying a very serious injustice which has been done to a number of people. I would certainly commend, Mr. Speaker, to the House the reading of the survey respecting the Don Mount expropriations which is included as an appendix in that report.

That concludes my remarks, Mr. Speaker; one could go on on this kind of a bill for a long time.

Hon. Mr. Rowntree moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, in view of the importance of this bill I suggest that we carry on tomorrow when the House reconvenes with the debate on the second reading and thereafter continue with the Throne Debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 4, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 4, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Again today, we have many visitors in the galleries; in the east gallery, students from the Downsview Secondary School in Downsview and Applewood Heights Secondary School in Cooksville and in the west gallery from Streetsville Secondary School in Streetsville and from Highbrook Senior Public School in Scarborough.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE PREPAID HOSPITAL AND MEDICAL SERVICES ACT

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs) moves first reading of bill intituled, An Act to amend The Prepaid Hospital and Medical Services Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Rowntree:** Mr. Speaker, the bill makes prescription drug plans subject to the Act, in the same manner as hospital and medical services plans.

## THE DAMAGE BY FUMES ARBITRATION ACT

**Hon. A. F. Lawrence** (Minister of Mines) moves first reading of bill intituled, An Act to amend The Damage By Fumes Arbitration Act.

Motion agreed to; first reading of the bill.

**Hon. A. F. Lawrence:** Mr. Speaker, this is a minor Act containing two technical amendments. One part of it broadens and clarifies the definition of sulphur fumes so that it will embrace sulphur fumes from all types of smelters and refineries, including those used in the smelting and refining of lead and zinc and the second amendment to the Act, relates to the cost of administer-

ing the Act which is, of course, recovered from the industry.

At present there is provision for recovering expenses not exceeding \$30,000 in any one year. This is being increased to \$50,000 to cover increased costs in dealing with the broad coverage of the Act.

## THE MINING ACT

**Hon. A. F. Lawrence** moves first reading of bill intituled, An Act to amend The Mining Act.

Motion agreed to; first reading of the bill.

**Hon. A. F. Lawrence:** Mr. Speaker, these are what we believe to be very important amendments to The Mining Act. The two main parts of this Act relate to staking procedures within the province. The first is a removal of the present limits of 90 claims which any individual may stake in Ontario in any one year. The second main amendment relates to what we call universal mining claim tags. At the moment to stake a claim and record a claim in any mining division requires one to purchase those mining claim tags in the mining division where the claim is located. This removes this and permits people to purchase universal mining claim tags, that is, claim tags that may be purchased at any mining recorder's office in the province and used in any area of the province, and this is a recommendation that has been made to the department for many years from various prospectors' groups as well as reports of select committees of this Legislature.

## THE LAW ENFORCEMENT COMPENSATION ACT, 1967

**Mr. J. E. Bullbrook** (Sarnia) moves first reading of bill intituled, An Act to amend The Law Enforcement Compensation Act, 1967.

Motion agreed to; first reading of the bill.

**Mr. Bullbrook:** Mr. Speaker, this amendment ensures that compensation is payable

whether or not the victim's injury is incurred in the presence of a peace officer.

The purpose, sir, is to remedy a situation that has arisen as a result of a restrictive but proper interpretation by the law enforcement compensation board of the present statute.

**Mr. M. Shulman (High Park):** On a point of order in relation to the bill that has just been introduced, can you inform me if a private member is allowed to introduce a bill which entails the expenditure of funds?

**Mr. Speaker:** It is normally and, in fact, legally the prerogative of the government, the Treasury benches, to introduce such bills. I have not had the opportunity of reading this particular bill so I am not in a position to deal with the matter—but I will be glad to look at it.

**Mr. Bullbrook:** Mr. Speaker, if I may address this point of order?

**Mr. Speaker:** Of course.

**Mr. Bullbrook:** The proposed legislation has been submitted to legislative counsel—I want you to know that, sir—and also I did take the matter up with the Clerk in connection with the proposition, not to the substance of the legislation but the general intention.

**Mr. V. M. Singer (Downsview):** May I say in addition, on the same point of order, that the bill that my colleague seeks to have amended sets out the expenditure of public money. This is merely a change in the method in which public money, that has already been voted, can be expended.

**Hon. J. P. Robarts (Prime Minister):** I have as yet not seen the bill, but we will abide by your decision.

#### CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES

**Mr. Shulman** moves first reading of bill intituled, An Act to provide for the control of air pollution from motor vehicles.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** The purpose of this bill is to reduce air pollution produced by motor vehicles in this province, and specifically it lays out standards for the production of pollution in the form of nitrogen oxides for which, at the present time, there are no laws in the province.

**Mr. E. W. Sopha (Sudbury):** I move to raise a point of order because of the intervention of the Prime Minister (Mr. Robarts), and I do not wish as a private member to see a matter as important as this left in doubt. The earlier point of order by the member for High Park was intended to be, and was a mischievous intervention and so we can characterize it.

It would be difficult to conceive how any legislation administered by the state—or any arm of it—could be administered without the expenditure of public money in some form. As I understand the rule, regarding the liberty of any other than a person who has the confidence of the Lieutenant Governor—that is to say a member of the executive council—to introduce a bill, the rule is that only the executive council may advise the sovereign about the raising of or the expenditure of public money.

And that rule is in respect to bills that have as their substance, the raising of the public revenues and the expenditures of them. But if the bill only incidentally, and in an ancillary way, involves the expenditure of public money, in order to carry out the efficient administration of the Act, then that does not breach the rule. And that is, consummate, of course, with the earlier statement of principle that it is quite impossible to enact any legislative device without spending money in some form.

I would like to leave it that way with you, sir, in order that we may protect our rights. I am rather startled that a member of the Opposition should get up, as the member for High Park did, and make that intervention, thus seeking to inhibit my friend from Sarnia. Because by doing that, he is inhibiting—

**Mr. Speaker:** The member has made his point, and he is now expounding on a matter of personal opinion, which is not in order at this time. I am pleased to have the member's views. I will take the matter under advisement; I will look at the bill myself; and I will advise the House as to my views, not only on this bill, but on the interpretation of the rule as it has been brought into discussion this afternoon.

**Mr. Sopha:** Will Mr. Speaker permit me to complete my point of order?

**Mr. Speaker:** Provided the member is speaking on the point of order, and not expressing his personal opinion of other members' actions in the House.

**Mr. Sopha:** Well, I would hate to feel inhibited about expressing opinions about other members. That would put us in silence completely. However, having made that point, I urge upon you, because I am so jealous of the rights of private members of this House, that before you come to a decision as to our liberty to introduce bills, or would restrict that liberty—that perhaps you will give the leader of the Opposition or someone appointed by him an opportunity to make representation to you, in the privacy of your own rooms.

**Mr. Speaker:** I would point out to the member, and all the members of this House, that Mr. Speaker is, by tradition, and I hope by practice, a defender of the rights and privileges of the members of this House. I have tried and will continue to fulfil that position and those responsibilities. I will be glad to receive representations or advice from the leader of the Opposition or any other member, but the decision will be made by Mr. Speaker, on his interpretation of the rules, and the precedence of this House and, if necessary, of other Houses from which we draw our rules.

The hon. member for High Park has a point of order, or another bill?

**Mr. Shulman:** On the point of order, sir. I just want to clear up some confusion that appears to have arisen in one of the member's minds.

I was not objecting to the admission of this bill. I was enquiring as to whether or not a private member had this right; because if we have this right I have a large number of bills I would like to introduce.

#### Interjections by hon. members.

**Mr. Speaker:** Order! The Speaker has the floor.

Yesterday, the member for Windsor West (Mr. Peacock) raised a point of order and I promised that I would take it under advisement, which I did. With the assistance of the Clerk of the House, I have perused the rulings and precedents and I find some items which may be of assistance to us in connection with the matters of: first of all, questions generally—that is, oral questions or questions generally; and second, questions of ministerial statements before the orders of the day.

I would refer to a ruling made by Mr. Speaker Downer, in this House, on February 15, 1960, and if the House will allow, I will read the preamble to the ruling in order

that we may have some of the background and I quote:

Before the orders of the day, Mr. Wintermeyer, leader of Her Majesty's loyal Opposition, directed the Speaker's attention to two questions which members of his group had submitted to the Speaker as questions to be asked orally, before the orders of the day. Mr. Speaker had requested the members concerned to table these questions as inquiries of the Minister for publication on the order paper. Mr. Wintermeyer asked Mr. Speaker to advise the House as to the reason for this request. Mr. Speaker then delivered the following ruling:

"On Thursday last, February 11, there was some discussion relative to the procedure on questions and statements before the orders of the day. I therefore felt it desirable to review the rules and customs of the House applicable.

Firstly, with respect to questions, I should point out at the outset, that the proper way to ask questions is to give notice therefore to the clerk at the table and have them placed on the order paper as inquiries of the Minister, as provided in Rule 37.

The only questions that may be asked orally before the orders of the day are those, where some urgency is evident. In such cases oral questions are permitted. They are submitted to the Speaker in writing before noon and approved by him. The question must then be asked in the words in which it has been approved by Mr. Speaker, no preamble being permissible.

This is a normal rule as to any question that is provided in Rule 37. Of course, adequate notice of such questions must also be given to the Minister concerned in order that he may prepare his answer.

Secondly, as to statements made before the orders of the day: by the custom of the House, Ministers of the Crown are not only permitted but, indeed, are expected to report to the House from time to time on matters within their purview which they deem to be of particular interest and concern to the House. A reasonable number of questions and clarification of such statements are customarily permitted. . . ."

On April 11 of this year, I reviewed the matter in somewhat similar terms and I will not read that ruling because it was made in the presence of most of the members of this House, but I will read the summing up and to sum up, I stated:

Statements before the orders of the day are inexplicably bound up with the onus of departmental administration and that no debate on such is permissible for the simple reason, of course, that there is no motion before the House for debate.

So the short answer to yesterday's problem is that if, in the opinion of Mr. Speaker or the House, if Mr. Speaker's ruling should not be acceptable, the question is one of clarification and it may be asked of a Minister after he has made a statement before the orders of the day.

The hon. member for Scarborough East.

**Mr. Singer:** Mr. Speaker, on a point of order.

**Mr. Speaker:** The hon. member for Scarborough East had the floor on a point of order when Mr. Speaker rose.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, my point of order has to do with the clarification of a precedent that may or may not have been set in this Legislature yesterday. It is different from the point discussed by Mr. Speaker himself just now.

I would like to review this very briefly because it is the sequence of events that makes sense here.

In *Hansard* on Monday, December 2, page 269, I asked the supplementary question: Does the Minister—in this case of Education—believe in corporal punishment? The Minister replied that he felt it was not a proper question, not a proper supplementary question. Then you, sir, stated: "Order! The hon. member's supplementary question is quite out of order and therefore calls for no reply from the Minister."

And then yesterday, sir, the Minister of Education (Mr. Davis) rose in his seat in this House, referred to the question I had asked him and also, I believe, to the supplementary question which I had asked him, and then went on to say: "I just wish to read to the House a memorandum," etc.

He went part-way through this statement and I rose on a point of order, stating: "Mr. Speaker, if I recall the rough copy of *Hansard* correctly, you ruled my supplementary question out of order yesterday", and so forth.

And you replied, sir, that the hon. member's question was ruled out of order yesterday and the Minister's reply was ruled out of order yesterday. You said: "I think those rulings were quite in order." You went on to say: "The hon. Minister is now making a statement which I think he is entitled to make," etc.

Was your ruling yesterday setting a precedent for a Minister to be able to rise in this House to answer a supplementary question which you had previously ruled out of order, or is the precedent simply what you stated just now—that a Minister may rise before the orders of the day to make a statement?

I think it is very important, because if the precedent is—

**Mr. Speaker:** The hon. member has asked his question, I will answer it. There is no question in my mind and I have a distinct recollection of these particular matters, that in my opinion the Minister was making a statement before the orders of the day. I

had been so advised by the Minister's office prior to the opening of the House that he would make a statement and so far as I was concerned his preamble perhaps was not in order but the statement certainly was from my viewpoint.

**Mr. T. Reid:** Mr. Speaker, that clears up the point I had.

**Mr. Singer:** Mr. Speaker, on a point of order, when you were making your previous ruling you referred to a ruling made by Mr. Speaker Downer in 1960. It is my fairly distinct recollection that Mr. Speaker Downer served before 1960 and Mr. Speaker Murdoch occupied that position in 1960.

**Mr. Speaker:** The hon. member is quite correct. It would appear that I cannot read the writing which was given to me, because most certainly Mr. Speaker Downer was the Speaker from 1955 to 1959 and had Mr. Speaker had his glasses on he might have been able to read it properly.

**Mr. Sopha:** Well, Mr. Speaker, on a point of order, you will forgive me, I regret very much that you have restricted the Opposition from the facility of making comments upon statements and I draw to your attention that in the Ottawa House—and I think for many years—there is unrestricted liberty for one spokesman from each of the parties to make a comment upon a ministerial statement and, indeed, when they had five or six parties there—I do not know if they have that many now, but at one time they had five or six—and each of the groups have the opportunity to make a fairly lengthy comment and I want to draw to your attention, sir, and I do so with the greatest respect, how that accords with reason and common sense, because one can see here by participating in the debates that frequently, ministerial statements from that side are one-sided, opinionated, controversial, and in conflict with—

**Mr. Speaker:** Order. While I always appreciate the good advice and the learning of the hon. member—

**Mr. Sopha:** Is Mr. Speaker being sarcastic?

**Mr. Speaker:** No, Mr. Speaker is not being sarcastic, because the hon. member is a very learned member of this House, a very assiduous member, a very well-read member, and one who can express himself eloquently, and does so. And while I am pleased to have the views that he has stated, they really are not on the point of order, they are merely ex-



pressing his view of what the rules of this House should be. Unfortunately Mr. Speaker is bound by what the rules and precedents of this House are, and therefore the proper forum for the hon. member's discussion of this would either be a debate in this House on the changing of the rules, or else a submission to such committee of this House as is responsible for the rules, or any changes therein.

Now I have no objection and I would be glad to have the hon. member's further comments but I believe that they would be out of order unless the House itself would wish to avail themselves of those comments.

**Mr. Sopha:** May I add this with gravity, that I hope, sir, that you do not lay it down that the rules as determined by you from time to time are so inflexible that it is not open to members of this House to comment on what they might be ideally.

This House, of course the basic proposition in respect of the rules—and I want to leave this thought with you—is that the rules are what the House says they are, and the House, quite apart from the government's position in it, always has complete freedom to change the rules to suit its own wishes and desire in accord with the efficient despatch of public business. Now, that was the context in which I drew to your attention what I thought was the good sense that members from all sides of the House should have an opportunity to—

**Mr. Speaker:** I appreciate entirely what the hon. member is saying, but the time that the members of this House have to debate those matters is in a proper forum of this House when those matters are under consideration.

**Mr. Sopha:** Mr. Speaker, on a point of order, I think you do unduly restrict me and I want you to know that.

**Mr. Speaker:** Order! The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Speaker, I would like to rise on a point of privilege and state that the reason for rising results from a question I asked on December 2, 1968, of the Minister of Education. The question was: How many adults have completed the course in occult science at the Centennial College of Applied Arts and Technology in Scarborough?

Of the graduates—mark those words, Mr. Speaker—how many are specializing in alchemy, vampirism, lycanthropy, and how many are just plain witches?

As a result of that statement and the answers, a cartoon appeared in this morning's *Globe and Mail*, Mr. Speaker, which depicted what appears to me to be the visage of the Minister of Education hovering or vaporizing out of a coffin with long shaggy hair, two fangs, long dirty fingernails, and what appears to be me cringing there.

Mr. Speaker, I deem this cartoon to be most insulting because I have never known the Minister of Education to have dirty fingernails.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question of the Prime Minister.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, the question of the Prime Minister is as follows: Is the Premier prepared to establish an auto repair probe in Ontario as a result of the unusually high increase in auto repairs which have been brought to the attention of senate investigators in the United States during the past week?

**Hon. Mr. Robarts:** Mr. Speaker, we are interested in the results that have come out of this senate investigation in the United States, and of course we will follow them up in this country. But to date we are not aware of a similar situation existing here as is brought out by these findings. We will check on them, but I am prepared to say we will have the type of investigation the hon. member asks for.

**Mr. B. Newman:** Mr. Speaker, may I ask the Premier a supplementary question? Is the Premier's office doing any investigations to find out if such practices as exist in the United States do not exist here?

**Hon. Mr. Robarts:** It is not being done from our office, Mr. Speaker, but it is being done.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Prime Minister.

**Mr. I. Deans (Wentworth):** Mr. Speaker, a question for the Prime Minister. Is it the government's intention to have proclaimed The Operating Engineers' Act, 1965, and, if so, when?

**Hon. Mr. Robarts:** Mr. Speaker, we intend to proclaim this as soon as possible. The delay has been caused by the difficulty in preparing regulations under the Act. This is being done in conjunction with those who are particularly concerned with the Act, and as soon as that is complete the Act will be

proclaimed. I would hope it would be early in the new year.

**Mr. T. Reid:** Mr. Speaker, are we going in any particular order?

**Mr. Speaker:** We are going in order of precedence, the Prime Minister first. The member has a question of the Prime Minister?

**Mr. T. Reid:** Does the Premier plan to include in his delegation to the International Cultural Conference in Niger in two weeks time a French-speaking Canadian from Ontario?

Secondly, has the Premier received a direct invitation from Niger to send a French-Canadian from Ontario to the conference?

**Hon. Mr. Robarts:** Mr. Speaker, I have received no invitations from Niger of any kind, and that is where the rest of the question falls to the ground.

**Mr. Speaker:** The hon. member for Humber has a question of the Minister of Health.

**Mr. Ben:** Mr. Speaker, how many cases of venereal disease were reported in Ontario during 1966, 1967, and to date in 1968? Does the Minister know how many were minors? If the Minister's answer is "yes" to that question, I will have a supplementary.

Has the Minister obtained a report of the American Medical Association convention being held this week in Miami Beach which indicates a serious v.d. epidemic on this continent?

Lastly, is parental consent necessary before doctors may treat minors who are infected with venereal disease?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, the number in 1966 was 3,940; in 1967 was 4,539, in 1968—first ten months, 4,097.

The answer to the second question is "yes". In 1966 there were 728; 1967 there were 712; these were under the age of 19.

To number 3—all the information we have concerning the reports emanating from the AMA convention in Florida is that contained in the newspapers. Because of our association with the American Medical Association we will be receiving copies of the original papers in the near future.

Under the present v.d. regulations dealing with persons under the age of 16, parents are responsible to see that they receive adequate treatment.

**Mr. Speaker:** The hon. member for Lakeshore has questions of the Minister of Health.

**Mr. P. D. Lawlor (Lakeshore):** Thank you, Mr. Speaker. I have two questions for the Minister of Health:

Has the department investigated and obtained information regarding the air pollution conditions of the Ontario buildings plant on Grand Avenue, Etobicoke?

What action is the department taking?

**Hon. Mr. Dymond:** Yes, under section 8 of The Air Pollution Control Act, an order has been directed to have the conditions rectified. The work is currently in progress.

**Mr. Lawlor:** May I ask a supplementary question? Is it possible that I might get a look at that order? May I see the order?

**Hon. Mr. Dymond:** I would have to ask advice about this, Mr. Speaker. I do not know if that lies within my right. This is an order directed against a firm and I would have to ask my legal branch before I can answer the question. I will have an answer for the hon. member tomorrow.

**Mr. Lawlor:** Thank you very much, Mr. Speaker. The second question. When is the report being prepared by David Jackson and Associates for the Alcoholism and Drug Addiction Research Foundation expected to be received? Is it on schedule, and what is the estimated cost of the report?

**Hon. Mr. Dymond:** The foundation expects to receive the report in approximately six weeks, it will be on schedule and the estimated cost is reported to be \$50,500.

**Mr. Speaker:** The hon. member for Sudbury East has a question of the Minister.

**Mr. E. W. Martel (Sudbury East):** Can the Minister advise the House what time limit has been given to INCO and Falconbridge to submit definitive plans for controlling pollution from their operations in the Sudbury area? If no time limit was given, why not?

**Hon. Mr. Dymond:** Mr. Speaker, I was somewhat in error when I advised the hon. member yesterday that a time limit had been given—rather a time limit had been accepted by us.

The first time limit given was October of this year. The company advised us that they were unable to produce the report requested by that time. They had had to retain another firm of consultants—I believe from New York—and they expected the best deadline they could meet would be the end of December of this year. We accepted that and we will be in constant touch with the company to see

that that time limit is met, and if not we will want to know why.

**Mr. Speaker:** The hon. member for Beaches-Woodbine has questions of the Minister of Social and Family Services.

**Mr. J. L. Brown (Beaches-Woodbine):** A question of the hon. Minister of Social and Family Services. Would the Minister inform the House whether the programme at Boys' Village, which was heavily subsidized by this department, has been accredited?

If not what is the reason?

What is the policy of the department toward the emotionally disturbed child?

Are children's aid societies encouraged not to register as clients children with emotional problems?

If so, is this the policy of the department?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, The Ontario Department of Health is responsible for the accreditation of such institutions as Boys' Village following the policy outlined two years ago by the Minister of Health in a White Paper on emotionally disturbed children.

However, I understand Boys' Village did apply for accreditation with The Health Department and its application was rejected at this time. It did not meet the criteria of the accreditation committee.

In regards to part two; the government's policy in this area has been outlined by the Minister of Health in the same White Paper to which I refer.

As to part three; the answer is no.

**Mr. Brown:** Mr. Speaker, would the Minister accept a supplementary?

What is the reason for the village not meeting the standards of accreditation?

**Hon. Mr. Yaremko:** Mr. Speaker, I believe I answered the member's question regarding that. It did not meet the criteria set forth by the accreditation committee.

**Mr. Brown:** In what respect, sir? In what respect did it fail to meet the criteria?

**Hon. Mr. Yaremko:** I do not have that information, that is a matter for the committee, Mr. Speaker.

**Mr. Speaker:** The hon. member has a further question?

**Mr. Brown:** It should be up to standard by now.

**Mr. Speaker:** The hon. member has a further question of the Minister? The same one has come in twice, I am sorry. The hon. member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, a question of the hon. Minister of Social and Family Services.

At what point in development is the province's participation in the extension to Hillsdale Manor for the aged in Oshawa?

**Hon. Mr. Yaremko:** Mr. Speaker, I recently had the opportunity of meeting with a delegation headed by the then mayor, Mayor Marks. Following that, a press release was sent out in which I stated that the department was reviewing its programmes in this regard and that the proposed extension of Hillsdale Manor would receive every consideration.

If I may include the answer to a supplementary question that the member for Humber asked the other day; he was asking certain figures. The number was 30.

**Mr. Pilkey:** Mr. Speaker, could I ask a supplementary question please; two questions really? Is the review for the whole province of Ontario and when do they expect to have the review completed?

**Hon. Mr. Yaremko:** The review, Mr. Speaker, is for the whole of the province of Ontario and it will be in due course.

**Mr. Lawlor:** Mr. Speaker, a question of the Minister of Correctional Services.

Why is a certain prisoner, who until recently was serving time at Millbrook, for arson, being held in the detention cells at Guelph, when the apparent cause of his removal was mental illness?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, as I have been occupied at meetings all morning and the first I saw of this question was when I entered the House, I will have to take it as notice.

**Mr. Pilkey:** It is the policy of the department.

**Mr. Speaker:** The member for Windsor-Walkerville has a question of the Minister of Transport.

**Mr. B. Newman:** Yes, Mr. Speaker, the question of the Minister is as follows.

Has the Minister sent representatives of his department as observers to the United

States Senate Committee Anti-Trust hearings on auto repairs?

And a supplementary question. If not, has the Minister made arrangements to have representatives of his department to examine the reports of the committee?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the question is in two parts. My answer to the first part is no, and to the second part: this type of review is carried out by our department as a matter of routine.

**Mr. Sopha:** The Minister means "maybe".

**Mr. Speaker:** The member for Humber has questions of the Minister of Trade and Development.

**Mr. Ben:** Yes, Mr. Speaker—the Minister of Trade and Development.

How many people in Ontario Housing have received notices to vacate in the last six months?

Two, what are the procedures for their appeal of these notices to vacate?

Three, what have been the reasons for notices to vacate in Ontario Housing this year?

**Hon. S. J. Randall (Minister of Trade and Development):** Well, Mr. Speaker, I do not have this information. I am prepared to get it, but I would like clarification on the first question of how many people in Ontario Housing have received notices to vacate in the last six months. Do you want all Ontario or just Metro? If you want all Ontario, we will have to write to the 41 housing agencies and get their reports. If you just want Metro, I can get it for you shortly.

**Mr. Ben:** Well, I would accept the answer for Metro for the time being. I can always get the answer for the others in due course from the Minister.

**Mr. Pilkey:** Mr. Speaker, a question for the Minister of Trade and Development.

When can the city of Oshawa expect further construction of homes through the Ontario Housing Corporation?

**Hon. Mr. Randall:** Mr. Speaker, in answer to that question: the survey of need for the city of Oshawa was completed on April 15, 1968, and council approved the same day a project for 234 units of family housing. No sites were available at the time, so Ontario Housing Corporation issued a proposal call on May 29 to close on July 24.

A total of eight submissions was received. Of these submissions, one was by Protter management for 63 family units and this was approved by Ontario Housing Corporation Board on October 16, 1968.

Another proposal was received from F. & T. Limited for 171 family units on October 16, 1968, and following these approvals the plans were finalized and were submitted to Central Mortgage and Housing Corporation for loan approval.

We expect to receive the approvals for these 234 family units on or before December 31, 1968, and will commence construction as soon as building permits are issued.

**Mr. Pilkey:** Mr. Speaker, could the Minister just give me any idea at all when this construction will start?

**Hon. Mr. Randall:** Well, Mr. Speaker, I think as soon as we get the approval from Ottawa we will immediately ask the construction company to get under way. Then I guess it is just a matter of how soon they can get the building permits from the city of Oshawa. I do not think there will be any delay in that.

**Mr. Speaker:** The member for High Park has a question of the Attorney General.

**Mr. Shulman:** Yes, Mr. Speaker.

In view of the urgent recommendation of Dr. T. D. Marshall, coroner for Haldimand county, in the November 1968 *Medical Review* that The Coroners Act be changed to allow cross examination by affected persons, will the Attorney General accept or introduce an amendment to that effect?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have noted the coroner's comment and the hon. member calls it a recommendation. What we are doing is reviewing the recommendations made by Mr. McRuer along with our own studies on coroners' proceedings in other jurisdictions. We have our legislation well under way, but I just cannot assure the hon. member when I will be able to present it.

**Mr. Speaker:** The member for Sudbury East has a question of the Attorney General.

**Mr. Martel:** Mr. Speaker, a question of the Attorney General.

Has the Attorney General reached a decision whether the OPP shall, in future, conduct all investigations into fatalities at the Falconbridge Nickel Mines operations? If not, what has caused the delay?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member is, I think, aware that some time ago we were able to arrange that the Ontario Provincial Police rather than the company's police would carry out the services in connection with inquests insofar as the International Nickel Mines were concerned.

We have been reviewing the Falconbridge situation. Actually, no union complaints have been received from that area, so perhaps that is the reason for the delay.

As far as I am aware there were no complaints by anyone as to the services rendered by the Falconbridge police in connection with inquests.

However, we have pursued the matter more or less on our own initiative and I would hope that we will have a decision worked out there.

**Mr. Martel:** Mr. Speaker, if the Attorney General has not received a complaint, then I could probably submit a copy of a letter submitted to me—the carbon copy of which was submitted to the Attorney General's office some two months ago.

**Hon. Mr. Wishart:** In any event, Mr. Speaker, I think it is indicated to the hon. member what our policy is as carried out in connection with the International Nickel police. We think it well that independent police do those services.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, a very important guest is on my right here on the floor of House—the Hon. Farquhar Oliver.

A question to the Attorney General, Mr. Speaker.

How does the Attorney General reconcile the fact that there is no compensation for those who are injured when assisting the police, but a youth who refused to assist Constable Wayne King at Algoma Street and Royal York Road in Toronto has been charged with refusing to assist police?

**Hon. Mr. Wishart:** Mr. Speaker, surely there is no difficulty in reconciling these two things. There is an Ontario Act, chapter 45 of the 1967 statute, which does provide compensation for those assisting the police in preventing crime.

The other thing which the hon. member raises is a matter where the Criminal Code lays down the duties of a citizen to assist the police. Now, that matter is before the court. He is apparently charged with an

offence for failing to carry out something which the Criminal Code says he should do, and makes it an offence if he does not. And we have an Act which, in certain circumstances, provides for those who do assist the police. There is no difficulty in reconciling these two things.

I presume if this man who is now before the court had assisted the police and had been injured, he would have come within the terms of the Act and got compensation.

**Mr. Speaker:** The hon. member for High Park has a question of the Minister of Labour.

**Mr. Shulman:** Thank you, Mr. Speaker.

Are temporary workers employed by private employment agencies covered by The Workmen's Compensation Act?

And if not, will the Minister consider changing the regulations so as to give coverage to these workers?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question by the hon. member for High Park, the answer is: "yes". The regulations under The Workmen's Compensation Act provide that the business of supplying truck drivers is covered under class 20, the business of supplying labour other than clerical is covered under class 24, and the business of supplying clerical employees is covered under class 25.

**Hon. Mr. Wishart:** Mr. Speaker, I have another question addressed to me by the hon. member for High Park and I have the answer.

**Mr. Speaker:** That question was withdrawn and if your office was not notified it was an error on the part of my office. I believe perhaps the hon. member has read the Act.

The hon. Minister of Mines has returned and the hon. member for Thunder Bay has a question from yesterday.

**Mr. J. E. Stokes (Thunder Bay):** In view of the public reaction to strip mining, will the Minister assure the House the removal of large quantities of material will not detract from the natural beauty of the Picton sand banks?

Is the department limiting the amount of sand which can be removed? And how much sand has been removed over the 10-year period from 1958 to 1968?

**Hon. A. F. Lawrence:** Mr. Speaker, I have asked for an investigation to be made, so may I take this as notice?



**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. Martel:** I have a question of the Minister of Mines.

Is the Minister aware that the employees of INCO at their Copper Cliff smelter are unable to obtain good drinking water?

What action will the Minister take to correct the situation?

**Hon. A. F. Lawrence:** Mr. Speaker, again I saw this question for the first time this morning and I have asked for an investigation to be made; so I will take this one as notice as well.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 3rd order; resuming the adjourned debate on the motion for second reading of Bill 5, The Expropriations Act, 1968-1969.

#### THE EXPROPRIATIONS ACT, 1968-1969

(Continued)

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, in speaking on Bill 5, I imagine that we could probably call it "Expro 68". I do not have too much that I can add after the comments of my colleague, the member for Downsview (Mr. Singer), he has placed the position of our party very well, extremely capably; however, I would like to make a few comments.

Up until the presentation of this bill, we have found that expropriation has been a hodge-podge sort of system. This Act, I understand, will eliminate approximately 8,000 expropriation authorities—if it does not eliminate them, it will at least give them guidelines by which they can operate more effectively.

I hope, Mr. Speaker, that this will remedy many of the present abuses. In the past, authorities have been, in some instances, extremely autocratic and dictatorial, and could dispossess an individual of his housing or his business without justifying their actions. The expropriating authority was the one that decided whether or not their own actions were for public good. No hearings were held.

Now at least the individual being aggrieved has the opportunity of public hearings and can at least put up some type of fight for his rights. Everyone now can hear what is going on and at least make themselves heard. In

the past an attempted settlement took much too long.

Mr. Justice McRuer's report on civil rights certainly made mention that the ordinary person had little chance to protect his own rights in expropriation proceedings; he had little if any recourse if he felt he was not being treated fairly. This new legislation, Mr. Speaker, as proposed, now gives to the owner, whose property is being expropriated, financial assistance sufficient to relocate in equal or better surroundings.

However, Mr. Speaker, how do you place the proper cash value on a property that has been taken away from one who has his roots deeply embedded in that given location that is being expropriated? The proposal for appeal is certainly a good one. Mr. Speaker, the home-for-a-home concept or even the concept according to the Minister which actually does a little better than a home for a home, does not cover the tenant completely, even though section 19(1) or 19(2)—I think it is 19(2)—does make mention of the tenants' rights. This simply provides assistance in moving costs, reloacting costs, but what does the tenant do if there is no place to move, no place to relocate?

I think, Mr. Speaker, that provision should have been made to provide the tenant with accommodation for accommodation. Simply giving him financial assistance does not really solve the problem. He may have been living in the expropriated accommodation at \$75 a month, and where does he find accommodation for \$75 a month? He will be subject to higher charges if he does get accommodation, not for a short period of time, but for a fairly long period of time, whereas if he were to remain in the former accommodation he could have possibly got by on \$75 a month or managed a fairly minor increase in the price of accommodation.

I think the bill should provide the tenant accommodation for accommodation, so that he does not find himself in some instances actually having to move out of the community because there is no place in the community in which he can live.

I well recall in my own community, Mr. Speaker, when the University of Windsor was expanding, the complications it caused. People who had had their properties expropriated waited in some instances a fairly long period of time before they received financial settlement and then when they did get settlement, it was on a take it or leave it basis which in some instances was not fair at all.



In my own riding there is to be an addition, or a new separate school constructed; it is going to be approximately a \$1 million capital investment, it will take away the accommodations of, I think, about 14 families. Now, where in the city of Windsor will 14 families find accommodation just like that? It is most difficult for them. I think the provision of accommodation for accommodation should be fairly explicit in the bill.

Likewise, we in the community are going to have a fairly substantial amount of expropriation taking place when the E. C. Rowe Expressway is finally in the stage of construction, and the people who live along the route that will eventually be expropriated find themselves a bit concerned if they do not have accommodation for accommodation. I think, Mr. Speaker, Bill 5, "Expro 68", certainly is a step forward and we on this side will support it.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I cannot let this get past without a few words. During my experiences on the select committee on conservation authorities and having travelled into other jurisdictions, this expropriation matter was certainly drawn very forcibly to my attention. It is apparent to me, at the outset, that once this bill becomes law, if the purchasing agents of a province and various expropriation authorities spell out this philosophy at the outset of their approach in acquiring property, then there may be more willing sellers than are necessary to the expropriation. I think this was pointed out very vividly to us in the state of Ohio.

Yesterday, my colleague from Downsview made a plea that this Act should apply to all pending expropriations that had not yet been settled. I would further fortify this plea. As members know, I have a number of expropriations pending in my own area. In my own mind, I cannot go beyond this point, as perhaps some may suggest and get into cases that have already been solved, reverting, perhaps, right back to the turn of the century. But I certainly think that it would be wise for this government to use this philosophy on anything that is now pending.

The hon. member for Riverdale (Mr. J. Renwick) in his remarks yesterday discussed the problems affecting businesses especially here in Metro area, and the injurious effects an expropriation may have on a business that lies within an expropriation area or adjacent to it. I realize that it is very diffi-

cult to compensate a man whose business lies outside the boundaries of expropriation, but it certainly has an effect on his business.

Usually, when a business is established, one of the first principles a businessman looks at, is the advantage of location. An expropriation can destroy or negate such an advantage that the merchant might deem a necessity to his own business. The position concerning goodwill, when one is purchasing a business these days, there is very seldom, to my knowledge, a monetary advantage in selling, or getting goodwill or payment for goodwill.

But I might state that it does take years, many years to build up a reputation and a clientele to any business. And this may be more particularly true in rural areas than in our metropolitan areas. I feel that the principle embodied in section 19—the six months operation period—is not long enough when one embarks on a business venture. I do not think it can show a profit in six months; it may take up to two years, and I would ask the Attorney General (Mr. Wishart) to look at that particular clause a little more closely, and see what the feeling of the business community is in that regard.

Personally, I feel that possibly the business books should be examined for a period up to two or three years—possibly this phrase could be reworded.

There is one other point in regard to this impending legislation, and I regret that the member for Welland South (Mr. Haggerty) is not here today, due to constituency business. Last evening, we were discussing the many problems that confront him in his area, with the federal expropriating bodies moving into his immediate area, acquiring lands for new right of ways for railroads, and the seaway canal. It is going to cut up basically this whole riding, and I would ask the Attorney General to possibly make representation to the hon. Mr. Turner in Ottawa.

Mr. Speaker: Order! The hon. member is not speaking to the principle of this bill; he is discussing federal expropriations.

Mr. Paterson: With your permission, Mr. Speaker, I was merely pointing out to the hon. Attorney General that our legislation might be coincidental with that of the federal legislation, which is now pending to the benefit of the particular Niagara peninsula that is going to be so seriously affected.

Mr. P. J. Yakabuski (Renfrew South): And the whole province.

**Mr. Paterson:** And the whole province, that is correct.

These are my basic remarks in this regard. I do trust this bill will pass with full support of this House, and be passed immediately.

**Mr. M. Gaunt (Huron Bruce):** Mr. Speaker, if I may, I would like to make a few brief comments in regard to this bill. As I understand the bill, it provides a framework within which the expropriating body and the owner can bargain as equals. I do not feel that this has been the case in the past. I think we have seen many examples of injustices; they have been enumerated here at great length in this House, on various occasions, and there is no need for me to repeat them in that connection.

However, I do feel that this bill goes a long way to rectify many of the things that were wrong with the former system. I was interested in the remark of the hon. member for Riverdale yesterday, particularly in relation to his remarks concerning farmers and farm land. This matter was also alluded to by the member for York South (Mr. MacDonald) in the Throne Speech debate.

I just want to make a few brief comments, in that regard. Many of the principles which are set out in this bill were discussed and proposed by at least one farm organization ten years ago. They were repeated, approximately five years later, to the Royal Commission on Civil Rights, and now we see many of the principles embodied in this particular bill. For that, I congratulate the government—it took them a long time, but nonetheless it is better late than never, I suppose.

There are two or three points I would like to make. The first point is that as I read the bill, there is no guarantee that farmers whose property is expropriated, will be relocated on land of similar productivity. I noticed that the Attorney General, in reply to the hon. member for Riverdale, said that there is no point in putting a separate section in the bill dealing exclusively with farmers because the drafting would have to use the same words, and the same expressions. The same language would have to be used in the drafting as was used in connection with businesses, in connection with residences and so on.

So there is no point, according to the Attorney General, as I interpret his words, in repeating the same language in dealing specifically with farmers. I suggest to him that farmers and farmland is a special prob-

lem unto itself. For instance, roughly 65 to 70 per cent of the assets of a farmer is tied up in land and buildings, both of which can be expropriated. I suggest that very few, perhaps no other businesses have that type of situation, where so much of the total assets of the business are tied up in land and buildings.

Therefore, I feel that farmers and farmland should be treated separately in this regard. I noticed also that there is no mention in the bill of an economic unit, and I do not know how I can express it any clearer to the Attorney General than to give him an example of what I mean in this connection.

For instance, let us assume for easy figuring that 100 acres represents an economic unit of a particular farmer. Let us say that 10 acres of that 100 acres represents the net profit from that farming operation.

Then I pose the question to the Attorney General, what happens in the event that an expropriating body comes along and says, we want 10 acres of your 100 acre farm? It means, in effect, that the farmer is left with an uneconomical operation. He just simply cannot make money out of the farm any longer and I feel that this is certainly a special consideration, and has to be dealt with in a special way in the bill—and it has not been done.

**Hon. A. A. Wishart (Attorney General):** Yes it has.

**Mr. Gaunt:** Well, I would like to hear from the Attorney General because if it has, I am glad to hear it. I would like to know where it is dealt with in this particular bill, and perhaps we can clarify that point at this juncture.

**Hon. Mr. Wishart:** Mr. Speaker, I was going to include this in my remarks. I thought I might close the debate on second reading. It is in the sections having to do with injurious affection, and reference is made to where part of the land is taken and the provisions of the section dealing with injurious affection in those circumstances. I think if the hon. member will look at those—I have not got it with me. I could find it for him but I will just refer to it in that way and, perhaps, when I make my closing remarks on this debate, I will refer to it a little more specifically. But I think we have it covered.

**Mr. Gaunt:** Mr. Speaker, if in fact it is covered under injurious affection, I am glad

to hear it because I was certainly concerned about this particular aspect of the bill. I just simply say, in closing, that I do think there are some aspects of the farming business which are entirely different from any other business. I hope that the Attorney General has considered this aspect of the bill because we have had many cases.

I can think of conservation authorities who have expropriated land over the years, they have become quite publicly well known due to the fact that many of the people so affected felt that they were being dealt with unfairly. I do hope that if all of the points I have mentioned are not given consideration in the bill, that they will be at the Attorney General's earliest convenience.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I rise as well to speak in favour of this bill.

Expropriation laws in Ontario have certainly been out of touch with the realities of our circumstances of the 1960's.

In my city of Kitchener, the Conestoga Parkway as it continues to move in and to encircle the communities of Kitchener and Waterloo has displaced many houses and many businesses which must be removed and which must fall by the wayside.

Urban renewal, as the members of this House are no doubt aware, is going to be re-developing entirely the centre of this city. I think we are going to be uprooting many persons. It is surely fair to all of our citizens to compensate properly those who are displaced by these measures of progress as downtown streets are widened and various other traffic patterns are re-developed in cities across the province, and especially in Kitchener where many homes are being removed. We must go the extra step to benefit our citizens.

Where we are interfering with the rights of property ownership and enjoyment in the general public good as we see it in this House, we certainly must err, if at all, on the generous side.

I suggest, Mr. Speaker, that the Attorney General can well be proud of this bill which he is bringing before the House. As hon. members are aware, my colleagues on this side of the House have called for many of the reforms which this bill entertains. It is certainly apparent that the bill has been supported on all sides of this House and in the public press generally, as forward looking legislation.

If it is amended and expanded upon as my colleague from Downsview has suggested then it can be even better than it presently is. I would urge all of the members of this House to support the bill and to bring Ontario's expropriation law up to date.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, before I begin, may I make the wry remark that I was posing today for the first time in the House, a question to the new Minister of Revenue (Mr. White) and he turned tail and ran.

To settle down to the expropriation law, Mr. Speaker. It presents the picture of the farmer standing in his laneway, legs astraddle, with a loaded shotgun in his hand in front of the advancing bulldozer. It is also the picture of the much harassed little woman guarding her door.

This is partly to do with the way in which we regard land as such. For me, and I suppose for people on all sides of the House, apart from our particular political ideology land need not necessarily be the kind of thing that the former Mr. Justice McRuer believes it to be; in other words, a thing inalienable, absolute, without conditions.

I suggest that for people of our minds—and it is a basically socialist approach to land tenure—land is a trust. It is something that existed probably having greater abundance before we arrived, and it will be there after we have gone and generations have passed away.

So we should not have, nor would it be righteous that we have full dispositive powers over our land.

I say in all due respect to Mr. McRuer that he is—and I will bring this up in the course of my Throne Speech debate—he is addicted to an English empirical tradition which regards rights of being of only one kind. It came down through Hobbes and Hume and Locke and Adam Smith and John Stuart Mill, and it is very alive today; there is only one kind of right, and that is an individual right; the rights of individuals.

For a person with a broader vision of rights, probably from some continental or scholastic tradition, they would see that there are rights in the community too, and the rights extend from the community to the state itself. It is a question of a balancing, and it is the dialectic between these various rights that constitutes the difficulty and makes for the really difficult intellectual exercise.

But to have only one form of rights, as McRuer has said—that is the right of a landowner, or only personal rights, and no other rights is a failure, as I will put it in my Throne Speech. It is a lapse into nominalism.

In other words, they do not regard general ideas as having real existence, general ideas such as community, state and various forms of governmental enterprise. They, too, are vital entities within inherent rights which have to be balanced in these matters.

I think a few philosophical preliminaries might be of value in this debate, because based on this notion which I will call the McRuer notion of individual rights, it has, as most of these things, certain immediate pragmatic consequences. One of them is that the whole drive of the law prevents the expropriating authority from taking more land than is actually needed in the course of the expropriation.

There is nothing in this bill about that and perhaps there should be. If it were my bill, there would be a section in there which permits the expropriating authority precisely to do that.

In other words, it confers the benefits, except in a few cases, on the private owner. But it does not oblige him to pay for any of these benefits that are received over and above what he has actually due to him.

Let us take the case where a new highway goes through, or a subway in Toronto. The lands in the vicinity go up ten times what they were previously. This is visited on the heads of the surrounding landowners; it is a windfall profit. But the benefits in no way accrue, nor does your legislation in any way make provision for it accruing on to the heads of those who have paid the cost, the taxpayers, for placing the subway where it is.

Even your law reform commission, in its commentaries on this, although it is addicted to the McRuer theory of rights too, goes so far as to suggest that what they call “a betterment charge”, which is authorized under British legislation, would be imposed upon the lands that are thus undeservedly inflated in value.

I would suggest that some thought be given to this, whether in putting it into this legislation, or somewhere along the line, as this has to do with the exploitation of land values conferred by the community upon which no return is made to that community.

Mr. Speaker, this legislation before us today has a long and dreary history as usual. I will not recount it, it will take too long to

tell the whole story of what is before us this afternoon. But a brief reference to the background of that history, I think, is in order; to place the statute in context might be of some value.

I am looking at an article called “New Expropriation Act Reviewed” by Ian Rogers, QC, of Toronto in the *Canadian Bar Journal* of the year 1964, where he says at page 30:

In Ontario, the need for the reform of expropriation laws was first recognized by the legal profession.

Well, we always say that, of course.

At the second meeting, after its organization in 1957, the municipal law subsection of the Ontario Branch of the Canadian Bar Association discussed “expropriation headaches”, during which criticism and dissatisfaction with the existing laws were expressed.

At the midwinter meeting of the branch in 1958, a resolution was passed calling for an Act to be passed to encompass all expropriations carried out by provincial and local authorities and providing uniform bases of procedure for determining compensation.

A committee was then formed to bring in a draft statute which after having been given careful study and revision by the subsection, was submitted to the Minister of Highways on August of 1958.

The draft was referred to the Attorney General's Advisory Committee on the administration of justice which produced the revised Act. This was introduced into the Legislature as The Land Compensation Act of 1960.

Then the history went on as my friend from Downsview has indicated yesterday.

It went from there to the select committee of the Legislature. The select committee reviewed other Royal commissions, the Uthwatt report, the Clyme report and came back with a report to this Legislature in 1962. Finally it got enacted into very defective legislation, in 1964 I believe. And here we are today reviewing it completely—a long, sad history.

However, having reached the top of the mountain we may survey the plains, having spent so long in the plains and looking up to the mountains.

This Act is an amalgam of the report of the law reform commission delivered on September 21, 1967, and about ten chapters in McRuer on expropriation procedure. In

the main, it adopts the salient recommendations of both bodies.

The Act is actually arranged on five levels of government authority, divided into two distinct sections. The first section has to do with the inquiry officer or the file of necessity, and the approving authority. That has nothing to do, of course, with the compensation. Nor have any of these levels anything to do with expropriation powers themselves. The expropriation powers are not caught up and brought into this Act. They are left in the various diverse statutes—I believe there are 36 of them—governing various other units inside the government.

We will discuss the inquiry officer's function and that of the approving authority—and there is some mischievous and meddling business connected with that, as has been indicated in this House in earlier debate.

The second tier—if I may put it that way—is the board of negotiation, the land compensation board and, finally, the court of appeal. These bodies, of course, are concerned solely with the compensation coming out of the expropriation.

I would make a suggestion (and I will come to it again with this board of negotiation). It was brought into the previous legislation—The Rand Expropriation Act—but it may have only a nugatory effect now and probably can be eliminated. It would be good to test it, I suppose, as to what benefit it really confers at this time. It may not have any real validity any longer in view of the wide authority and powers conferred on the Land Expropriation Board. Either one party or the other under this present bill can tie up the other party and force them to go before the board of negotiation—the kitchen sink tribunal. And it may simply be a waste of time—

**Hon. Mr. Wishart:** That is the wrong word. It is kitchen table.

**Mr. Lawlor:** Oh, it is the kitchen table, sorry. We could expropriate the kitchen sink. In any event, I think some consideration might be given to deleting the board entirely. On the other hand, I am not going to force that particular issue. It seems to me that it may have continued worth. Perhaps the Attorney General could comment on it in our outgoing committee. Has it really brought parties together and just how many settlements might have emerged from that?

There are in the province of Ontario 8,017, I repeat 8,017, expropriation authorities. Fantastic!

**Mr. V. M. Singer (Downsview):** Did the member count them?

**Mr. Lawlor:** I counted them. As a matter of fact, McRuer has a complete list and he counts them for you. It is a lot of counting to do. And as was indicated yesterday, there is some validity, it seems to me, in eliminating many of them. Why not prune this tree? Why not get to work? Whether you had time in the process of bringing forward this expropriation bill—and really it should have been done within the confines of this—

**Mr. Singer:** The member's figures are not quite up to date. He wants to delete a couple of thousand school boards in there.

**Mr. Lawlor:** Yes, I know. That was because I spoke a day later than I expected. That is what you get for speaking late—they take all your points away from you.

In any event, all these expropriating authorities are a multitude of varied powers. Take a look at the cemeteries and the rights of private people to expropriate other private people—mill owners, for heaven's sake. This is all a heritage of an ancient day. Clear out the jungle on this particular thing and make some sense of the legislation.

The number of people is just overwhelming. If you are going to have the long, slow attrition of breaking down your school boards and a number of your municipalities, as the only way of eliminating all these diverse authorities—some of them with quite atrocious powers—without notice and no hearings and all this sort of thing, then I would think that you would set about it immediately.

We will continue to press and if nothing is done in a little while, I will be more specific as to what I think the areas are in which this can best be done.

Well, McRuer says there are 35 statutes with these powers. There are 26 different types of expropriation authorities. There are 60 sorts of powers and 35 of these may be exercised without any approval or consent from anyone. The other 25 may need approval of some sort.

Now the legislation that the government is presenting to us today, through the Attorney General, is valuable in wiping out a lot of internal procedural rust and giving an overseership to the way in which these expropriations take place, so that many of McRuer's



reservations and lamentations really are met. Just under the term "lamentations" here is what the good man says.

**Mr. Singer:** Was this not the point where the hon. member suggested I was out of order yesterday?

**Mr. Lawlor:** Yes, but the member did not quote from the bill. He did not seem to have read it yesterday, and it bothered me that he should only quote from one authority, McRuer:

A perusal of the foregoing tables shows that the power to expropriate land has been conferred in Ontario with reckless and unnecessary liberality, without sufficient control over the exercise of the power. It cannot be too strongly emphasized that the Legislature should not confer the power of expropriation on any body or person unless it is clear that the power is inescapably necessary in the interest of good government and that adequate controls over its exercise are provided.

It is the first part of the last sentence that bothers me with respect to the "inescapable necessity." The controls are now being provided, insufficient as they may be, as you will hear, in some respects.

Now, there are some beneficial features in the new bill. It recognizes two distinct bases for determining compensation. No. 1 is market value plus 5 per cent for compulsory or forceable taking. Why that should be 5 per cent is a little beyond me.

Your law reform commission, again, seems in its report to be deficient. It says that this was largely abandoned, this compulsory taking, which, under our law and under British justice, was 10 per cent, as you know, for ages. Why it should not be 10 per cent here escapes me. But in any event—

**Mr. J. E. Bullbrook (Sarnia):** They rationalized themselves out of that.

**Mr. Lawlor:** Well, the law reform commission says it was all abandoned in 1919, but if you look at recent decisions you cannot tell. Often it is in lump sum settlements. What is the amount really? If it is there at all, and it was still there in the Woods case in 1957, it seems to me that they set up a 10 per cent basis and awarded it.

I would like to hear what the Attorney General says about setting 5 per cent rather than the traditional 10. I would think that it would make up for much injustice if the larger sum which, as I say, is traditional, were accepted.

**Mr. Singer:** It was traditional until the Supreme Court of Canada made it untraditional.

**Mr. Lawlor:** Well, cite me that authority, because I have been looking through this carefully.

**Mr. Singer:** Is the hon. member not familiar with that case?

**Mr. Lawlor:** Oh, my dear man, did you ever hear what Orestes said to his father Agamemnon? He said to him, wiping his bloody brow: "Les mouches m'ennuie"—the flies bothered him.

The second type of damages is called disturbance damages, and they are of various sorts. We will come back to disturbance damages because I am going to suggest that your present bill is defective in outlining them and giving them headings. If you have departed from the existing law, the existing law is very vague and very fluctuating as to what heads are recognized as heads of damage.

You have tried to repair that and you should be given credit for doing it, but you have left a little vague phrase tagging on at the end which nobody, not any judge in this province, would be able to tell what it means. But I will come back to that.

**Hon. Mr. Wishart:** I did not catch the remarks of the hon. member. What area is he referring to? Is this in the determination of value that he is speaking of—that there are certain things set down and certain things left open? What is he referring to there?

**Mr. Lawlor:** I am referring to the section on disturbance damages, section 18, and while I am on it I may as well deal with it.

You get down to subsection (c) and you talk about relocation costs and recognize there is, as a disturbance damage, also the moving cost, the legal, and the survey costs. And then you say: "Add other non-recoverable expenditures incurred in acquiring other premises".

Under this heading I would like to know whether part of these disturbance damages might be the cost of arranging new financing or, on the other hand, the appraisal costs that arise out of it that the person being expropriated very well might have to pay.

You say nothing about that. No one can interpret that clause, I suggest, satisfactorily.

**Hon. Mr. Wishart:** I would suggest, Mr. Speaker, with respect to the hon. member



and I appreciate his remarks, that we are discussing here principle, and that the language is perhaps general in the legislation. I would think that in committee I would not be averse to considering whether we should be more detailed and more specific as to setting forth certain items.

But I would hope the hon. member might agree with me that when we use the language "other non-recoverable expenditures incurred" that is a requirement that the expropriating authorities shall pay and that would be carried forward if it came to arbitration, it would carry forward to the land compensation board so that there would be a fairly wide scope for them for interpretation.

I think perhaps I would like to take this occasion and say please let us stick to principle of this bill in our discussion today.

**Mr. Singer:** Does the Attorney General mean he is out of order?

**Hon. Mr. Wishart:** I did not say that when the hon. member for Downsview was speaking yesterday, and I have been patient again today.

**Mr. Lawlor:** We may well say it to you, Mr. Speaker, as I have a great deal to say about what I consider the principles of this bill. Apparently nobody around here knows what a principle is. Well, it has very subjective renderings.

I want to talk about market value for a minute or two. The Act has a section in it saying that the market value of a property will be set without regard to a plan, for instance, being introduced, or an urban renewal scheme or any other consideration, that it would be the market value without these supervening events.

At the same time the concept of market value, I would suggest, would do very little for the homeowner in Donmount who is taken over by expropriation unless taken in conjunction—which is not provided—taken in conjunction with loans and other assistance schemes as outlined again in the law reform commission document.

I say their thesis would be necessary to the full amplitude and benefits to be conferred by this Act. No such assistance schemes, except in a very minatory way through The Department of Economics, the present Department of Trade and Development, presently exist. This is a grave deficiency in many ways.

May I say, too, on market value that the test for market value is a worthy one, and again the Minister is to be commended. To set a willing buyer up against a willing purchaser is the way to do this thing.

For too long under our law it has been whatever value it was felt to be in the hands of the owner, and his values were always somewhat in derogation of the public realm and right. His values tended to be, in many circumstances, very much inflated and this new provision gets around that.

Under this heading, it is interesting to make mention of the law of Canada and Ontario, the great quarrel that went on for many years between the Hon. Mr. Justice J. T. Thorson on one side of the fence and the Supreme Court largely under Mr. Justice Rand, I mean his decisions under this heading.

They quarrelled, as you remember, for a considerable period of time, as to how to arrive at market values. Thorson's position was that it was the highest value to someone other than the owner, and the Rand situation was that the market value includes the present worth of all its possibilities. The famous phrase that has rung down through expropriation law is what a prudent man would pay to obtain or retain the property, that is, the value to the owner.

That has led to many abuses. On another occasion when Mr. Justice Rand creeps into the debates in this House, I would remind you that under this heading he, too, may be very fallible. At least so fallible that his theory of how the market values should be arrived at in expropriation have been rejected under the terms of this new legislation, and I say deservedly so, and advisedly so, and to the benefit of the whole population of Ontario.

There is, nevertheless, I suggest to the hon. the Attorney General through you Mr. Speaker, still another point in the Act I would like to hear his comments on, as it bothers me.

While the value to the taker, or the value to the owner, or the value of ejection, or what you pay not to be thrown out, have been the tests down through the ages, and they are still the tests in our law books before this legislation is passed. Well, that is one situation.

On the other hand, there has been written into the present legislation, a double standard I suggest. They usually put it, in talking

about it, that there should be no double recovery, and by double recovery they mean, either to have one test or another. You have either the existing use, plus the disturbance damages on one side of the fence, or you have a market value based on the highest and best use, or the greatest potential use on the other hand.

You have tried to make the best of both worlds to the detriment of both. Your basic formula under section 13 is a formula based on market value plus disturbance damages. But then, you sneak in a clause about the market being based upon some use of the land other than the existing use.

Where did that come from? What is it doing there? I will not batter this particular ram but I will bring it up again in committee. Still, I think at the earliest possible time it should be brought to your attention. I think it is at least confusing, and at the most, an internal conflict—and should be altered.

Under the headings of “disturbance damages” where I brought up a picayune point, a nit-picking Lawlorism a few moments ago, I shall pass on to grander things and say that it bothers me, under this particular heading—

**Mr. Singer:** Did the member lose his place?

**Mr. Lawlor:** No, I want to find the section in the Act.

**Mr. Singer:** Probably in the McRuer report.

**Mr. Lawlor:** Well, you cannot only refer to that. If you have got a wider possibility you can go on with it.

**Mr. Singer:** Give us another Lawlorism.

**An hon. member:** How would you like to batter that ram?

**Mr. Lawlor:** My main point there, in any event, was the point that I made. Now I want to make an appeal to the hon. Attorney General, Mr. Speaker. In this legislation which has been thrashed over to such a great extent, I am going to appeal to his magnanimity. I have about 20 or so various amendments, some of them of no great substance but with a great hope of improving the text, and some of them very much in line with the recommendations set forth in the two great reports that we are dealing with.

I would like to see some of these, at least, given decent consideration—not waved out of hand. He is the one Minister, I suggest, who has that quality of mind that can well accept and absorb the beneficial things in legislation.

Now only on one occasion last year was this ever displayed.

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member is completely out of order.

**Mr. D. C. MacDonald (York South):** He is as nasty as anything.

**Hon. Mr. Wishart:** He is not talking about the principle of the bill at all. I think I might give him some assurance if I may, Mr. Speaker. Our experience in dealing with The Securities Act, for instance, was that we accepted many amendments in committee and I am certainly listening with an open mind and open ears today and I am trying to pick up the pearls of wisdom which are falling from the hon. member's lips. I do not know what new system or basis of value he has really suggested yet, but I am listening.

**Mr. Singer:** The Lawlorism.

**Mr. Lawlor:** I agree with you on your concept of market value. I think it is a great improvement et cetera—but if you want me to go a little further on what I am saying on these two standards—either one or the other—the highest and best use may not be the present use at all. It may be some goofy use dreamed up by an owner saying, “I am going to use my thing as a Taj Mahal next year”—and this is apparently a basis upon which it has been operating in the past.

On the other side of the fence is its present use, taken together with the disturbance damages, and that is the standard, I think, which is valid, not this other business of some potential nebulous use. I hope my point has been well taken.

I think among all these 35 expropriation statutes that are on the books of the province, that in the course of revamping and reviewing them, weeding them as I indicated earlier, these statutes should have written into them, if they are going to be retained, and it may be necessary in some cases because of the machinery, to take cognizance of the 5th and 14th amendment type of thing from the United States—you know the due process clauses.

Certain due processes have been taken care of within the terms of the present bill but these statutes of Ontario should be reviewed to bring them, in turn, into complete line with any concept of meeting the rights of both parties under an expropriation.

And there is a curious little thing I would like explained, for me as a lawyer, for instance, what happens in the statute where—

for instance—in your bill there is a clause in which it is said that “notwithstanding any present or future Act of the Legislature of Ontario”, then this bill, as it becomes legislation, will govern. Then over against that, I look and see in The Ontario Municipal Board Act, for instance, that it reads, “notwithstanding anything in any general or special Act where land or any property has been expropriated,” and so on—“it will govern”. Which governs?

That is the kind of thing I mean—you go through with your staff to pick up the clauses, you have two conflicting statements. I can see one lawyer saying, I like this particular one, it brings in the revenue; the other authority claiming the opposite. There are these internal conflicts.

**Mr. Singer:** The member says have one notwithstanding—

**Mr. Lawlor:** Yes, both those statutes say the same thing and both exclude each other.

**Mr. Singer:** The word “future”—surely not the word “future”.

**Mr. Lawlor:** Oh—special or general!

**Mr. Singer:** Yes.

**Mr. Lawlor:** Good! The member is on his feet today.

**Mr. Singer:** “Future” is only in OHC leases.

**Hon. Mr. Wishart:** Pretty powerful, Mr. Speaker, but we cannot foreclose the future.

**Mr. Lawlor:** Now, I come forlornly—I say forlornly because I am going to have to agree with the member for Downsview—I come forlornly to a section which has some importance in this business of setting up, first, the inquiry officers and the business of inquiry officers. To read the press releases of the Attorney General, you would think it is the newest thing under the sun. The fact is that it is part of the English legislation and has been for a long time—the inquiry officer concept which will review the soundness and fairness of the legislation.

That is great stuff but this whole process gets going from an expropriating authority, and the very point made yesterday is a valid point, I suggest, and we should scout it. Namely, that the expropriating authority under these statutes, in some instances, under the bill, is the same individual, person or board as the approving authority.

And that means Caesar will not speak to

Caesar; he will not even speak to his wife. It seems to me to carve out, to empty out the whole purpose of this thing if you are going to do that and shove an inquiry officer in between. Just take into regard a school board. This is an example of the role of the school board under that section. The universities are given to the Minister of University Affairs (Mr. Davis), but in section 5(1)a the municipalities and all their agencies approve of themselves.

Well, that is marvellous! That is great legislation!

My question will be: Why is the Minister of Municipal Affairs (Mr. McKeough) not the approving authority, for municipalities, and for its agencies? In the case of the school boards, an elected school board, there seems to be some conjuring with this elective. It does not matter how they are elected, as long as they are elected, they can make this approval. The mysticism of being elected. I have been elected. I do not think it was very mystical.

Subsection b is the most outstanding example. I feel that local school boards ought not to be given the approving power as it emasculates the role of the inquiry officer. Why on earth is it not set up for the Minister of Education? I agree with the member for Downsview on this. He is perfectly right, and—

**Hon. Mr. Wishart:** I wonder if the hon. member will permit me to suggest that at this point he might comment upon the recommendation No. 12 of Mr. McRuer, which is to be found on page 1084.

**Mr. Lawlor:** Well I will read it:

The recommended enquiry approval procedure should apply to municipalities, and a municipality should be its own approving authority, except where the power to expropriate land is exercised for a purpose other than the purposes of the municipal body—such as the disposal of the land expropriated to private persons or bodies for their own purposes. In such cases the exercise of the power of expropriation should be approved by the Minister of Municipal Affairs.

I think that the Minister of Municipal Affairs should approve all the way through, and I think particularly so in the case of the agency relationships within the municipalities. The side-arms of the municipality exercising these powers, in effect these subordinate bodies, and then appealing to its parent. I

suggest to you, Mr. Minister, through you, Mr. Speaker, that the Minister of the Crown is accountable to this Legislature, which is the body that sets up the legislation, ought to be the final authority and this is the only way in which he is thoroughly accountable. You say that the school board trustees will be accountable to the citizenry at the time of the election. I suggest that the scrutiny imposed in these particular things is not such, at that level, and the knowledge that goes into expropriation procedures is here, not out there, and that we are the proper authority, and the Ministers of the Crown are the ones who should have this responsibility.

**Hon. Mr. Wishart:** I wonder. I think perhaps we should say these remarks, Mr. Speaker. If I might be permitted since this, if said now, may provoke the hon. member to say something more on this line. As I think about this, and I have thought about it of course in preparation of legislation. You have your school boards and you have your elective boards, I refer to the municipal councils, and these, of course, are a great part of the tremendous figure that has been quoted, 8,017 authorities.

First of all, I suggest, how are you going to dispose of municipal councils when you talk about reducing expropriating authorities? How are you going to get rid of the municipal councils? How are you going to combine them except, I might say in an aside, by regional government? It reduces the number, perhaps. How are you going to get rid of school boards except, again, by larger areas of administration?

**Mr. Singer:** The government has gotten rid of most of them.

**Hon. Mr. Wishart:** All right, but the point that I make is—and this is not my main point—that there are a great number of expropriating authorities, our local elected bodies. There has been enough outcry now, in my years, about taking away from the local body and giving to some Minister, or giving to some persons sitting far away in Toronto, the power of disallowance, the power of allowance, the power of final decision over a local decision.

So the school board says that we need this block of houses to enlarge our collegiate school, or our local college, whatever it may be; and the municipal council says we need this area to build our civic centre, or our recreation area, and so on.

Is the hon. member saying to me—let every decision of all these numerous muni-

icipalities, there are 1,000 of them, be decided by a Minister sitting in Toronto?

**Mr. Singer:** Yes.

**Hon. Mr. Wishart:** Mr. McRuer, of course, said, "No"; and I think that, perhaps, he has thought something about this. Again I can see a tremendous resentment, and a grieving, and a very vehement and loud protest coming to the Legislature if the hon. members, the gentlemen who advise us, can persuade us to carry that sort of thing through in this bill. I think that the criterion there is that they have. This, I think, is the significant thing. If the municipality says we need this land, then there is the inquiry where people have the opportunity to make their protest known—and to say this is unreasonable, this is unnecessary, this is unjust, you do not need that much land, or if you do need it locate your project somewhere else.

They have that opportunity. If the local council has the determination to proceed and can justify its course, and is ready to stand up and face the body of people by whom it is elected, then I think that is perhaps the best answer, rather than having them say, "Oh, they had the hearing, but then no matter what was said they went away to Toronto and there, again, in some secluded spot, a decision was made contrary to our grievance".

I think there is a great deal to be said for saying the people that are going to do this have to answer to their electorate this year or next year. I think that is the thing behind that, and I know the hon. members. On that point, I thought I might interject these remarks at this time.

**Mr. Lawlor:** Mr. Speaker, the hon. Attorney General is always so persuasive. However, I shall quote the voice from on high against his position touching school boards. McRuer says, at page 1000:

School boards differ from other municipal bodies in one significant respect. Although they are elected, they may exercise powers of expropriation over the lands or persons other than their electors. One set of electors elects the public school boards, and another elects the separate school boards. Notwithstanding this, either of these boards may expropriate the land of those for whom there is no elected representative on the board. In this sense, the principle of responsibility of elected representatives does not apply as it does to municipal councils.

To interject I would ask, what is all this stuff about elected representatives as being the final criterion on this thing? It is the review aspect that seems to me to be the important one. I will finish this section, but before I lose my thought it goes this far—that if it happens to be a Minister of the Crown who is the expropriating authority, it comes back to the Minister of the Crown for approval. Now there is a real problem, is there not?

**Hon. Mr. Wishart:** Last year, I seem to recall very clearly—or was it the year before last—that it was not the review element at all, although they appointed a judge to review conservation authorities, hospital and university expropriations. It was not the review that was the important thing at all. There were great arguments and great submissions made that it should be the Ministers—the Minister of Education for the university, the Minister of Health (Mr. Dymond) for the hospital; the Minister of Energy and Resources Management (Mr. Simonett) for the conservation authority. The argument then was that it should be the political person who had to account for his action.

Now I am told, when we have gone to the political decision, that it is the review that is important.

**Mr. Singer:** Mr. Speaker, on a point of order, I think that the Attorney General was quoting me at that point. And I would ask him to please get *Hansard* out and see what I said, because he is confusing, and I am sure not deliberately, but confusing two different kinds of ideas. It was my objection to appointing a judge, because I said there was no way to get a judge to answer public criticism.

I advocated then, as I did yesterday, that there be a political person responsible—but that it be similar to the system in England, and that there be one Minister responsible for them all.

Now, I tempered that a little yesterday but I complained along the exact lines that the member for Lakeshore is doing now, and I think he has a valid point, as I think I had yesterday.

**Mr. Lawlor:** Just to read the concluding sentence—we cannot miss the nub, you know:

The exercise of the power of the school board to expropriate land should be subject to the approval of the Minister of Education.

Why did you neglect that? Why is the bill not drawn up with it in? He goes on—I'll just finish it:

The Minister is now required to approve the motion in matters affecting local operations of schools that are of far less consequence than the taking of land by the exercise of expropriation.

The next matter I wish to turn to is a question of the principle of the bill insofar as it involves the inquiry itself. Section 7, subsection 5, is the section which says that the inquiry will be—well I may as well read a bit of it:

The hearing shall be by means of an inquiry conducted by an inquiry officer who shall inquire into whether the taking of any part of the lands of an owner, or more than one owner of the same lands, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authorities.

I have only one minor objection, to that; that is precisely what the inquiry officer does not do. The inquiry officer does not make an assessment as to whether the taking is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authorities.

The inquiry officer has nothing to do with either compensation on the one hand, or the necessity of the work as such on the other.

This is a refinement introduced by Mr. Justice McRuer into his report, which is not in the British version. Why he did it, escapes me. The rationale of saying that, when you are going before an inquiry officer, you may not take the full amplitude of the reasons for objection seem unjust to me. It is unfair. Why is it not reasonably necessary? You may say that the whole scheme is misconceived, that the authorities are a bunch of dunces—as they usually are. And with that in mind, but under the circumstances of this bill you cannot do so.

The aggrieved party is very strictly located, restricted to his own little plot of ground. He may say there is an alternative route that you should take. He can go that far, but he cannot question the overall public necessity of the work in question.

You do not say so in so many words, except that you do say so. In section 14, subsection 4, you then set out to detail the various things that no account should be taken of. In the special use to which the land will be put.



**Hon. Mr. Wishart:** I agree, that is deliberately said that way. We submit this bill with the view that the inquiry officer does not pass upon the objectives of the expropriating authority. He does not say, he does not have to—it is not his business to decide whether the conservation authority should have such a scheme as it has, or whether the university should expand as it proposes to.

They come before him with their objectives, their projects, and he does not question those. He decides whether such expropriation is necessary to meet that objective. He is not to get into the field of saying to an expropriating authority: "You should not build another university" or "You should not build another dam". They lay out the project, he keeps out of that field, and that is deliberate.

**Mr. Lawlor:** He should be able to say, I suggest with respect, Mr. Speaker, that this highway is necessary in this part of the countryside, that this urban renewal project is misconceived. You know, they do it under the British statutes. The Alberta statute introduced some years ago made this distinction. Really, if you come down to the fine point, what I am saying is that an alternative route is of more benefit. You are really saying, in effect, that the scheme is misconceived as a whole. I suppose with a little legal finegling it will get around to it, but I do not know why you should write finegling into statutes.

**Hon. Mr. Wishart:** Would the hon. member permit me to ask: The Department of Highways lays out in its wisdom and its advice that a highway is necessary from point A to point B to serve the traffic needs and communication of certain areas of the province.

I think we would agree that the inquiry officer could say if farmer A complains that you should not go through the middle of his farm, you might very well say you can go around at that point, take a different course. But I do not think—and this is what I would like the hon. member to comment upon—I do not believe it is his business to say—and this is the tenor of this Act, the intent of it—that the inquiry officer should say no highway is necessary from A to B.

**Mr. Lawlor:** Well, being a legislator myself, I very much resent people questioning the wisdom of our roles, you know. But you will not tie me down this afternoon. It is the Attorney General's bill. And it is the implication of the thing in a wider context of the other legislation that exists—again, in the British situation—that bothers me.

I would think there is some validity in my statements touching the questioning of the scheme as such. I do not see what harm it can possibly do. They are going to do it indirectly anyway by simply questioning the effect it will have upon them personally.

Having come over to 14(4), I want to go on to another point. It has to do with market value and a possible deficiency in the principle of the bill. You say in section (a) that, in determining the market value of land, no account should be taken of the special use to which the expropriating authority will put the land.

My question is, why not? Suppose an expropriating authority picks up some farm land with the surreptitious intent of using it for a gravel pit on the land of which it has knowledge and perhaps the farmer does not. It pays the price in its expropriation for his farm lands.

But the special use to which it intends putting that land is not to raise barley—it is to get some gravel. Why should it not pay the larger price? The way this is worded there are a number of decisions. In the Gaspé causeway, for instance, the expropriating authority took over there, on the basis of some widening. But they really wanted the rock from the causeway.

There is a case where marsh lands were being expropriated for an urban development in the north. In that case, the expropriating authority was fair about it and it did pay them—not for marsh lands or waste land, but as a town site. It paid them the full value. So I just wonder about the impact of that special use idea that is written into the statute. It seems to go against the current law.

**Hon. Mr. Wishart:** No, there are many cases which go the other way. That is all I would say at the moment.

**Mr. Lawlor:** Fine.

**Mr. Wishart:** Well, I might say a little more. Let us take a farm, a large portion of which is just rock and waste. As a farm, it has a value, say, of \$50,000. If there was no other rock in the area and no construction planned, I suppose the rock area of that farm would have little or no value.

If The Department of Highways decided to build a highway through there, that rock could become extremely valuable. Is it a good argument that that particular owner should get ten times more for that rock than what his farm is worth? I do not know. The



cases hold both ways. Quite a number can be cited on either side.

**Mr. Lawlor:** Just in reply to the remarks, Mr. Speaker: regarding the recommendation of the law reform commission at page 24 of their report—they have the clause in with respect to the special value, but they have a clause B which you have omitted and it says:

Where it appears that land has been taken, not because it is land, but because of the construction materials it can yield for the carrying out of the work, the compensation payable should reflect the value of the materials taken but which may be taken at the prevailing rates of such material at the site.

That seems to me eminently more fair, than the omission of that particular reservation or condition. You are accepting these recommendations all the way through pretty well. But the odd one, for some mysterious reason, where I think justice prevails just as much as in others, is left out completely. I just find it a little difficult to understand.

The other grounds seem to me, always excepting the remarks I made about betterment charges, Mr. Speaker—that is clause (b) and clause (c)—that is illegal uses of land—just because the land is operating as a gaming house does not mean that they can be expropriated as a gaming house, which is somewhat more valuable than other forms of houses, and that is quite valid.

**Hon. Mr. Wishart:** Which section is the member on?

**Mr. Lawlor:** I am still dealing with 14 (4) a, b, and c. I am passing over b and c rather quickly, but I am indicating that as far as b is concerned that betterment charge or tax ought to operate where you have increases in the value of land resulting from expropriation.

Mr. Speaker, turning to another topic—

**Hon. Mr. Wishart:** Mr. Speaker, is the hon. member suggesting that clause 14 (4) (a) is related to the recommendation of the law reform commission on page 24? The examples we have been using — is that his argument?

**Mr. Lawlor:** That is my argument.

**Hon. Mr. Wishart:** Well I would like to suggest that the language that “a special use to which the expropriating authority will put the land” is not really closely related to our example of taking the rock for the building of a road or that sort of thing. I do not think the two are quite the same.

**Mr. Lawlor:** Except—I will go on with this a little further, Mr. Speaker, if I may. This is what the report says at 23:

The expropriating authority should not be entitled to say to one person: ‘We will buy gravel from you at the prevailing rates’ and say to his neighbour, ‘We will take your land for gravel and pay you the market value for land as barren or farm land’.

That is the problem. One other matter that has been left out, which might be in due course taken under consideration, is that there is nothing in the bill requiring that expropriating authorities get together and plan their programmes.

If they did so, there would not be a flood of purchasers let into the market all at one time. In other words, this thing is not planned. What is wrong with having these authorities indicate to the various departments of government—perhaps even to the tribunal, or the compensation board that is being set up within this bill—what their intended expropriations are in any particular area in any one year?

I am sure they work outside of each other. There could be a flood of new purchasers forced on the market because they all do it at the same time, when probably it is not necessary. They could have spaced it over a longer period of time and relieved the market from the flood of purchases, thereby increasing and inflating prices and making things even worse than what is happening at the present time.

There is, in my submission, no governance of that situation. It is a kind of secondary principle arising out of the bill and you probably would not want to put it in the bill at this time, although I suggest we will do so in five years time if I am still around.

But it is worth considering—the business of having this tribunal or land compensation board made aware of the range and type of expropriations taking place so that some coherence and an intelligent means of spacing out expropriations could be brought into effect.

Under this heading of “little nostrums” from on high, I would like also to ask you to take under consideration the business that is mentioned on page 11 of the law commission report. They talk about giving the citizen an opportunity to be informed about his roles and his rights. They go on to say that, for example, a pamphlet prepared by The Attorney General’s Department setting

out both the procedural and substantive questions which may arise might be sent out with every notice of expropriation.

I do not think it is necessary to write that into the legislation or make an amendment on that sort of thing, but I would ask that the Attorney General do take it under advisement. It might even be made part of the regulations.

Now as my deputy leader, whom I nominated to his revived post, said yesterday—very little cognizance had been made of the real role of farmers. I will not labour it at the moment, but in committee I think we can bring out the fundamental fact that we might have to write in a separate clause affecting farm lands.

I would hope that you might be open to it if the reasons seem to you coercive enough at that time. The same thing with the treatment of tenants. The way in which the compensation is to be arrived at is left very nebulous. I suppose you intend that the present formula, which is not a bad one really under our present law, be operative. That formula, by the way, is set out in the Law Society lectures on expropriation at page 35.

The role of mortgagors and mortgagees has not been discussed yet in this House. May I say that you flatulently enhance the role of the mortgagees beyond all justice. It seems to me that these are the favoured cuddlings of your heart. Why do they get all the benefits? What do you do for these fellows? I will come to them in a moment, but what do you do on the other hand for the mortgagors?

We will be moving an amendment to the effect that, as far as the mortgagor is concerned, if there is a short fall—and you do not provide for this—if land is expropriated for, say \$15,000 and there are mortgages of \$18,000 on the property, not only has he had this land taken away from him, but he continues to owe the mortgage, possibly for the rest of his life; the sum of \$3,000, probably at exorbitant rates of interest—

**Mr. G. A. Kerr (Halton West):** There must be a fourth mortgage.

**Mr. Lawlor:** No, there are only three in this case. Under the circumstances today it could be one large mortgage, and the land value at the time of the expropriation could fall considerably below the mortgage. And that mortgage—this is my second point and I will come to it—may be very well bonused, and no provision is made for that.

But let us stick to the simple first case so that the complexities may grow upon us. The simple case is where there is a short fall between the amount of the mortgage and the amount that the mortgagor picks up on his equity redemption on the expropriation.

There could be considerable short falls in this regard, because very often purchasers are lured into purchasing property with very low down payments. I personally know of cases where they give them a very much inflated value of the land, sometimes with an eye to expropriation on the part of the mortgagee. But in any event he is lured into a position where he is paid a vastly inflated value for his land. He picks up this sum, and he is left five, ten thousand short—and it could be more.

He does not get a new house because he has not got a dime to pay with—every dime goes to the mortgagee, and under the covenant he remains responsible, I say, to a mortgagee. At least he had a house before, he had some equity, now he has nothing, and he owes money. He walks away, not only empty, but carrying burdens, burdens of emptiness.

Now really, I suggest to you that this legislation should have a clause in it saying that in that eventuality, the mortgagor's—the covenant of the mortgagor is wiped out, clean.

**Hon. Mr. Wishart:** He has no equity!

**Mr. Lawlor:** Well he has in the normal circumstances.

**Hon. Mr. Wishart:** If the mortgage is \$10,000 and the property is worth \$5,000, I find it very difficult to say he had any equity.

**Mr. Lawlor:** Well the day he bought the property for \$10,000 he put in \$2,000 hard-earned money. In the meantime, certain inflationary values take place and you are only prepared to pay a certain amount. Or he may have bought the property at that time because he could not get it—he may have had to put \$700 into it. So the mortgagee, who is the owner of the property at the time of sale, sold it to him for \$18,000.

It just was not worth it. You say he is a fool to buy it? Well I am afraid that you cannot expect that degree of perfection, the angelic kind to be operative. The nostrums of perfection are usually Conservative nostrums you know.

People have no such pre-vision; they are supposed to be able to tell all the delinquencies of the future.

I say, let us go on to the second point. Very often these mortgages are bonused as you well know. I mean a first mortgage can be picked up on the market today. Say it is carrying 10 per cent, a \$12,000 first mortgage can be picked up on the market at perhaps \$10,000.

So the guy who holds the mortgage is making himself \$2,000, plus the 10 per cent on the \$2,000 all the way through. Under a just society, that could not possibly take place. But we have to put up with it for the time being—until we come into office.

What do you do about this in your legislation? You compensate the mortgagee to the hilt. Not only do you compensate him to the hilt and give him his bonus, but you give him a bonus on the bonus.

**Mrs. M. Renwick** (Scarborough Centre): That is Tory philosophy.

**Mr. Lawlor:** You have got three months' bonus on top.

**Hon. Mr. Wishart:** Who gave him the bonus in the first place? The person who signed the document said, "I will give you this much money" and yet, he contracted.

**Mr. Lawlor:** I suggest that the legislation, Mr. Speaker, should be amended. If the situation occurs where there is not a sufficient amount of money to cover whatever is held in the hands of the mortgagee and leave something over to purchase a house, since in this case, there is no separation, as—in this case with the tenants and as you do with businesses—you make a separation. But here you lump the sum together and the lump sum must be divided, and if that is not sufficient, let the mortgagor go hang.

I am saying to you that at least bend the legislation so that if there is a bonus involved, the bonus be struck out.

**Mr. Kerr:** Section 15 may overcome this.

**Mr. Lawlor:** It does not—I have studied this very carefully.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, on a point of order. I want to suggest that this dialogue between the Attorney General and the member for Lakeshore is more appropriate to clause by clause study of the bill.

**Mr. Bullbrook:** Quite right.

**Hon. Mr. Wishart:** I agree but I find it very interesting.

**Mr. Bullbrook:** It has been for the last hour.

**Mr. Sopha:** The last hour—indeed.

**Hon. Mr. Wishart:** I agree.

**Mr. Singer:** These members were picking on me most unfairly yesterday, the two of them.

**Mr. Sopha:** I am unable to ascertain what Orestes has to do with expropriation.

**Mr. Lawlor:** Mr. Speaker, in committee, we will go into the actual language and into the niceties of the thing. If my friends will abide with me, they will find out what detail really is.

At the moment, I consider it a matter of principle, wherein we are dealing with broad issues and the broad issues that arise under this statute.

Under section 21 (b) which I will not quote, "if there is an interest loss to a mortgagee"; in other words, the amount of his mortgage, over against having received his moneys on expropriation, can only be reinvested at a smaller sum. If he has a 15 per cent mortgage and he can only reinvest it at 9 per cent, then it is the obligation of this government to pay him the difference of 6 per cent for as long as five years.

I would ask you to think that one over.

**Mr. MacDonald:** Not much principle, but a lot of interest.

**Mr. Lawlor:** Mr. Speaker, providentially, I suppose, I am nearing the end but there are a number of small points I wish to make.

In connection with—

**Mr. Singer:** How can you tell the difference?

**Mr. Lawlor:** Well the points I make are usually pretty large, I find.

**Mr. C. G. Pilkey** (Oshawa): The hon. member just does not understand.

**Mr. Singer:** Like most of your decisions, that one is subjective too.

**Mr. Lawlor:** Why is subsection j of section 1, subsection l of the Act in there at all? It has to do with purchase money mortgages.

**Mr. Singer:** Certainly a matter of principle!

**Mr. Lawlor:** It is a matter of principle because it affects the whole mortgage situation and I will prove it is a matter of principle in two seconds.

**Mr. Sopha:** Next point.

**Mr. Lawlor:** I say that it has to do with purchase money mortgages and there is not a word anywhere else in the statutes about purchase money mortgages, no reference at all. The reason is because the people writing this statute were thinking of different things. They started out to do one thing but forgot to do it.

Namely, they started out to make provision for people who have purchased money mortgages, to give them compensation, and they introduced the purchased money mortgage situation into it, in conformity with what the Ontario Law Reform Commission advocated. Then they got lost on the way and ended up in some stygian swamp, because they did not complete their task. So either take it out, or follow through.

The follow through takes this effect: Where the mortgage was a purchase money mortgage, and the market value portion of the compensation is not sufficient to pay the amount outstanding on the mortgage, the mortgagor should be relieved of any liability for the deficiency on the covenant to repay.

**Mr. MacDonald:** That is a big principle.

**Mr. Lawlor:** Why was that not involved? I think it is a terribly important principle. In any event, the next minor point that I have to make is connected with section 6(1) having to do with the notice and the advertising. Mr. Speaker, I wonder if the Attorney General would consider overnight, the business of when a notice is sent out, ought the notice to advise of the hearing to which the person receiving the notice is entitled. It makes no mention anywhere that a hearing of any kind will be forthcoming.

**Hon. Mr. Wishart:** What section?

**Mr. Lawlor:** That is 6(1), Mr. Speaker, it provides for giving notice to each registered owner of the lands and for advertising in a newspaper in the area, that a hearing is to follow from it. The notice should go on to say, "and a hearing will be held. You may require to have a hearing held with respect to such and such".

It is a minor point and I will not dwell on it, but I think it should be in the legislation.

The next point that I have to make—they get more major as I go on—is on section 8.

**Mr. Singer:** How can the member tell?

**Mr. Lawlor:** Section 8. A curious thing, in all the legislation all the way through—and perhaps the Attorney General would take it under advisement—is that nowhere, as you come from the levels of tribunal from one to another, from the inquiry, or the inquiry officer, are there any time limitations. The inquiry officer does not have to hand in his report for any definite time.

Secondly, when it gets to the approval authority, the approval authority is under no obligation—it is not under a time limitation to make its approval known. When you get to the next level, the business of the board of negotiations, it is under no obligation to come to a decision or to make any written reasons within any time. When you get to the next level, it, too, is under no obligation. This thing could go on for a long time.

The only level at which you do anything is when you get to the court of appeal and the appeal, I believe, must be launched within 60 days of the final decision of the land commission. These title limitations, I expect, should be perused and taken under advisement.

Having asked for that small boon, I am going now to section 10. Section 10 has to do with where a plan has been registered and no agreement as to compensation has been made. The expropriating authority may serve certain notice on the registered owner. Now I am concerned here, Mr. Speaker, about the form.

**Mr. Speaker:** Order. The hon. member is going now clause by clause. Regarding his last clause—his point was well taken, it was a matter of principle as to time limits—but his introductory remarks with respect to this clause certainly indicate it is something which must be dealt with properly in committee, and I would ask him to go on to his next point and keep in mind the fact that this is a debate on the principles of the bill, not on the wording, or the omissions of wording, in the various sections.

**Mr. Lawlor:** Mr. Speaker, with deference to you, may I just sneak in—Mr. Attorney General, take a look at page 1015 if you will.

**Mr. Speaker:** If the hon. member does not wish to appeal my ruling, he will pass on to the next item.

**Mr. Lawlor:** I have passed on.

**Mr. A. B. R. Lawrence** (Carleton East): May I ask a question of the hon. member? In view of the particularity with which the hon. member is dealing with this bill and his threat or promise as to a relative snow of amendments when we come to deal with this in committee, I wonder if he would undertake to provide those who will be sitting on this committee and dealing with his amendments with copies dealing with these particular amendments well prior to the actual sittings of the committee? May I ask the member if he will simply provide this courtesy to us—I am not being facetious, I am being quite sincere—because obviously the points are technical and ones with which we would like to be pre-warned.

**Mr. Lawlor:** The point is very well taken, Mr. Speaker, and I will do my best to get them well in advance so that you can look them over and see if there is sense to them at all.

I would ask the Attorney General, through you, Mr. Speaker, to take into consideration the business loss with business expropriations—again which is rather defective here and which I will not go into at any length—the business of considering as the commission did, the business of a termination allowance.

That is as much as I will say under that heading at this moment, but where a man is ill, or is out of business or does not desire because of age or infirmity to carry on any longer, then he gets very little under this present legislation. The termination allowance as advocated by your own committee might be very well considered as a just severance pay so to speak.

Now there are a multitude of other matters and amendments, Mr. Speaker, that I might refer to. I shall only mention three, and perhaps I shall say a word or two about what the hon. member for Downsview said, and comment on his remarks before I close.

I suggest to the hon. Attorney General that the provisions made within the legislation for production and full discovery techniques is inadequate. Again, I will not dwell upon it, but under 25(2) there is one provision made for an appraisal report.

How about all the rest of the documentation? How about the business of comparable estimates, and schedules of comparable sales and evaluations, and all that sort of thing—maps and designs? And the calling upon these and the ability to get them?

The next four matters that I would like to discuss—the type of documentation that would be utilized—again it touches the same

point—before the board of negotiations under section 27. Even if documents are produced before the board of negotiation, those documents are without prejudice. I am wondering whether they should be in terms of discovery without prejudice on the next highest level. It makes it pretty useless to be introducing documents which will never see the light of day again.

Another point is with respect to interlocutory proceedings of any kind. You seem to have no provision in your statutes to provide for them. I am thinking of interlocutory proceedings in the wide sense, in other words, amendments to things or changes in documents, or further particulars, that sort of thing.

I think under the British practice, the secretary to the tribunal, which is comparable to our land compensation board here, has authority to hear and to make these interlocutory matters under advisement and reach a decision on them.

Under the plan we have in your legislation, I suggest, it can only be determined at the time the parties come before the board for hearing, and that is rather late in the day for incidental matters to be arising. They should be cleared out by that time and get down to the meat of the matter.

My friend from Downsview the other day spoke of costs, and so on, and there is a deficiency, I suggest to you, in the statute in not providing for costs, particularly for legal costs prior to the—well let us say from the word “go”. Very often people are inhibited and this inquiry officer may very well have to hire a lawyer in order to get the right inkling of things before the man goes before the inquiry officer. Why should not his right be considered from the onset? Your whole principle of legal aid is based on that.

**Mr. Bullbrook:** The member was against that last year.

**Mr. Lawlor:** I was never against anything the member was for.

So why not give wider provision to meeting the costs of the party. Of course, the question is one of the costs at the tribunal level under section 33 where costs are really provided for the first time. They ought to be on a party-party basis I suggest to you and not on a solicitor-client basis, as there is considerable loss to the individual. He is going to pay money out of his own pocket if he is on a solicitor-client basis, unless the recommendations of McRuer are considered in this regard.

Now, the other points that have been mentioned. Touching the problems of interest, the business of 5 per cent and the stupidity of setting that figure as though it had something sacrosanct about it, the fact is that in your own recommendation before you, it should be one half of a percentage point above the current then NHA rate. Why not? This should be considered.

There are many, many other matters that could attract our attention, and I suppose that in a certain range of matters you have left them out of the statute deliberately and intend to put them into the regulations. I wonder if McRuer would agree that this is what regulations are for? I am thinking of what was mentioned yesterday as to the number of expert witnesses—procedural matters—but which are important to occupy a lot of space in the Bible you know.

Procedural matters—the business of taking a view—you have put it in one place, but it is apparently discretionary in the case of the tribunal. Who shall go first in the hearing? The rights of cross-examination and how far they extend? The business of the weight of various kinds of evidence that may be presented, for instance, in comparable sales statistics and what not. This I suggest very well might be written into this statute rather than left to regulation. It is pretty substantive law, and it is a matter to be placed under consideration.

May I say in closing, Mr. Speaker, that in my riding of Lakeshore we have recently experienced a rather devastating expropriation. There are about 34 homes on a street called Meadows Street which impinge upon the Mimico reformatory land. They have been there for many years with the amenities in terms of gardens and in terms of what they grow and the little life of that community. I could go on describing at some length, but they have been expropriated by the borough of Etobicoke proceeding through—

**Mr. Speaker:** Order! The hon. member is now proceeding as did another hon. member whom I ruled out of order earlier today to a matter of local interest which has nothing to do with the principle of the bill.

**Mr. Lawlor:** It has to—

**Mr. Speaker:** If he wishes to speak to the principle of the bill and then state the principle he is discussing and then illustrate it by that example, that will be quite in order. But to start off discussing the problems of his

riding is not the proper way of dealing with the matters in this debate.

**Mr. Lawlor:** I assure you, Mr. Speaker, it has to do with the principle. It is a question of patience and working up to what I really have to say you know.

**Mr. Speaker:** Well the hon. member will be much more effective if he states his principle or the principle that he is dealing with and then works from that.

**Mr. Lawlor:** I cannot arrive at the principle that quickly.

The principle is, Mr. Speaker, that these lands were taken over by a local authority not for the purposes of supplying other houses to people. But it is something that might very well be in this Act—where the power is exercised of taking homes away to turn it over to private industry.

That is what I am after and that is what happened here. It is not an urban renewal scheme. It is not a scheme which is of immediate public benefit in any direct way at all. It is not public at all. It is private and the business of taking private lands, of home owners, to hand them to private industry is a thing that is not covered by this statute and I suggest it might be.

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, it is always an educational experience to listen to my colleague, the hon. member for Lakeshore (Mr. Lawlor). This erudite gentleman is versatile and today, he not only quoted Agamemnon, an ancient Greek, but even quoted him in modern French and Mr. Speaker—

**Mr. Bullbrook:** I did not think it was French.

**Mr. Burr:** That is the way it came across to me.

**Mr. Lawlor:** That is the way the Greeks speak French.

**Mr. Burr:** And, Mr. Speaker, the benefits of your conversational French classes are unpredictable.

I wish to make a few comments on the principle of this bill.

There comes to mind one case, in which a worker is buying his modest home on the proposed site of the E. C. Rowe Expressway in Windsor. He has been paying \$60 a



month and has been looking forward to burning the mortgage and putting this \$60 into an educational fund for his children.

However, when faced with expropriation he looked around for an alternative dwelling and found nothing available. Even rental accommodation, the best he could find, was over \$170, so that this man has been worried over the past year. If this bill will relieve the mental suffering, the mental anguish of such victims of expropriation, then I shall have to support this bill.

It may be that expropriating authorities live in ivory towers, far removed from the feelings of the people whose homes and lands they desire to expropriate. But for those of us who have to hear the complaints about the ridiculously low offers often made to ordinary citizens who are unsophisticated in the ways of bargaining, it is a very sorrowful, perhaps even tragic, matter.

Earlier this year I drew to the attention of the House the case of a retired gentleman who had lived for 30 or 35 years in a lovely home and hoped to end his days in that home. Not only was he faced with the prospect of surrendering his home, he was also greatly dismayed at the prospect of receiving about one-half the value as compensation.

Now this gentleman has since died and while I would not suggest that his death was hastened by the fear of imminent expropriation, it cannot be denied that a shadow of unhappiness was cast over his last months because of Ontario's lack of fair expropriation procedures.

If the people of Ontario can now look forward and be sure that expropriation procedures will not work a hardship upon those who are unfortunate enough to be faced with this problem, then I shall be happy to support the principle of this bill.

**Mr. Speaker:** Is there any other member who wishes to speak before the Minister? The member for Halton West.

**Mr. Kerr:** I will just take a few minutes, Mr. Speaker, I do not want to delay this debate.

I will support the principle of this bill. I might say, from the start, in my opinion that the previous Act was not all that bad. For the most part, many of those bodies in Ontario which had expropriating authority and powers, in my opinion, did not use them wisely.

They did not take the trouble to minimize as much as possible, you might say, the psy-

chological effect on our people who were subject to these powers. In short, Mr. Speaker, the expropriating powers knew they held a big stick and unfortunately, in many cases, they used it.

Actually the resulting antagonism made negotiations difficult. In my opinion, this bill will help to a very great extent to overcome this, and, I believe, make satisfactory settlement possible without arbitration or resort to the courts.

Among the new provisions, one of the most important, in my opinion, is the requirement for approval before expropriation takes place. That is, that the approval be given by a politically responsible authority, rather than a judge. I think this is a wise decision.

Now the hon. member for Downsview, I believe, and also the hon. member for Lakeshore, indicated some disapproval of section 5. The hon. member for Downsview referred to it as a trial of necessity and said that, for example, section 5(b) that the Minister of Education, I believe in that case, should be the one charged with the final responsibility.

I believe the hon. member for Lakeshore referred to Justice McRuer where he referred to school boards and he made an exception to them because they are not all elected. One set of electors elects the public school boards and another elects the separate school boards.

I think, Mr. Speaker, that the new county boards would pretty well overcome this objection. I think everyone is elected to the county board. In those areas—particularly in certain urban areas—where this is not the case, this will be changed next year.

Now I possibly have more faith in our elected people than some of the hon. members opposite. I think that the politicians in this province are known for their fairness and soundness and, therefore, I do not share his concern.

**Mr. E. Sargent (Grey-Bruce):** Some of them are.

**Mr. Bullbrook:** Well you can dispense with the inquiry officer altogether then.

**Mr. Kerr:** No, I think, as I was about to say, Mr. Speaker, that the appointment of a chief inquiry officer by the Minister helps overcome this objection as well and I think that is an independent source that would minimize any local or conflicting decision which you think may exist.

Now the onus is on the authority at all times, in this bill, to establish its case. I

think the balance is certainly in favour of the property owner, the person whose land is being expropriated. This, of course, is the way it should be. The authority has to lay its cards on the table. There is a complete inquiry, including plans, documents, maps, its grounds or reasons for taking the property. There is nothing hidden about it. There are no witnesses who will appear on the scene and come up with some sort of document which might later make it difficult for the owner to argue against or counteract.

I agree with one point, the hon. member for Downsview made yesterday, that is that at all times if possible we should use competent evaluators.

I think this is most important, particularly where there is a dispute as to the value of the land being taken, and particularly in the case where, under section 15, we have to find a new home for the persons whose properties are being expropriated.

I think another provision in this bill, is the reduction of time it takes to reach a decision. One of the problems of the previous Act was the delay that existed as a result of expropriation. In many cases, the uncertainty that existed about what was going to happen to the owner's property bordered on sadism.

In my opinion, Mr. Speaker, in many cases the delays were intentional so that eventually the owner threw in the sponge and settled, usually for much less than he thought his property was worth.

In those cases, where there was a notice of expropriation filed before any negotiation took place, the owner could not sell, either part or all of his property, he could not expand or build, he could not finance or re-finance. He was stymied. He was really nothing more than a glorified tenant. And that would take place from the time a rumour existed that the land was to be expropriated up to the actual time of settlement or the final expropriation order.

This, as the hon. members know, could amount to many months, even years, and I think this bill eliminates this. It requires not only fair compensation, but reasonably swift compensation.

I think the bill provides—the bill in principle certainly provides — that protection necessary for a fair hearing. All along the line, necessity for the expropriation must be of public interest, and the administration and operation of some government facility must be taken into consideration; must be fair remuneration, a substitute home. This bill minimizes to the greatest extent the incon-

venience and cost of the expropriation to the owner.

One of the criticisms of section 15, Mr. Speaker, that I have heard, is that in the provision for an additional amount sufficient to provide other accommodation at least equivalent to that expropriated, there may be a great deal of difficulty in satisfying the owner. As I mentioned, section 15 used as a phrase, "at least the equivalent".

Many of the critics say that there may be a great deal of divided opinion on that particular point, and I would assume that the board, in some instances, would probably have to actually, physically view various properties of similar value or comparable value in a similar neighbourhood in order to make a decision. It would be difficult to make such a decision by just listening to evidence, documentary evidence, at a board hearing in a board room.

This problem could exist, for example, where there just is not a comparable home available. The expropriating authority would have to satisfy the board or the owner that the higher priced home is equivalent; although it has features or is in an area that does not appeal to the owner. However, Mr. Speaker, in my opinion, such cases should be rare.

There will have to be reasonableness certainly on both sides, and this seems to be the motive and intent all through this legislation—that there is a balance now much more in favour of the property owner. The onus is on the expropriating authority to establish not only the need, but that it is paying or offering a fair and reasonable price.

The expropriating authority, Mr. Speaker, has to satisfy the necessity for the expropriation of the particular property.

In conclusion, Mr. Speaker, I believe this bill provides every assistance and protection without the fear of uncertainty or loss of fair value for property, and provides for the inconvenience and cost of relocation.

**Mr. Speaker:** The hon. member for Scarborough East.

**Mr. T. Reid (Scarborough East):** I have a few comments to make on the principles of the bill. First, the essence of concern with this question of expropriation must be with the ability of an individual who stands to lose his home, to be able to cope with the might of the state in providing himself with information about the value of his home, and with competent legal advice.

It is very much in terms of the individual homeowner *vis-à-vis* the power of the state,

the power of the expropriating bodies of the state. I am glad, Mr. Speaker, that the bill incorporates, I believe implicitly, a concern with this basic principle of the individual in our large collective society.

The second point has to do with what might be the more humane aspect of expropriation, and the more humane aspect of expropriation procedures. I have one specific suggestion for the hon. Minister who introduced the bill, and it is this.

When notice of expropriation is given by the expropriating body or the approving authority to the individual registered owner, that this should be done in a way that is personal. It should not be done by a cold registered letter, arriving in someone's mail box. A person picks it up and gets the shock of his life.

I would much prefer, Mr. Speaker, to have such a letter in writing, delivered by a person other than a mailman. This person would deliver the letter, explaining who he was, explain a bit more than a cryptic letter would about the reason for the proposed expropriation. I would like to see this personal aspect incorporated in this bill.

Another area which I think is necessary is to get away from this problem of the bureaucracy of the state, the bureaucracy of an expropriating authority or expropriating body referred to in section 7, subsection 3, in which a time and place for a hearing is established.

I would like to see as a general rule that this be set up in the community in which the expropriation is actually taking place. I say this for two reasons, Mr. Speaker. One, it makes a lot of sense to have the person being expropriated, fighting in the hearing for a fairer deal, and fighting for that in his own neighbourhood, in his own community, rather than having to go downtown to a place which might well be foreign to him, in a setting which is very foreign to him.

I have attended some of the meetings of, I suppose one calls it, the mediator, who tries to settle some of the expropriations down here on University Avenue. There is a room which is furnished with wall-to-wall carpeting, with a big table in it. It is an imposing room, in an imposing building. I know that the people from West Hill, for example, went to that meeting and felt somewhat intimidated by the fact they had to (a) come downtown, (b) go into an imposing building, and (c) go into an imposing room.

So, for these reasons, I would like to see these hearings held near the community, or

in the community where the expropriation is taking place, preferably in a meeting place which is a common meeting place in the community, rather than in a posh room which might intimidate some of the smaller people who do get expropriated through life.

So I pass that suggestion on to the Minister in the form of a principle of community development if you like.

The third point, Mr. Speaker, is that I hope these letters that are delivered, hopefully by a person other than the mailman, will not contain phrases that have been contained in expropriation notices in many cases. For example, the expropriations by the University of Toronto, out in West Hill, around the Scarborough campus, contained the sentence which said in the first notice that the person being expropriated would be notified later "of the amount of compensation, if any".

Now this threw quite a few of these good people out in West Hill, around Scarborough College, in a panic. They are not lawyers; they are not used to this type of jargon; and they get a very short cryptic letter that says at some future date compensation will be received, "if any". Well I find that "if any" throws me—I am not a lawyer. It probably has legal significance, and I think the people who receive this type of letter are thrown into a panic.

Interjections by hon. members.

**Mr. Singer:** It is designed for that purpose.

**Mr. T. Reid:** I would hope, Mr. Speaker, without getting into further detail on this, that the principle of common language, common English, will prevail in these letters that are delivered, instead of the lawyers' jargon.

The final point, Mr. Speaker, again referring to the examples I know of personally in West Hill around Scarborough College, is this: That the expropriations by the University of Toronto of homes around Scarborough College was done in the most unjust manner. It was done very arbitrarily by the University of Toronto, and caused a great deal of hardship. These expropriations began way back in April 30, 1965.

Mr. Speaker, there are cases still outstanding. We have, for example, the case of the Judsons and the Sherks on Ellesmere Road. The offer is now where it is completely out of line with the market value, and I would like to argue very strongly—as my colleague from Downsview has—that consideration must be given to having this legislation apply retroactively to some date, so that people

whose expropriations are still outstanding have the chance of a fair hearing, or rather a fairer hearing under the new legislation, than they do under present legislation.

Thank you, Mr. Speaker.

**Mr. Bullbrook:** Mr. Speaker, I will try to be brief, and principled in my remarks, but in connection with a discussion of the principle of this bill, which, with your background in the profession, you recognize better than we do, it is a difficult bill to discuss, surely, from a question of principle. I want to compliment you, and chastise myself, sir, if I might, in connection with your handling of the dissertation by my friend from Lakeshore. Because, in point of fact, he had the lawyer's concern for the technical difficulties that one sees in the bill itself.

When the hon. Attorney General introduced this bill in the House, it received widespread and favourable comment from us all, and I do not retract from that, as a matter of principle. The problem that I see is this. If you will harken back to the editorial comments in the three Metro newspapers, one of them said we were adopting a home for home policy. Another one said it was slightly more than a home for a home policy; the question of equivalent reinstatement.

Another one said it was slightly less, and I suggest, therefore, sir, that this is the essence of the problem of this Legislature—that the discussion in principle is not nearly as significant as will be the discussion of this piece of legislation before the legal bills committee and the discussion in the committee of the whole House, of this legislation section by section, because as my friend from Downsview has done, and as the hon. member from Halton West, and the hon. member from Lakeshore both have done, they have looked at sections, and seen particular deficiencies in connection with the sections themselves.

I know that I could waste the time of the House, Mr. Speaker, by going into detail in connection with sections with which I would want to take strong issue. We shall have adequate opportunity to do this.

As I see the bill itself, there are principles that seem to flow through to me. One is the principle of the establishment, universally—and we will forget about section 6(2) for a moment, that gives the Lieutenant Governor-in-Council, when he so wishes, the right to abrogate the inquiry—but this principle of establishing, universally, an inquiry of necessity is one with which I do not think anybody,

Mr. Speaker, can take issue. It is good, and this is what we want for the public at large.

But again, as we go through the bill, as we shall in detail and look at the application of this principle in the legislation, it falls far short, and I must suggest, Mr. Speaker, most respectfully, to the Attorney General, that I cannot get it through my head why the expropriating authority and the authorizing authority have to be the same political body?

I just cannot for the life of me accept the rationale that he attempted to give to the hon. member from Lakeshore in this connection. Because, surely to goodness, if we are going to follow what was said by the hon. member from Halton West (Mr. Kerr), and I agree with him, that politicians in this great province, by and large, are very intelligent, then we can say that when a local school board is going to digest, as a matter of necessity, the expropriation of someone's land for their proper purposes, then they are going to digest this adequately. They are going to digest it as intelligent and responsible politicians, and they are going to come to a conclusion that we need this land. I find it very difficult.

A real exercise in nihilism is to find that two months later they get a report from the inquiry officer, who says, in effect, "I do not agree with you." They are, being the intelligent public servants that they are, going to change their mind. I do not think that they are, and I really feel that this part of the bill itself, this principle, is a good principle. But surely to goodness we can, in our significant and particular review of the application of sections 5, 6, 7 and 8, perhaps persuade the hon. Attorney General to reconsider what seems to be a unanimous issue in connection with the concept.

A second principle that thrusts itself forward in connection with the bill has to be the principle, and again a proper one—one that we compliment the government on—which attempts to properly codify the question of what constitutes adequate and proper compensation. Because, sir, you again, as a member of the profession, and I, and my colleagues in this House, who are lawyers, and who have been involved in acting for people, recognize, as does Mr. McRuer, as does the Ontario Law Reform Commission in their volume on compensation for expropriation, the absolute jungle of archaic principles.

I have not got volumes of law with me. I have not got the cases, but I ask the hon. Attorney General to go back and look at the mental gymnastics that flowed from the Privy

Council, from the Supreme Court, on the question of value to the owner, those wonderful words that really meant so much to people in dollars and cents, and really meant nothing to me.

I can recall, if you will just permit one moment, discussing this question of principle when, in the city of Sarnia, the federal, provincial and municipal governments undertook a relocation scheme in what was called the Blue Water area. About 260 homes were taken over there and these people were collectively thrust out of this area, and sent into an open market to buy homes.

I had the good fortune of attempting to argue the very first case on the adequacy of compensation there. We tried to put forward, at that time, that this question of value to the owner must include all the collateral material that is now being considered in this legislation, and I say, as a matter of particularity, how many times I saw people who had worked to acquire a house for \$8,000, and after 20 years they paid off their mortgage.

They were paid \$8,000 for their house, and for equivalent reinstatement, it cost them \$20,000. They were 60 years of age, and they started with a \$12,000 mortgage all over again. So, I think we are all attracted to this principle of codifying the question of values, the question of equivalent re-instatement and of everything in the bill. I am bothered more by this than anything else, because if the editorial writer is just looking at those two words, he can come to the conclusion: first, that is more than a home for a home; and second, it is a home for a home; and third, it is less than a home for a home.

When we permit the courts to have a look at it, as they have with some other legislation that we in our wisdom have passed, you can imagine what conclusion they might come to. I am worried about these general words, and this is why I invite all the members of this House to forget about the question of principle, because what has to be done with this far reaching piece of legislation is for it to have a most exhaustive research, section by section, analyzing every word, looking at the ramification of the words.

Just off the top of my head, section 14-2, "where land is devoted to the purpose of such a nature that there is no general demand or market for land". They left out the word "the" there, it should read "for the land".

That section has no appropriate meaning unless it refers to the land that was orig-

inally mentioned in the first sentence of that section. And this is why we have to be careful with this bill. We are not going to do a job unless we do, in committee, what my friend from Lakeshore has attempted to do today. Thank you, sir.

**Mr. Speaker:** Is there any other member who wishes to speak to the bill? If not, the Minister has the floor.

The hon. Minister.

**Hon. Mr. Wishart:** Mr. Speaker, it is always very heartening to have a good reception for a major piece of legislation, and I think this is how this bill has been received here. It is a matter of great assistance to me, particularly in offering this bill and introducing it to hear the comments which have come forth in this debate on the second reading.

I did feel, Mr. Speaker, as I indicated perhaps mildly once or twice, that we were straying from the principle, but I think that was not a bad thing at all, because it has been said by the last speaker, the hon. member for Sarnia, that the important thing will be our discussion in committee.

Having said that, I think perhaps I may be permitted, in the short time that I have left, to confine my remarks to the principles of this bill. I shall endeavour to make some comments on detailed items, perhaps answer some of the questions, some of the points that were made by various speakers.

I would like Mr. Speaker, notwithstanding the time left today, to say something very briefly about the historical nature of this legislation. You, sir, had the honour of being chairman of a select committee of the Legislature which presented its first report on this subject of land expropriation in 1961, and then its final report on November 22, 1961.

The Legislature was prompt to act on that report, and to bring in the Expropriation Procedures Acts of 1962 and 1963. But in that report, Mr. Speaker, the committee did not give any firm or complete direction as a basis of compensation. In fact, the recommendation which appeared on page 12 of the report of the select committee, was as follows:

That a uniform statute provide a common basis for compensation for all agencies that are authorized by the provincial government to expropriate land; and that the requirement be that the authority make due compensation to the owner of land for any damage necessary resulting from the expropriation.



We followed that principle, it was written into the Act, The Expropriation Procedures Act, of due compensation.

It became apparent that the interpretation of those words could mean one thing in one person's mind or in the mind of one tribunal or one court, and a different thing in another. Due compensation seemed to be the great grievance in the matter of expropriation.

The chief complaint was that there was nothing certain about compensation, and it was not generally regarded as being definite enough or, perhaps, I might say, generous enough. So we asked the law reform commission which was appointed in 1964 to take the matter of the basis of compensation under study as a special and urgent study, and to produce for the Legislature some recommendations which would enable us to enact a bill determining the basis of compensation.

I was not aware that the hon. Mr. McRuer, who at the same time was appointed the commissioner for the inquiry into civil rights and was also at the same time chairman of the law reform commission, was going also to produce a report on expropriation. But he has done so and it has been most helpful.

He has gone into the whole field of compensation, procedures, methods, nature of tribunals, and various details, so we have the two reports from which this Act, Bill 5, arises. I should say to the House that in drafting this legislation—I think perhaps I said this in introducing this bill—we have attempted to incorporate insofar as we thought it was possible to do so feasibly and practically, the recommendations made by the hon. Mr. McRuer in his report and those of the law reform commission.

**Mr. Lawlor:** Is it a happy marriage?

**Hon. Mr. Wishart:** Well, I think so. I must say that the suggestions which have been made and I think many of the things that were said today are quite properly said, perhaps more properly said, in committee; such things as the matter of cost, the matter of interest rates, the matter of notices containing times, the matter of procedures, the matter of places where hearings shall be held.

These things, I think, may be spelled out in the legislation. Certainly I should think many of them would be spelled out in regulations, and I think it is helpful to have these suggestions which I have noted and which, of course, will be on record for our consideration as we go to committee.

But the great principles, Mr. Speaker, and this I agree to and adhere to, the great principles of this legislation are, I think we have a good Expropriation Procedures Act, a fairly good Expropriations Procedures Act following the report of the committee which you chaired, the select committee of this Legislature. The principles which we have come to in this Legislature, the basic one, the important one, is the new basis of compensation.

That is what we sought specifically in the law reform commission and we now have market value together with disturbance, compensation for disturbance, for relocation, for injurious affection, for loss of business, that sort of thing. This is the great thing which is established in this legislation.

I think it goes a long way, it will go a long way, in removing the grievances which have plagued us through the past. We have established a new principle of the inquiry as one of the first steps concerning an expropriating authority when it begins to act; we have established the principle that any person whose land is taken may call for an inquiry as to the fairness, the need, the necessity, the trial of necessity, and as I said earlier in the debate today, that is not to judge the objectives of the expropriating authority.

We have established the principle of political approval; the approval by some political person, someone responsible to the electors, someone who may have to stand in this Legislature as a Minister and justify the action of the agency of the government, or the department of the government, which comes within his jurisdiction for his action in expropriation.

We have established the principle of equivalent reinstatement, and I suggest that while there is some difference of interpretation—not a difference of opinion—as to that, I would like hon. members to consider what other better term, other better title, you could find. I think home for a home is not adequate. Equivalent reinstatement, I think, means what it says. I think it is a good term and as it is used in the Act for the use of the land tribunal and for—

**Mr. Singer:** It is not the title we quarrel with, it is the method of carrying out the idea.

**Hon. Mr. Wishart:** Right. Well it is a new principle which we have established.

Finally, the land compensation board which, I think, is something that is needed; something strongly recommended to us; and some-



thing which will help to solve a great many of the grievances which have plagued us again in this field of expropriation.

I would like, Mr. Speaker, just to point out that we have established the principle, which is a principle really in this bill, that this Act shall come into force the day it receives Royal assent. I believe so much in the importance of this legislation that I would urge hon. members to assist us in seeing the bill through committee.

The Act is to come into force on the day it receives Royal assent, except section 28. Section 28 is the section which sets up the land compensation board and we have left that, for the moment, with the proviso which is also in section 46, that the Ontario Municipal Board shall carry on until the land compensation board is in readiness to perform.

We do not think that hiatus will be long, but we feel this Act may come into force very quickly and the Land Compensation Board may not be ready. But the important thing is that section 46 does provide that sections 13 to 21 apply in respect to expropriations for which compensation has not been settled or determined before the Act comes into force.

The effect of that—and I would like this to be very clear before the House—is that those sections, 13 to 21, are the sections which provide the new basis of compensation. Therefore, regarding any expropriations which are presently going on, or which may arise before this Act comes into force, the matter of the compensation to be paid for the land or the property taken, will be done according to the terms of this legislation, this Act.

**Mr. Singer:** In so far as value.

**Hon. Mr. Wishart:** In so far as value—the matter of compensation—the words I used. There was a suggestion that the Act be retroactive. I think it would be extremely difficult, to take this legislation backward into the time where matters have been settled and make the provisions of procedures and even compensations apply. But we have provided that this legislation shall apply to those things which are outstanding in the way of compensation. To that extent it is retroactive.

The hon. member for Downsview questioned the term “injurious affection”. If I had time today I would deal with it, but I should like to dispose of this second reading today, Mr. Speaker. Injurious affection is

something we can discuss at great length in committee. I would like to reply to the hon. member for Huron-Bruce (Mr. Gaunt) and the hon. member for Riverdale, who raised the question about the treatment of the farmer.

I said yesterday, briefly, and I will say it now: the farmer, as a citizen, gets the new basis of value. He gets the relocation; he gets compensation for injurious affection if it is there and he gets equivalent reinstatement where his residence is concerned.

While it is suggested that he carries on a business, I do not think it is the business in the sense of a store. He is a manufacturer, a resident, a producer. I think the terms of the Act are very wide—amply wide to cover him. If not, this is something we can also discuss in committee.

I would say in closing, Mr. Speaker, that I shall certainly be open to review these suggestions and to review the section to the bill as we go through the matter in committee. If we can do that, we will have produced something which will be of great value and I trust will meet with approval outside this House as it has met approval here.

**Mr. Singer:** Mr. Speaker, before the question is put, I wonder if I could ask two very brief questions of the Attorney General.

The first one is, when the bill goes to the legal bills committee, will public representations be allowed at that point?

**Hon. Mr. Wishart:** Mr. Speaker, it has always been my practice to welcome public attendance before that committee. I think it has been helpful and we anticipate it again.

**Mr. Singer:** I am glad the Minister said that.

The second point is, has he any date in mind as to which it is likely that the bill will proceed to the legal bills committee?

**Hon. Mr. Wishart:** Mr. Speaker, I do not have an actual date in mind, but I am seeking the earliest day that is available. What date it may be I do not know. Perhaps the House leader might have some word—I would just say this, just as soon as we can get it there.

**Mr. MacDonald:** Well, Mr. Speaker, it is necessary to clarify that, because there are a lot of people who have expressed an interest. I assume it will not be tomorrow. Is that a safe assumption?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Next week!

**Mr. MacDonald**: Not until next week?

**Hon. Mr. Rowntree**: Well tomorrow is Thursday, and Friday morning is a short day.

**Mr. MacDonald**: Well, if it is not tomorrow, I agree with the House leader that it would be out for this week.

**Hon. Mr. Rowntree**: Yes.

**Mr. MacDonald**: But I think that clarification is necessary at this stage.

Motion agreed to; second reading of the bill.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow there is a second reading of one bill that we would like to call and then immediately go on with the Throne Debate.

**Mr. V. M. Singer** (Downsview): Which is that?

**Hon. Mr. Rowntree**: Bill 17. If there is no objection we could do it right now.

#### THE MILK ACT, 1965

**Hon. W. A. Stewart** (Minister of Agriculture and Food) moves second reading of Bill 17, An Act to amend The Milk Act, 1965.

Motion agreed to; second reading of the bill.

**Hon. Mr. Rowntree**: Tomorrow, Mr. Speaker, we will have as the first order of the day the continuation of the Throne Debate.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 5, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 5, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery from Applewood Heights Secondary School, Cooksville; and in the west gallery, from the Canadian Citizenship Centre, Rawlinson Public School, Toronto. Later this afternoon, in the east gallery we will have guests from Bishop Ryan High School, Hamilton; and in the west gallery from Crestwood Secondary School, Peterborough.

Petitions.

Of the corporation of the town of Mitchell praying that an Act may pass permitting it to raise the sum of \$20,000 by way of debentures, being the purchase price of a sanitary land fill site.

Of the corporation of the borough of East York praying that an Act may pass fixing a standard of fitness to which all non-residential property shall conform; and for other purposes.

Of the corporation of the county of Peel praying that an Act may pass extending the time for the return of the Assessment Rolls in the township of Chinguacousy.

Presenting reports.

Motions.

Introduction of bills.

## AUTOMOBILE RACING, 1968-1969

**Mr. M. Shulman (High Park)** moves first reading of bill intituled, An Act to control automobile racing, 1968-1969.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to prevent the establishment of automobile racing in Parkdale against the wishes of the residents. Mr. Speaker, I wish to stress the bi-partisan sponsorship of this bill and the unanimity of all elected representatives from west Toronto on this matter.

**Mr. Speaker:** Before we proceed with the orders of the day there are one or two matters that remained with Mr. Speaker, one of which will be held over, but I do wish to correct an error yesterday in Mr. Speaker's attributing a Speaker's ruling in 1960 to Mr. Speaker Downer. At the time the Speaker was Mr. Speaker Murdoch.

On November 27, there was a question asked of the Minister of Highways (Mr. Gomme) to which he made a reply and which reply was subsequently transcribed from the tape and appeared in the draft records of this House—*Hansard*—as the Minister having said the word "cannot". The next day, on the 28th, the member for High Park (Mr. Shulman) rose in his place on a matter of privilege and suggested that the Minister had said the word "can't".

I asked the members concerned, the member for Lanark (Mr. Gomme), and the member for High Park, to join me in listening to the tape. The hon. member for High Park stated that he was satisfied that Mr. Speaker should listen to it, so the Minister of Highways and the chairman of the committee of the whole House and I listened to the tape. I would report to the House that the Minister certainly did not say "cannot" as the draft *Hansard* reporter's record had it. I was unable to tell from the tape whether the hon. Minister had said "can't" or "can". The tape was played over several times with the same result. I therefore have taken the hon. Minister's word that his word on that occasion was not "can't" or "cannot" but "can". I therefore will not have an amendment or an addendum placed in *Hansard*.

Just so there may be no mistake in the House—and the hon. member for York South (Mr. MacDonald) will probably remember and agree with me—I would like to call to the attention of the members that I am on record in this House as having said that I know of no better way of asking a question than by beginning with the word "why".

That has been my attitude here for some months after a memorable exchange during the last session. Despite some inaccuracies in those things we read from our press gallery, it would appear that they are not

always present or not always up on the procedures of this House. So that there may be no mistake I always welcome questions with "why", whether the Minister to which they are directed does or not.

The hon. leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, my question is for the Minister of Energy and Resources Management (Mr. Simonett) and since he is not here to reply to the question, I would perhaps raise a point of order.

It is that Ontario Hydro yesterday announced a \$1.2 billion expenditure, the funds for which must be guaranteed by the province of Ontario. I would say, sir, that I object to the fact that this announcement was not made by either the Prime Minister or the appropriate Minister in the House, and that the Minister is not in his place today to comment on questions that might have arisen from that particular announcement.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, if I might speak on a point of order. I too read that report this morning and I knew of this event, at least I knew that it was being contemplated, but I did not know that the report was going to be made or would be published in the papers today. As I read it, I really wondered whether Hydro had in fact issued it or whether that had been what is commonly referred to as a leak—

**Mr. Nixon:** There is some doubt in the press gallery.

**Hon. Mr. Robarts:** Yes. I was in London last night and I read this in the morning paper on my way down here this morning, but it did not read to me as if it were a direct release from Ontario Hydro. So that, just how it got into the paper I do not at the moment know, but I can assure the hon. member that left to my own devices I would have said something about it here in the House for a whole variety of reasons.

It is quite an important announcement and will have a very profound effect upon the economic life of this province in the years that lie ahead. I think it is a matter of great interest to all of us. Perhaps I would have preferred to have been able to announce it in this House rather than have it appear in the papers as it did. However, apart from all those considerations, I can assure my hon. friend that it was not released in the manner it was released with my consent.

**Mr. Nixon:** Mr. Speaker, the Minister of Municipal Affairs a few days ago answered a question for the Minister of Energy and Resources Management and I think he is indicating that he has the answer to this one. If you permit me to put the question, perhaps he would answer it for me.

1. Have fuel elements been changed under full or partial load conditions in the Douglas Point nuclear power station? If they have, is this being done on a regular basis?

2. How many hours has the Douglas Point nuclear power station been operating at, or above, its designed capacity of 200,000 kilowatts?

3. Is there any special significance to the importance of December 1 as the deadline for decision of Ontario Hydro to decide and announce the \$1.2 billion nuclear and coal-fired expansion?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, the answer to the first question is "no". The answer to the second question is 2,180 hours, at the designed rating of 200 megawatts net or higher. And the answer to the third question is "no". It is recognized that this date and the amount of money mentioned in this question are identical with a speculative newspaper article.

**Mr. Nixon:** Perhaps the Minister would not be prepared to answer a supplementary question, but he used the word "speculative" and there is some indication that there was a release associated with the specific information in the article. Can he give us any further information?

**Hon. Mr. McKeough:** I have not discussed this with the Minister's staff. Recognizing the urgent public importance of this question, which there is, they wanted it answered in the House today, but I would assume from this that they have decided that the article was speculative.

**Mr. Nixon:** Well, I might say, Mr. Speaker, that while I have not had a chance to read the release that has just been handed to me; it is dated December 4, which is yesterday, and says:

ONTARIO GOVERNMENT PRESS RELEASE

Hon. John P. Robarts today announced the Ontario government has approved plans to build two new generating stations with a combined capacity of five million kilowatts.

**Hon. Mr. Robarts:** Well, Mr. Speaker, perhaps my face should be a little red.

**An hon. member:** It is. It is.

**Hon. Mr. Robarts:** I knew that a release was being prepared but I did not know when it would be. As I say, I left here yesterday afternoon and only got back this morning. It may be that this was released in my absence and without my final expressed authority. But in any event, if that is a government release with my name on it, I think you may take it that it is correct.

**Mr. Nixon:** Mr. Speaker, the Prime Minister is extensively quoted in the release and I would presume then that the Minister of Municipal Affairs would consider now that the announcement was not speculative and that we might assume Ontario Hydro is operating this important resource with a little more efficiency than the government is announcing it.

**Hon. Mr. McKeough:** Mr. Speaker, I think we would have to say that the leader of the Opposition has caught us with our pants down.

**Mr. Nixon:** Beautiful spectacle!

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I was going to credit the fourth estate with enterprising vigour but apparently it is the government's bureaucracy.

I have four questions, the first of the Minister of Highways.

Is it accurate, as suggested in a letter to the editor of the *Telegram* on December 2, that some of the curves on Highway 400 are not engineered for 70 miles per hour?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, all curves on Highway 400 where the 70-miles-per-hour speed limit applies were engineered for 70 miles per hour or better.

**Mr. MacDonald:** Mr. Speaker, my second question is to the Minister of Health.

What steps will the Minister take to remove the possibility of periodic high-level pollution by phosgene gas from the Allied Chemical plant in Moore township, as detailed in a letter to the Air Pollution Control Service on November 7, 1968?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, may I take that question as notice? I did not get back to my office in time to see it.

**Mr. MacDonald:** Mr. Speaker, to the Minister of Agriculture and Food.

Can we expect that the report of the Minister's farm income committee will pro-

vide the public with detailed information on farm costs, particularly in the fields of machinery and fertilizer, and their impact on net farm income?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, it is very difficult for me to say what the report of the farm income committee will contain because I have nothing to do with either its preparation or its drafting or anything more than its terms of reference.

**Mr. M. Gaunt (Huron-Bruce):** The Minister does not talk to his deputy?

**Hon. Mr. Stewart:** Now that is it, and the terms—

**Mr. Nixon:** Does the deputy come to work anymore at all?

**Hon. Mr. Stewart:** I beg pardon?

**Mr. Nixon:** Does the Minister's deputy come to work anymore?

**Hon. Mr. Stewart:** Really, I do not know how he stands the pressure of meeting almost, I would say, 24-hours-a-day on committee work.

**Mr. MacDonald:** I sometimes wonder how he stands the Minister's replies.

**Hon. Mr. Stewart:** Perhaps that is something that the hon. member cannot quite understand. But what my hon. friend, the leader of the New Democratic Party, is trying to get me to say is that I know what is in the farm income committee report and that I had something to do with drafting it, and you will not get me to say that.

**Mr. W. G. Pitman (Peterborough):** Even if it is true.

**Mr. MacDonald:** I will not get the Minister to say it, but—

**Mr. Pitman:** What an admission!

**Hon. Mr. Stewart:** Mr. Speaker, I have no idea what they will say. I would say this, Mr. Speaker, that their terms of reference were most broad, inasmuch as the costs of machinery and fertilizer, in fact all other articles and services that go into production of agricultural food products, have a direct relationship on farm income.

I would think that the farm income committee would likely be making specific reference to these matters that the hon. member has raised. I would also remind him that the federal government has appointed the

Barber commission on farm machinery prices. I would expect that that committee would deal with these matters in quite specific detail.

**Mr. MacDonald:** Mr. Speaker, when the Minister says "he expects," the information to be in the report, I think this is a knowledgeable reply.

My final question is to the Minister of Municipal Affairs. Was the Minister stating government policy in his flat rejection of a provincial capital gains tax to decrease speculation in land, as reported in his remarks to the House Builders' Conference in Toronto yesterday?

**Hon. Mr. McKeough:** Mr. Speaker, I think probably there were three elements to my reply yesterday to the questions which were asked, and I might summarize them.

I said, first of all, that I felt in my own mind, philosophically and administratively, it would be difficult to impose a capital gains tax on land speculation or on profits from land speculation, as opposed to a capital gains tax on other kinds of profits from other kinds of speculation, meaning the market and other forms of investment.

I further pointed out that for competitive reasons, in my view, and I think it has been substantiated by a number of reports, it would be difficult to impose a provincial capital gains tax in one province alone, for competitive reasons which we are well aware of.

And thirdly, in my view again, it would be difficult—and I think this is well recognized—if not impossible, difficult at any rate, to impose a capital gains tax on any one segment of capital gains without having a mechanism for a personal income tax. I would have to say, of course, that the government policy in this matter, as in all matters pertaining to taxation, will be announced in due course by the Provincial Treasurer.

**Mr. Speaker:** The hon. member of Correctional Services has an answer to—

**Mr. MacDonald:** All of the answers are debatable.

**Mr. Speaker:** —the other day.

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, yesterday the hon. member for Lakeshore (Mr. Lawlor) asked the following question:

Why is a certain prisoner, who until recently was serving time at Millbrook for arson, being held in a detention cell at

Guelph, when the apparent cause of his removal was mental illness?

First, I would like to thank the hon. member for not divulging the inmate's name. I am advised that this man was transferred from Millbrook Reformatory for examination at the neuro-psychiatric clinic at Guelph. On the advice of the psychiatrist, he was placed in medical segregation on full privileges. On Monday, December 2, 1968, he was certified as a mentally ill person, and was transferred to the Ontario Hospital, Penetanguishene, on the following day.

**Mr. Speaker:** The hon. Minister of Mines has answers to two questions from another day.

**Hon. A. F. Lawrence (Minister of Mines):** Thank you, Mr. Speaker. Question No. 217, from the member for Thunder Bay (Mr. Stokes), which I took as notice, was:

In view of the public reaction to strip mining, about which the Minister assured the House that the removal of large quantities of material will not detract from the natural beauty of Picton's Sandbanks Provincial Park, is the department limiting the amount of sand which can be removed, and how much sand has been removed over the ten-year period from 1958 to 1968?

The answer to this, Mr. Speaker, is that Lake Ontario Cement have a lease on approximately 40 acres adjoining the northeast section of The Department of Lands and Forests' Sandbanks Provincial Park, which contains approximately 1,200 acres. The lease permits the removal of sand, to be used in the manufacture of cement, to just short of the water level. The pit has been operated for about ten years, and some 700,000 tons have been removed. The operator of the pit has been instructed to maintain the banks at roughly 45 degrees or at the angle of repose.

There was another question, Mr. Speaker, No. 218, from the member for Sudbury East (Mr. Martel):

Is the Minister aware that employees of INCO at the Copper Cliff smelter are unable to obtain good drinking water, and what action will the Minister take to correct the situation?

This is a novel experience, I think, for the district engineer there, but we sent him up in any event. He informs me that he drank at several water fountains in the Copper Cliff smelter on December 3, and found that the water was quite potable. However, not being in any position to analyse the water

himself, he did take samples of all the fountains, and they have been forwarded to The Department of Health for analysis. I will have a further report for the member at the same time.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question from yesterday, of the Minister of Education; and the Minister of Municipal Affairs is prepared to answer the questions for Energy and Resources Management.

**Mr. B. Newman (Windsor-Walkerville):** The first is of the Minister of Education. What steps does the Minister plan on taking to assist long established commercial business schools from financial bankruptcy as a result of the greatly expanded programmes of adult education that do not make use of the facilities and staff presently available in such business schools?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the hon. member well knows that the old adult education retraining programme has expanded tremendously in the past few years, and this has certainly complicated their problems. In the past—and this was prior to the federal legislation on adult occupational training—we arranged for students to be sent to private schools in communities where public facilities did not exist. At present, because of federal legislation, the department cannot arrange for training in private schools and the federal authorities cannot place students directly into private schools because of the wording of the federal Act, and I give the hon. member the wording:

Where, pursuant to section 4, a manpower officer arranges for the enrollment of an adult described in that section in an occupational training force that is not operated by a province or by a provincial or municipal authority in a province, that is approved by the government of the province in which the course is operated, the Minister may authorize the payment of such charges for tuition or otherwise for the training of that adult in the course as are provided for by the regulations.

There are perhaps, Mr. Speaker, two possible solutions. We are working on both of them.

First, the federal Department of Manpower and Immigration is investigating the legality of interpreting the words "approved by the government of the province" to mean other than a provincially supported school. This would then include the private and commercial schools.

Secondly, we are attempting to have several aspects of the federal legislation changed, including the section governing the use of private schools.

**Mr. B. Newman:** Mr. Speaker, if I may ask of the Minister a supplementary question, how quickly could we expect some solution to this problem because these schools are—especially the ones in my own community—in real danger of having to close within a very short period of time, and may not be able to wait too long for federal approval?

**Hon. Mr. Davis:** Mr. Speaker, we have indicated the problems to the federal Department of Manpower and Immigration and I think they are aware of the urgency and, as I say, we cannot move any more rapidly than they are prepared to, to deal with this situation.

**Mr. B. Newman:** Thank you. A question of the Minister of Energy and Resources Management. Apparently it will be answered by the Minister of Municipal Affairs.

In the light of the activities of American chemical companies who use Fighting Island in the Detroit River as an industrial waste disposal site, would the hon. Minister inform the House what steps he is taking to abate the pollution of the river by such use?

**Hon. Mr. McKeough:** Mr. Speaker, the answer is that the Wyandotte Chemicals Corp. owns Fighting Island and disposes its waste there. Routine surveillance of these operations is maintained by the Ontario Water Resources Commission. On the basis of inspections of the area to date, the company is doing an adequate job in controlling its waste.

**Mr. B. Newman:** May I ask the Minister if he is aware of the report of the international joint commission that does criticize quite strongly the actions of the Wyandotte Chemical in the pollution of the river at that source? This is a Canadian island.

**Hon. Mr. McKeough:** Yes, I was sent a copy of that report a few days ago and I read it with a great deal of interest.

**Mr. Speaker:** The hon. member for Lakeshore has a question of the Minister of Revenue from yesterday.

**Mr. P. D. Lawlor (Lakeshore):** This is the first question to this Minister, Mr. Speaker.

What prompted the recent government decision not to impose a reduced property tax on places of worship? In the Minister's



experience as chairman of the select committee on taxation, is this a defensible decision?

**Hon. J. H. White** (Minister of Revenue): This question does not relate to The Department of Revenue, but because of my high personal regard and respect for the member for Lakeshore I have obtained a copy of the Prime Minister's (Mr. Robarts') statement dated Nov. 15 which I will send to him and which gives the government's reasons for this decision.

If the hon. member has an opportunity to read this with care he will see that the answer to the second part of his question is "yes".

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question from yesterday of the Minister for Municipal Affairs.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Municipal Affairs.

Is the Minister preparing legislation to amend section 401 of The Municipal Act to permit plumbers and electricians to operate in neighbouring municipalities without "establishing a regular place of business" in each?

**Hon. Mr. McKeough:** Mr. Speaker, the matter referred to is under study, and in due course the amendments to The Municipal Act will be brought forward.

**Mr. Speaker:** The hon. member for Scarborough East has questions from yesterday.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, to the Minister of Education.

With reference to the Minister's reply of Monday, December 2, to my question about the purchase of straps by Ontario schools, would the Minister consider establishing specifications concerning the length, width, thickness, weight, substance and flexibility of straps that are currently being purchased? If so, would the Minister consider varying such specifications depending on the sex, age or size of the children who are expected to be strapped?

**Hon. Mr. Davis:** Mr. Speaker, as I recall informing this House, I believe it was on Tuesday, concerning the departmental policy suggesting that corporal punishment should be discontinued and indicated to the hon. member that this memo would be going out to the principals, superintendents, etc., I can only assume from this question (which the hon. member must feel is of urgent public

importance) that either the hon. member was not listening to my answer or that he disagrees with our point of view and feels that corporal punishment should not be discontinued and wants to establish regulations to condone its use.

**Mr. T. Reid:** Mr. Speaker, if the Minister would accept a supplementary question.

**Hon. Mr. Davis:** No, I do not think there is any need. I think the matter has been stated very clearly, Mr. Speaker.

**Mr. T. Reid:** I would like to ask him if this—

**Mr. Speaker:** The hon. Minister will not accept a supplementary question so the member will go on to his next question.

**Mr. T. Reid:** Why does the Minister not just abolish—

**Mr. Speaker:** Order!

**Mr. T. Reid:** Mr. Speaker, the second question for the Minister of Education is this:

Have the scholastic and personal data of some 20,000 Scarborough high school pupils been recently supplied to the Honeywell Controls Company (or its subsidiaries) and entered into a computer owned and controlled by this private company for retrieval demonstration purposes at symposiums, conventions and exhibitions? If so, what immediate steps is the Minister of Education of Ontario taking to protect these pupils from such commercial exploitation?

**Hon. Mr. Davis:** Mr. Speaker, The Department of Education's data centre did not provide any such material. However, I am informed that a board of education did make a master-file programme available for a demonstration at an educational conference and in order to illustrate this programme I am informed that fictitious data was created and no factual data concerning the students or schools was used nor were students or schools identified.

It is also possible that there have been instances where timetabling projects, which do not relate to information with respect to students *per se* or student records, but which could have names, may have been undertaken by a board in conjunction with a manufacturer or service bureau to illustrate the timetabling techniques that could be developed with the use of the computer.

**Mr. T. Reid:** A brief supplementary if the Minister would allow, Mr. Speaker.



Was there a demonstration at the Minister's information systems committee conference at the Constellation Hotel in the spring by Honeywell Controls; and if so, can the Minister assure me that this information was in fact fictitious as opposed to actual information, with perhaps the name of the students removed?

**Hon. Mr. Davis:** Mr. Speaker, I understand there was a demonstration at the MISC conference; not having been there for the demonstration, although I was there at the earlier part of the conference, I am informed that it was strictly fictitious material that was used in the demonstration.

**Mr. T. Reid:** Thank you, Mr. Speaker, the third question to the Minister of Education:

What educational justification is there for the Minister's decision that the foundation levels of the Ontario foundation tax plan should be increased by \$20 for secondary vocational school pupils and only \$15 for secondary academic pupils?

**Hon. Mr. Davis:** I am sure, Mr. Speaker, that the hon. member in researching this question probably ascertained that the cost relating to the academic and to the vocational are approximately \$450 and \$580. This was increased by \$15 to \$465; the other \$580 plus \$20 to \$600; and with my very rapid mathematics, this means a 3.5 per cent increase in both areas. They were approximately the same percentage increase and, of course, a partial reason at least relates to the basic costs of the various types of programmes and to the higher student-teacher ratio in the academic compared to the vocational.

**Mr. T. Reid:** Mr. Speaker, a supplementary question arising from what the Minister said:

Would I be correct in deducing from the Minister's remarks that the cost of vocational education is substantially higher than the cost for secondary academic education per pupil?

**Hon. Mr. Davis:** Mr. Speaker, I thought that was rather self-evident and I think it is very clear in the Minister's report. It was \$450 plus \$15, which is \$465 and \$580 plus \$20, which is \$600. The vocational cost is higher per student because of the smaller number of students, and to a degree the facility that is provided as well. It is \$465 to \$600.

**Mr. Speaker:** The hon. member for Thunder Bay has questions from yesterday, and one today.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, one for the Minister of Lands and Forests. Will Indians be required to purchase fishing licences as of January 1, 1969? Will treaty Indians be exempt from this provision whether or not they live on a reservation?

Will the fishing licences for all residents for smelt fishing be \$1 or \$2 as dip nets are used for this purpose?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Thunder Bay, the first question: The matter of whether or not Indians will be required to purchase fishing licences after January 1 is under review and we hope to have a decision in the near future.

With reference to the question of nets: Most resident fishermen will require only a \$3 fishing licence that takes smelt since they generally use only dip nets less than six by six feet in the spring.

The \$1 resident smelt licence allows the holder to use a larger seine net up to 30 feet by 6 feet in size, in certain parts of the province. The \$2 dip net licence available allows the holder to take coarse fish year round during the daylight hours, and to take white fish and herring during the fall in some lakes.

The \$1 resident licence to take smelt for personal use allows the holder to use a thirty-by-six-foot seine net in March, April and May in any part of Ontario except (a) Algonquin Park, (b) Peterborough and Victoria counties, (c) Durham and Northumberland north of Lake Ontario, (d) the Trent River, (e) Dalrymple Lake in Ontario county.

A dip net may be used by a resident during this period and in that area described, without a special licence other than the new \$3 resident fishing licence and the \$2 resident dip net licence to take fish for personal use allows the holder to use a six by six foot dip net at any time of year for coarse fish, and in some waters to take white fish and herring as well, in October, November and December.

**Mr. Stokes:** Second question: Will the Minister explain why it is necessary for the federal fisheries research board to pollute 40 lakes set aside by The Department of Lands and Forests in the Kenora area for pollution research, as stated by Dr. J. R. Vallentyne in today's *Globe and Mail*?

Could such research not be conducted in the many Ontario lakes already polluted?

If the federal fisheries board project goes ahead, can the Minister assure the House that the lakes concerned will be restored to

their former unpolluted condition once the experiments have been completed?

**Hon. Mr. Brunelle:** Mr. Speaker, the department has set aside 56 small lakes in 17 watersheds, averaging only 33 acres, for the federal fisheries research board to study the aging of lakes and the effect of chemicals which pollute water or cause lakes to age. The board is conducting experimental work and requires careful control of the waters. They cannot use polluted waters for this purpose, and also this will take somewhere between 10 to 20 years in order to have the final results.

My department has been assured by the federal fisheries research board that no downstream watershed will be affected and that their studies involve not only aging lakes but determining whether the process is reversible. Also, we have discussed this matter with the Ontario Water Resources Commission, another interested body and they have given their approval.

**Mr. Speaker:** The hon. member for Humber.

**Mr. G. Ben (Humber):** Thank you, Mr. Speaker; a few questions of the hon. Minister of Health: The first question is: What is the rate of illegitimate births in Ontario for 1966, 1967 and to date, 1968?

**Hon. Mr. Dymond:** Mr. Speaker, this question should be directed to the hon. Provincial Secretary (Mr. Welch), who is the Registrar General.

**Mr. Speaker:** I will have it re-directed for answer, I hope, tomorrow.

**Mr. Ben:** Fine; thank you, Mr. Speaker. Again to the Minister of Health:

Will the Minister table the letter which he sent to Dr. E. H. Botterell, vice-president of health sciences at Queen's University in connection with the doctor shortages in Ontario?

Secondly, is the report in this morning's *Globe and Mail* correct in stating that the Minister's suggestion to produce more doctors was received negatively by the Ontario College of Physicians and Surgeons?

**Hon. Mr. Dymond:** Mr. Speaker, I do not intend to table the letters since it is an ordinary piece of correspondence, many hundreds of which pass between my department and those with whom we have to deal. If we were to table all our correspondence, I am afraid your resources, sir, would be taxed beyond endurance.

**Mr. Shulman:** Nobody wants the Minister to table them all, just that one.

**Hon. Mr. Dymond:** The answer to the second part of the question is "no", the report is not quite accurate, sir, as stated in the newspaper report. It is taken out of context.

**Mr. Ben:** Mr. Speaker, would the Minister accept some supplementary questions? First of all, if the letter is in ordinary course why does the Minister have objections to tabling it at the request of a member of the Opposition? My second question is, if the report was taken out of context, would the Minister be kind enough to supply the questioner with the statement so that he can read the context from which it was taken?

**Hon. Mr. Dymond:** Mr. Speaker, again I say that in my view it is not necessary to table a letter of this kind. First of all, the letter was sent to the deans only a very few days ago. For some unknown reason, the deans have chosen to begin the discussion with the newspapers before they began it with me at all. This, to me, is a little bit out of the ordinary procedure. Secondly, the statement has been taken out of context. The answer that the college gave me was not negative. They pointed out to me the very grave difficulties, in their view, of doing what I had asked them to do, but I had asked them to deal with the question as though it would take a prolonged period of time and not only to provide one doubling-up, as I did in this most recent letter to the deans.

**Mr. Speaker:** The hon. member for—

**Mr. Ben:** A supplementary, Mr. Speaker. How about the other part? Do you think we could have the text out of which the statement was originally taken out of context?

**Hon. Mr. Dymond:** Mr. Speaker, I have explained this.

**Mr. Speaker:** The hon. Minister, I believe, has answered the question as he has said.

The hon. member for High Park has a question.

**Mr. Shulman:** I have a question of the hon. Attorney General in four parts:

1. Has Dr. Fred Jaffe, medical director of the Centre of Forensic Science, resigned, effective at the end of this month?

2. Was Dr. Jaffe's resignation the result of a failure of the government to co-operate

with his requests to improve the services of the departments of pathology and forensic medicine?

3. Does the Attorney General feel there is any possibility of hiring a pathologist equal to Dr. Jaffe's high qualifications to replace him?

4. Will the government have to pay a higher salary in order to replace Dr. Jaffe?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the medical director of the centre of forensic science has resigned; his resignation to be effective December 31, the end of this month.

I am not aware that his resignation is the result of any failure on the part of the government to co-operate in any way or to provide him with facilities or any breach of the terms of his employment. My understanding is that he proposes to return to private practice.

On the third part of the question—is there any possibility of hiring a pathologist equal to Dr. Jaffe's high qualifications?—I cannot do more than speculate. It is always a question whether you can replace a very capable and qualified person with someone who will follow his tradition and possess his capabilities. I would hope that we would be able to get someone to do so, because I think it is well known that our centre is very highly regarded across the continent. And the staff there is regarded as first-rate.

Will the government have to pay a higher salary? I would not know that either. I believe the salary at the moment is \$27,000. It is possible that, in order to entice somebody to come to us, we might have to pay more; but I cannot answer, except to speculate.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** In view of the fact that Dr. Jaffe has been in this position a relatively short time before his resignation, would the Minister be willing to initiate discussions with him to see if the problems could be ironed out, so that the province could have the benefit of keeping this man, if at all possible?

**Hon. Mr. Wishart:** We have had some discussions, I think. I have not talked with him personally. Usually when a man leaves a salaried position to go into private practice, he has, I think, in mind that he can do

better, in a material way at least. I would not want to say that is Dr. Jaffe's thinking, but one way to perhaps keep him there would be to go to the Treasury Board. I could consider this and see what might be done. We think very highly of Dr. Jaffe and I regret to lose him.

**Hon. Mr. Dymond:** Mr. Speaker, I undertook to get some information for the hon. member for Lakeshore. I regret to advise you, sir, I have not yet got that information.

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** A question of the Minister of Education.

Will the Minister explain to the House how it was possible for Mr. F. Costa, a teacher at the George Brown College of Applied Arts, to be dismissed approximately two and a half months after the May 31 deadline, which is contrary to the terms of a standard contract?

And the second part: Why was Mr. Costa not granted a board of reference by the Minister of Education?

**Hon. Mr. Davis:** Mr. Speaker, perhaps the hon. member is aware that under the legislation relating to the colleges of applied arts and technology, the responsibility for the engagement of staff rests with the college and any enquiries, really, should be directed towards the college concerned. Contracts with the staff do not come under the jurisdiction of The Teaching Profession Act, which applies only to teachers in elementary and secondary schools. Therefore the person to whom this contract would apply is not eligible for a board of reference under that particular Act. This Act only applies to the elementary and secondary school teachers.

I am informed, however, in looking into this matter, that an arbitration board has been set up in conjunction with the George Brown College and this board is looking into Mr. Costa's grievance. I am informed that the board is meeting this very day under the chairmanship of Professor Horace Krever and with a representative of the college and an independent member. Mr. Costa previously at least, indicated his willingness to accept the decision of the board as being final.

**Mr. Martel:** If I might, though; the point I am trying to get at, Mr. Speaker, is that the standard contract says that he cannot be dismissed after May 31 and yet this man was. I would like to know how this is possible.

**Hon. Mr. Davis:** Mr. Speaker, as I recall the question, it related to the right to have a board of reference. The board of reference applies to those procedures under The Teaching Profession Act which applies to elementary and secondary school teachers. This teacher was employed by a college of applied arts and technology.

**Mr. Martel:** I have the contract.

**Hon. Mr. Davis:** I know, but it does not come under The Teaching Profession Act.

**Mr. Martel:** Under the contract he cannot be dismissed.

**Hon. Mr. Davis:** That is what the grievance is about, but it does not come under The Teaching Profession Act.

**Mr. Martel:** That is a pretty poor situation.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** I have a question of the Minister of Education and University Affairs.

Has any consideration been given to making funds available to graduates of Ontario French secondary schools to enable them to pursue their studies in their own language in another jurisdiction, when no such courses of studies are obtainable in Ontario?

**Hon. Mr. Davis:** Yes, Mr. Speaker, the present terms of the Ontario student awards programme make it possible for any student in this province requiring financial assistance to pursue his studies in any Canadian university. This applies to Canada only.

Under the terms of this award, a graduate of an Ontario French-language high school, for instance, could apply for assistance to pursue studies in his own language in another jurisdiction, perhaps Quebec, regardless of whether such courses of study are available in this province or not.

**Mr. Ferrier:** Mr. Speaker, I have a question of the Minister of Highways.

Has the Minister received an application from the township of Mountjoy requesting The Department of Highways to take over Dalton Road as a secondary highway?

If so, what action does the Minister propose to take and when may the township expect a reply from him?

**Hon. Mr. Gomme:** Mr. Speaker, a request from the township was received October 17, 1968, and my reply dated November 5, 1968,

provided the township with our answer and it is as follows:

**Dear Mr. Proulx:**

Since receiving your letter of Oct. 17, 1968, I have had the Dalton Road investigated carefully in line with your council's resolution No. 68-203. It has been found that the service characteristics of the road do not warrant its designation as secondary highway. The daily average volumes of traffic over the road are low and typical of desirable township road service. In that regard, it is not unreasonable for the township roads to serve quite high traffic volumes, particularly where most traffic is of a local nature and oriented to an adjacent urban centre such as Timmins. On two occasions, in 1966 and again this year, the road has been appraised through the department of municipal roads division. The recent appraisal discloses some deterioration in the road's physical condition. Any work needed, however, may well be carried out by bylaw under normal subsidy policy. Mr. W. A. Stewart, the district municipal engineer at New Liskeard, will gladly be of assistance in these matters.

**Mr. Speaker:** Might I ask the hon. leader of the Opposition if he would care to have the member of his caucus place a question, now two days old, to the Minister of Municipal Affairs for the member for Oxford (Mr. Innes), and clear the decks; or does he wish it held? It has to do with noises.

**Mr. Nixon:** If you will permit, I would like it held until the member is here.

**Mr. Speaker:** The hon. Prime Minister has a statement.

**Hon. Mr. Robarts:** Mr. Speaker, before we get into the orders of the day, I would like to bring to the attention of all the members of the House that 23 wall decorations and six sculptures have recently been installed in the new complex, on the other side of Queen's Park, in the Macdonald Building and the areas adjacent to it. Its art work was produced by 29 Canadian artists, designers and sculptors who were commissioned at the start of the Queen's Park project to promote a greater appreciation of the work of Canadian artists and to enhance the general architecture of the buildings. Twenty-three of the artists had sculptures commissioned on Ontario residences, and one of the remaining six is an Eskimo sculpture.

The 23 wall decorations are located in key areas where they will add to the attractive-

ness and interest of the structure's public areas, and enhance the basic utilitarian purposes of the buildings. Each wall decoration is closely related to the architectural environment of the block. But, the artists were given the greatest possible freedom and concept and evaluation.

The various panels consist of painted murals, tapestries, ceramics, sculptured metal, and other contemporary media. The six sculptures are located at strategic locations, including the foyer of the Bay Street entrance, and the courtyard at the centre of Macdonald block. I would hope, Mr. Speaker, that as the duties of the members take them through the buildings, they will take time to view these works. They are excellent examples of contemporary art in a variety of forms.

I might say a few words about the genesis of this particular aspect of the Queen's Park project. Initially there were four leading architectural firms asked to combine their ideas and their experiences to form the associated architects for the Queen's Park project. These firms were Allward and Gouinlock, Gordon Adamson and Associates, Mathers and Haldenby, and Shore, Moffatt and Partners. This group worked closely with the Minister of Public Works, his Deputy and the chief architect.

These buildings are primarily utilitarian. I think that was indicated in the designs, but it was felt by the architect that the decorative panels, works of art and several major pieces of sculpture would add interest to the corridors, to the buildings which of course are used very extensively by the public, and in addition, it would encourage the recognition of the creative abilities of our Canadian artists and craftsmen and would generally enhance the total aesthetic appearance and appeal of these buildings.

In approving these proposals, steps were taken to assure that the works were appropriate—selected for lasting achievements. The associated architects, the four firms, sought the advice and assistance of the Royal Canadian Academy of Arts, and requested it to name an art consultant committee that would advise the government and The Department of Public Works in the choice of the artists who might be commissioned. The committee consists of Cleve Horne, Peter Haworth, and Clare Bice who is president of the Royal Canadian Academy. The committee and the architects first settled on the locations for selected works and then prepared a list of some 700 Canadian artists, whose abilities were felt to merit some con-

sideration. Nearly a year was spent in gathering information, photographs of work already in existence, background qualifications and accomplishments of well-known artists and so on.

A budget of approximately one per cent of the building costs for the commissioned art work was approved—and I would like to say that this is a practice presently quite widely accepted in making public buildings, something more than simply blocks of granite.

Ten sculptors were invited to participate and five of their works sited in the buildings. A sixth major piece of sculpture was added by one Paulosie Kanayook, an Eskimo from Povungnituk, Quebec. He was commissioned to portray a seal hunter with his catch. Ordinarily the Eskimos carve in soft stone, which is referred to as "soapstone", on a relatively small scale. However, he executed this work in black granite and it is on a much larger scale. This particular man has had a very interesting life. He is a well known hunter in his own land, and among his own people. He has been doing Eskimo carving, as they are referred to, since he was 12 years of age.

The wall decorations, there are 23 of them, have been designed to fit in with the general architectural environment of the buildings, as I said, they are in a great variety of media. They have themes characteristic of Ontario's cultural, social and economical life—mines and minerals of northern Ontario portrayed in some, the rural atmosphere of Ontario farms and villages in others, and of course the Stratford festival. I have a list of the various artists involved. I won't take the time of the House to read them, but I do recommend that you find time to view these works. They lend a great deal to the whole atmosphere of these buildings and I think we can all be very pleased with what we have been able to achieve.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

Mr. E. W. Sopha (Sudbury): Mr. Speaker, when I concluded my remarks the other day, I was making some observations on the broad area of constitutional reform, which of course



is a very central theme to the intellectual deliberations of a good many people in this country. In contrast to the Prime Minister of Ontario (Mr. Robarts), I was perhaps so indiscreet as to indicate for the House, four areas of legislative jurisdiction that I felt might be handed over to the federal government. Tonight, in support of those proposals, I point to the recent conversion of the Minister of Financial and Commercial Affairs (Mr. Rowntree) and make reference to a speech he made, where he belatedly, after a good many people had done so, acknowledged somewhat lukewarm support for the notion of federal jurisdiction over the marketing of securities in Canada.

Of course all these areas surround environments that, one way or another, very profoundly, very deeply affect the lives and well-being of Canadians.

I want to add that for a good many years, perhaps more than a decade and a half—ever since I studied under Bora Laskin, who was then professor of law and an outstanding authority in constitutional law at the University of Toronto—I have regretted that in Canada, there has not been a vehicle provided by governments for public participation in the discussion of constitutional reform. Certainly, the Confederation of Tomorrow conference, however great its success was—and I am one of those that shared the very great enthusiasm for that meeting—surely it did not provide a vehicle for public discussion; nor did the constitutional conference at Ottawa. The Prime Minister of the province has an advisory committee which I believe is called, “the advisory committee on the Constitution,” and it is staffed—perhaps it is not the right word—it has among its membership Canadians who are very distinguished in many important fields in the life of this country, and I gratefully acknowledge having made available to myself the material that is prepared by this advisory committee. I do not share the description that my friend for Grey-Bruce (Mr. Sargent) put upon the material the Prime Minister handed us the other day. I am always grateful to receive it as it gives me the opportunity to study, at my leisure, those things that are said by thinking people and people who are the very nexus of this national problem.

We got, of course, the book which I hold in my hand, which comprises the papers prepared by the advisory committee. I have been heard to say, on previous occasions, that I thought they were written from one point of view, and in some respects, I make so bold

as to say, that I do not think Eugene Forsey, in his retreat in Ottawa, now speaks for a good many thinking people in this country with the spirit of deep devotion that he exudes toward monarchical symbols in this country.

It is very appropriate to say that I have personal knowledge that one of the other distinguished members of the advisory committee, Professor John Conway of the department of humanities at York, a year ago this month I believe, delivered to the Prime Minister of Ontario, or whoever else it is that these papers are delivered to, a paper that he had prepared and which I suspect deals with the matter of the continuation of our attachment to historic traditions of the past. I would have hoped that in the year that has gone by the Prime Minister of Ontario would have made that paper available to us, because it is vital from my point of view that we see all points of view. I hope the Prime Minister will, at an early time, publish that paper written by Professor Conway.

I repeat, sir, and you have heard me say it before, that we have the advantage of Professor Conway's view in an excellent article written for *Atlantic Monthly*, and it is rather curious to note that he has to go outside his own country to write an article in which he subscribes to the notion that we Canadians should soon consider the disestablishment of some of the historic ties that have bound us in the past, from the point of view of establishing our own national integrity. I fervently believe that in Canada there is—

Hon. J. P. Robarts (Prime Minister): Perhaps, Mr. Speaker, if you will permit me: The work that has been published really is the choice of the committee members themselves and it is not controlled by the government. I would like to make that point very clear. When we asked these men to serve and do the work they have done, I made it very clear to them that they would have complete control over the publication of whatever works they might produce.

I do not know whether Professor Conway himself wished this not to be published, but I will check and see. I would like to make it clear that it was not withheld from publication by the government; it was by the committee itself. At the time the committee was set up we felt that these men might want that type of protection so that they could decide themselves what products of their research they wished to be made public.



**Mr. Sopha:** I thank the Prime Minister, Mr. Speaker, through you, for that enlightenment and I hope the committee will see fit. I do not treat myself as a person who is against the monarch in any personal way, I am not against monarchy *per se*, but I put my views in the light of the belief that in order to reach our fullest development, both materially and spiritually, we must treat ourselves completely as being masters in our own house. We have to build in this country our own traditions, apart from the notion of relying upon the traditions of other people. It is as simple as that.

I, sir, over the years here, have made my voice heard—and not always in such a way as to create a comfortable reception for myself—toward the end that this Legislature itself shall become uncluttered with symbolism and traditions of another age. The Premier speaks of legislative buildings as being blocks of granite; I think the Legislature is something more than the fine paneling and the surroundings of this Chamber. This place ought to be one of the most viable, imaginative and lively places in Ontario, and it ought to be what it is meant to be—a forum for debate.

In that regard I thought the debate yesterday on second reading of the expropriation bill was a very stimulating, imaginative event, and that is how I picture this place. To that end, we do not need to clutter it up with excrescences that do not add to the creation of the climate for debate.

My friend from York South (Mr. Macdonald) leads his troops, like remnants from Napoleon's army, down to Picton—"involving" himself, he says. The hand is the hand of Jacob, but the voice is the voice of Esau, and Esau sits in the second row, he involves himself in the politics of confrontation.

I say to him in reply, the place for confrontation in the political life of Ontario is right here, facing the government on the other side, and it is a mark of irresponsibility to take that confrontation elsewhere outside the House.

I do not want to descend again in any lengthy way to my remarks about the opening of the proceedings here, but I would say to you, sir, with the greatest respect, that instead of indulging in the daily repetition, the droning out of the exhortation to the higher power of wishes for the well-being of a wonderful little family 3,000 miles away—wonderful people, wonderful mother and father, beautiful children—maybe one day a week we might have a little exhortation com-

ing from your lips, and out of our hearts, praying for justice for the 75,000 Indians who seek it in this province. No doubt on other days we could find other worthy objects of making special pleas, but that, to me, sir, is the test of relevance.

The Prime Minister, surrounding himself with constitutional conferences and advisors, and these matters being reserved to politicians, somewhat carries along the same vein.

It is appropriate to refer to this in this context: The other day when he came in here and out of the blue announced that he is thinking about television coming in here, I watched very carefully and listened very carefully to the way he put it.

The first thing that came to his mind about the television cameras was part and parcel of the central place on the stage that the leaders of government give to their thought and opinion in this province. The person who has the highest confidence of the Lieutenant-Governor says we might film the debates on leaders' day—that is the first thing. Then, as an afterthought almost, having got the leaders front and centre stage to the exclusion of everybody else—presumably the cameras would pan up close to them—and then he says we might have a film of some resolution; if, he added, it was a matter of wide public concern—he added the qualification to that one.

If it is going to be relevant to the life of Ontario, and entertainment is part of the life of Ontario, I would suggest to him that he not reserve it to the leaders. We might have a filming of the confrontations that take place between the member for High Park (Mr. Shulman) and the Minister of Correctional Services (Mr. Grossman); or when the midnight marauders in the back row over there come in they might pan on them. Who knows, it might develop one of the highest television ratings in the province.

But more seriously, why restrict this to the leaders? Pointing across the way, which is the best place to select, how about the excellent performance of the Provincial Secretary (Mr. Welch) on the last day of the session last year? Could anything be more invigorating than the spirited contribution which he made to the debates of this House; or the very thoughtful analysis that took place over two days of the member for Armourdale (Mr. Carton). Those are two speeches in this House that stand out, which during the summer I took home and reread, especially that of the member for Armourdale, because in contrast to the moss-backs,

he is one of the forward thinkers that sit on that side of the House.

I want to turn to this uncluttering that I am speaking about, the atmosphere of this House and making this House relevant to the life of Ontario. Did it ever occur to you, Mr. Speaker, that up there in the galleries—and I have no desire to refer to the galleries presently here today—the only audiences we ever get here are captive audiences, that is all? Who ever wanders in here other than the school children who are told to come here by their teachers? They are brought here by their teachers. That is the only audience we get. Why do people not drop in here? They do not drop in here because there is nothing going on.

**Mr. M. Shulman (High Park):** It is because the member talks too long.

**Mr. Sopha:** Do they? There is nothing going on to attract them. That is why they do not come in.

**Mr. D. C. MacDonald (York South):** Do not press the point!

**Mr. Sopha:** All right.

Especially as that is so, I have been very disturbed and I want to draw my own personal opinions to your attention, Mr. Speaker, about this question period. It is an ideal item of our business on which to focus to demonstrate the point I want to make.

I want to suggest to you, sir, with the greatest courtesy and respect to your high office, that firstly, I agree with the Prime Minister. I agree, I am very disturbed about the length of that question period. I have not been participating in it of late myself. I think it is far too long, and by its length it denigrates from the quality of the proceedings here. I agree with the Prime Minister that many of the questions that are asked could be answered—the answer could be elicited by picking up the phone and calling the Deputy Minister and getting the information.

But aside from that, and that is not the most important consideration, in no way, as a private member of this House, do I like to see any incidents where the rules of the House by analogy make this place akin to a schoolroom. And that is what a notice question, handed to your office in the morning, is. That is precisely what it is. You are in the same position at five minutes to twelve, or whenever you get those questions, as any school teacher out in one of the schoolrooms in this province. You are marking the papers.

And out there, of course, in the schoolrooms of this province, there is very deep reaction to disciplinary attitudes from the school teachers. I do not digress, except to say that it is interesting to note that the universities and some of the secondary schools of this country are today far more exciting places, intellectually, than the Parliaments of Canada.

But there is a reaction against that type of control. We, sir, come here as the supreme lawmakers of the province and we claim that title over here of being lawmakers. Every major programme that this province has embarked upon, every major one, I think, has been as a result of unanimity of opinion in this House. We are as responsible for those major programmes as is the government. In another sense, we are here as expressions of the sovereign will of the people of Ontario—living expressions of their sovereign will.

We are adults; some of the people in this House are persons of very wide experience, such as the member for York South. I do not select him to butter him up, but he is a person of wide experience in the political life of this province and we expect to be treated like adults. Therefore, sir, I ask: What is the necessity that we should hand you, our Speaker—who, in the opening words of your acceptance of office, identify yourself as the servant of the House—why should we hand you our questions for editing in the morning?

Notice is a requisite, I would think, but I am told that in the Ottawa House notice is given as a matter of form and courtesy; the member desiring to ask a question notifies the Minister in the morning that he intends to ask it.

Then, sir, as to their propriety within the rules, I suggest to you that it would be sufficient for you, from your seat, to rule upon them as they are asked. In some of them, you would not have to rule.

The Minister on the other side, in regard to one category could say, "I do not think this is a matter of urgent public importance", and you are called upon to rule at that point, as the Speaker at Ottawa does. The Minister, in regard to another type of question, could say, "I will take it as notice". And in regard to a third type, he could give the answer, having been notified. But within those three categories does not that, sir, I ask rhetorically, relieve you of the responsibility which you have found to be a very onerous one, which has invited from members of the House some disagreement with your practices in dealing with them? It would shed from

your shoulders a responsibility that attracts disagreement. You do not really sit there as a judge; you are not really a judge of that nature.

So I say to you, sir, that when you are considering these matters you might take into account these comments that I have made, and I hope the question period will become thereby, what it ought to be, a very viable period in the life of this House. Where else is the opportunity given to members to make the proceedings of this House contemporary? They can make it as contemporary as today's newspaper because that is the source of their questions, or from the television stations or the other media.

I wanted, because we must take account of the developments in the political life of Ontario, to say, sir, a word about the leadership contest of the NDP from which my friend from York South emerged as victor o'er the dark domain. When I read in the press that his leadership was being challenged with the member for Riverdale (Mr. J. Renwick) as adversary, aided and abetted by the three spoilers from High Park, Beaches-Woodbine (Mr. Brown) and Scarborough West (Mr. Lewis), my mind went back to March 20 last year when, in this House, the member for Scarborough West pledged undying allegiance to his aging chief. Now it is important to put this on the record. We hearken to what the member for Scarborough West said on March 20, 1968. That is barely six months ago:

Our party is no longer a rump group. We will not play the role of clown to the establishment. We will not join in that bi-partisan corruption of self. We are in this fight for the prize. I think one of my colleagues said [actually it was Chairman Mao who said] politics was war without bloodshed, and we so serve notice, amicable notice, gentle notice, friendly notice, but unmistakable notice.

Mr. Speaker, did you notice how long it took him to say "notice"?

Mr. Speaker [said the member for Scarborough West] we are going to achieve the heights of power, I want to say to you, under the leadership of a man who, in the context of what prevailed before, that was the most successful politician in this province in last October's general election.

Now on March 20 he meant, of course, none other than Donald Cameron MacDonald. Such was the open loyalty to the old fellow from Steve the Knife who even then, was the leader of a lark plot to do the old boy in.

Well, they are all true, all true.

Mr. Speaker, I myself last spring warned the member for York South about his dangers. I suggested that to be on the safe side he should equip his bifocals with rear view

mirrors so as to be prepared for the attempted coup; but, of course, he did not heed the warning until he got the "Dear Don" letter from Jim. That is how it began. Do you remember? They were sitting upstairs talking and Jim went out of the room, so the newspaper report said, and somebody slid in and handed him the letter that began "Dear Don". What a spectacle! The national president of the party, criss-crossing this province in the private, publicly subsidized airplane of his co-conspirator, the well-heeled member for Beaches-Woodbine. There he was in the best junketing traditions of the Minister of Trade and Development (Mr. Randall) flip-flopping across this province telling the people of Ontario that the most successful politician in the Ontario election of '67 was headed for certain failure in '71, that he was irrelevant and did not even possess the will to win. How is that for party loyalty?

Well, sir, I watched the spectacle on television and what a comic performance it was. If you did not see it, you will scarcely believe me when I tell you that there on the TV screen was none other than our old colleague Ken Bryden, decked out in a turtle-neck sweater, sporting four-inch sideburns and looking every bit like the business agent for the Animals. I almost fainted from shock.

After the vote was taken and Jim went down the political drain, the two contestants embraced and said they did not really mean what they had been saying about each other. Now, what had they been saying? At one point along the way the member for York South called the member for Riverdale "Hitler", and the member for Riverdale called the member for York South "Messiah". I could not figure out which was worse, but I was ready to act for the first one that retained me against the other. But at the end of the convention Jim went to the mike and moved a motion to make it unanimous—meaning, of course, "Macdonald cannot win".

When the show was over, a commercial was flashed on the screen—you have to believe me, this is true—the commercial came on the screen bearing the words "the beautiful put on". I thought that was a most appropriate description. A few moments later the radio version was about to go off the air and the announcer said: "We will now return to normal programming".

Now the member for York South assured his listeners that he could win—he could hardly have done less. An interviewer asked the member for Riverdale if he felt MacDonald could win. He artfully evaded an answer by saying that by the vote the delegates

had said that he could. He could hardly have said less. Well, we know the answer; in all seriousness, he cannot; he does not have a ghost of a chance. I venture to predict that in 1970, one wave of Renwicks having been beaten back, the family compact will now throw the female member into it.

**Mr. MacDonald:** The member is outdoing the member for Grey-Bruce (Mr. Sargent) today.

**Mr. Sopha:** Sir, I thought it was fair to tell it the way it is, but let me just say to my friends from the left. I know my words will be wasted on them, but it is important to get it on the record. Out of all this, and this was an event in the political life of Ontario, let me just say this.

Is it not about time that they faced up to the reality and acknowledged that the real role of this party, the real role in the political life in this province, has been to keep this government in office? One course, and one course alone, has kept the Tory party in power in this province for two decades beyond its time—the CCF, alias the NDP.

In election after election, they have deliberately set out to balk and frustrate the desire of the people of this province for a change in government. Has not the time come, I say to them? It is absolutely clear that they are no longer a party of reform, there is nothing in them akin to the climate of the Regina manifesto of the early thirties—that is the six spoilers; that is where the six spoilers stand. They are the radicals—they stand for reform, but when the old guard beat them off then it is clear that this is a party of compromise which is seeking to appeal to the middle class intellectuals in this province, I say to them, has not the time come to turn from these adolescent ways and to join forces with the only alternative to this faded, jaded—

Interjections by hon. members.

**Mr. Sopha:** I knew that it would be a vain plea but I say to them, finally, has not the time come to recognize—this seems to bother them and I am delighted—has not the time come to recognize that the greatest service they could render the people of this province would be to join forces and take their place in the government headed by this young leader of this party?

**Mr. MacDonald:** Agnes MacPhail, 30 years ago, gave the answer to that.

**Mr. Sopha:** Mr. Speaker, at this point in my address I want a complete break so

that this will show in *Hansard* as being a departure on another subject.

I turn to the third item of the motion proposed by the leader of the Opposition and I wish to read it into the record:

That this House regrets that the government has neglected the proper development of the northern part of the province of Ontario, and by the lack of a sound policy toward the north and its natural resources, the government has thereby failed to promote the economic well-being and prosperity of all the people of Ontario.

I have entitled this portion of my remarks, "Northward Lies the Path of Progress—a New Approach to the Economic Development of Northern Ontario".

As I rise to speak on this occasion, I am conscious that it was 60 years on June 8 since the first member for the constituency of Sudbury was elected to this assembly. At that time there was a total of nine members representing the 200,000 people in the area I arbitrarily define as Northern Ontario, that is the land mass north and west of the French River and Lake Nipissing. Sixty years later, the 750,000 people are represented by 15 members and I am very proud to be associated in this House with the members representing Rainy River, Kenora, Fort William, Port Arthur, Thunder Bay, Sault Ste. Marie, Algoma, Algoma-Manitoulin, Nickel Belt, Sudbury East, Nipissing, Timiskaming, Cochrane North and Cochrane South. The northern members have one thought in common—a strong conviction of the neglect of the area.

Much has happened in 60 years and I begin my remarks by saying that among the three-quarters of a million inhabitants whom the 15 of us represent there are many who have a real and anxious apprehension about the future of the north. That apprehension cannot be expressed more forcefully than it was on Sunday, September 24, 1967.

On that day, Alexander Carter, bishop of the diocese of Sault Ste. Marie, presided at the official opening of the University of Sudbury. The magnificent edifice which he dedicated was a fitting monument to the efforts of those of the Jesuit Order who came to the Sudbury area three-quarters of a century ago and all those priests who followed in their footsteps and who struggled to provide the opportunities that education can afford. To many of the several hundred assembled for the occasion of paying tribute to accomplishment as well as to dedicate

the building for future endeavour, the bishop's words as he delivered them were not calculated to leave his listeners in a state of equanimity or to give further reason for complacency. On the contrary, he spoke in terms of gloom about the past and he provoked a sense of challenge for the future life of Northern Ontario. Let me quote part of what he said:

Our professors and our students are called to give this part of northern Ontario a leadership which it badly needs. One of the reasons, if you would like to know why I worked so hard to help to found this university in northern Ontario, is that I was not here too long before I realized that we had a desperate and a critical lack of leadership, and that lack of leadership still exists and is going to exist for a long time. This community in northern Ontario needs leadership because this community is one of the neglected areas of Canada. For a place which has the immense riches which it has given to our country and to the United States and to the world, the immense riches taken out of our ground, we have received very little in return. And if we have received very little in return, it is because we did not have the leaders. And, therefore, the young people that go through our university and the professors who come to work in our universities, must supply this leadership and must supply it from within our community and as part of that community.

These are words of challenge. They point to the deficiency of the past and they call for what is in reality the only solution to the difficulties that beset northern Ontario. One of the listeners on September 24 was a Minister of the Crown in the right of Ontario and sat for a northern Ontario constituency. Probably he did not realize the full significance of what he heard. Twenty-four days later, he was defeated at the polls.

I define the area called northern Ontario to be all of that part of Ontario north and west of the French River and Lake Nipissing and easterly to the Ottawa; that is to say, the districts of Nipissing, Timiskaming, Cochrane, Sudbury, Algoma, Manitoulin, Thunder Bay, Rainy River, Kenora and Patricia, ten in number. These represent almost four-fifths of the land mass of Ontario, or 317,586 square miles.

The naked fact is that in the 25 years of power this government has abandoned northern Ontario. Put another way it has not developed the resources of the area to pro-

vide the optimum living standard for the inhabitants; rather this government has stood idly by and has allowed the resources to be enveloped by foreigners.

Instead of development we have suffered envelopment, mainly by the United States which in large part has used up its own resources and has for many years looked covetously at ours. One has only to read the Paley Report, commissioned by the President of the United States in 1951, in order to conclude that northern Ontario is far more important to the U.S. than was the Oregon Territory in 1867.

In mute testimony to what I say, I point to the fact that there is not in northern Ontario a single industry of any size, other than a steel mill which utilizes the ores from the mines in the production of finished products. Indeed, short of this stage, to a large extent the refining of the ores, and particularly of base metals, takes place elsewhere.

In recent convention the heads of local government in northern Ontario bewailed the fact that gasoline and beer prices are higher in northern Ontario. They are. But the problem is far deeper and more complex than this manifestation of price discrimination.

In sum, the problem is nothing less than the rational use of the treasure-house of riches in the raw state toward the development of a mature and sophisticated economy capable of sustaining in productive work and adequate living style many more hundreds of thousands of people than now live in the ten districts. These remarks have the sole purpose of seeking to chart the way toward intelligent utilization of the land and its resources in the best way possible for our own people in this province as a whole and for many, many more whom it would profit us, both spiritually and materially, to settle in the broad reaches of northern Ontario.

The way to do it is difficult; the problems are many, the problems we encounter are complex but nothing should deter us from making a new beginning and in the current phrase, with perseverance "we shall overcome".

It is necessary to look at what has happened in order to appreciate the magnitude of the challenge before us. In particular, we must examine the philosophy or the rationale upon which the present economy of northern Ontario has been built. It is easy to see the result of the philosophy and that result is subsumed in the oft-repeated phrase which describes us as "hewers of wood and drawers of water". This has been our fate.



It is reflected in a basically simple economy, wherein the workers are engaged in the production of raw materials which in turn are carted away to be turned into manufactured goods elsewhere by other people, and largely this takes place in other countries. Here is the besetting sin in all of its stark reality. We have simply failed to plan for or to develop anything resembling a sophisticated economy in our northland.

The evidence to support this statement is best seen by being resident in the north and, with sadness for what might have been by the time two-thirds of this century had passed by, seeing our resources carted away to provide jobs and wealth elsewhere. It might have been otherwise if the national policy, the great contribution to Canadian nationhood and development invented and commenced by Macdonald and carried on by Laurier, in the opening up of the West, had not come to an end about 1930.

The logical extension of the national policy would have been the creation of native industry to utilize the raw materials with which a beneficent providence has so richly endowed us. The use of our natural resources to the fullest extent by and for Canadians first has plagued thoughtful politicians who cared deeply for Canada throughout our history. Possibly Laurier saw the potentiality when he uttered his famous phrase, "the 20th century belongs to Canada".

Well, it doesn't. Canada has not by a long way reached its full potential and it must sadly be said that the failure lies with ourselves. It is neither an exaggeration nor is it unfair criticism to level the major criticism at the Conservative government that has held the reins of office for 25 years last August. By the constitutional arrangement solemnized in 1867, the natural resources of Ontario were vested in the province. It was never a question of lack of sovereignty but was always a failure to exercise the sovereignty the province unquestionably has.

History will be the judge of this government which for 25 years has sat idly by and presided over a system whereby the wealth is ripped out of the Laurentian treasurehouse and hauled away to the United States. The more percipient of Americans must laugh at the difference of opinion which persistently preoccupies public discussion in Canada as to whether Canadian interests are to be looked after first.

The Americans have built a great nation. In fact they have built the most powerful nation in the world and they have done so

primarily by looking after their own interests first. They have never hesitated to see that their own interests were protected and Canada should do exactly the same thing. The only way in which Canada will ever become a great nation is by seeing that we look after Canada first. We do not do that. In fact, we do the reverse.

We obligingly give the people of the United States a chance to build industries, to provide employment and unfortunately, to attract our young Canadians to the United States to take up employment we help to create there.

In a very real sense brains follow the resources. In its most glaring manifestation the taking away of our raw materials is not merely the result of a passive attitude on our part. We help the Americans to do it. In the earliest development of the Steep Rock iron venture, several millions of dollars of public moneys were spent in the construction of a dock at the Lakehead for the purpose of the shipment of iron ore to Pittsburgh and Cleveland. For every man employed in mining ore at Atikokan, how many jobs, I ask, are created in the fabrication of steel in the northern United States? It was no act of altruism which prompted the Reconstruction Finance Corporation, an arm of the United States government, to invest \$5 million in the early development of Steep Rock Iron Mines.

There are the dimensions of the edifices of neglect of this government and of governments before it. But governments, when all is said, are merely reflections, even in a democracy, of what Toynbee calls "the dominant minority". Profound influence has been exercised upon governments by the power centres of the business community. Generally speaking, the financial and business community has been satisfied that Ontario remain a raw material producing economy. Indeed, the hon. D. D. Abbott, in 1947, as Minister of Finance, said that the production of raw materials was our proper role.

Could any more tangible evidence for such a proposition be summoned than the spasm which shook the country when the time came to build the section of the Trans-Canada Pipe Line across the Laurentian Shield in northern Ontario? Funds from private and classical sources of the investment industry were simply not available. Government had to fill the gap and, as with the CPR in 1874, a government fell in 1957 because of involvement of government where private enterprise, if sufficiently daring, ought to have been



involved to the hilt. As a footnote to delineate the placid and obliging nature of Canadians, though the northern Ontario section of the pipeline became vested in the government as owner, it was resold to Trans-Canada Pipe Lines at little more than cost rather than as a "going concern," thereby representing a subsidy by the Canadian people to Texas millionaires. Let it be a measure of pride to Canadians that everything big that was ever built in Canada was built by the people collectively through government. There are no edifices of large magnitude to so-called "free enterprise" in this country.

Every once in a while the present Premier of Ontario makes a speech somewhere wherein he calls for a return to the national policy. He always moulds his phrases in terms of safe generality. He never mentions a project which would be a projection of the national policy. But after making a speech along these lines to the Canadian Association of Manufacturers at home, he departs for Los Angeles where he vigorously promotes the sale to foreigners of more of Ontario. I have contemplated that Americans must often be bewildered when dealing with us that we lack any of the hallmarks of the native Yankee shrewdness in business. Americans must be utterly confused when dealing with us, that having desperately tried to determine what we stand for, they reluctantly come to the conclusion in the face of uncontrovertible evidence that in the realm of the use of our resources in our own best interests we don't stand for anything.

We would fill the vacuum if we determined that our aims are truly Canadian, based upon a clear Canadian identity which would crystallize of necessity into a new consciousness of what we are and what we stand for. I say to the Premier, through you Mr. Speaker, that he would make better use of his energies and be more loyal to his responsibilities if instead of these peregrinations to California, he required Texas Gulf Sulphur to show cause why it should not for good economic reasons build its smelter at Timmins, telling them at the same time that it is the policy of his government, in the interests of the people of Timmins, to maintain that town as a viable community.

I am convinced that those who have the ear of government in this country, that is to say, those who make the major financial and economic decisions, do not realize the depth of feeling for this country and its future among its people. An Englishman visiting us the last two days, spoke of it in terms of

"an eagerness for Canada." I think that is a wonderful phrase to sum up the apparent feeling among the people of this country, for their country.

Historians will point to this period as a time of doubt among ourselves about our future as a nation, when the Canadian people were fraught with anxieties and stresses. If the very structure of our national life is threatened, then I suggest that one of the major reasons is the failure of the politicians to give some meaning in tangible ways to the potentiality of our resources, human and material.

In this century politicians have all but forgotten the artificiality with which this country was created by men of vision and determination like Macdonald. Simply but truthfully put, this country was created by running the ribbon of steel to its farthest western extremity. Laurier put the flesh on the superstructure thus created by opening up the west to the flood of immigration. Nothing testifies to the failure of 20th century politicians more than the fact that northern Ontario today has a mere 750,000 inhabitants.

The development of northern Ontario can only be seen in the context of the development of Canada as a whole. I make so bold as to suggest that if the government of this province would adopt the proposal I am going to outline later in my remarks, then the banner province would create a chain reaction across this country to reactivate in a meaningful way the yearning of the people of Canada as a whole. What I propose will be far different from the empty rhetoric of 1958 which caught the Canadian people up in a reaction to the potentiality of this country and then let them down with the dreadful realization that it was all campaign oratory.

As a boy I was taught the difference between Canadians and Americans. There are many. Most Canadians value the differences. Continentalists like the Minister of Trade and Development emphasize the similarities. He would do well to contemplate the significance of the remark made by that great Conservative Prime Minister, Sir Robert Borden, when he said: "We must decide whether a spirit of Canadianism or of continentalism is to prevail on the northern half of this continent." To understand what is happening in this country, the rape of its resources must be seen in the concept that to a large extent the Annexation Manifesto of 1849 is a living document to important

sections of the financial and business community.

From time to time, politicians of deep conviction have expressed themselves in words which denote the true meaning of Canada. I call upon two of them in support. J. H. Harris, the father of a young man of ability who used to sit in this House, said in the House of Commons in 1949:

But for the sake of what development there will be, let us, in the interests of the prestige of the House of Commons, not be in too great a hurry to give away the resources we have. . . . Let us stop, think and consider what the natural resources are which we have in our hands and what we are going to do with them in the future, not for the use of this day and generation but for those of the generations which are to come.

In the same year that old warrior, T. L. Church, said this:

A country does not belong to those who inherit it today. It is an inheritance from the past. It is just a possession for the present. It is a trust for the future. Natural resources are trusts for the future. This generation has no right to give them away in the haphazard manner in which we are doing at the present time.

There is no industrial nation in the world whose residents own less of their country than Canadians. There is no western democracy which exercises less restraint on the use of its resources than Canada. There is no country with large amounts of capital representing the savings of its people where the collectors of those savings show less willingness to invest in equity and risk ventures than in Canada. When I directed a query to the president of Investors Syndicate in reference to the shifting of large amounts of capital into American securities, he said in reply that the major reason for buying American securities was that there were very few sound Canadian ones available. Besides being an indictment of our financial community, that statement demonstrates the vicious circle into which our economy has drifted.

The major reason for the lack of suitable investment opportunities in Ontario lies at the feet of this government. It has neither propounded any sort of credible philosophy for the development of the treasure-house of riches, nor has it given the required leadership which would infuse confidence among the timid in the financial sector. Since the end of the national policy about 1930 we, as

Canadians, have lacked a sense of destiny. Perhaps a people who lack a sense of destiny have no destiny.

The time has come to take a closer look at northern Ontario. Nowhere is the neglect of development more cogently illustrated than in a study of the population statistics in the ten districts during this century. I set out the figures for population in northern Ontario for this century according to the official censuses: Population of northern Ontario—1901: 99,918; 1911: 218,380; 1921: 266,900; 1931: 360,108; 1941: 456,011; 1951: 536,394; 1956: 628,107; 1961: 722,174; 1966: 739,712.

Certain facts become immediately apparent from these figures and a comparison with certain others. In this century the population of Ontario grew from 2,182,947 in 1901 to 6,960,870 in 1966, an increase of 4,777,903, and in the same period what comprises four fifths of the land mass of Ontario increased only 639,794.

Or let us look at the period which roughly comprises the life of this government. In 1941 the population of Ontario stood at 3,787,655. In the next 25 years it grew to 6,960,870. In the same period the population of the north grew from 456,011 to 739,712. The percentage increase for the whole of Ontario is roughly 84 per cent and for northern Ontario it is 67 per cent—far behind. The average annual growth of population in Ontario in the 25-year period defined has been 2.6 per cent, whereas in northern Ontario it has been 2 per cent even, again well below the average.

Confirmation of the failure of population growth in the north to keep pace with that in southern Ontario is more starkly revealed when one studies certain of the districts. In the three districts of the northwest, i.e., Kenora, Rainy River and Thunder Bay, the population in 25 years has increased a mere 85,780. Of this, the district of Thunder Bay, including the twin cities of Port Arthur and Fort William accounts for 58,473, and those two cities alone account for 41,537 of the increase. In 25 years the population of Rainy River has increased a mere 6,684 souls, but in the five years, from 1961 to 1966, Rainy River declined in population by 715 people. Kenora is little better off. Its growth rate in 25 years is far less than half the Ontario average, and in the five years, 1961 to 1966, it increased by only 2,521. Consider the vast expanse of territory in this district and contemplate the congestion in Metropolitan Toronto. One is entitled to wonder aloud whether, among all those Italian people who appear to want to

come and settle in Ontario, and who make good citizens, it would not be better to take 50,000 of them and assist them to settle in agriculture in Kenora and Rainy river districts instead of trying to shove them into mid-town Toronto. This gloomy lack of growth is repeated elsewhere in northern Ontario. The total population of two other districts in addition to Rainy River have, in fact, declined. I set out the figures for Manitoulin and Timiskaming for this century: Manitoulin—1901: 11,828; 1911: 11,324; 1921: 10,468; 1931: 10,774; 1941: 10,841; 1951: 11,214; 1961: 11,176; 1966: 10,544.

So Manitoulin Island actually has less people now than at the beginning of the century. This makes it unique in Ontario. During the period there has been a marked decline in agricultural production on an island where this used to be a thriving industry. In addition the harvesting of pulpwood is no longer seriously encouraged and a few years ago the Ontario Paper Co. abandoned its limits on the island. During the same period Manitoulin Island has been changed largely through the efforts of The Department of Lands and Forests into a tourist and recreation area.

There is no doubt that this is a valuable industry. However, its enhancement is not conducive to either the development of resources or to the fostering of an increased population. For myself I am concerned about the maximum utilization of our resources to achieve the true destiny of northern Ontario and accordingly I have no interest in seeing it turned into a second Switzerland. It ought to be added that the policy of this government in encouraging recreational use is not only short-sighted but it reneges from the challenge of hard work and ingenuity that economic development on a rational basis entails.

I turn to the district of Timiskaming and I set out the appropriate census figures for this century: 1901: 1,252; 1911: 26,592; 1921: 26,657; 1931: 37,043; 1941: 50,604; 1951: 50,016; 1956: 50,264; 1961: 50,971; 1966: 47,154.

In the 25-year period, 1941 to 1966, the population of Timiskaming declined by 3,450. This does not say much for the Ontario Northland Railway, which was formerly the Timiskaming and Northern Ontario Railway, and was built in the first decade of the century as a "development road". Timiskaming is a prime example of the folly of the policy of tolerating dependency on raw-material-producing industries,

and the total abdication of responsibility by government of encouraging alternative employment opportunities. Not only is the policy attended by the irrational use of resources but it points to wanton disregard for the day when those resources are either used up or are no longer economically attractive. And there is etched the sad story of the decline of the district of Timiskaming. Once one of the richest mining areas of the world, once an important lumbering area, it presents a sorry picture of decay and disillusionment. Currently the Ontario Northland Railway is engaged in an obliging way in carting away a rich deposit of iron ore to Cleveland to subsidize industry there and create employment for Americans. It takes less effort and imagination to order things that way.

To return to the matter of decline in population in the three districts of Rainy River, Manitoulin and Timiskaming, it is apparent that this situation is a reflection of the policy of this government that the great bulk of the population is going to live in sprawling urban areas adjacent to Lake Ontario and Lake Erie. What a waste of the great open reaches of this province! The failure in 25 years to do anything meaningful toward making life in northern Ontario attractive to larger numbers of people compels one to the irresistible conclusion that the philosophy of the Conservative Party means that the government has constituted a barrier to development rather than a bridge toward the maximum attainment of the true potential of the northern part of the province.

All of us in this House are aware that the most important resource of the province is people. I am not unmindful of the fact that in order to attract people to live in northern Ontario the totality of the environment must be made attractive. We do not do things in the way the Russians do in shipping large numbers of people to a dismal and demanding environment in Siberia. Moving or remaining in a given location is a matter of voluntary choice and that is a necessary adjunct of the democratic way.

I pointed out earlier that the average annual rate of growth of population in Ontario as a whole during the period 1941 to 1966 was 2.6 per cent per year. Now let us look in comprehensive fashion at the percentage rates of growth in the ten districts for the period. (See Appendix, Table A, page 421).

The figures for the decade, 1951 to 1961, are a reflection of province-wide burgeoning

population throughout Ontario during the high point of immigration to Canada. But observe what has happened in the last five years of the period, 1961 to 1966. In those five years the average rate of growth for Ontario as a whole was 2.2 per cent a year, yet the closest of the districts are Sudbury and Kenora where the growth averages one per cent or less than half the average growth for Ontario. This does not mean only that northern Ontario is failing to keep up in expansion of population. It is in fact falling behind. The statistics for population in the years 1961-1966 show a startling and depressing migration out of northeastern Ontario. In the six districts of Algoma, Cochrane, Manitoulin, Nipissing, Sudbury and Timiskaming, in 1961 the population stood at 505,651. In the following five years there was a natural increase of 52,278—natural increase is the excess of births over deaths—but in 1966 the population at 516,228 showed a surplus of only 10,577, which meant that of the natural increase of 53,278, some 41,701 migrated out of the area. No doubt the greatest proportion of these were young people who move because there is little to attract them to plant their roots in the place of their birth.

If we recognize that the natural resources are the life blood of this province then this presents a situation which is perilous in its implications for the population which will be resident in the southern part of the province. In other words, in terms of simple economics, it is in the interest of the inhabitants of southern Ontario to have a strong and healthy economy in the northern part.

When one looks at the labour force statistics one realizes that three of the districts are in better shape in terms of numbers employed and increased employment opportunities than the other six. I deal with the 25 years, 1941 to 1966. (See Appendix, Table B, page 421).

The three districts with the largest urban areas accounted for 60 per cent of the labour force in 1966. They are Thunder Bay, Algoma and Sudbury.

Finally, I want to say a word about these urban areas. There are four cities in northern Ontario — North Bay, Sudbury, Sault Ste. Marie and Fort William-Port Arthur. Logically, the latter two must be viewed as one city. Little distortion occurs in a study of them if we disregard amalgamations and annexation of their metropolitan adjuncts.

Here are the relative figures for the 25-year period:

Now the figures for each city, Mr. Speaker, will be 1941, 1951, 1956, 1961, 1966; and I am glad to report these are the last statistics that I shall read.

Mr. Peacock: Could they not work them into the text?

Mr. Sopha: No, I asked *Hansard* and they declined.

Here are the figures: (See Appendix, Table C, page 421).

It is to be seen that North Bay has had a very modest increase. Sudbury and Sault Ste. Marie have doubled and that because of amalgamations and annexations. The most encouraging expansion has been at the Lakehead where it represents native growth, and the projected annexations under discussion currently will add only a few thousand people.

The total population of northern Ontario stood at 739,712, and of these numbers 279,665 lived in these four urban centres, or 38 per cent. When one considers the many towns and townships dotted across northern Ontario then one gets a true picture that as in southern Ontario life is largely urban in setting. But the fact that there exist in the north a mere four cities in itself is itself testimony corroborating the failure to stimulate native sophisticated industrial ventures which utilize the raw products of our mines and our forests.

All of the leading economists in the modern age of the industrial revolution have stressed the pre-eminent importance of capital in economic growth. I now turn to the role of capital in the development of the north. But first I wish to sketch in the background against which I put my remarks.

The way in which I invite this House to view the area which I have defined as northern Ontario is to see it as a young giant with a very immature economy. In other words, it is rather like many of the developing young nations of the world. In the proposal that I shall make ultimately, I approach the problem as if I were dealing with an emerging nation and was postulating a plan for its development. Two remarks in this connection are very germane.

Firstly, unlike most of the under-developed nations, northern Ontario is endowed with a system of stable political institutions, provincial, municipal, administrative and judicial. Therefore, in planning the intelligent de-

velopment of the area, we are neither distracted nor vexed by the everlasting series of problems which political instability leaves in its wake and which absorb both attention and effort leaving vitiated the approach to economic matters.

Secondly, I remind the House that long before we saw and heard the manifestations of separatism in Quebec in the last decade there were stirrings of unrest of a similar nature in the north. For as long as I can remember, some 30 years, and probably much before that, individuals and groups in northern Ontario have advocated the secession of northern Ontario from the southern part of the province. What else can such suggestions be than a symptom of protest correlated to maltreatment and neglect economically and socially?

The only solace, if it be such, that these persistent complaints have ever elicited are the worn-out phrases used by generations of politicians from southern Ontario in making their periodic peregrinations into northern Ontario telling the inhabitants what an industrious people they are and what a great future they have.

Leslie Frost employed this technique, as an artist approaches his easel, to a lesser extent the present Premier indulges himself in it. What I am saying is that the time has come to throw all those speeches in the wastebasket and have done with them once and for all.

Now the time has not come—without referring to the very recent visit of the Minister of Energy and Resources Management, which I think was only last week, to North Bay. He made one of the types of speeches to which I have referred, but in this one he hectored his audience with remarks about—“dissemination of gloom and doom”, I think it was. He treated them in a rather pusillanimous—that is a nice word—way, and said that they should be given the old football coach speech, they should dispel the gloom and doom that attends so many people in the north.

And here I want to read into the record the reaction of television station CFCH in North Bay, this is the editorial comment they made about his speech.

Someone, somewhere along the line, got the idea that politicians were both good after dinner speakers and boxoffice attractions. Some are, but many simply are not.

Yet they continue to be invited to all sorts of events all over the country. The chamber of commerce in this town got

stunned last night, and if they learned nothing else they should know now that it is advisable to work through several other possibilities before settling for just any politician as an after-dinner speaker.

J. R. Simonett, Ontario's Minister of Energy and Resources Management, was the guest speaker at the chamber's annual meeting last night. He inflicted the dullest, the most irrelevant and uninspiring speech on the assembled crowd, most of whom paid \$4 a head for the affair.

His speech was an insult to the intelligence of the people of this area. Most people here probably know that North Bay is located at the intersections of Highways 17 and 11, but Mr. Simonett found it necessary to tell us that, plus many other equally well known facts; plus some other things that he or his speechwriter got from the wrong book.

Such as North Bay is home to two major publishing houses. If Mr. Simonett brings the same talent to his job as Energy and Resources Management Minister of this province, we are in rough shape—

**An hon. member:** They once gave the Treasurer a nice reception up there too.

**Mr. Sopha:** That is the end of the quote.

Well since that interpolation occurred, I was going to refer to it earlier, he got his at the hands of one of the chief Tories in the area.

There is a very good man, and let it be said about John Cram that he is working very intensively, with great vigour, toward the development of that portion of northern Ontario represented by my friend from Timiskaming (Mr. Jackson). I wish we had 20 or 30 more like him.

Now the time has come, I am saying, to substitute action for empty rhetoric, and to do something concrete and positive to get started on a programme which will see, if it be economically feasible, the creation of a sophisticated industrial economy in the north which will employ the natural resources of the area in productive use.

I have in my hand a volume entitled “Northeastern Ontario Region Economic Survey 1966,” prepared by the then Ontario Department of Economics and Development. It is hardly worthy of the name, but it is worthy of a Minister whose eyes naturally look southward and who never, in anything I have ever heard him say, indicates that he has any depth of feeling for Canada or its



future. I suspect that he feels very much at home in New York, Chicago or Los Angeles.

The authors of this work encountered no difficulty in getting their conclusions about the area—that is Nipissing, Sudbury, Algoma, Manitoulin, Timiskaming and Cochrane—all on one page. The last line is calculated to make the most complacent among us uncomfortable, the timid uneasy, and those with a sense of the destiny of Canada discouraged.

I go out of my way to remind my colleagues that we are talking about the "Treasure Chest of Canada." That's what the authors call it in the introduction of this survey. Now here is the last sentence of the conclusion:

It is anticipated that intensive development of these resources, both in the field and factory, will continue and that the tourist industry will expand as the region is opened up with the building of new roads.

My chief complaint about that statement is of course that if there was anything in the way of understanding of the potential of the use of the resources, the "Switzerland syndrome" would scarcely be noticed. The implication of the statement is one of inhibition against disturbance of the natural state of things. If, as I fervently believe, the future of Ontario lies in the north, then realization of the potential will inevitably involve a great deal of disturbance and alteration of the state of nature.

Now to return to the matter of capital investment. There is probably no other single factor which has plagued and inhibited the growth of northern Ontario more than the lack of capital. No evidence is required to be summoned to support the contention that the mining industry alone has generated huge amounts of capital in the form of profits and dividends. Since the turn of the century, mining companies in northern Ontario have produced some \$20 billion worth of minerals and have paid out more than \$2.75 billion in dividends.

Of course, there has been substantial reinvestment in plant and expansion of mining operations in the area, but I add the qualification that this has been directed to the increased production of raw materials. Apart from profits from raw material-producing enterprises, large amounts of capital are generated from the wages and salaries paid to the inhabitants. These savings come to reside largely in the hands of the classical financial institutions—banks, trust companies and the insurance companies. These savings, experi-

ence has shown, take the form of capital leakages.

In order to approach intelligently the problem of development, a great deal needs to be known about capital flows into and out of northern Ontario. The study should include private and government capital flows. Information about government capital flows is relatively easy to come by it is hoped. Insofar as private capital flows are concerned this poses a very knotty problem. It is very difficult to come by any meaningful statistics which would reveal the magnitude of capital flows.

One thing is certain however. Capital does not find its way into the development of native industry utilizing the raw materials produced in the north. One is supported in the view that capital is not available to any entrepreneurial enterprise, by the persistence of complaints by small business operators of a shortage of capital. To this may be added the continual pleas by tourist operators to the government to make available capital to them, which points to what has been a chronic lack of availability of capital from classical private sources.

The significance of this particular aspect of the economy is that if there is a strong leakage of savings out of northern Ontario then any increase in income will have a very limited effect. For myself I have never been convinced by the almost liturgical repetition of the statement that Canada and Canadians lack capital to purchase equity in their own industries and thereby development must involve the sale of equity to foreigners. I want to interpolate, Mr. Speaker, to wonder whether anyone else has noticed that a country like China—Red China—which is capable of pouring a billion dollars a year into this country—into Canada, in the purchase of our wheat—is a country that manages to spend that amount of savings without branch plants. It has not got branch plants in it. Chinese industry is owned by the Chinese.

Now then, what is the necessity, since we consider ourselves a much more sophisticated economy, and indeed we are, than Red China? What is the necessity then, by way of parallel to the dependence on branch plants?

The Premier of the province, I am moved to say, got terribly offended at the notion of placing the appellation of branch plant on the provinces by Ottawa the other day. Did he not, right here? And yet the same man treats branch plants as a term of opprobium. He made a journey to California and made



this speech to a respectable group there in which he advocated that they establish more branch plants in Ontario.

Now where does his ambivalence towards the words "branch plant" come from? Those are the two thoughts that I wanted to interpolate.

If we think in terms of Communist China, we might get out of this branch plant syndrome in which we have become enslaved in this country.

Interjections by hon. members.

**Mr. Sopha:** Insofar as private capital growth is concerned, this poses a very knotty problem. It is very difficult to come by any meaningful statistics which would reveal the magnitude of capital flows. One thing is certain however. Capital does not find its way into the development of native industry utilizing the raw materials produced in the north. One is supported in the view that capital is not available to any entrepreneurial enterprise by the persistence of complaints by small business operators of a shortage of capital.

For my own part, it is not the shortage of capital that plagues us, it is the injudicious use of the capital we have. For example, it is said that per capita investment in life insurance by Canadians is nearly, if not the highest in the world. Yet when one examines the annual statement of insurance companies, they reveal with great consistency that these corporate giants invest only a very insignificant proportion of their portfolios in equity securities.

It is impossible to come by statistics as to how much in life insurance premiums is collected in northern Ontario. Inquiry among those in the industry would enable one to place a conservative estimate of something of the order of \$25 million per year. Very little of this money comes back to northern Ontario, and then only in relatively modest investment in realty mortgages.

I look for support for my complaint to a recent study of the housing problem in Sudbury prepared for the Chamber of Commerce. Note how the authors refer to lack of capital in the financing of house construction:

The major metropolitan areas of the country have been found to be the best areas for investment by financial institutions. The economy of these areas is established on a broad base covering all types of manufacturing and commerce. In addition, because of the large volume of business, the funds of the financial institutions

can be administered more economically. Sudbury, on the other hand, is still basically a mining area. The economy of the area is affected immediately by any change in policy by the mining companies.

However, to point to a specific example of the capital leakage, look at the group insurance premiums paid by employees of International Nickel to Aetna Life Insurance Co. of New York. One does not know where these end up, but it is not in northern Ontario. To the extent that they are reinvested in the United States, then, workers in Sudbury are subsidizing the American economy. Which naturally leads me to reflect that when one considers the Croesus-like wealth that Sudbury has produced, it is sad to observe that this wealth is reflected in the erection of tall buildings elsewhere.

Sudbury ought to be, in its physical accoutrements one of the most appealing cities in Canada. It is one of the ugliest—but even that ugliness has a beauty to the permanent resident. Sudburians take a great pride in their city—they have a sense of identification with it. They realize that when the outsider comes in and hurls epithets of abuse about the physical appearance; they know that, to the extent they may be justified, it is merely pouring salt into the initial wound inflicted whereby Sudbury's production of wealth has gone elsewhere to provide the aggrandizement of other places.

Part of what I have called the injudicious use of our capital is, I am sure, correlated with ignorance of investment opportunities. Wherever one goes one encounters an abysmal lack of knowledge about the characteristics of the north. This ignorance has for half a century been the subject of jocular communication among residents. What others think and believe about us is almost a cultural configuration in the north.

On the other hand, this government has been dreadfully deficient in this area in that it has neglected its responsibility to disseminate intelligent and factual information about the north. I am one who refuses to be convinced that the problem of development in any backward area, where you have a stable political system, is one of shortage of capital. The owners of capital are guided by motivations of self interest and the desire to make a profit. Before investment will take place, potential investors must be apprised of what the actual situation is and of the opportunity for profit.

It is in this area that those who advocate a minimum of state interference with the

working of the economy would accord that the state should strive to the utmost to make the business and financial community aware of opportunities for investment. This means more dynamic action than that subsumed in putting advertisements in Toronto newspapers enquiring, "Have you thought about northern Ontario?"

In the light of the proposal which I shall make later, I can say at this point that much more vigorous action is required on the part of government to acquaint itself with the characteristics, needs and opportunities of this area. However, I am prepared to go much further in my advocacy of state intervention in the economy.

At no time since the dawn of the Industrial Revolution has the prevailing philosophy of economic thought ever advocated a complete "hands off" policy with regard to activity of the state. The age of the Industrial Revolution is now all but ended and we have entered the collectivist age. Most western countries in the contemporary world exercise far more control over their economics than do jurisdictions in Canada.

When we examine the role of the provincial government, we are faced with the basic fact that the province has sovereignty over the natural resources of the province. If those resources are not to be used in the fabrication of finished or semi-finished products within our province, or at the very least within Canada, then this fate amounts to an abdication of the responsibility of government. Government participation in the process of production may take one of two broad forms:

1. It can encourage and stimulate private enterprise, strengthen the operation of free markets and supplement and correct them when they are too weak or inadequate to produce the desired results, or
2. It can seek to control or eliminate private enterprise and to restrain or replace free markets.

The government of Ontario has done the second in such areas as the production of electricity and with alcoholic beverages. A liberal, so far as it is efficacious, must prefer the first alternative. In that area a great deal can be done and still leave plenty of room for the manoeuvrability of private enterprise. The point is and we should finally conclude, after seven decades of experience, that without vigorous encouragement private enterprise is not going to alter its way of doing things in the "Treasure Chest of Canada" and without government stimulus any change

in the order of things to which we have become accustomed is not going to occur.

I can merely report that in northern Ontario there is a large measure of resentment against the activity of private enterprise in ripping the wealth out of the ground and mowing it down in the forests and carting it away to create much greater wealth elsewhere. There are many, many earnest and idealistic people in that part of Ontario who consider carefully and dispassionately the possibilities and potentialities of the north, and they find it difficult to restrain their eagerness to get going toward the fulfillment of the destiny of the north. I recognize that the forces which control the market place are powerful, but if they are harnessed in the interests of society by means of appropriate fiscal and economic policies and other instruments of government action, then it must and will follow that meaningful contributions can be made to economic growth and development of northern Ontario.

An intelligent approach to the development of northern Ontario must proceed in recognition of the lessons of experience learned from the haphazard and pragmatic development of southern Ontario. The great forests that once covered the southern part have long ago vanished and in many areas they were succeeded by farms that have, over the intervening years, been only marginally successful. Small settlements of long ago have grown into large cities, and in some cases have become megalopoli, where many problems now of gigantic proportion may well become practically insoluble, such as the disposal of wastes. We see an expanding megalopolis which now stretches from Niagara to Port Hope, where industry places irresistible pressures on valuable land. Transportation of large numbers of people rapidly poses very vexing problems difficult of solution. I wonder in passing whether the confinement of large proportions of our population in urban centres is a fate that they really deserve from the sociological and psychological aspects.

To put the matter in another way, I reiterate that which I have said many times in this House, that the future of this province, as well as this country, lies in the north. If Canada, and this province as an integral part of Canada, is to achieve its destiny, then it will be achieved in the north. We are too much inclined to forget that we are a nation of the north. We are one of the few industrialized nations of the world which still has a frontier, and the concept of the frontier is a meaningful one to Canadians. If only

those of us who live in the north could get the thinking of this government oriented toward the frontier which beckons.

These are hardly the empty phrases of political controversy, when they come from one who witnessed an election campaign in very recent years in Kenora where the government candidate sought endorsement on a platform which was hypercritical of the policies of neglect by his own party. Indeed, during the last general election, in my own campaign, the Conservative candidate roundly condemned his own party for a lack of attention to the needs of Sudbury in particular and northern Ontario in general. I say to the government in the strongest possible terms that there is a deeply ingrained feeling among the inhabitants of northern Ontario that time is wasting and the task of developing the full potential of the area awaits forthright and determined policies based upon economic feasibility.

At this point it may be useful to say a little more about the characteristics of the region known as northern Ontario. Speaking generally, it may be divided according to its predominant geographical features. A large part is encompassed in the Canadian Laurentian Shield, rich in ores and minerals with fairly extensive areas of soil captive within it of varying depth. In the far north are the Hudson and James Bay lowlands, shading in the eastern part into the Great Clay Belt which bends southerly and extensively to the northern end of Lake Timiskaming. Generally speaking, the whole of the area is recognized to have similar and closely related social and economic, as well as resource, industrial and local development problems.

The area lends itself readily to regional sub-areas encompassing the need to solve more intimate problems on a smaller scale. What is wanting, however, is a statement in comprehensive terms of the peculiar needs for its development and thereafter a truly effective and feasible long-term northern plan. I emphasize the word "northern" because I reject out of hand as being unsuitable to the Canadian character, history and experience, the quiet assimilation of Canada's distinctive northern character that must come in the wake of the growth of the urban megalopoli. Beyond that we see in the southern part of the province the heavy cost we pay in using good agricultural land by industry.

There was during the last years of the 19th century and in the first two decades of the 20th century a clearly defined policy of

government under the leadership of Laurier which had the pronounced end of filling up with people the broad empty open reaches of this country. For the last half century we have derogated from the policy and we have arrived at a situation where haphazard and pragmatic growth has resulted in more than 70 per cent of Canadians living within 100 miles of the American border. There are other dimensions to the problem. By geography, northern Ontario has a natural role to play in the east-west context of this country. It is the land bridge between the east and the west. With its scant population distributed over large distances, it does not play its most effective role in providing a strongly balanced and continuous line of east-west development. Baldly stated, one sees here a substantial and permanent loss to Canada's economy.

Therefore, at this point I turn to the task of making a specific definitive proposal for the development of the northern part of this province. I say in parentheses that many thoughtful and concerned people have put forward proposals for development in the past. I believe that there is nothing in what I am now going to advocate which in any way seriously conflicts with any other scheme or proposal.

I come now to the very core of my proposal. I am about to suggest an imaginative new approach to the development of the north—the area which comprises four fifths of the land mass of Ontario. As I do so, I know that my words will fall upon willing and ready ears in the north for there thoughtful people have for many years felt cheated of destiny as they helplessly watched the wealth of the resources being plundered with no care for whatever legacy would follow in the wake of their depletion.

If the plan needs a theme, who can put it better than a Canadian who has a great love for the land that is Canada, Bruce Hutchinson, when he said in "The Unknown Country":

My country has not found itself, nor felt its power, nor earned its true place. It is all visions and doubts and dreams. . . . We have not yet grasped . . . the full substance of it in our hands, nor grasped its size and shape. We have not yet felt the full pulse of its heart, the flex of its muscles, the pattern of its mind. . . . But now our time is come and we are ready.

I make not a call to consensus but a call to conscience. A merciful providence has endowed us with bountiful riches in this

the northern half of the North American continent. With the riches goes a moral responsibility. Normally we are obliged to use our resources providently for the optimum benefit of our own people and at the same time we are obliged, as citizens of the world, to share them equitably and justly with the peoples of less fortunate lands.

To the end of those meaningful and noble objectives, I now propose that a major study be conducted in the most intelligent manner of which man is capable, of the character, people, resources and potentialities of northern Ontario. I suggest that the study should be headed by an economist from one of the Scandinavian countries. The similarity of geography, geology and resources commends such a person from the point of view of background, training and experience. Scandinavia, like ourselves, is of the north and its problems resulting from the superimposition of social and economic configurations upon a northern environment have a similarity in their climatological and geographic features. Most important of all, such a person would bring to the task the qualities of objectivity and non-involvement with vested interest and pressure groups within our own province. No doubt there are many Scandinavians who possess the highly developed qualities of learning, insight and experience necessary. Such a person is Gunnar Myrdal, who has achieved world-wide fame in the field of economics and indeed the related discipline of sociology. I do not need to catalogue his achievements here. They are too well known. He has conducted important researches on behalf of the government of the United States and the United Nations. I, of course, have no way of knowing whether Mr. Myrdal is available for the task but doubtless there are many in the same tradition of competence. I have selected Scandinavia as the most suitable area of background for the chief investigator. If this is considered unsuitable, I mention the name of Dr. W. R. Mead, of the University of London, a distinguished geographer. He specializes in the study of the social geography of the Scandinavian countries. The ideal situation would be a combination of the two men, Myrdal and Mead.

I do not, of course, insist upon any self-proclaimed right to name the persons to conduct the investigation and chart the plan for development. I would be completely satisfied with any person of demonstrated competence who was chosen on the basis of non-involvement with any of the major interest groups. The investigation, I feel, must bring to the

task independence and objectivity. Before embarking on the task of setting out the areas, matters and things which I feel ought to be studied, I wish to submit that the chairman or joint chairman have available a staff of persons of ability in the following fields: geography, geology, economics, psychology, sociology, demography, political science, mineralogy, chemistry and physics, soil science, forestry, agronomy, hydraulic engineering, transportation engineering, marketing, and such other disciplines as the chairman might wish to call upon. Bearing in mind the problems to be solved, I would think the above disciplines are a minimum necessity.

It is necessary to note at this point that I am not suggesting that any inquiry into the physical, natural, sociological or environmental features of Ontario is either going to be complete or to produce ready-made solutions to all problems in a short space of time. What I do say is that no matter what length of time is required for a comprehensive, intelligent plan for development within reasonable limits, a start must be made somewhere and now is the time of beginning. This will be a continuing enterprise and no doubt will have to be turned out in phases. The important warning to be issued is that if the suggestion that an intelligent approach be made to the use of our resources in the treasure chest of Canada be ignored, it would involve considerable peril to the future of life in this province. I suggest that the following areas be studied:

Resources — A complete inventory should be made of the natural resources of northern Ontario — mining, forestry, agriculture and water. Further, the potential of increasing resources in all of these categories should be studied. To this end a complete study of the Laurentian Shield should be completed, including surveys with scientific equipment.

**Mr. J. E. Stokes (Thunder Bay):** We have six of them going now.

**Mr. Sopha:** That is no answer.

**Mr. MacDonald:** Certainly what you are suggesting is no answer.

**Mr. Sopha:** Well, I take the responsibility and in my stance I do not want to get way-laid; what I am doing here is far more responsible than the remarks made by my friend about a possible revolt by the Indians in this province, which of course is complete nonsense. This is far more responsible.

**Mr. MacDonald:** They may be revolting after some of the member's comments last

spring. After sober second thoughts he withdrew them.

**Mr. Sopha:** The trouble is the member does not know Indians; he does not know them, he has no contact with them.

**Mr. MacDonald:** The member did not, until he talked it over with somebody.

**Mr. Sopha:** I acted for six Indian bands and still act for them. I do not mind this digression, I still act for six Indian bands. I just recently defended one for manslaughter at the Gore Bay assizes, a treaty Indian.

**People —** A great many basic facts need to be gathered together about the present population of northern Ontario, including statistics about their ages, health, income, distribution over the area, and migration, both within the area and in and out of it. I am speaking here only about the basic vital facts about the people at this point. No doubt much of the work has been done in this area but the figures need to be gathered together in comprehensive form. Full reliance should be placed upon a sociological survey, as well as a demographic one. In particular there ought to be separate and independent studies of the sociological character and the economic role of the relatively large native Indian population.

**Economic feasibility studies —** This is a very broad subject and is the very core of my proposal. It is not enough to know what the resources are. We must go much further and determine within the framework of prevailing and anticipated economic considerations whether the exploitation of resources is or will be practicable. Simply put, the matter of location of an ore body, to use an illustration, is not sufficient because for one reason or another it may be uneconomic to exploit it. No doubt many feasibility studies have already been done by private interests. These particular sources ought to be tapped and the way this would be done could be determined by the terms of reference of the inquiry I propose.

**Potential of the use of resources within northern Ontario —** Here is the ultimate end of the whole exercise. We want to know both to what extent and in what manner the native resources of the region can be utilized in a sophisticated way in the manufacture or production of finished products within northern Ontario. Put negatively, if it is not practical to build another heavy steel industry in northern Ontario, then let us find out once and for all. Such a finding based upon sound economic principles would put an end to a

great deal of rhetoric. On the other hand, I would like to know the outlook for a tubing mill, a wire drawing factory, the manufacture of finished wood products and many other finished products made from the raw materials produced in the north.

**Agriculture —** I have already referred to the taking up of valuable agricultural land in southern Ontario in industrial development. Then what is the potentiality for a large agricultural industry in northern Ontario? I am mindful of the fact that there are large areas of agricultural soil in the clay belt and in northwestern Ontario. From this base, many questions arise which need to be answered. Is the climate favourable? What is the prospect of the development of faster growing species? What is the future of pasturing of cattle in the large areas available? Surely, as more and more arable land goes out of production in southern Ontario, for reasons of space requirements, we ought to determine whether northern Ontario can be the site for this essential industry. These and many other questions about the potentiality of agriculture need to be answered.

**Transportation —** Here we meet a very broad and complex area where much investigation is required. I have never been convinced that lack of transportation facilities, road or rail, or discriminatory freight rates are the root of all evil for northern Ontario. A great deal has been said about this by a great many people. It is fundamental from my point of view that an intensive survey be made, both of the present facilities in all types of transportation, road, rail and air, in order to determine whether they meet present and anticipated needs in connection with every other aspect of the inquiry. Rate-making procedures ought to be examined. The policy and schedules of the publicly owned airline ought to be inquired into. One of the most oft repeated grievances one hears from politicians at all levels of government about northern Ontario is related to the matter of access roads. The study I propose would have as one of its ends the determination of the most suitable network of roads opening up virgin territory for the most productive uses by all aspects of the new economy and with particular reference to the tourist industry.

**Capital for development —** A great deal needs to be learned about the configuration of capital flows into and out of northern Ontario. Of the utmost importance is the assessment of the quantities of capital that may provide a source of funds. For development of our northern hinterland to have a



distinctively Canadian flavour, we need to know the capabilities of our own people in the provision of the funds both from classical private sources and from governments, the collective agency for the participation of the body politic.

Structure of industry—Even to refer to the organization of industry from the structural aspect is to enter a highly controversial and sensitive area. For my own part I hold to the view that the Canadian people will have to decide eventually whether industry is to conduct itself in accordance with the common good and the best interest of the people as a whole. Further than that, industry will play the essential role in the future development of the resources of the area. If we hope to build the economy of northern Ontario to a considerable extent on the use of natural resources, then we need to know the present structure of the industries producing raw materials. The investigators must necessarily gather information in respect of present pricing policies and agreements, tacit or overt, concerning the organization of production, and the allocation of markets. To say these things is to allude to the world of reality in which decisions concerning the lives and welfare of the people are most frequently made in remote and inaccessible places. Very frequently these major decisions, some of them more permeating, pervasive and influential than government decree, are made outside Canada.

It is apparent that any decisions government may make, or actions it might take, are likely to be largely ineffective if their success depends upon decisions taken in the head offices of the major producers. It would be small comfort also, and the efficacy of action would be much diluted, if we should embark on a large-scale production of finished or semi-finished products in northern Ontario, and the increased revenues were channelled out of the region to be used in other parts of the world. To be specific I relate that I am one who has been rendered very uncomfortable when I see large amounts of the profits from the exploitation of our mineral resources in the Sudbury basin being used to finance exploration development in Nicaragua, Honduras, Guatemala and Indonesia. There are many other implications, sociological, political and economic, which stem from the structure of industry, which need to be studied.

Water resources—One of the greatest benefits which a beneficent providence has bestowed upon northern Ontario is the abundance of fresh, pure and potable water

lying in and draining from the area. An integral part of the study would involve the making of an inventory of the water resources of the region. A great deal of research is necessary before serious engineering alterations can begin to shed light upon the effects, upon ecology of major changes in drainage patterns. We must at all costs avoid serious and irreparable damage to the natural order of things that major changes might involve. The study applied in this area must, of course, attempt to assess the effect of the necessity of disposal of industrial wastes. It is fundamental that an intelligent allocation of water resources be proposed between industrial needs and retention of the present character as the foundation of the tourist industry and recreational use.

Living costs—This is a relatively straightforward part of the study. It entails an examination of the comparative living costs with other areas and a determination of the factors which contribute to what is supposed to be a higher cost of living in northern Ontario. If this is a fact then it is in a sense a penalty imposed for living in the area. Many of the differentials could possibly be reduced if the reason for their existence was known. To a large extent higher wages and salaries can compensate for higher living costs but there is a limit even here to what can be done. It may be that an enquiry in this area would provide data upon which the provision of other amenities would dissipate the disability of higher cost of living to a large extent.

Environmental factors—It is idle either to suggest or to believe that people in very great numbers will change their place of abode except for very compelling reasons. I have said and I firmly believe that the concept of Canada as a country of the north is in danger of being lost. If Canada is to fulfill her destiny, I re-emphasize that it will be realized in the north. This country, with its wide open northern spaces cries out for the most important human resource—people. The north must, if my plan is to be attended with success, be rendered, as far as it is possible, an attractive place to live. There are many natural amenities which people would find agreeable. Beyond this the age of science can transform the environment in many ways to make it acceptable and accommodating to human beings. Perhaps the experience of other countries can be studied and their methods borrowed. One must appreciate that as the resources on the southern fringe of the Laurentian Shield are used up



we are going to have to reach farther north. The time to begin the study of how environmental problems are to be handled is in the present.

I have outlined the major areas of investigation. The things the study is going to tell us will not make us comfortable. Maybe we have become too comfortable—possibly the “comfortable pew” is a national syndrome and the national whine about the ineffectual use of our resources has become a conditioned reflex. While we sit passively by, south of the border the moving force is the continual use of our resources. There are powerful continentalist forces within Canada and the study I propose will generate many antagonisms because it will disturb patterns of economic activity which have become convenient and profitable. Anti-Americanism is not a basis for the programme I propose, for it is at once sterile and negative.

Yet the saving factors for the worth of my study are incontrovertible, irresistible and constructive in their implications and objectives. If we recognize the prime role of government to be the creation of wealth and its equitable distribution in the fields of health, education and welfare, then at a time when the government of this province is engaged in a frenzied search for dollars to finance the programmes it has undertaken, what source, I ask, is more likely to be rewarding to the Treasury than the great wealth which can be created by the utilization of our own resources? Put another way, if we do not generate wealth in this country then we are going to have less and less to distribute.

Lastly, I want to make the point that the research I am suggesting is of value whether it is related to short-term goals or long-term objectives. Too often research in the field of economics is abandoned because the benefits are felt to be remote. Such an attitude is self-defeating, for the day arrives sooner than anticipated when the knowledge and insight which research can provide is wanted immediately. Policies can be determined only after adequate research. In fact, facts precede policies.

Nor am I asking that the study become so sophisticated that it be unintelligible. Too often in the age of the knowledge explosion, to give an impression that an area of study is imbued with complexity becomes an end in itself. What I am striving to do is to bring a new rhythm to our approach to the north. That rhythm should be based upon our universal belief, even faith in its potential. Then we should superimpose a real determination to plan for and proceed with practical steps

to make a new and vital approach to the development of four-fifths of the land area of this province. All that is needed are three human qualities—commitment, direction and focus. Either we will be merely a footnote to history or a vital part of it—the choice is ours.

There will be little disagreement in this House that northern Ontario, with its rich mineral resources, its vast water and power sources, its extensive forests and its uncultivated farm lands is indeed the untapped treasure house of our province. It is only a few years ago that a Conservative Prime Minister unfolded a “Roads to Resources” plan. Has not the time arrived for this government to unfold an “Industry to Resources” programme? Has not the time come to put an end to the policy of digging Canada up, cutting Canada down and shipping Canada off to a foreign land for processing? For make no mistake about it, if we continue to be satisfied with a donkey economy we shall end up with a greatly accelerated loss of our best brains.

Here we are in Ontario at the end of 1968 spending hundreds of millions of taxpayers’ dollars on institutions of higher learning with the result that hundreds of the scientists and engineers who graduate from them cross the border and in many cases secure lucrative employment in industries which process the raw material dug from the earth of northern Ontario.

Let me repeat what I said at the outset of these remarks. Our problem today is not American investment. It is for us in this House to determine the next stage of our economic and industrial development. It is for us to set the goals and then say to the foreign investor: “This is what we propose to do and you are welcome to invest your capital in our enterprise and ‘whosoever will, may come’.” But make no mistake about it, these things are not going to happen by divine intervention. The building of the CPR, the opening of the west, the cultivation of the prairie, the development of vast power projects, were not acts of God. These were human undertakings by men of faith and vision, commitment and foresight, men who added a new dimension to Canada’s development. And so I say to the Prime Minister of Ontario, who ranks second to none in his Canadianism: Are you ready to follow in the train of Macdonald, Cartier and Laurier? Are you prepared to accept the challenge that northward lies the path of progress?

If so, I urge you to accept my proposal for the launching of a great comprehensive

study under the direction of the best minds we can employ in order that we may find a way to add a new dimension to the development of our province. If you are willing to follow the course I have put forward today, you will be taking the first substantial step toward the development of a new national policy for Canada. You have the unquestioned right, you have the unquestioned power and the unquestioned responsibility to do so.

In the far-off places of the world, in Africa, and in Asia, people with far less technical knowledge, far less endowed with natural resources and with far less experience and financial means, are undertaking the task of building new nations. Why should we be satisfied with a lesser destiny? As I take my seat I commend to the Prime Minister these words: "Some people see things as they are and ask why; I see things as they never were and I ask why not?"

Mr. J. Renwick (Riverdale): Mr. Speaker, I would like, in the remarks that I propose to make in this debate, to deal initially with the individual tragic case of a man who deserves consideration by the government to relieve him of the plight in which he finds himself at this time.

This is not a new case. Because it is not a new case, I am going to put it on the record completely so that we can draw the attention of the government to the urgent need for an ameliorative change in the hospital care programme of the province.

The case deals with the plight that Mr. William R. Boulter and his wife Ruth find themselves in because of her chronic illness. I refer briefly to the fact that on March 1, 1967, at my request my colleague, the member for Scarborough West (Mr. Lewis), on page 1061 of *Hansard*, dealt with Mr. Boulter's case. Again on July 23 of this year, I dealt (in the closing remarks for this party) with the case of Mr. Boulter and that reference is on page 6189 of the *Hansard* ending in 1968.

Mr. Boulter is 59 years of age; his wife is about the same age. His assets consist of the equity which he has in his home property, amounting to, probably, in the neighbourhood of \$12,000; his household goods and no other assets; nor has his wife any other assets. He is employed by Western Tire and Auto Supply Co. and has a gross pay of \$110 per week, a take-home pay of about \$91 per week.

I propose to put on the record correspondence which I believe to be almost complete in this case.

The point of the case refers to the regulations published under The Public Hospitals Act. It is regulation 523 in the revised regulations of Ontario, as amended by regulation 102 of the year 1966, made on April 5, 1966, and filed on April 13, 1966. I mention the amendment only because of completeness and not because it affects the substance of the problem with which Mr. Boulter is faced.

That section makes the distinction, in two definitions, between a person who is called "chronically ill" and a person who requires custodial care. The definition of a chronically ill person appears in paragraph (e) of section 1 of that regulation and is defined to mean a person who, in the opinion of a medical practitioner, has reached the apparent limit of his recovery or has a chronic illness or other condition of a long-term nature and—I emphasize these words—"requires continued medical and skilled nursing care in a chronic unit or a hospital for chronically ill patients."

The definition in paragraph (h) of section 1 of that regulation deals with a person who requires custodial care. That is defined as meaning the personal care, assistance and protection required by a person who has reached the apparent limit of his recovery and whose condition is such that such care is necessary, but who does not require continued medical and skilled nursing care in a hospital. The custodial person, to finish the definition off in paragraph (i) means a person who, in the opinion of a medical practitioner, requires custodial care.

Just to be perfectly clear, Mr. Speaker, the distinction between whether or not you are a custodial person or a chronically ill person depends solely upon the question whether or not you require medical and skilled nursing care in a hospital. If you do, you continue to be covered under the Ontario Hospital Insurance scheme; if you are chronically ill but do not require that care, you are not entitled to be covered under the Ontario Hospital Insurance scheme.

Mr. Boulter wrote to the member for Etobicoke (Mr. Braithwaite) on June 18, 1965. It was the second letter which he wrote, but it is sufficient to start the chronology of the matters that I want to put on the record. It is a letter dated June 18, 1965, from Mr. William R. Boulter to Mr. Leonard A. Braithwaite:

Dear Sir:

Some years ago my wife underwent an operation for cancer and although the operation arrested the cancer, she came out of it completely paralyzed. She was admitted

to Our Lady of Mercy Hospital four years ago and I have been contributing to her stay there through the Ontario Hospital plan and our group insurance where I am employed.

I have been recently advised that soon Mrs. Boulter must be discharged from Our Lady of Mercy and more recently that her benefits under the Ontario Hospital plan expire on July 31.

For a short time, she has been placed in the rehabilitation ward. Now that ward has reported to the Hospital board that nothing further can be done to improve her condition. Upon the apparent recommendation of Drs. O'Hara and Cranfield to the board, it has been their decision that she is able to be cared for at home.

My wife is still completely paralyzed on her right side, cannot stand nor attempt to walk without support from some person, cannot even use toilet facilities without considerable help. She certainly can't receive attention at home that she would get in a hospital. I haven't the means to place her in a private hospital. If the hospital board's decision is not countermanded and if I have to bring her home, it will simply mean that I will have to leave my employment to take care of her. In a very short time, we will both be on welfare.

I would appreciate it if you would bring this to the attention of the Minister of Health. I would gladly meet with the Minister to discuss this trouble fully if he would grant an appointment.

I anticipate your assistance, sir, and I am sure you will give me all the help you can and for this I thank you in advance.

And the member for Etobicoke wrote to the Minister of Health (Mr. Dymond) on June 22, 1965:

Dear Sir:

On May 11, 1965, I wrote to you in connection with Mrs. Ruth Boulter. To date no reply has been received. I received the enclosed letter from Mr. W. R. Boulter yesterday and felt that in view of the urgency of the matter, I should forward it directly to you.

An early reply would be appreciated.

And on July 12 the member for Etobicoke wrote to Mr. Boulter:

Dear Mr. Boulter:

Please find enclosed herewith a copy of letter received from the Ontario Hospital

Services Commission, which is self-explanatory.

We will be in contact with you as developments occur.

That letter was from John B. Nielson, who at that time was chairman of the Ontario Hospital Services Commission, dated July 9, 1965, to Mr. Leonard A. Braithwaite:

Dear Mr. Braithwaite:

On June 22, 1965, you wrote to Dr. M. B. Dymond, Minister of Health, about Mrs. Ruth Boulter, a patient in Our Lady of Mercy Hospital.

Our records show that Mrs. Boulter has had approval for continued hospital care as a Commission responsibility to 31 July, 1965. This approval was given on the advice of Dr. J. B. O'Hara, chief of the medical staff of the hospital, who stated in April, 1965, that he wished to retain Mrs. Boulter in hospital for an intensive course of physiotherapy with the hope that she might improve physically in a sufficient degree to go home or be cared for outside of hospital.

We have had no further advice from Dr. O'Hara about the progress of his patient, but we presume that if the patient has failed to progress an extension of her hospital stay will be requested. We have no confirmation of the statement Mr. Boulter made to you that Mrs. Boulter must be discharged from hospital.

I think you recognize that any action on our part depends on the reports we receive from a hospital patient's physician and in this instance we do not have a recent report but anticipate receiving one before July 31, 1965.

Mr. Boulter then replied to the hon. member on August 5, 1965:

Dear Mr. Braithwaite:

Further to my letter of June 18, and Mr. John B. Nielson's reply of July 9, 1965, Mrs. Warrington, social worker of Our Lady of Mercy Hospital, who stated that she was acting upon instructions from Dr. O'Hara, advised me that I must take my wife out of the hospital by July 31. When I arrived at the hospital last Saturday my wife was dressed, her personal things packed, sitting in a wheel chair.

There was not a nurse or a hospital employee anywhere to be seen and Mrs. Boulter has yet to be officially discharged.

I have had to take a week's leave of absence without pay to care for my wife

this week. Several efforts to contact Mrs. Fox of the Red Cross to arrange for a homemaker have been unsuccessful. Even the past few days have convinced me more than ever that Mrs. Boulter needs care that cannot be given at home and that no practical nurse could cope with her condition.

I cannot afford to take any more time off from work and could not possibly afford a registered nursing service. I would welcome a visit to my home from a representative of Dr. Nielson's office to see for himself the situation in which I have been placed because of Dr. O'Hara's decision.

Thank you for your efforts on my behalf. I look gratefully to your further assistance.

On August 17, the member for Etobicoke wrote to Mr. William Boulter:

Dear Mr. Boulter:

Please find enclosed herewith copy of letter received today from the chairman of the Ontario Hospital Services Commission. You will note that not only was Mrs. Boulter supposed to have been eager to come home, but also the authorities state that they are satisfied that she could get along reasonably well at home and that she has been trained in the hospital to look after a great many of her personal needs, including the preparation of food. I also note that arrangements were made for a homemaker to visit at regular intervals.

In view of the foregoing I do not know if there is too much else that I can do that would help at this time. However, I would appreciate hearing from you in writing if the foregoing is not correct, or if there are matters which have arisen which were not contemplated by the authorities when Mrs. Boulter was released.

The letter to which the hon. member referred was dated August 13, 1965, from John B. Nielsen, who was then the chairman of the Ontario Hospital Services Commission:

Dear Mr. Braithwaite:

I am writing in reply to your letter of August 5, 1965, regarding Mrs. Boulter.

On July 21, 1965, we received a report on Mrs. Boulter from the hospital. In this report, Dr. O'Hara gave us his opinion that Mrs. Boulter could be cared for at home and accordingly he listed her for discharge from hospital with the result

that she was sent home, as Mr. Boulter has indicated to you, on July 31.

We have tried to get in touch with Dr. O'Hara but he will be away for a period of about two weeks. In the meantime we have to assume that Dr. O'Hara has acted in the best interests of the patient and, with his experience and professional judgment, we feel we have to support his position. We do not feel that we should send anybody to Mrs. Boulter's home as suggested by him, but we will speak to Dr. O'Hara about the whole matter on his return from vacation, but without any assurance that any change in the present position will be proposed or considered.

It may be that you have a considerable amount of personal knowledge about the circumstances surrounding Mrs. Boulter, but in the event that you are not fully informed about the whole matter, I would suggest that you might possibly talk to Mrs. Warrington, who is the social service worker at Our Lady of Mercy hospital who could tell you more about the whole situation.

I had a rather lengthy telephone conversation with her today from which I gathered that Mrs. Boulter has been eager to go home although she has been confined to a wheel chair, but her husband has consistently stated that she cannot be cared for at home.

I understand that the authorities at the hospital were quite satisfied that Mrs. Boulter could get along reasonably well at home and that she had been trained in the hospital to look after quite a few of her personal needs, including the preparation of food.

Mrs. Warrington also informed me that she had spoken to Mrs. Cook, who is a welfare worker in the Township of Etobicoke, and she had made arrangements to have a homemaker visit the home at regular intervals to give some additional help.

I think in the light of the information which has reached me, the best decision has been made here regarding Mrs. Boulter, even though the decision is evidently unpalatable and unacceptable to Mr. Boulter. If you wish, I will be in touch with you after we have talked to Dr. O'Hara in the next couple of weeks.

Well, sufficient to say at that point, Mr. Speaker, that Mrs. Boulter, having spent two or three weeks at home, was then admitted to the Riverdale Hospital for chronically ill

persons and the problem then disappeared for the better part of a year.

On May 10, 1966, however, about one year later, Mr. Boulter received the following letter from the executive director of the Riverdale Hospital, George McCracken:

Dear Mr. Boulter:

I am advised by the doctor in charge of your wife's case that she no longer requires care or treatment in hospital. Under these circumstances benefits under the Ontario Hospital Services Commission will terminate shortly. Should your wife remain in this hospital beyond the termination date of her insurance benefit, there will be a daily charge of \$16.40, payable in advance.

Please advise Mrs. Harrison, of our social service department, what arrangements you will be making for your wife's discharge from this hospital.

On May 20, Mr. Boulter wrote again to the member for Etobicoke:

Dear Sir:

Some years ago my wife underwent an operation for cancer and although the operation arrested the cancer she came out of it completely paralyzed. She was admitted to Our Lady of Mercy Hospital five years ago and I contributed to her stay there through the Ontario hospital plan and the group insurance plan of my former employer.

Last June I was advised by that hospital that as my wife's benefits under the Ontario hospital plan were due to expire on July 31, 1965, and as nothing further could be done for her in their rehabilitation ward, I was to take her out of the hospital on that date, upon the apparent recommendation of Drs. Cranfield and O'Hara, of that hospital, to the Ontario Hospital Services Commission, it was their decision that she was able to be cared for at home.

My wife is completely paralyzed on her right side, cannot stand, nor attempt to walk without the support of some person, cannot use toilet facilities without considerable help; she certainly cannot receive attention at home that she would get in a hospital.

I had to bring my wife home, taking time off work without pay to attend to her. Then within a few days I was fortunate to have her placed in Riverdale Hospital where she has been a patient to this date. I recently received a letter from the River-

dale Hospital dated May 10, a copy of which is enclosed, advising me that the benefits under the Ontario hospital services were about to expire and I must arrange for discharge.

So once again I am back on a merry-go-round. I have not got the means to place her in a private hospital. If I have to bring her home it will simply mean that I have to give up my job to stay home to take care of her; then it will be only a short time before I will have to apply for welfare for both of us. In all sincerity let me assure you that I am not using the hospital as a means of evading my responsibilities. If I had any intentions along these lines I could have done as so many people have done, disappeared; then who would take care of my wife?

Surely there is something that could be done to establish her in a hospital or institution where she can receive the proper care so that I can continue my work and life without being subject to worry each year.

I would appreciate it if you would bring this to the attention of the Minister of Health. I would gladly meet with the Minister to discuss this trouble fully, if he would grant an appointment. I appreciate your assistance, sir, and I am sure you will give all the help you can.

For this I thank you in advance.

And the member for Etobicoke wrote on May 31, 1966 to Mr. John B. Neilson, the then chairman of the Ontario Hospital Services Commission:

Dear Sir:

Please find enclosed herewith, copy of a letter received recently at this office from Mr. W. R. Boulter, 254 Albion Road, Rexdale, in connection with his wife Ruth.

Enclosed also is a copy of a letter received by Mr. Boulter from the Riverdale Hospital. As you will note from Mr. Boulter's letter of May 20, 1966, he finds it impossible to give Mrs. Boulter the home care she requires. Further, he does not have the money to put her into a private home.

I would appreciate it if you would be good enough to look into the matter to see if suitable hospital accommodation can be secured by Mr. Boulter for his wife.

May I hear from you at your earliest convenience.



On June 16, 1966, Doctor R. S. Peat, the senior consultant, hospital care standards division of the Ontario Hospital Services Commission, wrote to the hon. member:

Dear Mr. Braithwaite:

The chairman of the Ontario Hospital Services Commission, Mr. S. W. Martin, has referred your letter of May 31, 1966, to me for attention.

I have made enquiries into this case and discussed the matter with the physician at Riverdale Hospital, Mrs. Harris, of the social service department of Riverdale Hospital, Mrs. Cook, social worker for Etobicoke Township, and the administrator of Our Lady of Mercy Hospital. I have also talked with Mr. Boulter by telephone. From these people, I have gained some insight into the problem.

Mrs. Boulter, who is now about 55 years of age, is a registered nurse, a graduate of St. Michael's Hospital.

In 1961, following surgery, she suffered a right-sided paralysis involving both the arm and leg. Although there was considerable recovery she has been left with extensive disability from the paralysis. It is the remaining disability rather than any illness which makes care necessary at this time.

She cannot stand or walk, wash, dress herself, use the toilet or get in or out of bed without at least one person to help her. Her speech has recovered quite well and her mental impairment has also recovered so that her memory is good.

There has been some improvement during the past year at Riverdale so that while she formerly required two people to assist her, she can now walk with one person helping her. She has a pleasant personality and from all reports, was an excellent and enthusiastic worker. She did much extra voluntary work during the war. Everyone concerned has indicated that she is a most deserving person.

Mrs. Boulter was a patient in Our Lady of Mercy Hospital from July 1, 1961, to the summer of 1965, when she was discharged with the understanding that she did not require further hospital care.

Mr. Boulter took leave from his employment without pay to care for her and then obtained a homemaker for the day-time. After a three-week interval at home, she was re-admitted to Riverdale Hospital. The physicians at the hospital have assessed her condition and have decided that she

does not require the facilities of a hospital but requires only custodial type of care, either in her own home or in a non-hospital type of facility.

The type of care which Mrs. Boulter requires is not provided under the Hospital Insurance Plan. Mr. Boulter was advised of this by the hospital in a letter dated May 10, 1966.

I am sure that Mr. Boulter appreciates that the physicians are required, by law, to discharge patients when they no longer require hospital care and when the patient has received maximum benefit from the hospital treatment programme. Thought has been given to nursing home care or care in the homes for the aged, especially one of the charitable institutions. Concern has been expressed about the cost of nursing care for this patient, or alternatively, the cost of homemaker service.

Mr. Boulter has a full-time job and probably may not qualify for welfare assistance under present regulations. Yet his income is understood to be inadequate to meet the nursing home costs on a continuing basis and to maintain his home at the same time.

It is understood that Mrs. Boulter is anxious to be home. It would seem to me that she would not likely choose to be placed in a nursing home if it can be avoided.

Although she is disabled, she is not sick. She has a home and a husband and it would seem to me that every consideration should be given to the possibility of adjusting the home to fit the disability and adapting it for the use of a wheel chair.

This might involve the construction of a ramp, the widening of doorways, perhaps the installation of a special toilet. I merely mention these possibilities for I have not seen the home.

Thought might be given to special gadgets which might increase her independence. Perhaps someone might be found who herself needs a home and could be present during the day or even live in.

We fully appreciate the magnitude of the problem, since this patient will require care on a continuous basis for no further recovery can be anticipated. Much time, effort and thought is required to work out the most suitable plan for this type of care.

While the insurance benefits have been extended to July 31, 1966, it is most important that plans for the continued care of



this patient be made as early as possible in anticipation of the patient's discharge from hospital. Because of the nature of this case, the hospital has endeavoured to give more than the usual advance notice of the patient's discharge. Difficulties may result if the planning is delayed until the patient is actually discharged or the insurance benefits terminated.

Mrs. Cook, social worker in Etobicoke township, has an interest in this case and will give every assistance possible to Mr. and Mrs. Boulter in the development of some satisfactory plan for her continuing care.

I could not say at this time what arrangements will be made or whether any financial assistance can be arranged by welfare or other organizations.

Yours truly,  
R. S. Peat

A copy of that letter, Mr. Speaker, went to the Minister of Health and to the chairman of the Ontario Hospital Services Commission.

The member for Etobicoke then wrote on June 23 to Mr. Boulter:

Dear Mr. Boulter:

Please find enclosed herewith a copy of letter received recently. You can see from the letter that you are being made to appear to be the person who does not want your wife home whereas she is very eager to get home. In view of the letter and its contents, if you still feel that you will be unable to look after your wife if she is sent home, then I would suggest that you send me a letter stating your reasons for your decision and I will forward same to the Ontario Hospital Services Commission.

Mr. Boulter wrote to the member for Etobicoke on July 14, 1966:

Dear Sir:

Further to your letter of June 23 relative to the discharge of my wife from Riverdale Hospital, I don't think it is a case of my not wanting my wife home. In all sincerity, let me assure you that nothing would delight me more. It is a case of taking proper care of her when she is home and keeping my job.

As I have stated several times, I simply cannot afford day care. I have had several long talks with Dr. R. S. Peat, Mrs. Cook, nurses at Riverdale Hospital and my wife. From these discussions I have been given to understand that through the therapy my wife is receiving her condition is improv-

ing very much but she is still in no shape to take care of herself.

If the hospital or some other such institution could continue this work for a little longer, from six months to a year, I am confident with the way Ruthie is trying she could then come home in a better condition to look after herself in my absence.

Would you be good enough to approach the Ontario Hospital Services Commission with this suggestion?

The member for Etobicoke on July 19 then wrote to R. S. Peat, the senior consultant at the hospital services commission:

Dear Sir:

Thank you for your letter of June 16, 1966. We brought the contents of your letter to the attention of Mr. Boulter and recently was in receipt of a letter setting out his position in the matter.

I am enclosing a copy of Mr. Boulter's recent letter and would appreciate your comments in connection with the suggestion made therein by Mr. Boulter.

On July 25 Mr. Boulter received a further letter from the Riverdale Hospital, from the executive director:

Please be advised that your wife's benefits under the Ontario Hospital Service Commission will terminate on August 10, 1966.

Please advise Mrs. Harris in our social service department as to what arrangements you will be making for your wife's discharge from this hospital.

On July 27 the same letter was repeated by Dr. McCracken to Mr. Boulter. On July 28 Dr. Peat wrote a further letter to the member for Etobicoke, a copy of which the member sent on to Mr. Boulter, and that letter, July 28, from Dr. R. S. Peat is as follows:

Dear Sir:

Thank you for your letter of July 19, 1966 with the letter from Mr. Boulter concerning the care of his wife, Mrs. Ruth Boulter, who is a patient in Riverdale Hospital.

Mr. Boulter's request as set out in this letter is for a further stay in hospital for his wife in the hope that further recovery may be achieved. You will appreciate that this is a matter for the attending doctor. I have suggested to Mr. Boulter that he might arrange to discuss the matter at the hospital with the doctors concerned.

This is a very difficult problem because of the continuity of the care needs but there are a number of people anxious to help Mr. Boulter work out satisfactory plans for Mrs. Boulter's care, including the public health nurse from the Etobicoke health department and Mrs. Cook from the welfare department. It is understood that Mrs. Cook had someone in mind who might provide care during the day but Mr. Boulter did not mention in his discussion with me whether this possibility had been followed up.

I have suggested that he should see Mrs. Cook to determine whether some assistance might be available to him in the circumstances.

I hope that a satisfactory plan may be worked out and I fully appreciate the magnitude of the problem from Mr. Boulter's viewpoint.

On September 29, Robert Winters, the then Minister of Trade and Commerce at Ottawa, wrote to Mr. Boulter:

Dear Mr. Boulter:

I was sorry to learn from Mrs. Johnston of the difficult time you have been experiencing in trying to secure hospital accommodation for your wife. You most certainly have had your share of trouble and I wish there was something I could do to assist you. As you know, the management of hospitals comes entirely within the purview of the provincial and municipal governments. The federal government is not permitted to interfere with the internal administration of such institutions.

Mrs. Johnston, however, is making discreet enquires on your behalf and she has been untiring in her effort to find some way to help you find a solution to the heavy burden you are carrying.

Kindest regards,

Yours sincerely,  
Robert H. Winters.

Mr. Speaker, Mr. Boulter came to see me on Oct. 12, 1966, and I discussed this case with him at some length at that time. On January 9, 1967, I wrote to the chairman of the Ontario Hospital Services Commission:

Dear Sir:

I would appreciate the courtesy of an appointment with you to discuss the case of Mrs. Ruth Boulter, the wife of Mr.

W. R. Boulter of 254 Albion Road, Rexdale, Ontario.

Mrs. Boulter is presently in the Garden Court nursing home but was for the greater part of the period from July, 1961, to date, a patient in Our Lady of Mercy Hospital and Riverdale Hospital.

I propose to bring Mr. Boulter with me when I meet with you. I would appreciate it if you would advise me by letter or by telephone of the time which would be convenient for you.

Yours sincerely,  
James Renwick.

Mrs. Boulter had, on leaving Riverdale Hospital, gone to the Garden Court nursing home, and had been in that nursing home for some period of time. Any financial resources which Mrs. Boulter had at that time disappeared in the payment for the care at the Garden Court nursing home.

I sent, on January 9, a copy of that letter which I had written to the chairman of the Ontario Hospital Services Commission, to Mr. Boulter for his information. On January 19, Mr. S. W. Martin, the chairman of the Ontario Hospital Services Commission replied to me:

Dear Mr. Renwick:

Thank you very much for your letter of January 9, which I did not at once acknowledge as I thought we might be able to quickly arrange a time for meeting, mutually convenient for both of us. I realize this must be a very busy time of year for you; it has been impossible to get together. We do have a fairly complete file on the case of Mrs. Boulter and I would appreciate an opportunity to discuss this with you in the very near future.

Mr. Speaker, it being six of the clock, I move the adjournment of the debate.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Tomorrow, Mr. Speaker, we will continue with the Throne Debate and there will be a private members' hour.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.

## APPENDIX

TABLE A

## AVERAGE ANNUAL GROWTH 1941-1966 (PER CENT)

	<u>1941-1951</u>	<u>1951-1961</u>	<u>1961-1966</u>
Cochrane	0.4	1.8	0.4
Timiskaming	-0.1	0.2	-1.6
Nipissing	1.6	3.4	0.8
Sudbury	3.1	4.5	1.0
Manitoulin	0.3	-0.5	-1.2
Algoma	2.2	5.6	0.4
Thunder Bay	2.2	2.7	0.7
Rainy River	1.5	1.8	-0.6
Kenora	1.6	2.8	1.0

(Includes Patricia)

TABLE B

## LABOUR FORCE

	<u>1941</u>	<u>1951</u>	<u>1961</u>
Nipissing	14,238	17,293	22,192
Timiskaming	19,415	17,913	16,585
Cochrane	30,866	30,793	31,169
Sudbury	29,984	40,326	55,254
Algoma	20,306	24,921	38,615
Thunder Bay	40,442	43,085	50,845
Rainy River	7,192	7,717	8,580
Kenora	13,749	13,324	17,071

Source: Census of Canada

N.B. 1961 — Labour force, 15 years of age and over;

1951 — Labour force, 14 years of age and over;

1941 — Gainfully employed, 14 years of age and over.

TABLE C

	<u>1941</u>	<u>1951</u>	<u>1956</u>	<u>1961</u>	<u>1966</u>
North Bay	15,599	17,944	21,020	23,781	23,635
Sudbury	32,203	42,410	46,482	80,120	84,888
Sault Ste. Marie	25,794	32,452	37,329	43,088	74,594
Fort William	55,011	66,108	77,600	90,490	95,548











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, December 6, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 6, 1968

The House met at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning our guests in the east gallery are from Danforth Technical School in Toronto and later, in both galleries, at about noon, we will have the students from Uxbridge Secondary School in Uxbridge, visiting us.

Petitions.

Presenting reports.

Motions.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I move that the last day for depositing private bills with the Clerk, free of penalty, be extended to Friday, January 31, 1969.

Motion agreed to.

**Hon. Mr. Robarts:** Mr. Speaker, an explanation of this is simply that, as a result of the fall session, we are just extending the time so that those people who wish to present private bills to the Legislature will be able to do so, as they have done in previous years when we did not meet in the fall.

**Mr. Speaker:** Introduction of bills.

## THE POUNDS ACT

**Mr. D. M. Deacon (York Centre)** moves first reading of bill intituled, An Act to amend The Pounds Act.

Motion agreed to; first reading of the bill.

**Mr. Deacon:** Mr. Speaker, this bill is one that has been developed in co-operation with members of the humane society and veterinarians, with a view to giving proper control and regulation of municipal pounds where many abuses in the treatment of small animals have been found.

## IMPAIRED DRIVERS

**Mr. M. Shulman (High Park)** moves first reading of bill intituled, An Act respecting impaired drivers.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to reduce the mortality on our highways by removing drivers who have been drinking from the roads. It is very similar to legislation which has been so successful in England.

**Mr. Speaker:** The other day the member for High Park (Mr. Shulman) requested a clarification of the rule respecting money bills and whether or not private members may introduce such bills. He raised this matter on the introduction of Bill 25, An Act to amend The Law Enforcement Compensation Act (1967), by the member for Sarnia.

Rule 112 provides: That the House shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended by a message of the Lieutenant Governor in the session in which such vote, resolution, address or bill was proposed.

I suggest that the rule makes it quite clear that the proposal of such a bill is the prerogative of the Crown. That this principle has been recognized by the House since its inception is illustrated by the paragraph on page 54 of Lewis' Parliament Procedure in Ontario.

Another exception to which private members are subject is the rule which forbids them to introduce any motion or bill calling for an expenditure of public money. Such bills can only be introduced by the government and then only after presentation of a message from the Sovereign or his representative recommending the expenditure.

The question naturally arises—what is a money bill? In my years in the House my understanding has always been that a money bill is any bill which seeks to impose any tax or impost, to repeal any such tax or to direct or redirect any such tax or any of the public money to any specific purpose.

A fuller definition is to be found in May's Parliamentary Procedure, 17th edition, pages 841 and 842, but I think a fair summary is that any bill, the real purpose of which is

to raise, repeal, abate, or direct the appropriation of the public revenue, is a money bill.

Referring to specific bills, each bill must be examined on its own merits to determine whether or not it is, in fact, a money bill. The mere fact that the Act which it seeks to amend is itself a money statute, does not necessarily mean that the amending bill must be so classified. If the amended bill does not seek to raise, repeal, lower, or direct the funds administered by the Act, it is not a money bill.

Referring specifically to Bill 25, An Act to amend The Law Enforcement Compensation Act (1967), introduced by the member for Sarnia, while I recognize some merit in the argument that the proposed amendment is procedural, I am of the opinion that its effect is to direct the payment of awards under the Act, and in fact enlarge the class of persons eligible for such awards. For this reason I have come to the conclusion that the proposed amendment is a money bill and cannot be introduced by a private member. I therefore declare the bill out of order and direct that the order for second reading be discharged.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I recognize the difficulty you have had in coming to this conclusion. I might say, with respect, I have had difficulty in accepting your conclusion. However, speaking for myself, I am prepared to accept that conclusion. It is a fine distinction that you have drawn, sir, but I imagine in view of what I have said, a proper distinction that you have drawn.

If you would permit me, sir, to amplify just for a moment on my intention. I would bring to your attention, of course, that this was an attempt to rectify or remedy the restrictive interpretation of the existing statute by the law enforcement compensation board on October 12 this year in the Bottrey case. I would exhort the government, through you, Mr. Speaker, to entertain—

**Mr. Speaker:** Order. The hon. member is, of course, quite out of order, but I am sure the hon. Attorney General who has carriage of this legislation is not unaware of the situation, and Mr. Speaker will also be glad to draw his attention to the disposal of this bill by the chair.

**Mr. Bullbrook:** All right, sir, I certainly accept that. I think the Prime Minister probably is correct in this respect. It is difficult for us in the Liberal Party to find ourselves

confronted with the government on one hand who will not entertain this legislation, and socialists on the other hand who do not want it.

**Mr. Speaker:** Order! The hon. member, of course, is again speaking theoretically because neither the hon. member, nor the House nor Mr. Speaker has any idea whatsoever of what the policy of the government will be with respect to this matter. As he has pointed out, it is the recent decision of the board, and in due course I presume that the government will give it its consideration. For all the House knows, there may be legislation prepared and not introduced. Therefore, I would strongly suggest that not only are the hon. member's remarks now particularly out of order, but he is embarking on something which is entirely theoretical and, as I say, I am quite sure that these matters have not escaped the notice of the government.

The hon. member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I think obviously we need some clarification of this whole rule and therefore the member for High Park has done a service to the House in seeking that clarification. But I am rising at the moment chiefly to put a question to you, sir, and that is about my grasp on one reading of your ruling. At one point you said that it would not be a money bill if it added or subtracted from existing expenditures that had originally been initiated by the government—

**Mr. Speaker:** I did not say that.

**Mr. MacDonald:** There was a phraseology which suggested that, and the point I wanted to draw to your attention was that it seems to me there is a contradiction between that and what the hon. member for Sarnia has introduced. As I understand his bill, it would change the classifications, and therefore it would perhaps add to, and in other circumstances it might subtract from, existing expenditures which originally had been initiated by the government and therefore it would not be a money bill. Perhaps I am misinterpreting what you said and perhaps we should leave it to a later date.

**Mr. Speaker:** I believe that the hon. member is misinterpreting, and I have sent him down my copy of the ruling, which I would ask him to return. I think he will find in it that what I did say was that a procedural change in a money bill does not necessarily make the amending bill a money bill, but if

it does attempt to redirect or enlarge the classification, or as in this case, of persons entitled to the payment, out of public funds, then it undoubtedly itself is a money bill. I hope that is the interpretation the hon. member will get from the ruling as he reads it now.

The hon. member for High Park.

**Mr. Shulman:** I am rising on a point of order. The member for Sarnia in his remarks suggested that we in this party did not support his bill and, of course, this is not the situation. Actually, we have a resolution already on the floor of the House which supports the principle of this bill.

Interjections by hon. members.

**Mr. Shulman:** Let me finish, sir. The point on which I arose was that the rules of the House must be followed, and of course we have had constant trouble from the Liberal Party, who do not know the rules of the House. And I think it is time they learned them.

**Mr. Bullbrook:** Mr. Speaker, if I might—

**Mr. Speaker:** Is the hon. member on a point of order?

**Mr. Bullbrook:** Mr. Speaker, if I might, a point of order arose from the hon. member for High Park and I took my seat at that time. I had not finished making comments, and if you will permit me, I would like—

**Mr. Speaker:** The hon. member had finished making comments unless he has a point of order or a point of personal privilege.

**Mr. Bullbrook:** Mr. Speaker, with the greatest respect, I had not finished sir. I took my seat because you called order.

**Mr. Speaker:** Yes, but the hon. member was out of order, and therefore as far as the chair is concerned he had completed his remarks, unless he had a point of order or a point of personal privilege.

**Mr. Bullbrook:** Am I correct in understanding then, sir, that you are not going to permit me to make further comments in connection with your ruling? Is that correct?

**Mr. Speaker:** If the hon. member has a point of order arising out of Mr. Speaker's ruling, he is quite in order.

**Mr. Bullbrook:** The only point of order I wish to make is this, I find it very difficult to understand in this respect: You have just

had come before you a bill attempting to bring in legislation obviously within the constitutional purview of the federal government in connection with impaired driving. If you accept that type of legislation, I cannot understand why you cannot accept this type of legislation, sir.

**Mr. Speaker:** The hon. member, of course, is again embarking into the future because bills which are introduced are not submitted to Mr. Speaker to make a ruling; he does not see them until they are introduced. If any member raises a point of the propriety of introduction, then Mr. Speaker is always glad to take it under advisement. In due course, in any event, such a bill would be checked by the officers of the House or by Mr. Speaker. So if the hon. member's point is that this bill is also out of order, I most certainly would be glad to have it looked over, take the matter under advisement and advise the House of my ruling. But the hon. member will understand that the bill presented for first reading to Mr. Speaker, as is the custom of this House, has not been vetted by him, nor has he had any opportunity to decide whether it is or is not proper.

**Hon. Mr. Robarts:** I have a few remarks. It was never the intention of the government to let up on the right of any member to speak here, but we do take the position that we must follow the rules of the House. I mentioned to you that I considered the hon. member for Sarnia to be out of order, but I realize in making that comment we are in the middle of the Budget Debate and he can rise in his place and make what comments he likes about a whole variety of matters in that debate. But he cannot do it in referring to one of Mr. Speaker's rulings, and that is why I drew to your attention that in my opinion he was out of order.

**Mr. Bullbrook:** And I suppose that was in order?

**Mr. Speaker:** As the hon. members will understand—and it was drawn to my attention and the attention of the House very forcibly yesterday by the hon. member for Sudbury (Mr. Sopha)—the rules of this House are, and perhaps properly so, rather restrictive. Those Speakers preceding the present Speaker were of the same mind as the present Speaker that there must be a reasonable latitude, provided the work of the House is not interfered with, and provided that we remain within a reasonable ambit of the rules of this House.

Therefore, as far as I am concerned, I trust that this matter is now closed, and each of the parties concerned has had an opportunity to express its opinion. I have not heard from the hon. member for Sarnia, whether he wishes me to take under advisement the bill which he mentioned particularly. I shall do so in any event—that is the bill which has just now been introduced. If he does, I will be glad to do so, and rule on it officially, otherwise it will be looked after in a normal course.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, before the orders of the day I have a question for the Attorney General.

Is the Attorney General aware of the scurrilous recorded telephone messages being given out apparently by the National Socialist Party of Canada, to those persons who call Toronto telephone number, 532-4232?

If not, will the Attorney General inform himself of the character of these messages?

Thirdly, will the Attorney General advise what steps, if any, he will take to protect those groups in our community who are being slandered by these hate messages?

**Hon. A. A. Wishart (Attorney-General):** Mr. Speaker, I did see, I must confess, an article in the newspaper about these messages. I didn't think from the comments which I read that they were so serious that they needed investigation.

On receiving this question from the hon. member, I called the telephone number which he set forth. I got a recorded message which came in answer—and, I think, lasting maybe three minutes—urging Canada not to get involved in foreign aid, but to spend our resources on our own areas.

There was a reference toward the end of the message to wealthy people of the Jewish race going abroad and leaving others to carry on the work here. But I doubt if it was slanderous.

There may be other messages, and apparently from what I gathered listening to this message, this would go on for this week, and then there would be a new message next week.

I would undertake to inquire into the nature of these things—I am not sure, that the hon. member should say these are slanderous remarks—I don't believe what I heard in that particular case was slanderous. It was a case of remarks which were derogatory. Scurrilous perhaps; derogatory perhaps; slanderous, I don't think so.

However, I would continue to watch these and have the police keep track of them, so that we may know if there is anything actionable here.

I think we have to be careful—I do not mean careful, I think we have to be aware of the fact that we have a very wide area in which there is freedom for various points of view to be put forward in very strong and vehement terms. Whether these messages, of which I have only heard one, transgress that area, I will make myself informed and aware.

**Mr. Singer:** Mr. Speaker, by way of a supplementary question.

Would the Attorney General intervene with the authorities at the Bell Telephone Company—as his officials have done in the past where betting goes on—to see if the Bell Telephone Company will not move to do something about this?

**Hon. Mr. Wishart:** Mr. Speaker, I would accept the suggestion and inquire into it.

The point of view that I take is that if these messages—if there is no right. If it is wrongful.

If these statements are such that they should be suppressed—that they should not be allowed to be made—then the Bell Telephone Company certainly would be involved in permitting them to be made over its equipment

The primary question is: Do the statements which are being promulgated in this way offend against our laws of freedom of speech? If they do not—

**Mr. MacDonald:** Surely Bell has not the right to censor?

**Hon. Mr. Wishart:** Pardon?

**Mr. MacDonald:** Surely Bell has not the right to censor?

**Hon. Mr. Wishart:** No, the primary question is do these messages—of which I have heard one—offend our principles of freedom of speech? If they do, then we act. We do not ask the Bell to do it.

**Mr. Singer:** Mr. Speaker, again by way of a supplementary question:

This Legislature, last year, unanimously passed a resolution urging the federal government to pass laws against group libel, group slander and hate literature, substantially because there is nothing in the law that talks about libel or slander to groups. It would seem to me that if the Attorney General wanted to, there are certain pressures he



could bring to bear to stop these scurrilous messages being distributed to the public, and I would ask him if he will not carefully consider that?

**Hon. Mr. Wishart:** Right.

**Mr. Speaker:** The member for Sudbury East.

**An hon. member:** We are waiting for that legislation.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Minister of Trade and Development.

Is the Minister planning to change the OHC geared-to-income policy to include a rent ceiling; and below the rent ceiling, a monthly rent based on not more than 20 per cent of income and a progressive reduction of rent based on the number of dependent children?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, I will take notice of the question and get the information in a few days.

**Mr. Speaker:** The hon. member for Oxford has a question of the Minister of Municipal Affairs from some days back.

**Mr. G. W. Innes (Oxford):** Mr. Speaker, a question of the Minister of Municipal Affairs.

Does the definition of unusual noises or noises calculated to disturb the inhabitants in subsection 14 of section 379(1) of The Municipal Act, chapter 249, Revised Statutes of Ontario 1950, empower a municipality to pass bylaws prohibiting the passage of diesel trucks, aircraft operations, and so on, if the nuisance therefrom infringes upon the municipality regardless of the point of its origin?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, the question divides into two parts.

Section 379(1), paragraph 114 of The Municipal Act is permissive, and therefore no municipality is compelled to pass a bylaw to deal with the matter.

Secondly, as to the point of origin of the noise. I would refer the hon. member to section 242 of The Municipal Act which provides in part as follows:

Except where otherwise provided, the jurisdiction of every council is confined to the municipality that it represents. . . .

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, a question for the Minister of Health.

**Mr. Speaker:** Order. The hon. member withdrew those questions two days ago in the House. I advised him I still had two questions and did he wish to ask them or withdraw them, and he said he would withdraw them.

**Mr. Sargent:** No, they were resubmitted yesterday, sir, and he agreed to my asking them today.

**Mr. Speaker:** They have not come to the Speaker's office. They may have—

**Mr. Sargent:** The Minister will agree with that, will he not?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, the hon. member asked me if I was prepared to answer the questions. I said yes, but I had nothing to do with the procedural—

**Mr. Speaker:** The hon. member, if he wishes those questions asked, will resubmit them to the Speaker's office.

**Mr. Sargent:** At this time, Mr. Speaker, I would like to congratulate the Minister on his move to a crash programme—

**Mr. Speaker:** Order. The hon. member may take the opportunity of making his remarks, if they have something to do with his question, when the question is properly here.

If the hon. member has those questions and the hon. Minister is prepared to answer them, I will be glad to have him place them this morning and ask that he resubmit them to me as of this morning so that Mr. Speaker's file may be complete. Is the hon. Minister prepared to answer the questions if the hon. member asks them?

**Mr. Sargent:** Has the Minister considered the system now in use in New York City for setting up flocks of birds to warn against encephalitis, the deadly sleeping sickness, as now practised by the New York City health department?

**Hon. Mr. Dymond:** Mr. Speaker, the two kinds of encephalitis referred to in this programme in New York do not affect the people in Ontario and therefore this is not part of our public health programme.

**Mr. Sargent:** Will the Minister also advise if he is taking steps in Ontario to provide the new vaccine against the pending epidemic of Hong Kong flu in the United States?

**Hon. Mr. Dymond:** Mr. Speaker, the development of vaccine to counteract special strains of influenza is a lengthy process and by the time the vaccine is developed we find that the epidemic, if such comes about, is usually at an end. The effectiveness of these vaccines is very much in question, and while they have application in certain groups of our population they are not generally widely effective and they are not widely subscribed to by practitioners. Therefore this is not part of our public health programme.

Mr. Speaker, before the orders of the day, the hon. leader of the NDP posed a question the other day which I took as notice:

What steps will the Minister take to remove the possibility of periodic high level pollution by phosgene gas from the Allied Chemical plant in Moore township detailed in a letter to the Air Pollution Control Service on November 7, 1968?

In answer, Mr. Speaker, the Air Pollution Control Service served Allied Chemical in Moore township under section 8 of The Air Pollution Control Act on November 28. The requirements are specific concerning all vents for toxic materials and scrubbing systems. In addition a detailed inspection and preventative maintenance programme is required of the company. Until such time as peripheral monitors are installed the plant must be patrolled every thirty minutes.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order: Resuming the adjourned debate on the amendment to the amendment of the motion for an address in reply to the Speech of the Hon. the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. J. Renwick (Riverdale):** Mr. Speaker, when the debate was adjourned last night I was placing on the record the file relating to the tragic case of Mr. William R. Boulter and his wife Ruth, due to her chronic illness, and the result which flows from that under regulations made pursuant to The Public Hospitals Act which deprives Mr. Boulter and his wife, from time to time, of any coverage under the Ontario Hospital Insurance scheme. I would like now simply to continue with that.

I had referred last night, in closing, to a letter to me from the chairman of the Ontario Hospital Services Commission, in which

we were endeavouring to arrange for a meeting to discuss this matter. That letter was dated January 19, 1967. Mr. Boulter and I did then attend on the commission and met with Mr. Martin and with Dr. Peat, to whom I have referred in the earlier correspondence.

We discussed the matter at great length and reviewed the whole of the circumstances related to Mrs. Boulter's illness and the problem with which the Ontario Hospital Services Commission was faced specifically due to the provisions of the regulations. It was an inconclusive meeting in the sense that no final decision was made, and then on February 13, 1967, Mr. Boulter wrote to me as follows:

Dear Sir:

This afternoon I received a surprise call from Dr. Peat of the Ontario Hospital Services Commission. He inquired about my wife's condition and whether she was receiving any therapy at the Garden Court nursing home. I assured him that nothing has changed since our meeting at the commission with the chairman, Mr. Martin.

Dr. Peat once again assured me that physical and occupational therapy would be of no use to Mrs. Boulter. Apparently he will do nothing toward getting her back into a hospital and feels the nursing home is the only place.

Dr. Omaradi, who seems so willing and interested in my wife's case, now wishes to step out of the picture entirely. His reason 'most unethical' toward Dr. Chang, Dr. Madigan, to the Etobicoke welfare. Apparently the vicious circle is still in operation.

Frankly, Mr. Renwick, I am disgusted and becoming disheartened to think that nothing can be done under the present regulations to aid Mrs. Boulter, who certainly deserves some sort of consideration from the commission. My thoughts now are the same as discussed with you before.

I would greatly appreciate your bringing this unfortunate situation before the Legislature and press. You may rest assured, Mr. Renwick, that any action on your part will be followed with great interest by upwards of 200 neighbours and friends who are 100 per cent behind me.

Once again, Mr. Renwick, thanks for your past interest in my wife Ruth and all you have done. Hoping to hear from you in the near future,

Yours very truly,  
William R. Boulter.

Mr. Speaker, on March 22, 1967, I received a telephone call from Mr. Boulter to advise me that the Queen Elizabeth Hospital had approved an application for the readmission of Mrs. Boulter to that hospital and it was just a matter of waiting for a bed and that Mr. Boulter would keep me informed about it.

Mrs. Boulter was admitted March 28, 1967, to the Queen Elizabeth Hospital, and for a year nothing further happened, until March 13, 1968, when Mr. Boulter received the following registered letter from the Queen Elizabeth Hospital:

Dear Mr. Boulter:

As you know your wife has been a patient in this hospital since March 28, 1967. Her condition has been carefully investigated, treatment has been provided, and everything has been done to improve her situation and to make her more comfortable.

The attending doctors and medical specialists have now informed us that she does not need care in this hospital any longer. Under the regulations of the Ontario Hospital Services Commission we are not authorized to provide further care at this time. Within the next 21 days other accommodation must be found. The Department of Public Welfare of your municipality will be notified and can assist if you wish. Would you, therefore, please make arrangements for her to be accommodated elsewhere?

We would be glad to discuss the problem with you in the near future, since it will be necessary for her to be transferred on or before April 3, 1968.

Yours sincerely,

L. B. McFadden, Social Service.

On May 13, Mr. Boulter wrote me:

Dear Sir:

Further to our conversation of last week please find enclosed a copy of the letter to the Prime Minister written by Mr. H. H. Jeffrey, office manager, Sumner Equipment Limited. Mr. Jeffrey has been very concerned about my situation and I hope nothing has been written in his letter that will hinder your kind efforts in our behalf.

Thanking you once more, I remain

Yours truly,  
William R. Boulter.

The letter to which Mr. Boulter referred is a letter dated May 9, 1968, from Mr. H. H. Jeffrey, of 79 Dalegrove Crescent, Islington,

Ontario, to the Prime Minister of the government of Ontario (Mr. Roberts):

Dear Sir:

I wonder if you could assist me in a problem in arithmetic. The question is: How can a man earning in the neighbourhood of \$6,000 per year pay a hospital bill on behalf of his wife of \$7,811?

While you turn this over to your favourite mathematician to solve I will explain the reason for my problem.

In 1961, Mrs. Ruth Boulter was operated on for the removal of a cancer in the breast. The cancer was arrested, but during the operation Mrs. Boulter suffered a stroke which left her completely paralyzed on her right side, and unable to stand by herself, or walk. She was admitted to Our Lady of Mercy Hospital in July 1961.

In the summer of 1965 it was the decision of the doctors of this hospital that she required no further medical attention, so Mr. Boulter was advised to take her home or place her in a nursing home. She was brought home for a short period, then it was realized; first, that Mr. Boulter could not keep his job and stay home to look after her; second, that she still needed therapy, so she was admitted to Riverdale Hospital.

After one year in Riverdale, once again Mr. Boulter was instructed to remove her, and, after a great deal of hassling she was removed to a nursing home. The nurses were unable to cope with her in her condition, so after a time she was admitted to Queen Elizabeth Hospital where she remains at present.

On each occasion, Mr. Boulter was informed that his Ontario Hospital benefits had expired and she had to be removed. Yet, miraculously, after much argument and consultation the transfer to each hospital was effected and he was told not to worry about the financial problem.

Once again—an annual event—in March he was instructed to find further accommodation for his wife. He was unable to do so, and he has now received the bill from Queen Elizabeth Hospital for 15 days in April at \$21.40 per day. This works out to the aforementioned \$7,811 per year.

Perhaps by now he arranged to do enough to draw her file from the Ontario Hospital Services Commission. I might state that overtures have been made by Metro to Mrs. Boulter to have her mark

her cross on a document, assigning the equity in their little bungalow over to the city for services rendered.

A person who has nothing can immediately fall back on welfare, but a working man must exhaust his hard-earned assets before he can become eligible for assistance. Although I am anything but socialist, I feel that there must be many cases similar to Mr. Boulter's, and legislation should be passed for the protection of all Ontario residents who, through no fault of their own, find themselves in this predicament. I am sure that if you want verification of the foregoing, Mr. Boulter would be delighted to be granted an interview with you personally, as it would relieve his worry to know that someone in high authority is interested.

A few observations might be pointed out now. First, in her condition, Mrs. Boulter is a wife by marriage only. She can not perform a wife's duties, meaning by this, care of the home, shopping, cleaning, etc., and therefore it is my intention that she should be a ward of the government. If Mr. Boulter was irresponsible and decided to disappear, some authority would be immediately assigned to take care of his wife. As you well know, many husbands desert their families, and the families are well taken care of.

I am concerned because this could happen to me or my neighbours, who like Mr. Boulter work hard and try to pay our way and live as proper members of our society. In such circumstances as outlined here, we are punished for doing the right thing. I feel very strongly about this situation, and appeal to you to give it your sincere consideration. Thank you,

Yours very truly,  
H. H. Jeffrey.

On May 20, Mr. Boulter wrote to me again, saying:

As requested, please find enclosed from Queen Elizabeth Hospital the account on behalf of my wife, Mrs. Ruth Boulter.

The account is for 15 days from April 16 to April 30, 1968, at \$21.45 per day, for \$321.75, and 31 days from May 1 to May 31, 1968, at \$20 per day, for \$620, a bill of \$941.75.

On June 10, Mr. Boulter wrote to me again:

Referring to our telephone conversation on June 6, please find enclosed a copy of a letter received by Mr. H. H. Jeffrey from Mr. John Robarts, also his answer to the Prime Minister. Hope you will be

able to arrange for the mentioned interview with the chairman of the Ontario Hospital Commission. Thanking you once again for the interest you have shown, I remain,

Yours truly,  
William Boulter.

The letter from the Prime Minister to Mr. Jeffrey is dated May 14, 1968:

Dear Mr. Jeffrey:

I have your letter of May 9 which I have read with interest and some concern. You mentioned a matter which apparently has been continuing for some time and which you indicate eventually was brought back to its proper perspective. Now this problem has risen again, and while your calculation is for 365 days, at the moment the bill is for only 15 days. But the chance of things working out to this annual total is what your friend is fearful of, and would like to have adjusted.

I have sent your communication to the hon. Dr. M. B. Dymond, Minister of Health, under whose department the Ontario Hospital Services Commission functions. He will be able to get the proper facts laid before him, and will then be in a position to write you further in the matter.

Yours very truly,  
John P. Robarts.

On May 21 Mr. Jeffrey wrote to the Prime Minister:

Dear sir:

Thank you for your reply to my letter of May 9, regarding Mr. W. R. Boulter and his problem. I shall look forward to Mr. Dymond's letter.

Mr. Boulter has now received another invoice from the hospital for services for May. For some reason the charge has been reduced from \$21.40 per day to \$20. This manifests that if he is required to pay these charges each month, he will be bankrupt in a very short time, then what happens?

But you are missing an important—to me—point in my letter. Though I am very concerned on behalf of Mr. Boulter, there must be many, many similar cases throughout the province, so I repeat, I feel there should be legislation passed to protect all Ontario residents who are placed in this unfortunate situation. I think this is well worth your every consideration, and thank you in anticipation of your interest,

Yours very truly,

On June 17 I received a further note from Mr. Boulter:

Enclosed please find statement from Queen Elizabeth Hospital as requested. Hoping to hear from you soon about my wife, at your convenience.

That is the bill dated June 13, 1968, which then includes the account for the month of June, bringing the total to \$1,541.75. On June 18, I had another note from Mr. Boulter, saying:

Enclosed please find copy of follow-up letter written to Mr. Robarts by Mr. H. A. Jeffrey.

This letter is dated June 21, 1968, addressed to the Prime Minister.

Dear Sir:

A month has elapsed since I received your courteous reply to my letter of May 9 regarding the problem of Mr. W. R. Boulter. Nor have I had a reply to my letter of May 21, copy of which is enclosed.

You stated that you have passed my original letter to Dr. Dymond, who after checking all the facts would be in position to write to me. Granting that Dr. Dymond is a very busy man, surely he would have been in a position to advise me of his views in this matter after more than a month's deliberation.

In the meantime, Mr. Boulter has received another statement from the hospital for services rendered for June, another \$600. A year or two ago, when Mr. Boulter faced a similar situation, his case was given some prominence in the Toronto newspapers. Whether it was a coincidence or not, I am not sure, but at that time, he was advised, I think by the Ontario Hospital Services Commission, not to worry, that these expenses would be taken care of. They have been until this spring, then he started to receive the invoices, which prompted me to write to you.

I reiterate, I feel that legislation should be passed to protect others, placed in such a situation, from continual harassment, and I would appreciate your own views.

On July 2 Mr. Boulter sent me a copy of the letter from the Minister of Health (Mr. Dymond) to Mr. H. H. Jeffrey dated June 26, 1968, as follows:

Dear Sir:

Your letter of June 21, addressed to the Prime Minister, has been referred to me for reply. I can understand your feeling

that I should have replied to your previous letter to the Prime Minister, but I can assure you I still do not have any definitive answer to give you, in spite of my efforts to get such an answer.

I am rather concerned about your statement in the fourth paragraph of your letter: "Whether it was a coincidence or not, I am not sure, but at that time, he was advised I think by the Ontario Hospital Services Commission not to worry, that these expenses would be taken care of. They have been until this spring, when he started to receive the invoices, which prompted me to write to you."

The commission has no authority either to admit patients or to discharge them. This must be done on the recommendation of a practising physician. This is actually the problem presently facing Mr. and Mrs. Boulter. The physician in charge of Mrs. Boulter advised that she no longer needed hospital care and I am assured that Mr. Boulter was notified of those circumstances.

The commission, therefore, has no power or authority within the terms of the law to continue to pay hospital care for Mrs. Boulter when the attending physician has certified that she only needs domiciliary care. What I have been trying to do in the meantime, through discussion with my colleague the Minister of Social and Family Services, is ascertain what alternative solution to Mrs. Boulter's problem can be found.

Yours sincerely,  
M. B. Dymond,  
Minister of Health.

And on July 3 I received a note from Mr. Boulter enclosing Mr. Jeffrey's reply to the Minister of Health, dated July 2:

Dear Sir:

I do really appreciate your letter of June 26, and have learned a little from your explanation of the scope of the authority of the Ontario Hospital Commission. However, I am still a little baffled although I realize that I am in no position to dispute the attending physician's statement.

It was my understanding that the Queen Elizabeth was a hospital set up specifically for cases which include such as Mrs. Boulter's. Am I to understand that all other patients in this hospital do require hospital care?

It would appear to me that domiciliary care relieves one problem, only to present another. If Mrs. Boulter is sent home she



would require day care while Mr. Boulter is away earning their living. This, Mr. Boulter, cannot afford. If he left his job to stay home to take care of her, it would only be a short time before all that he has worked for over the years is gone and they would both be applying for welfare.

I understand that this woman is physically unable to do anything for herself. If hospital care is not necessary, is there not some place within the jurisdiction of this province to look after such cases as Mrs. Boulter's, as I suggested before, such a person should probably become a ward of the Ontario government.

It is not my intention to be critical; rather, it is a motivation to attempt to bring relief for a fellow citizen who finds himself in a distressing situation brought on by most unfortunate circumstances.

After reading your letter I am satisfied that you are quite concerned and confident that between yourself and the Minister of Social and Family Services, some solution to the Boulter problems can be found.

Yours sincerely,  
H. H. Jeffrey.

On July 13, Mr. Boulter sent to me a copy of the reply to that letter from the Minister of Health, and that letter is dated July 8, 1968, and it is addressed to Mr. H. H. Jeffrey, from the Minister of Health:

Dear Sir:

Further to your letter of July 2, which I have read with care and interest, I would point out to you that you are right in your belief. The hospitals of the type such as the Queen Elizabeth were set up for cases which have long-term illnesses, which need a degree of skilled nursing care and some medical supervision, but not the intensive care which can only be provided in an active treatment hospital.

However, patients in these extended care hospitals such as Queen Elizabeth, reach the point too, where they no longer need that type of care afforded by the hospital.

Such decision, as I pointed out before, rests with the physician. Many people, particularly as they become older, need a great deal of personal attention; some kind of nursing, skilled or less than skilled, which can be provided in the home or in a setting other than a formally established extended care hospital. I take it, Mrs. Boulter is in this condition and in the view of her physician, needs domiciliary care.

The kind of facility I believe Mrs. Boulter would need is a nursing home and the province does not operate any of those. For certain persons who are not able to afford the cost of their care in nursing homes, some assistance can be had through the Department of Social and Family Services, that is Mr. Yaremko's department. This, I think, is still on a type of means test and Mr. Boulter may not be interested in this.

I am sure you did not really mean that it is your view, such people should become wards of the government. I hope we never reach the time when we turn over the responsibility for the care of our disabled friends and relatives to government institutions. I think this would be a very backward step and would certainly not be in keeping with the kind of society we like to think of having here in Canada.

I believe that government should try to help all it can, and we do. I am sure you must realize we are fast reaching the place where the segment of society which must provide the production from which come the taxes to pay for all the social services, is becoming smaller and smaller; while those, who need the support, becomes larger constantly.

I believe we are at the place now where a large enough proportion of our tax income is going to pay for social services. I do not believe that the economy of our province can stand anymore but, of course, every one may not be in agreement with this.

I can assure you that, as a government, we are constantly looking at the situation and seeking to find ways and means of providing all possible in support of social services.

Thank you for letting me have your views.

Yours sincerely,  
M. B. Dymond,  
Minister of Health.

And on July 9, Mr. Jeffrey received a letter from James S. Band, the Deputy Minister of The Department of Social and Family Services:

Dear Mr. Jeffrey:

The Hon. John P. Robarts, Prime Minister of Ontario has asked the Minister of this department, the Hon. John Yaremko, to consider what assistance we might offer to your friends, Mr. and Mrs. William Boulter.



The Hon. M. B. Dymond, MD, Minister of Health has explained to you that the hospital charges are no longer covered by Ontario Hospital Insurance since the Commission, on the certification of the attending physician, deems that Mrs. Boulter no longer requires hospitalization but rather domiciliary care.

We shall have a senior representative of the department visit Mr. and Mrs. Boulter and make an attempt to find such appropriate care which would probably be much less expensive. You may be assured that we shall move without delay and at the same time, consider whether financial assistance can be made available to meet some part of the cost.

Yours sincerely,  
James S. Band,  
Deputy Minister.

On August 18, Mr. Speaker, Mr. Boulter sent on to me a copy of the letter which Mr. Jeffrey then received from Dr. Band and that letter is dated August 14, from the Deputy Minister of the Department of Social and Family Services to Mr. H. H. Jeffrey:

Dear Mr. Jeffrey:

You will recall the interest of the Hon. John P. Robarts, Prime Minister of Ontario and of the Hon. Matthew B. Dymond, MD, Minister of Health, in the difficulties of your friends Mr. and Mrs. Boulter.

We have made a number of inquiries as to the suitability of other accommodation for Mrs. Boulter and the ability of her husband to pay a part of this care, if that should be necessary.

I am happy to say that we have received word that the Ontario Hospital Services Commission will again accept the cost of Mrs. Boulter's care in the Queen Elizabeth Hospital.

I understand that the hospital charges will be covered from March 1968, so that Mr. Boulter is relieved of the bill, that was accumulated.

The Hon. Mr. Robarts and the Hon. Matthew Dymond will also be pleased to hear of this arrangement.

Yours sincerely,  
James S. Band,  
Deputy Minister.

Well, Mr. Speaker, Mr. Boulter telephoned me about this and said that he was simply delighted that his wife was now going to be able to continue as a patient in Queen Elizabeth Hospital but should he not have had some indication from the government of

this decision and I, naively said to him, well Mr. Boulter, let us just let it rest that way. I am quite certain that that letter means exactly what it said.

On October 28, a registered letter was addressed to Mrs. Ruth Boulter, care of the Queen Elizabeth Hospital from the law firm of Messrs. Lang, Michener, Cranston, Farquharson and Wright, as follows:

Dear Mrs. Boulter:

I enclose herewith an account dated October 25 from the Queen Elizabeth Hospital, Toronto,

We are the solicitors for the hospital and have been instructed to collect from you and Mr. Boulter the indebtedness for your hospitalization which, as you know, ceased to be covered by the Ontario Hospital Services Commission in April of this year.

Unless payment of this amount is made within five days of receipt of this letter, we will commence some action against you and your husband in the Supreme Court of Ontario for the amount of indebtedness that exists at the time of the issue of the writ plus interest. As well, an additional claim for court costs will be made if this step proves necessary.

We trust that you will be guided accordingly, a similar letter of demand is being sent to your husband.

Yours very truly,

Enclosed with that is an account from the Queen Elizabeth Hospital dated October 25, 1968, amounting in all to \$4,016.75, with a note at the bottom that Mrs. Ruth Boulter will be charged the rate of \$20 a day while she remains a patient in the Queen Elizabeth Hospital. That was from that law firm and signed by Mr. A. B. Doran.

On October 30, 1968, Mr. H. H. Jeffrey wrote to the law firm of Messrs. Lang, Michener, Cranston, Farquharson and Wright by registered letter as follows:

Gentlemen:

I am a friend of Mr. and Mrs. W. R. Boulter. Mr. Boulter has shown me your letter written to Mrs. Boulter in the Queen Elizabeth Hospital demanding payment of \$4,016.75 on behalf of this hospital with the threat of Supreme Court action should payment not be made in five days.

True, the legal profession requires that all concerned persons be notified but in my opinion serving such a notice on a helpless wheelchair paralytic exceeds all the bounds of decency, thoughtfulness and

moral ethics. To cause such distress and anguish is extremely cruel and I am very surprised to learn that a prominent legal firm such as yours would adopt such measures. I am sufficiently Christian to hope that you personally are never subjected to similar cruelty.

The history of this case now goes back several years and I have been interested in Boulter's problem to the extent that I brought it to the attention of the Prime Minister of Ontario. Mr. Robarts was disturbed and took the trouble of turning it over to the Minister of Health. Mr. Dymond was genuinely concerned and checked into the case; finding that it was outside his jurisdiction he searched for a way to help the Boulters and took up the matter with his colleague, Mr. Yaremko, Minister of Social and Family Services. His department made a thorough investigation and the result was a letter from Mr. James S. Band, Deputy Minister, a copy of which is enclosed, stating that the Ontario Hospital Services Commission would accept the cost of Mrs. Boulter's care in the Queen Elizabeth Hospital.

Mr. Boulter has not had a bill from the hospital since May, when the amount outstanding at that date was \$941.75. Naturally, he was shocked to receive the notice that you sent to his wife. Up until now he hasn't received the letter which you state was mailed to him. Copies of this letter are being mailed to the following very interested people: Rt. Hon. John Robarts, Hon. Matthew B. Dymond, Hon. John Yaremko. It is conceivable that if this case goes to the Supreme Court it could become very interesting.

Yours truly,  
H. H. Jeffrey.

On November 1, 1968, Mr. William R. Boulter received the following letter from the law firm of Messrs. Lang, Michener, Cranston, Farquharson and Wright:

Dear Mr. Boulter:

Thank you for your letter of the 30th enclosing copy of a letter dated August 14, 1968 from Mr. Band addressed to Mr. Jeffrey. On receipt of your letter, we again checked with OHSC and they again confirmed they have not covered and will not cover Mrs. Boulter's hospitalization charges for period claimed for in the statement of account sent you with our letter of October 28.

Therefore, we must advise you that unless payment or arrangements for payment

have been made for the account by November 7, we will be forced to commence an action against you and Mrs. Boulter without further notice.

Yours very truly,

On November 8, Mr. Speaker, a writ was issued out of the Supreme Court of Ontario with the Queen Elizabeth Hospital, Toronto, as plaintiff and William R. Boulter and Ruth Boulter as defendants. The claim is for the sum of \$4,356.75 owed by the defendants to the plaintiff for the hospitalization services and accommodation of the plaintiff, rendered to the defendant Ruth Boulter from April 15 to date hereof.

The defendant, William R. Boulter, is the husband of the defendant Ruth Boulter. Further, the plaintiff claims from the defendants the sum of \$20 per day for hospitalization services and accommodation from date hereof to date of judgment or date of the leaving of the plaintiff's hospital premises by the defendant Ruth Boulter, whichever is sooner.

That case, Mr. Speaker, is now in the Supreme Court of Ontario. An appearance has been entered on behalf of Mr. and Mrs. Boulter, a statement of claim has now been received from the solicitors for the hospital and the matter undoubtedly will proceed to trial.

Mr. J. E. Bullbrook (Sarnia): Who entered the appearance?

Mr. J. Renwick: Mr. Paul Ross of the law firm of Messrs. Ross and Cohen entered the appearance and I have been advised a day or so ago that the statement of claim has been received.

Mr. Boulter, in accordance with the laws of the province passed a couple of years ago has made application for a legal aid certificate in order that he will be in a position to defend this action on behalf of himself and his wife.

Now, Mr. Speaker, I simply want to say to the government what other members have said over the years, that this kind of treatment of a citizen of the province cannot be permitted to continue. It is no wish on my part to imply any criticism of any of the persons who were referred to in any of the correspondence.

I come back again to the very simple proposition that under The Public Hospitals Act, the regulation made under it, there is this very fine and subtle distinction about a person who has reached the apparent limit of his recovery, who on the one hand requires medi-

cal and skilled nursing care in a hospital for chronically ill patients, in which case that person continues to be covered, assuming the premiums have been paid, by the Ontario Hospital Services Commission; and a person who falls on the other side of what must be a very narrow line, who has reached the apparent limit of his recovery and whose condition is such that certain care is necessary but who does not require continued medical and skilled nursing care in a hospital.

The member for Huron-Bruce (Mr. Gaunt) has raised this matter on a number of occasions, and my colleague, the member for Hamilton Centre (Mr. Davison) had also raised the question on a number of occasions. There is a resolution presently on the order paper for the matter to be again debated. I suggest to the government that they must now bring in whatever amending legislation is required in order to eliminate this problem, not just for Mr. and Mrs. Boulter, but as Mr. Jeffrey said in his letter to the Prime Minister, for other persons who may find themselves or are now in that position in the province of Ontario.

I think it is a disgrace. I think it is in any other circumstances an imposition on the time of this House for any member to have had to take the time to put on the record the whole of this story. What I am interested in is one thing and one thing only: How do we get this government to respond to this kind of hardship to an individual citizen of the province? In what way, in what way is it possible for anyone, be he a backbencher of the Tory party, a member of the Liberal party, a member of this party, sitting in this House, to get any kind of action from the government about this matter? What do we do? What further can be done? Is there any way in which we can make any impression on the government benches?

**Mr. D. C. MacDonald (York South):** That is their kind of society.

**Mr. J. Renwick:** Is it possible, is it conceivably possible that in some way I have now gotten across to the government that there is a serious social problem which they cannot pass off to the government at Ottawa? They cannot pass off to some municipality in the Metropolitan area, a problem which they, as a government, are going to have to face up to and deal with. There is no reason whatsoever why this matter should be allowed to continue in the court. I am asking the government, not only to clear up this instance but to take whatever steps are necessary to

provide for the payment of this claim so that Mr. and Mrs. Boulter will be subject to no further harassment and all other persons in the province of Ontario who may be in this position at this time will be relieved from this kind of concern.

Mr. Boulter has no other alternative. I do not know now what can be done for him, but it does seem passing strange that in all likelihood the defence of that action will be on the basis of a certificate granted under the legal aid system of the province. Surely we are compounding the problem, and I know that the Minister of Health, the Minister of Social and Family Services (Mr. Yaremko) and I know that the Prime Minister, were as concerned as they stated in their letters, but they know the problem, it appeared for a brief fleeting time that at least for a short period Mr. Boulter would again escape the problem with which he is faced. I do not know how the confusion arose within the government but I ask the government if they will please move immediately to solve this particular problem and move immediately to provide a continuing and long term solution for it.

Mr. Speaker, I do not intend to carry on much longer in the Throne Debate. I have two or three very brief comments I am going to make. Time is going by in this month of December and I do not want to monopolize any more of the time.

I want to raise, however, in the brief few minutes before 12 o'clock certain fundamental aspects of the position of the New Democratic Party.

We want the government to understand, we want them to understand very clearly, that we are here for one purpose. We are here to bring down this government just as quickly and as rapidly as we can. We want to make absolutely clear to the people of the province of Ontario that we do not accept the structure of wealth, power and privilege which is represented by this government; that we are prepared in any way that we possibly can, to shift the balance of power within the community of the province of Ontario so that the people of the province of Ontario will have the kind of responsive, representative government which they are entitled to receive, and I want to give two or three, or four or five, illustrations of what I am talking about.

Mr. Speaker, we happen to have upset the Conservative Party and the Liberal Party by engaging in the processes of democracy within the New Democratic Party. I would

suggest that when they get around to that same kind of democratic procedure, then we can have some useful exchange about it.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. J. Renwick:** Mr. Speaker I want to refer to the Proctor-Silex problem because for some reason or other the Tory benches and the Liberal benches were unable to understand that we were engaged in one thing and one thing only, and that was to focus the attention of the people of Ontario, and, if possible, of the government benches, on the situation at Picton.

Let me be perfectly clear, Mr. Speaker, we are not talking about the intervention of the government to force any kind of settlement in the Proctor-Silex situation. What we are saying to the government is that we in this party will not permit the union at the Proctor-Silex plant to be destroyed by the conjunction of two events—a court injunction issued under the authority of a statute of this Legislature, and the so-called right of the management of a plant, during a lawful strike, to replace the labour force.

Two years ago, this party understood what was taking place at Tilco in Peterborough. Two years ago this party believed that the focus of attention on that situation would have produced a solution. The solution, Mr. Speaker, is the Rand report. We do not intend to be taken down the red herring road of the Rand report. We intend to make absolutely certain that the government clearly understands that this party will not permit that union at the plant in Picton to be destroyed.

We are unalterably opposed to the use of the court injunction, under authority of the Legislature of the province of Ontario, in conjunction with the so-called right of the management, during a lawful strike, to replace the labour force to permit that union to be destroyed.

That, Mr. Speaker, is the guts of the problem, and that is what we are talking about when we say: "Yes there is going to be a shift in the power of the people of the province of Ontario toward themselves and away from the structure of wealth and power and privilege which this government represents."

Our objective is to bring whatever pressure we can to bear, through the public, and through whatever means outside this Legislature we conceive to be necessary for that

purpose. This Legislature, as usual, never has anybody in the galleries because people in the province of Ontario do not consider it very relevant.

We intend, Mr. Speaker, to make it relevant, and we intend to make a very critical appraisal of what is taking place in this assembly, because the fact is that of all the institutions in the province which are being subject to critical reappraisal of all kinds, the one which escapes is this Legislature.

Why? Because it is not important to the people of the province. We want it to be a very important place; we want matters of public concern and public debate to be debated in this assembly so that the people of the province will come to hear what is going on.

Let us not consider that in our little myopic Chamber at this time, engaging in our little cross-fire across this floor, we are of any real significance, unless we, as an assembly, as a democratic assembly, are prepared to face up to the basic fundamental problems of a representative, parliamentary, democratic system and until we are prepared to make the people of the province of Ontario realize that we are concerned about them, and that we are concerned about what happens to them.

There are many areas in which I could make this same comment; I am going to deal, only very briefly, with two others.

We have heard a great deal about the law of landlord and tenant and the tenants' bill of rights and all the little changes that we could bring about in the law of landlord and tenant. Well let us go right to the fundamental root of the landlord and tenant relationship. The structure of privilege, the inherited structure of privilege, in that relationship, Mr. Speaker, is that the landlord is protected in the payment of the rent—protected to a degree which destroys any rights of the tenant.

If you look at The Landlord and Tenant Act, you will find that after 15 days a landlord can evict, he can exercise a right of distress, he can use the bailiff in order to execute his wishes; he can lock people out of their apartment. But the tenant for no purpose, for no purpose, is entitled to withhold his rent, and the shift in power which I am talking about in the field of landlord-tenant relationships is to shift the power so as to provide the terms and conditions under which a tenant may withhold his rent in order to compel the landlord to carry out the terms of the lease.

The ramifications of that would be very great in restructuring the whole relationship of landlord and tenant and this is but one example. If you look in any lease today you find no obligation of any kind on the landlord to repair, and if a building falls into disrepair, through lack of care, attention, hazard of any kind, the tenant has no right to withhold his rent until such time as those repairs are completed so that he can continue to live in a reasonable way in the accommodations for which he is paying his rent.

That is the guts of the landlord-tenant relationship and we, in this party, intend to make certain that that shift in power takes place so that the tenant in this society will, for the first time, have some positive way to make certain that the landlord fulfills his obligations under the lease which, as we all know, has become a standard document certainly throughout Metropolitan Toronto and in other of the urban areas in the province.

I want to deal only with one other area in this short time. There are many other areas and they are of differing importance.

I am saying to the government, in the field of university government, that the universities are established as we all know by Acts of this Legislature.

It is ceasing to be relevant or material whether they are private Acts or whether they are public Acts. The fact of the matter is it is this Legislature that has the authority to amend governmental structures of the universities. If it is not done by this Legislature, there will come a time when the student leaders, many of whom I respect, are going to say: "We deny the authority of this Legislature to pass that kind of law. We deny their right to legislate for the government of the universities."

Mr. Speaker, if that time arrives, we are in a revolutionary situation. That time is not all that far away and, Mr. Speaker, I am saying to the government that they must get about the problem of restructuring—in consultation with the student leaders, in consultation with the faculties throughout the province, and in consultation with other interested persons—a restructuring of the universities, in order to bring their government into relevance as to what is required in the 1970s for the government of the universities in this province.

These are basic fundamental things which must be done by the government. There are many more, but again, they are illustrations of what I refer to as the fundamental shift in power which must take place in this prov-

ince, in order to destroy the structure of wealth, power and privilege represented by this Tory government.

Hon. Mr. Rowntree moves the adjournment of the debate.

Motion agreed to.

#### NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 16 by Mr. Kennedy.

**RESOLUTION:** That the government of Ontario should prohibit the sale of non-returnable glass bottles in this province.

**Mr. R. D. Kennedy (Peel South):** I move resolution No. 16, standing in my name, which has just been read.

Mr. Speaker, this resolution is a reflection of a growing concern with a growing problem. It first came to my attention through newspaper and magazine articles. It was accentuated this past summer when a distressed mother telephoned because her daughter suffered a severely cut foot on a non-returnable bottle.

A second incident involved a child across the road from my home. He was rushed to hospital with a very severely cut foot caused by broken glass.

I have since learned, that the accident rate from this cause is on the increase. Admittedly, these are not all due to non-returnable bottles, but this type of container is certainly adding to the problem.

I know of a public beach where littering has greatly increased—it is in Victoria county, in fact—since the advent of this type of bottle.

Mr. Speaker, a great deal of reference material has come to my attention. In the United States, according to Senator Seymour of New York, there are 80 million bottles a day used.

The *Financial Post*, in an article dated October 15, 1966, quoted a leading glass company as saying by 1970 the Canadian population would consume more than 300 million bottles of soft drinks from "non-disposable glass containers." In other words, no-return bottles.

I think the objections to these bottles, with some modifications, are clearly set out by Alberta's Minister of Highways. He said,

(a):

Many disposable bottles land on highways, where their shattered glass damages the tires of passenger vehicles.



(b):

Even more wind up in highway ditches, where, because they are particularly fragile compared with returnable bottles, they cause damage to tires and other moving parts of mowing and spraying machines.

(c):

Many end up in lakes, rivers, streams, where they cut the boots of fishermen and the feet of swimmers.

(d):

Being indestructible, economically speaking, they are a growing burden to municipal garbage disposal organizations. They can't be burned in incinerators or economically melted down and, therefore, must be separated from other refuse buried in pits.

I do not quite agree with him that these objections are in the right order of priority. I think the major one is personal injury. At least, this is the one, Mr. Speaker, that is certainly being impressed upon myself.

Then, he goes on to support returnable glass bottles, by saying:

By contrast, the returnable bottle is a vastly more attractive product. Being manufactured from "blown" glass, rather than the molded glass used in the disposable product, it is far less likely to shatter when thrown out of a car onto the highway—

Which should not happen, I interject.

It is strong enough to remain intact when subjected to the weight of a rubber-tired highway service vehicle when lying in a highway ditch. And, more often than not, it remains intact when thrown into a river or stream around camping grounds.

Its overriding merit—

He adds,

—is that it represents value and is generally retained by the user or recovered by someone else soon after it is thrown out.

Mr. Speaker, I visited two small retail stores and a supermarket, checking the three types of containers which hold carbonated soft drinks. These three are cans, non-returnable glass bottles and returnable glass bottles. This latter category is rapidly being phased out, according to the information I was able to gather. I was under the impression that cans and no-returns were more expensive and, in fact, they are, but only slightly. Generally the soft drinks cost about one cent per ounce.

In any event, one housewife shopper informed me that she did not mind paying the

extra cost; she said she did not want the empties cluttering up her apartment. This seems to fairly represent the position of one group in this matter.

A second point that I would like to speak on—and it cannot be overlooked—is the position of the glass manufacturer. If the producers and soft drink firms have created a market for non-returnables, which has evidently been encouraged by consumers, no one should be surprised that throw-away bottles are being produced and used in ever increasing quantities. The profit motive is at work and we have no quarrel with that, on this side of the House anyway, Mr. Speaker.

A third group in our society that is most interested and is understandably happy and supports the retention of no-deposit bottles is the retailer. Returnable bottles are a nuisance and, I am told, an expense to the retailer, due to handling and storage costs. If there is no profit, this attitude is easily understood. In fact, should not the retailer be forced to accept empty bottles?

I mentioned earlier, Mr. Speaker, 300 million non-returnable bottles by 1970. When visiting the supermarket I found that fruit juices are now being packaged in 32-ounce non-returnable glass bottles. This beverage is not under pressure so there would not seem to be any need for this. It used to be in cardboard containers, as milk is, and perhaps some of it still is, but anyway on this day in this store it was in the 32-ounce non-returnable bottles. Milk is generally in cardboard or plastic containers.

If the milk industry started to use non-returnable glass bottles, based on current consumption, there would be, if individual quart bottles were used, 688 million, which is our annual Ontario consumption. It goes up about two million per year.

**Mr. P. D. Lawlor (Lakeshore):** Too bad, eh? Suppose they made a big profit on it?

**Mr. Kennedy:** We will cover that too, the matter of making some profit.

Interjections by hon. members.

**Mr. Kennedy:** Of course, there would be a tremendous increase in littering, Mr. Speaker, if beer were distributed this way, and if the present situation on our highways as it now exists is any criterion. Now I set out this question—

**Mr. Lawlor:** Even if they make a big profit.



**Hon. A. Grossman** (Minister of Correctional Services): There are a couple of fellows on the hon. member's side who will tell him about big profits.

**Mrs. M. Renwick** (Scarborough Centre): It bothers the Minister that they are on this side, does it not?

**Mr. Lawlor**: They do not come in non-disposable bottles.

**Mr. Kennedy**: They are expendable, Mr. Speaker.

**An hon. member**: They can be disposed of, too.

**Hon. J. H. White** (Minister of Revenue): Millionaire Maoists!

**Mr. Kennedy**: I set out this question, Mr. Speaker: If the public accepts non-returnable containers, if the retailers support this method of distribution, and if both the suppliers of beverages and glass manufacturers are promoting this outstanding success, we might quite properly wonder why the government should intervene. The reason is, Mr. Speaker, it is not in the public interest that beaches and recreation areas, and our forest lands and parks, be littered and polluted with refuse of any nature.

**Mr. Lawlor**: Hear, hear! No matter what the profit is.

**Mr. Kennedy**: The most dangerous offender is glass.

**Mr. Lawlor**: That is right.

**Mr. Kennedy**: It is chemically inert.

**An hon. member**: Is the hon. member agreeing with him?

**Mr. Lawlor**: It really runs against the grain, though.

**Mr. Kennedy**: Oh, I do not know, the hon. member can see the light occasionally. It is chemically inert. I attempted to find out the rate of decomposition of glass and could not determine very much information. But as far as we are concerned, in this situation for all intents and purposes it is indestructible, it has an infinite life.

In theory, if throw-away bottles continue to be thrown out over the years, our entire landscape would become submerged in them. Returnable bottles at least had the virtue that children and others would act as scavengers and this went part-way toward alleviating the problem. I understand from The

Department of Highways that it costs in excess of \$700,000 per year to keep our highways reasonably clear of discarded objects. Put another way, Ontario spends \$4,000 per day in the summer months from May to October for the 13,000 miles of Ontario highways. Costs in Michigan state have tripled in the last six years for this same purpose.

The Alberta government has asked the federal authorities to work with the provinces in attempting to resolve this problem. A recent *Globe and Mail* article speaks of the danger to children, menace to traffic, garbage disposal and a litter problem that is getting out of hand in the U.S. Ontario is not far behind.

Both the Ontario Municipal Association and the Association of Ontario Mayors and Reeves have passed resolutions asking for legislation to prohibit the sale of disposable glass containers in the soft drink and in the beer industries. The *Financial Post* of October 19 last had an article on one-trip beverage containers that are getting a new look in Sweden. This is very interesting, Mr. Speaker. These are being made without glass or metal. This is one thing in Sweden we concur with; I thought the people on my right here might be interested in that.

**Mr. F. Young** (Yorkview): Sweden has been quoted time after time in this House lately.

**Mr. Kennedy**: Yes, but sometimes improperly. I quote:

This fall, a paper-plastic container for beer and other carbonated drinks is being test-marketed. The container is much lighter, easier to destroy, and more economical than other one-trip containers. It has the advantage of not splintering, and is said to comply with safety requirements for the carbonated beverage container.

It is my belief that industry in Canada or the United States or both could move quickly and respond with a type of container which would not only be expendable but would disintegrate, and so would not be a menace to people and property, or a blight on the landscape. Also, this suggested new type of container would resolve the problems of no returns insofar as the retailer is concerned. Though I may be over-simplifying the problems, the glass companies could be the producers and so there would not be a violent reaction or upheaval in the industry.

I am not fully knowledgeable, Mr. Speaker, but I suggest the industry might enlist the co-operation of such agencies as the national and Ontario research councils. In fact, the

Consumers' Association of Canada passed a resolution requesting glass manufacturers to join in the research which has already been begun by the Glass Container Manufacturers' Institute. The consumers' association also asked that the programme be speeded up.

Mr. Speaker, there are a few moments of time remaining for our side and I know the member for Victoria-Haliburton and perhaps the member for Prince Edward-Lennox would like to speak on this topic. So I would like to yield the remainder of the time to them. I just want to conclude, Mr. Speaker, by saying that the problem is sufficiently serious that I would urge consideration of this resolution beyond the airing which it has received here today.

**Hon. M. B. Dymond (Minister of Health):** May I interrupt the proceedings of the House for a moment, Mr. Speaker? I would like to direct your attention, sir, to the fact that a very large delegation is occupying both galleries. Mr. Speaker has advised that they would be here. I think the House would be anxious to know that they are now here—160 young people accompanied by the teachers from the progressive riding of Ontario are here to further their education. I am sure that you and the hon. members will want to see to it that they get a good lesson in democracy this morning.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Speaker, this is the fourth time that I have risen in this House and spoken on this issue. The first time that I spoke on this matter was in 1966, and it is found on page 5505 of *Hansard*.

**Mr. S. Lewis (Scarborough West):** Mr. Speaker, on a point of order. During a similar private members' hour either earlier this week or last week, a suggestion was made that time would be divided, but it did not interrupt the rotation of parties, and should not, I suggest to you, on this occasion.

**Mr. Speaker:** If I may say so, it was my understanding that when I replaced the Speaker, the next man on the list was the hon. member for Kitchener. I have the hon. member for Victoria-Haliburton on the list, and if it would be agreeable we will proceed in the normal order at this time.

**Mr. Lewis:** When next he rises, Mr. Speaker, it will be the fifth time on this subject in the House.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have listened with great interest to the comments of the hon. member for

Peel South (Mr. Kennedy) in bringing forth this resolution.

As you may recall sir, I brought the problem of these bottles to the attention of the House on June 3 last. At that time I said it would well be in the public interest to discuss this whole problem with manufacturers, distributors and merchants to find out the best solution.

My views now, after some research into the problem, are the same as they were then. A resolution begun by the Kitchener city council, which would ban these non-returnable beverage bottles, has found favour with many other municipal organizations.

We have had reports that there is some increase in broken glass litter in Ontario but I suggest to you, Mr. Speaker, that the facts are simply not known.

The problems of broken glass and damage done will not be solved by legislation to ban these bottles. In Ontario the use of alcohol has been banned on occasion and there are many examples of the futile efforts to ban books and publications of various types.

These items influence the bodies and minds of our citizens. However, only by education can we combat those influences which we feel and believe to be harmful to our society. Non-returnable bottles have become a focal point of public interest in litter and pollution. But what are the facts?

The federal Minister of Corporate and Consumer Affairs, the Hon. Ron Basford, is reported as having said last week that these bottles are not considered harmful and hazardous.

Well this approach, surely, is clearly not the view of many others in Canada or in Ontario. The facts must be known before action can be taken.

I suggest, Mr. Speaker, that there are at least nine departments in this government which can and should, work together quickly to get the information which is needed.

They are: Agriculture and Food, which can tell us of the injury to animals; the Attorney General can tell us of the success or otherwise of the programme of fines for littering in Ontario; education has a role, to inform the students about pollution and littering problems; Energy and Resources Management knows, or should know, the problems of waste disposal; the consumers' involvement comes through Financial and Commercial Affairs; let The Department of Health confirm whether these items are hazardous to health or not; Lands and Forests can tell us the cost

of increased park maintenance because of broken bottles; Tourism and Information must carry on an educational programme against pollution to the tourists and citizens generally, and Transport can tell us of the costs of highway cleaning and refuse removal and of the damage to vehicle tires.

In addition, the Ontario Research Foundation, the parks commission and the Ontario Water Resources Commission have their obvious roles to play in getting us the facts now.

Let this government find out from its many sources of information just what is going on. When this is done, we can act intelligently rather than react to this very emotional matter.

We need to be informed. Many groups must be canvassed. The farm organizations and the humane societies could help us. The municipalities have some experience in collection and disposal problems for these items. The tire manufacturers, the glass container council, the hospitals, the beverage bottlers and distributors and the grocery chains, all have views on this subject.

Let us have the facts now. When they are received a balanced view of the problem may well lead us to legislation in the public interest.

I am not asking, Mr. Speaker, for some long-winded or time-consuming Royal commission or some lengthy study. This government could designate one of the Ministers to whom I have referred to co-ordinate the study today. They could have the answers by early February when we expect to come back after the adjournment of this session and then, intelligent sound legislation could be presented to this House and passed in the public interest.

A ban on these bottles without knowing the facts is an ostrich-like approach to the problems of damage, injury and pollution which they appear to compound.

Education and an effective anti-litter programme will be the only tools which can, in the long run, solve our problems of littering and pollution.

Mr. Speaker, I speak on the subject with views which are my own. I am certainly no apologist for the merchants and bottlers and distributors who enjoy the convenience of not having to give refunds and store these bottles. They are acting in a society which is wasteful and which seems to want convenience in packaging.

Perhaps a good solution might be to increase the deposit on bottles from two cents

to five or ten cents so that we could resolve the problem of breakage and thereby, resolve as well, this littering problem.

There are certainly more than just one or two ways to get over the difficulties which we face here.

Many editorialists and commentators have seized upon the public confusion in this area to appear as oracles preaching that all will be well if we just ban one of the small parts of the litter which mars our countryside and beaches and which defaces our streets and parks.

Some have facts on which they base their views; many others have only emotions.

Mr. Speaker, here is an area where Ontario can lead the way if reasonable legislation is passed based on the facts. It may be that the balance of the welfare of our society will require some very stern measures to deal with these forms of containers. If the facts warrant, then it is up to this government to act with responsibility.

I regret the panic phrasing of this resolution which cannot intelligently resolve all of the obvious ramifications of the problem.

I have set out, Mr. Speaker, how the government could act, if it will, to promptly deal with this situation. If my views prevail I think we can do something positive about this problem.

**Mr. Young:** Mr. Speaker, we have heard two sides of the issue now. One telling us that the bottles ought to be disposed of; we also heard just a word or two from the member for Victoria-Haliburton who demonstrated again, the futility of a backbencher in the Tory party. He has tried now on five successive occasions to get the ear of the government and so far, the government has refused to act.

**Hon. Mr. Grossman:** That was four.

**Mr. Young:** No, he had another crack at it this morning.

We expected the Minister to jump up in his place and say, we are going to have action right away, after he spoke the fifth time.

**Hon. Mr. Grossman:** I am waiting to hear him.

**Mr. Young:** Now after the sixth time, we will see what happens.

On the other hand, we found the classic example of the Liberal position here this morning, to sit on the fence, have more

studies, do nothing until we are certain of all the facts and then perhaps we will act.

Now this is an—

Interjections by hon. members.

**Mr. Young:** Now this is an incredible situation and it is simply illustrative of the kind of dilly-dallying which can go on, the kind of postponing of any kind of decision.

I think all of us recognize that in this society we do have, as the hon. member has said, the profit motive which drives us in certain directions; and this whole litter direction is a thoroughgoing illustration of how this happens.

We have had, over recent years, the whole new packaging concept in a drive to sell goods. It has made them more attractive. It has done certain things I suppose to boost certain articles at the expense of other articles but as long as people are hungry, my guess is they are going to buy food whether it is in an attractive package or not—they are going to get as much as they can afford. But the thing that this has done is to multiply the desperate problems of the municipalities end up on end, because every time we bring out a new disposal package it means that the people at the municipal level have to make more provision for the garbage at the other end.

So costs have been rising at that end—not only costs but the problem of disposal. The very problem of space is becoming more and more desperate as time goes on, and in our big cities, the problem now is at a place where the people responsible for garbage disposal are really at their wits' end not knowing what to do. They are crying that some action ought to be taken by government to solve this problem of disposal refuse, and the disposable bottle is one of the factors in this situation.

In the past, of course, we have had disposable bottles of all kinds—ketchup, you name it, it comes in disposable bottles—but one of the largest items in the whole bottle situation is soft drinks and beer. In recent days we have had the cans which again add to the garbage disposal problem and add to the headaches of people in parks and along the highways; these have to be picked up.

As long as the bottle can be returned, there are always the youngsters and even the owners of the bottles who are willing to get these back into the stores where they are purchased for the amount of the deposit. But without this incentive—the profit motive, I suppose — without this incentive industry

throws its burden upon municipal disposal facilities.

I think that all of us are fairly well agreed that the disposable bottle, as it has mushroomed in recent years, is not a good thing. I have an article here which appeared not long ago in one of the local papers. An article by Alden Baker, who points out that each morning patrols of parks department employees visit city playgrounds to pick up discarded and slivers of glass. Teenagers and some adults have fun at night smashing non-returnable pop bottles against teeter-totters and swings. This happened before, but it is happening in greater measure now because the bottles are worth nothing.

Along the eastern beaches 100 to 125 non-refundable pop bottles are collected every day. Broken pieces of glass have to be picked up by hand.

There has been a programme instituted by various municipal bodies to end this menace. I am not going to talk about that this morning; we all know about it. The fact is, that as we check with park superintendents, with people responsible for streets and highways, they are very concerned about this matter. Because today they are finding, not only more bottles, but more bottles shattered and splintered and thereby dangerous to the youngsters who may be using the parks and the people who may be cleaning up on the highways.

You see we have—and I have it here—the argument from the glass industry that they are responsible “for only a small part.” They say: “We cause six per cent of the litter but we get 90 per cent of the blame.”

The facts are that that six per cent of the litter stays there unless some municipal employee or provincial employee picks it up. Much of the other litter—the paper litter, the paper cartons—will, in a year or two at most, disappear under the forces of wind and weather. But the bottle stays, and if it is shattered, it is a menace.

That bottle population builds up unless it is removed and so the six per cent in another year becomes another six. It does not take too long until it is built up and becomes a permanent fixture of the landscape.

**Mr. Speaker,** there are those in our society who are concerned about a change that is suggested. The glass companies have a vested interest in this, but not only the glass companies but the people who are working in industry—we have had representations from these people, because they feel that a change would eliminate their jobs.

I think again we come back to the fundamental problem in this society. When jobs are eliminated is it done on a crash basis—the plant is closed, the workers are turned out—or is it done on a basis that this party has talked about time after time, that we do some economic planning? So, as an industry is closed it is phased out and the workers are given other jobs, through the proper kind of economic planning in our society.

If this is done then no worker in a redundant industry needs to fear for his daily bread.

**Mr. E. Sargent (Grey-Bruce):** What a dreamer the member is.

**Mr. Young:** This is happening in other countries. Sweden was mentioned this morning. This happens in Sweden. Where an industry becomes redundant, people are retrained at public or industry expense and there is no unemployment. When the unemployment in that country reaches something like one per cent then the government gets panicky and government measures are taken to bring it down.

Having mentioned Sweden, the hon. member who introduced the bill this morning said that Sweden had done research and they are already making disposable bottles which solve this problem. When the hon. member for Kitchener (Mr. Breithaupt) mentioned this morning that we should undertake this study and this research, all we need to do perhaps is to send our industry to Sweden to find out what they are doing so successfully. What will that take? Two, three, four days? One week? To study the situation and come back and gradually convert our disposable bottle industry into the kind of bottle industry which the Swedes have now undertaken and carried out?

**Mr. Kennedy:** They are not quite that far along.

**Mr. Young:** All right, all right!

I have great confidence in the Swedish people because they have led us in so many ways in the past and they will lead us again. I have been delighted to find that Sweden has been quoted increasingly in this House from time to time during the past few weeks.

They are leaders not only in the technical field but also in the political field. Certainly the Hon. Minister of Agriculture and Food (Mr. Stewart) knows they are leaders in the whole field of farm marketing and agricultural technique. He has seen this and he understands it and he knows I am right.

So, Mr. Speaker, this morning we face this problem. I think we have to recognize that it is a problem. It is a desperate problem. It is a problem that has to be met. No longer can we allow commercial interests to dictate to us and to our municipalities how we are going to carry out the vending of food and thereby add to the problem of the disposal facilities in the municipalities and in the province.

So I would support this resolution this morning. I would urge that this government gets busy—and gets busy very, very rapidly—in solving this problem of litter, not only in the bottle industry but other kinds of litter that are befouling our civilization today.

**Mr. R. G. Hodgson:** Mr. Speaker, I have been very interested to hear the points of view put forth on this resolution this morning. I believe it should be stated fully, as the member for Kitchener stated, that the container and beverage industries are not insensitive to the litter problem. They have supported advertising campaigns. They have financed anti-littering laws. They deserve credits for these efforts.

The basic problem is that none of these measures have really made any dent in the litter problem, which grows worse and worse each year as the shipments of bottles and cans continue to increase. That does not mean that such programmes should be abandoned. Far from it. It simply means that more effective anti-litter measures must be found.

It is perfectly obvious that public education programmes should continue to expand. Increasing emphasis should be placed on reaching school children, who can have a strong influence on their elders when they become involved in good causes. Some thought should also be given to more public involvement in the collection of litter. But all these efforts still are no more than patching plaster.

In considering the alternative approaches for dealing with litter, one is tempted by the idea of placing heavy taxes on beverage containers or prohibiting them entirely, such as this resolution suggests. But such a negative approach is not the fair or constructive way to deal with the problem in which many people are involved. Moreover, experience suggests that it probably would not work.

The real problem that confronts us is how to control the millions of tons of refuse, as the member for Yorkview (Mr. Young) has mentioned, produced by our affluent society. What we really need is a creative approach to



deal with components of litter. One of these ways is in the re-use of garbage and disposable items in our society. I have spoken before on this and I truly believe that this is the real solution to the problem.

When the bottle ends up on the side of a highway, the cost of disposal can add up to over 30 cents a bottle. This is an expensive way to underwrite private industry.

The means for dealing with the problem should be obvious. Those who are making profits out of the bottle—and cans and containers, too—should bear some part of the expense of disposal. The province itself should set up a deposit return system for all containers sold in the province, which could operate on the manufacturers' level, rather than retail.

The manufacturer or processor should be required to deposit a fixed amount for each bottle or can shipped by him for sale within the province. He would then have his deposit returned to him for all empty containers he recovers for salvage or other disposal at his expense. The balance would be charged as a disposal fee and applied to the cost of refuse and litter collection. Then it would be up to the ingenuity of each manufacturer to figure out ways to get his bottle and cans and hence his deposit, returned to him. I think this is an alternative solution.

I thank you very much, Mr. Speaker.

**Mr. Speaker:** According to the list furnished to me by the previous occupant, the hon. member for Grey-Bruce has the next space.

**Mr. G. Ben (Humber):** Thank you, and my able colleague.

Mr. Speaker, I listened with interest to the debate that has gone on here today, especially the statements by the hon. member for Yorkview, when he took a rather hypocritical cut at the member for Kitchener. It appears to me, Mr. Speaker, that no one who has risen here today, except perhaps the member for Kitchener, has spoken to the resolution, which, Mr. Speaker, reads: "The government of Ontario should prohibit the sale of non-returnable glass bottles in this province."

Mr. Speaker, we have heard a lot said about what may result in the way of injury and damage through the improper disposal of what sometimes today has been called non-returnable bottles and on other occasions disposable bottles. I am rather perplexed by the use of those two words as synonyms because if one listened to the hon. member for Yorkview he was contradicting himself. He

talks about planning and the only place where they have planned economy at the present time is behind the Iron Curtain, in Russia and Poland and Czechoslovakia and Hungary and they are all falling apart, they are now having to bring in free enterprise. The only other place in which they did try it on the North American continent was Saskatchewan, with disastrous results. In other words, talking about using non-returnable and disposable as synonyms, we might say that to the NDP planned economy and bankruptcy are also synonymous.

Interjections by hon. members.

**Mr. Ben:** I guess I must have struck a nerve there, there is a lot of agitation from the ranks over on the left.

Now, to manufacture bottles which shatter in such a way after their disposal that they do not create a hazard, is a laudable goal. If the resolution had been worded that this government will now demand that all bottles manufactured for the use of beverages or any other product and which are non-returnable be made of a substance which will disintegrate in such a fashion that it will not harm anybody, that is fine, I am sure we would support that. But that is not what the member for Yorkview said. He said to ban the use of non-returnable bottles.

The only difficulty is, I suggest, that it is not as the hon. mover of the resolution put forth, that the manufacturers have created a demand for non-returnable bottles and that the consumers have been encouraging them, but that the consumers have created a demand for non-returnable bottles and the manufacturers have been encouraging them. Because of my experience in another jurisdiction, in city council and Metro council, where resolutions such as this were treated every year, I am convinced that because of the affluence our society has experienced over the last 15 or 20 years, it became below the dignity of most people to go through the formality of returning a bottle to a store to obtain the two cents' refund. It got to the point where one even had difficulty convincing the Boy Scouts that there was still merit in collecting bottles for the few cents that were refunded on them or the five cents that used to be refunded on milk bottles.

**Mr. H. Peacock (Windsor West):** GM blames the car buyers for higher prices too!

**Mr. Ben:** Well, talk about GM—Now, the suggestion came from the speaker who preceded me, Mr. Speaker, that the bottle manu-



facturers should be compelled to subscribe to a fund which could compensate some of the people who suffer as a result of coming into contact with shattered glass originating from disposable, or non-returnable bottles, whichever the case may be. He did not indicate how they are going to distinguish between the bottle that was non-returnable, or disposable, and the one for which the manufacturer, or storekeeper, had offered a refund on its return. I imagine that they could go into manufacturing a special type of bottle which would contain a special type of indelible colour which could be recognized.

What interests me about that argument is that I find it attractive to a considerable degree, Mr. Speaker, because what I have advocated for a long time is that brewers and distillers and manufacturers of alcoholic spirits be compelled to subscribe—that is donate—to a fund which would be used to compensate the victims of the use of their products—

**Mr. Speaker:** Order. The hon. member is now himself not speaking to the resolution on the floor of the House.

**Mr. Ben:** Well, there was an alternative that was suggested—

**Mr. Speaker:** I would call the hon. member's attention also that very shortly he will have used up the time allotted to him and that left over from the first speaker from his party.

**Mr. Ben:** Well, that last statement I will accept with thanks, Mr. Speaker. The point is, Mr. Speaker, that it is easy to sit here and crucify people who cannot be here to defend themselves. As a matter of fact I dare say that this is synonymous to a crucifixion that we ought to refer to, because no defence is being offered.

The fact is, I still suggest, Mr. Speaker, that our society is too affluent and you are not going to get people to return bottles if all they are going to get for them is two cents. The teenagers may be smashing bottles. I suggest they are smashing them because they have too much jangling in their pockets and they do not want to walk the block or two to the grocery store, from which they received this bottle, to get the two cents. You cannot even convince children below the teen age. I suggest that what we have to do is educate people into pride and cleanliness.

I would suggest, Mr. Speaker, that where you have a pride and cleanliness, like in Holland, Belgium, Germany and Austria, where

cleanliness is next to godliness, you do not have a litter problem, period; whether it be with tin cans or brightly tinselled boxes, or bottles, returnable, non-returnable, disposable, non-disposable. I think that is the solution—education.

**Mr. Speaker:** Order. Is there a member from the New Democratic Party who wishes to speak? If not, the hon. member for Prince Edward-Lennox has the floor.

**Mr. N. Whitney (Prince Edward-Lennox):** Mr. Speaker, I have listened with a great deal of interest to all the remarks that have been made on this resolution, and I have a few comments to offer myself. Having just listened to the hon. member for Humber, I would suggest that perhaps elsewhere in Ontario, the society is not as affluent as he described it. I do know that refuse is an ever-increasing problem. I have two farms with a sideroad running between them, and each year more and more bottles and more and more garbage are thrown not only along the sideroad, but sometimes on my own property.

There have been occasions when evidence of the ownership of some of this material was left, and some people who have been responsible have been taken to task. I might say that wherever there are bottles, and I or my employee or one of my family find them, we remove them ourselves because of the possible damage we can receive as a result of those bottles being there. The damage they can do consists of a flat tire on a pick-up truck or a farm machine; if the bottles get broken, livestock can be injured by them. I would say that with the advent of the non-returnable bottles, the desire to throw away bottles is more prevalent than ever before.

I know that this is only a part of an overall problem, but I do suggest that to make studies and prolong this whole thing right on for 30 years, is going to simply compound the damage that is being done. In regard to the non-returnable bottles, action should be taken in the very near future in order to avert the spreading of these practices to as great an extent as possible. I do not know if there is a general problem in this regard, but it does seem that people from the cities, who perhaps are camping, just have no regard whatever about local conditions. Sometimes I have seen correspondence written by children in the garbage and so you know that they are not local inhabitants. They come along and they think it's fun to throw out

their garbage any place at all. I agree with what has been said about education, about the possibilities that another type of container might be invented which would change this whole situation. But I do wish to reiterate that what has been said about the non-returnable glass bottles I would agree with wholeheartedly.

**Mr. Sargent:** Mr. Speaker, I feel sorry for the member for Victoria-Haliburton (Mr. R. G. Hodgson), and I can understand his frustration in dealing with the Cabinet and department heads in the civil service. You know, they can tell you to go to hell in such a nice way that you find yourself looking forward to the trip. It must be frustrating for him, but I know when the Liberals are in power the backbenchers are going to have a good say.

Is that not right? That is right!

Come across and join us and you will have a chance to have this thing settled.

Interjection by an hon. member.

**Mr. Sargent:** Mr. Speaker, this is another case of our changing economy, whereby a new technology is bringing out new packaging. One member says it causes six per cent of the litter and gets 90 per cent of the blame for it. I think this is a case of a small minority of people making a big stir about what is really not a truly important matter.

As to the position of the bottlers, they have a good case. The case for them is an economic one. It is not feasible for them to go along with any type of legislation like this, insofar as it would mean throwing out

whole packages, as you want to do it. This is typical of socialist propaganda. Here we have an industry; and well, they can go along with them.

We have a case where a bottler in any area has to conform with this nonsense they are putting forth here. It would have to cost them \$1 million. To go into canning and things like this would be a \$1 million packaging change. They are good businessmen and they have their staffs—about 50 people were employed by this man I talked to on the phone—and they cannot possibly conform to canning at this point.

I think that this industry has a kind of policing of its own. Education, and selling certain non-returnable bottles to certain areas of the retailing outlets, are the answers. But at no time should we take the approach of the socialists, that of the hon. member for Yorkview. This would disrupt a multi-million-dollar industry, and put them back to where they were before automation. This is not intelligent.

I think, Mr. Speaker, that they are flying a kite, sir, for a small minority group, and the whole thing won't work.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, on Monday we will continue the debate on the Speech from the Throne; and there will be a private members' hour from five to six.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.55 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 9, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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MONDAY, DECEMBER 9, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today our guests in the east gallery are students from Nelson A. Boylen High School in Toronto; and later on this afternoon in the west gallery we will have students from the Humber College of Applied Arts in Rexdale.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE HIGHWAY TRAFFIC ACT

**Mr. F. Young** (Yorkview) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Mr. Young:** Mr. Speaker, the purpose of this bill is to provide for regular inspection of all motor vehicles in the province of Ontario.

## THE ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1955

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to allow the Society for Prevention of Cruelty to Animals to license dog kennels in this province.

**Mr. Speaker:** The hon. Minister of Trade and Development has a statement.

**Hon. S. J. Randall** (Minister of Trade and Development): In view of the fact Ontario Housing Corporation is now taking over the operations of the Housing Authority of Toronto and the City of Toronto Limited Divi-

dend Housing Corporation Limited, perhaps a short report on this matter would be appreciated by the hon. members.

May I make it perfectly clear that this added responsibility was taken by Ontario Housing Corporation at the specific request of the city of Toronto. In doing so, the city has been relieved of a very heavy financial burden that will be borne by the federal government, the government of Ontario and the municipality of Metropolitan Toronto.

At the request of the city, I met with the board of control in July 1967.

Among matters discussed was the question of Ontario Housing Corporation assuming the responsibilities of both the Housing Authority of Toronto and the City of Toronto Limited Dividend Housing Corporation Limited. I suggested that such an arrangement might be considered and that in order to qualify for operating subsidies at the federal level, Ontario Housing Corporation must effectively hold title to the properties in question. The municipal equity in the developments to date would be represented by the value of the lands at the time of acquisition by Ontario Housing Corporation, this value being determined as the amount of indebtedness which had been liquidated at the date of acquisition or, in simple language, OHC would assume the unpaid balance still outstanding on these projects.

The lands would then be leased by OHC for a nominal consideration and the corporation would also assume responsibility for retiring the debenture debt service or would assume the existing mortgage or mortgages as the case may be. At the termination of the lease periods, ownership of each development would again wholly vest in the municipality.

On March 7, 1968, I wrote His Worship, Mayor William Dennison, outlining the conditions under which Ontario Housing Corporation would assume these added responsibilities.

One of the conditions was that the city would offer alternative employment to employees of both the Housing Authority of Toronto and the City of Toronto Limited

Dividend Housing Corporation, for whom equivalent employment could not be offered by Ontario Housing Corporation, or who of their own volition chose to remain with the city. These matters were resolved at a meeting March 8, 1968, with board of control and William R. Allen, chairman of the corporation of Metropolitan Toronto.

To ensure a smooth transition a joint staff committee consisting of senior employees of Ontario Housing Corporation and the city of Toronto was established. This committee undertook the following tasks: All personnel matters, inspection and valuation of the properties, verification of inventories, financial matters and legal implications.

By absorbing the city's housing stock into the overall management portfolio of Ontario Housing Corporation the city of Toronto will, on the basis of figures provided to us by the city, be relieved of an annual operating loss of about \$850,000. The city of Toronto on November 27, 1968, passed a resolution formally requesting Ontario Housing Corporation to assume the financial and management responsibilities of its nine developments totalling 2,761 units. The government of Ontario concurred in this request by Order-in-Council dated November 28, 1968. We are now awaiting final approval from Central Mortgage and Housing Corporation and the corporation of the municipality of metropolitan Toronto before the formal agreements can be executed. No delay is anticipated in this regard.

Of the 118 employees of the two city housing bodies, Ontario Housing Corporation was able to offer comparable employment to 104 and, to date, 66 of them will be joining our staff. Those who will not be joining have been offered alternative employment with the city.

In the interim it has been agreed that those employees who have elected to remain with the city will continue to work in their present capacity at Regent Park North or the Limited Dividend projects while the necessary realignment of staff occasioned by the transfer of responsibilities takes place. We have undertaken to give the city at least two weeks advance notice of the date on which they will be required to transfer these employees to other duties.

In a letter to these employees we have pointed out that should they reconsider and wish to join Ontario Housing Corporation, the original offer by the corporation is still open and will remain so until the formal agreements have been executed.

A letter has been sent to the 2,761 tenants affected welcoming them as tenants of the Ontario Housing Corporation. To dispel any uncertainty, we have pointed out in the letter that in the terms of management there will be very little change and, in fact, the management system used by Ontario Housing Corporation will give them very close contact with those employees of the Corporation who will be concerned with the development in which the tenant lives.

In point of fact, in terms of day to day management, the tenants for the time being at least, will be dealing with exactly the same people as they have been accustomed to dealing with in the past.

Those tenants living in Regent Park North have been paying rentals based on the same national rent-to-income scale as that used by Ontario Housing Corporation. Consequently the change-over will in no way affect their rental rates.

However, in the limited dividend developments, a fixed rental has been in effect and for these units there will be a change, hopefully with effect from January 1, 1969. Rentals will then be calculated on the basis of the rental scale and if past experience is any guide, a number of them can expect to be paying lower rents. The rental scale will be fully explained to these tenants before any change comes into effect.

With any change of landlord it inevitably follows that a number of questions arise which must be answered. For this reason, within a week or two, Ontario Housing Corporation will be making arrangements for a meeting between the tenants and representatives of the Corporation to clarify any misunderstandings.

When the limited dividend units are changed over to a rent-to-income basis, all family public housing units within Metropolitan Toronto will have the same rental rates and the same basis of allocation. Properties previously administered by the city housing bodies will no longer be restricted to applicants residing in the city of Toronto as has been the case in the past.

The portfolio of rental housing in metropolitan Toronto currently under management by Ontario Housing Corporation consists of 7,985 units located in 44 separate developments and includes 212 single family scattered units.

The addition to the Corporation of Metropolitan Toronto's housing stock of these nine city developments, with their 2,761 dwellings will raise the portfolio to 10,746 units

in 53 locations—an immediate increase of 34.6 per cent.

The Province of Ontario's contribution to the operations of the Toronto Limited Dividend Housing Corporation and the Housing Authority of Toronto will be effective from January 1, 1968. This will result in a provincial contribution to December 31, 1968, in excess of \$515,000. In addition, there will be a capital investment in respect of North Regent Park in the amount of approximately \$800,000, as part of a refinancing of that development by Ontario Housing Corporation. In total, Ontario Housing Corporation will be relieving the city of Toronto of a debenture and mortgage debt of nearly \$20 million.

The projects for which OHC is now assuming responsibility are: North Regent Park, 1,397 units; Moss Park, 903 units; Phin Park, 34 units; McCormick Park, 106 units; Greenwood Park, 81 units; Bessie M. Luffman Apartments, 25 units; Donald Summerville Apartments, 120 units; Pendrith Park Apartments, 54 units; Eastview Park Apartments, 41 units.

It is anticipated the annual subsidy to be met by the province alone will amount to approximately \$366,000 in 1969. However, in order to consummate this transaction it was necessary for the province to bear a substantially greater share of the losses in 1968.

Certain other properties, including the family hostel on Dundas Street West, will continue to be operated and administered for emergency purposes by the Department of Welfare of the municipality of Metropolitan Toronto.

In summary therefore, Mr. Speaker:

(a) The provincial share of operating losses on these former city properties for 1968 is \$518,000.

(b) The approximate total annual subsidy from all levels of government in subsequent years is \$862,000 a year.

(c) Ontario Housing Corporation will assume the outstanding indebtedness amounting to \$20 million which will be repaid with interest to the federal government and the city debenture holders.

(d) All employees of the Housing Authority of Toronto and the City of Toronto Limited Dividend Housing Corporation Limited, with the exception of 14, were offered comparable employment with Ontario Housing Corporation with the same or better terms than they enjoyed before.

(e) At the end of the agreed lease period all previously city-owned properties will be returned to the ownership of the city.

Mr. G. Ben (Humber): I rise on a point of privilege, one touches the Minister of Health, and I hope he will take a seat, and the other concerns you personally, Mr. Speaker.

Mr. Speaker, on December 5 of this year, I asked the hon. Minister of Health (Mr. Dymond) the following question:

Will the Minister table a letter which he sent to Dr. E. H. Botterell, vice-president of health sciences at Queen's University, in connection with doctor shortages in Ontario.

The Minister refused to table this letter, stating that it was just ordinary correspondence and similar to much other correspondence that passed between him and other people in the province of Ontario. He was pressed, but refused.

Mr. Speaker, the following day the letter, or what purports to be the letter which the Minister had sent to Dr. Botterell and which he had refused to table in this House as being inconsequential, was published in the *Toronto Globe and Mail*. The letter reveals, Mr. Speaker, that the Minister was motivated to write the letter because of his concern, or I presume his concern, for the shortage of doctors in this province, asking the people concerned to take what you might call very strong remedial actions to try to remedy this situation.

I think it has been an affront to the House, Mr. Speaker, for the Minister to have refused to table this letter in the first instance; and secondly, to try to have led the House into believing that the contents were of little consequence and that it was only in the ordinary course of his duties that he sent the letter.

That is my first point of privilege. If the Minister wishes to reply, I will take my seat for that purpose only.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, I really can't understand why the hon. member is getting so worked up about what is an ordinary piece of correspondence similar to many passing between my department and others concerned. But I would like to point out to you, sir, I did not affront the House, because I had nothing to do with publishing the letter in the newspapers. I repeat what I said in this House a few days ago, sir. I fail to understand the irresponsible action of whoever was responsible for publishing that letter in the press before those to whom it was addressed even

had the opportunity of discussing the subject matter of the letter with me.

I do not expect that the public interest is well served by entering in into a discussion or dialogue through the medium of the communications media before the parties concerned have an opportunity to discuss it in person. There was no intention of affronting the House. I still maintain, sir, I write letters of even greater importance to people in connection with government business, but which I never tabled in this House. There was no affront intended to the House any way whatsoever.

**Mr. Ben:** I do not agree with the Minister's contentions, but that is neither here nor there.

The fact is I stated my position. I trust I stated my position on behalf of the members of the Opposition.

Mr. Speaker, the next point concerns yourself. In the first session of this Parliament, Mr. Speaker, I regret to say that you and I had strong words touching on your action in placing a question which I had made before the orders of the day on the order paper. At that time, I had risen in the House and objected to your actions, stating that your actions were contrary to the rules of procedure of this House.

I am sure your memory does not need refreshing on the point but for the purpose of record, I will state that I brought to your attention Rule 37-a, section 5, captioned, "Questions Put by Members". And I also drew to your attention at that time to part c of section 37, which stated:

Whenever any question requires, by way of a reply thereto any statement of facts or records or statistics of a lengthy or voluminous nature or other material which in the opinion of the Minister whose department is concerned should be made the subject of a Return, the Minister may, instead of answering such question, require a motion to be made for a Return.

My position at that time was that you were taking upon yourself powers which were not inherent in your office to decide to put a request for information on the order paper rather than submit it through the normal channels to the Minister of whom it was asked.

I pointed to this particular section and stated that it was only the Minister who had the prerogative to decide whether or not the answer required voluminous or lengthy answers.

Mr. Speaker, today I submitted a question, through your office in the usual course, addressed to the Minister of Trade and Development (Mr. Randall) which asked—

**Mr. Speaker:** Order! The hon. member is not now to ask the question.

**Mr. Ben:** I am not asking the question now—

**Mr. Speaker:** I know. I have a recollection of what was in it. If the hon. member will proceed to elaborate on his case.

**Mr. Ben:** Well that may, Mr. Speaker. I am sure Your Honour does know what the question said, but I am sure that *Hansard* does not, and the argument for purposes of precedent is redundant if we do not record for posterity what the point is.

**Mr. Speaker:** All right. The hon. member will spend more time talking about it than reading the question. Will he then read the question?

**Mr. Ben:** How many housing units have been (a) bought; (b) built; (c) are at present under construction for Ontario Housing Corporation?

The second part was how many others, if any, are planned to be completed on or before December, 1969?

Mr. Speaker, I discussed it first of all in indignation; I discussed this matter with the hon. Minister. I say with indignation, because I expressed the opinion to him that if this could not be answered in 15 minutes by his department then both he and his department were idiots and should leave the office.

He stated that he had never seen this question but he made it clear that an answer could be provided, at the longest within 24 hours, and that was only with reference to the second part.

I question again your propriety; the propriety of you, Mr. Speaker, taking it upon yourself to decide which questions will be passed on through your office to the responsible department and which questions are going to be put on the order paper. I suggest it should be left to the Minister to rise in this House and state to the member asking the question that he cannot, on short notice, answer that question, and either request that it be put on the order paper or else say that he will take it as notice and answer it as soon as possible.

So I again raise the same objections, Mr. Speaker, as I raised in the first session.

**Mr. Speaker:** Of course, the hon. member will realize that questions asked before the orders of the day must be of urgent public importance. In my opinion the question which the hon. member read and the other questions which I also sent back and suggested be put on the order paper, were not of that type. Therefore, the Speaker is required by the rules to ensure that the questions that are asked are of urgent public importance.

**Mr. Ben:** Well, if I may, Mr. Speaker—

**Mr. Speaker:** The hon. member will please give me the same courtesy that I extended to him and hear me out. Therefore, so far as I am concerned, the redirection that I suggested should be made and the Minister has nothing to do with it. I am advised, and I think it is correct, that the rule to which the hon. member is referring refers only to questions for the notice paper and not to the oral questions which are being dealt with now and which are covered by another rule.

I would be most pleased to discuss it with the member either now or in my office or his office. But I propose to ensure that the questions which are matters of public importance, but not urgent, do not clutter up the question hour but get themselves replied to by the ministry in the way provided by the rules.

I will say this—that last session I arranged with the office of the Prime Minister (Mr. Robarts), and I tried to do the same this time, that the questions on the order paper will be answered much more expeditiously than they have been sometimes in this House. Now that is the situation so far as Mr. Speaker is concerned. If the hon. member wishes to enlarge on it or speak further he has the floor.

**Mr. Ben:** I thank you, Mr. Speaker. I will just point out two points:

1. A member is bound to decide for himself whether a question is of public importance and there may be something within his knowledge that is not within the knowledge of the hon. Mr. Speaker.

2. The front page of the *Toronto Star* of Saturday contained a feature article pointing out the iniquities that have been arising out of public housing. Therefore, it is of public importance that we know in this House how many similar units there are, or are planned. It may not be of public importance in the Speaker's mind, but that is not our responsibility in the Opposition. But it—

**Mr. Speaker:** Would the hon. member—

**Mr. Ben:** I am not being sarcastic.

**Mr. Speaker:** No. Would the hon. member allow me to refresh his mind as to what I said?

I said that his questions were matter of public importance. I agree entirely.

But what I said was that the rules said they must be urgent public importance and I saw no urgency. I still see no urgency in that particular question.

**Mr. Ben:** At any rate, Mr. Speaker, I have made my submission.

**Mr. Speaker:** The hon. leader of the Opposition has a question of the Minister of Municipal Affairs.

**Mr. R. F. Nixon** (Leader of the Opposition): Yes, Mr. Speaker, I have a question for the Minister of Municipal Affairs.

First, do provincial regulations permit a list of preferred citizens exempt from municipal zoning by-laws, as is maintained in Toronto, according to Mr. Justice Haines?

Second, is the Minister undertaking an investigation into the matter and the possibility of a similar procedure in other municipalities?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): The answer, Mr. Speaker, to the first part of the question is no; and to the second part of the question it is also no.

It appears that there may well be an appeal to the courts on this matter and I do not think it would be appropriate for us to investigate it until that has been determined.

**Mr. Nixon:** May I ask, Mr. Speaker—if the Minister will permit—if in fact the procedure of implementing the zoning by-laws is on a basis of provincial enabling legislation? If it is, then surely it is our responsibility to see that the municipality concerned does not step beyond the bounds of that enabling legislation.

The point is well taken: If there is an appeal to the courts on this matter then perhaps it would be as well to see what the courts have to say about it. But surely this is something that has been going on for some time and I would suggest that the Minister might well have undertaken a survey of the situation previously.

**Hon. Mr. McKeough:** No, I do not think so, Mr. Speaker. We pass a great deal of enabling legislation in this House on this matter and many other matters and I do not think it is up to us to peer over the shoulders

of municipal councils across the province to see how they are interpreting that legislation. Presumably, that is the responsibility of the council involved and of the individual citizens.

**Mr. Nixon:** If I may further question the Minister, does he not believe, since the legislation is ours and it is, in his words, inept, that if it is not being used according to the spirit in which the Legislature and the government first proposed it, then it is up to us to see how it is being used and what we can do to improve it?

**Hon. Mr. McKeough:** Mr. Speaker, I think that I can use a very simple comparison, perhaps not altogether appropriate, but we allow municipalities to pass by-laws under The Highway Traffic Act setting a speed limit on a certain street. We do not feel, in this Legislature, it is our responsibility to see whether that by-law is being obeyed or not.

**Mr. Nixon:** I would think, Mr. Speaker, if you will permit a further question, that I would ask the Minister if he would confer with his colleague, the Minister of Transport (Mr. Haskett), who does keep a very strict surveyance of what the municipalities do with their right to determine the local speed limits.

**Mr. V. M. Singer (Downsview):** Perhaps.

**Hon. Mr. McKeough:** I do not think either of us feels that our function, Mr. Speaker—to answer the third supplementary question—is to continually peer over the shoulders of municipal councils who are elected. There are protections for the citizens; the matter is before the courts and when the courts have settled this then perhaps we will take a look at it.

**Mr. Nixon:** The judge's comment is not "peering over the shoulders".

**Mr. Singer:** Perhaps the Minister should get Mr. Justice Haines to advise him.

**Mr. Speaker:** The hon. member for Sarnia has a question.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I have a question for the Attorney General. Will the Attorney General indicate what particular reasons the Crown Attorney for Ontario country, Bruce Affleck, has given for his twice requested delay in holding an inquest resulting from a train accident at Pefferlaw on March 16, 1968?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have tried to check this matter

since the hon. member's question arrived at my office. My understanding is that the Crown Attorney, Bruce Affleck, is not aware of this matter. Pefferlaw is in the county of York and Mr. Affleck is the Crown Attorney for Ontario county.

If the hon. member would give me the name of the deceased I will check the matter; if there is unusual delay I will find out why.

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Attorney General. Will the Attorney General consider the practicality of the use or development of tranquilizer bullets as a substitute for lethal bullets in the arming of police forces in Ontario?

**Hon. Mr. Wishart:** Well, Mr. Speaker, that is a very interesting suggestion. I will refer it to the Ontario Police Commission for their consideration.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to address a question to the Attorney General. Has the Attorney General received complaints about police action on the picket line in front of the Peterborough *Examiner* last Friday? If so, is any investigation being made of these complaints?

**Hon. Mr. Wishart:** Mr. Speaker, I have not received any complaints whatsoever.

**Mr. Pitman:** Is it true, Mr. Speaker, that the Attorney General was phoned in Sault Ste. Marie and told about the events that took place last Friday? I think he made the assurance at that time that he would be receiving some kind of briefing when he got back here on Monday; at least this was the statement that was made over the radio station in Peterborough.

**Hon. Mr. Wishart:** Mr. Speaker, the only phone call was not a complaint. I was phoned by the local radio station operator last night from Sault Ste. Marie to Toronto to ascertain if I had received any complaints and I said, no; and I added if I got any information on the matter I would get in touch with him today. But so far I have not.

On my desk now is a copy of a telegram dated December 6, from Jack Dobson, asking that we launch an investigation into the matter. But I have not, up to this moment, received any complaints.



**Mr. Pitman:** Mr. Speaker, on the basis of the telegram would the Attorney General be carrying on an investigation?

**Hon. Mr. Wishart:** I would like to look into the matter and see what it is all about.

**Mr. Speaker:** The hon. member for Humber has questions.

**Mr. Ben:** Mr. Speaker, I have a question of the Attorney General. Is the Attorney General aware of the circumstances surrounding the conviction of Douglas John Woods, who is alleged to have been induced to commit a crime by two Ontario Provincial Police officers, as reported in the *Toronto Daily Star*, December 7?

Has the Attorney General directed the Crown to prosecute these police officers?

**Mr. Speaker:** Perhaps the hon. member for High Park, who has similar questions about a similar incident, I presume, would place his and they could be dealt with together.

**Mr. Shulman:** A portion, sir, of my question, has to do with that. May I place that portion now?

**Mr. Speaker:** Right.

**Mr. Shulman:** Mr. Speaker, does the government intend to reimburse Douglas Woods for the time he has spent in jail and what charges does the Attorney General intend to lay against the two police officers who procured Douglas Woods to break into the Fort Severn arena?

**Hon. Mr. Wishart:** Mr. Speaker, I am prepared to answer both the questions. I am quite familiar with the—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** I am quite familiar with the matter.

Some time ago I obtained a transcript of the evidence in this case. I believe I answered a question in the House about it some time ago.

I do not propose to direct prosecution of the officers. I am aware of the fact that the Court of Appeal has set aside, or quashed a conviction.

I would add this: That I deplore the action of these police officers. It is—it was unusual. It is something that I think is not likely to occur again with respect to these officers. They have been severely reprimanded. I have examined, as I say, the transcript, with

a view to considering whether action should be taken but the evidence, in our view, does not warrant the laying of a charge against the police officers and I think would not support a conviction.

I might enlarge upon that, anticipating perhaps, a supplementary question.

The charge would probably be conspiring to have a crime committed. Now the crime which Woods committed was breaking, entering and stealing an outboard motor. Police officers' evidence, as the transcript clearly indicates, discloses the fact that they were conducting an investigation of stolen goods and they asked if they might purchase a stolen motor. But that is a long way from saying, "Go and break in and steal the motor".

In short, the answer is: I will not be directing a prosecution. I think the evidence would not support the laying of a charge.

**Mr. Ben:** Mr. Speaker, would the Minister accept a supplementary question?

In view of the statement just made by the hon. Minister, what is his position on the practice of police departments of paying what they call informants, to purchase illegal liquor, or purchase illegally, liquor from what is called a bootlegger to enable them to obtain a conviction?

**An hon. member:** That is not a supplementary question.

**Mr. Ben:** Is the Minister prepared to order that those kind of activities cease?

**Hon. Mr. Wishart:** I do not think I shall answer that, Mr. Speaker. The agent provocateur is used in liquor cases and that sort of thing and that evidence is quite admissible. But I do deplore, as I have said in answer to the question, police officers urging the commission of a crime in order to get a conviction. A crime has been committed by the bootlegger, that is a different matter.

**Mr. Ben:** Is not using an agent provocateur the same thing, Mr. Speaker, if I may ask that as another supplementary question?

**Mr. Speaker:** The hon. member has strayed very considerably now from his original question. If the Minister wishes to answer, it will be quite in order. If he does not, then perhaps the member for High Park has a supplementary question.

**Mr. Shulman:** Before I ask a supplementary question, I would like to have my first question answered.

**Hon. Mr. Wishart:** I have answered the original question, and I would be able to discuss this at some length with the member.

**Mr. Shulman:** The Attorney General overlooked my first question. Does the government intend to reimburse Douglas Woods for the time he has spent in jail?

**Hon. Mr. Wishart:** The answer is "no".

**Mr. Shulman:** In the form of a supplementary question to the second question which I have asked, Mr. Speaker, can the Attorney General inform me whether this caper—I can use that word—by the police officers was done on their own volition or whether they were following orders at a higher level on the police force?

**Hon. Mr. Wishart:** Mr. Speaker, I will accept this supplementary question. As I said, I have the full transcript of evidence here. It is quite apparent, I think, that one of these officers was very young, new on the force; the other was not a man of experience. They went about this apparently without any direction from above whatsoever, something they decided to carry out on their own, as far as I can take it from the evidence I have.

**Mr. Shulman:** May I put the third part of my question now?

**Mr. Speaker:** Yes, I think we should dispose of that question now.

**Mr. Shulman:** In view of recent cases in which legal aid was refused appellants on the ground that the appeal could not succeed—Rose Szego of Toronto and Douglas Woods of Port Severn—and yet in which successful appeals were subsequently launched without the assistance of legal aid, will the Attorney General intervene to see that such changes of personnel are made to ensure a more competent examination of cases under the legal aid system?

**Hon. Mr. Wishart:** No, Mr. Speaker, I do not propose to intervene. A committee of this kind must use its judgment. I think it was free of partiality or any malice or anything of that sort. I would not for a moment suggest that every committee is right, that legal aid directors are always right in their decisions, but that they might be wrong on occasions does not mean they should be dismissed, or that the personnel should be replaced.

These are matters of judgment and I think judgment here was exercised reasonably and

to the best of their ability. I do not think there is any suggestion here of incompetence. I would not think of changing the personnel, because in these two cases, in the opinion of the committee, there was not a proper case which entitled the appellants to legal aid.

**Mr. Shulman:** Will the Attorney General accept a supplementary question?

Would he not agree with me that it is very odd that both of these cases were appealed to Mr. Lawson, the head of the legal aid committee, and in both cases he said, "No, we won't give you help because you have no chance of winning". Yet one case was won even without the aid of a lawyer; a doctor went in and managed to win that particular case. The other case was won, I point out, by an NDP lawyer, so perhaps there is something wrong in this situation.

**Mr. S. Lewis (Scarborough West):** An NDP doctor, too, it might be said.

**Hon. Mr. Wishart:** All I would suggest to the hon. member is that possibly—I do not know whether these particular cases could be further appealed—that is why we have courts of appeal to set these matters right—it is altogether possible cases might be appealed in another court and the original verdict restored. So I do not think that is a very cogent argument. I merely say that the legal aid committee exercised, I think, fair and proper judgment.

**Mr. Speaker:** The hon. member for Humber has a further question of the Minister of Energy and Resources Management.

**Mr. Ben:** My question, Mr. Speaker, is: What is estimated to be the production cost per kilowatt hour of electric power from:

(1) The nuclear fuel plant at Douglas Point. And for the benefit of the Minister, that is the new one whose construction was just announced.

(2) The fossil-fuel plant at Bath, 22 miles west of Kingston?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, knowing that the average annual cost per kilowatt from electric generating stations varies over a wide range, dependent upon the actual station loading, the following are answers to the question:

(1) The production cost per kilowatt from Douglas Point generating station operated at high annual capacity factor has been estimated by the owner, Atomic Energy of

Canada Ltd., to be approximately six mills per kilowatt hour. That is when the station has reached maturity as an operating unit.

In answer to the second question: The cost per kilowatt from the proposed coal-fired generating station near Bath based on (a) current costs for construction and coal, (b) 7 per cent interest charge on capital and (c) 80 per cent annual capacity factor, is estimated to be approximately 4.7 mills per kilowatt hour.

**Mr. Ben:** May I ask a supplementary question, because it was not the question I was asking. I was asking for the production cost, not the construction cost built into the production factor. What I want to know of the hon. Minister is the production cost per kilowatt hour aside from the cost, the capital cost of the plant?

**Hon. Mr. Simonett:** Mr. Speaker, that is the production cost on both plants. That is the cost per kilowatt hour as it is produced.

**Mr. Speaker:** I believe what the hon. member is trying to get is the production cost without the inclusion of the capital cost. Perhaps the hon. Minister would see if he could ascertain that information and furnish it to the member.

**Hon. Mr. Simonett:** I do not know how you would estimate production cost without taking into consideration your capital cost, because that is a part of your cost and it varies with different plants. This is why it has to be based that way. A coal-fired plant is the cheapest plant they can build. The next is atomic energy and the most expensive is hydraulic, in the actual construction. But then it varies as you have to buy fuel to operate these plants.

**Mr. Ben:** Mr. Speaker, you are correct in your assumption. I think it is well known that hydro power is the cheapest source of power, next is nuclear and then comes fossil fuel. The Minister obviously is including the capital cost into it. I want the answer the way you said I wanted it, Mr. Speaker, and I would appreciate receiving it tomorrow.

**Mr. Speaker:** Well, I believe the Minister will supply it.

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry, but I cannot get any answer for tomorrow because the hon. member said "nuclear" is the second cheapest. Now he has no proof of that and no one else has because they will not know what the life of a nuclear plant is until such plant has been

operated for at least 30 years. Hydro are basing their cost on a 30-year life of these plants. Well, now, who knows? There has not been a plant operating 30 years so it would be impossible for me to get that answer.

**Mr. Ben:** The estimated cost then!

**Mr. Speaker:** The hon. member for Brantford—I am sure the hon. Minister will endeavour to provide the figures. They may not be accurate but they will be an estimation.

The hon. member for Brantford.

**Mr. M. Makarchuk (Brantford):** I have a question of the hon. Minister of Energy and Resources Management:

What plans have been made by the Minister to build dams on the Grand River between Galt and the mouth of the river?

What plans have been made by the Minister to restore navigation on the Grand River between the mouth of the river and Brantford?

**Hon. Mr. Simonett:** Mr. Speaker, the responsibility for the preparation of plans for dam construction rests with the Grand River conservation authority. I understand the authority has had an engineering survey made of one dam between Galt and the mouth of the river, but it has not yet been submitted as a project to our department.

The answer to the second part of the question is "none".

**Mr. Makarchuk:** By way of a supplementary question in relation to the second part of the question: Does the Minister plan to have any plans made to restore navigation on the river? Or does he intend to investigate this further?

**Hon. Mr. Simonett:** Mr. Speaker, I think that investigation would rest with the conservation authority. As yet we have had no request to study it or investigate it.

**Mr. Makarchuk:** A question of the Minister of Correctional Services:

What steps are being taken by the Minister to replace the jail in Brant county, as recommended by the most recent and earlier grand jury reports?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, after taking over responsibility for the complete operation of county and city jails, my department instituted a task force to survey the jails and their facilities. This task force reported to me

recommending a priority list of replacements and I made this public on October 29. On that date I announced that planning would begin immediately for the replacement of the Carleton county jail with a modern regional detention centre.

I also indicated that in accordance with the task force recommendations, priority in the replacement programme would be given to five other areas. These areas are Halton and Peel, Hamilton, London, Niagara and Metropolitan Toronto. In addition to recommendations for replacement, the task force made recommendations with respect to interim repairs and improvements which should be made in jails not slated for immediate replacement.

I can assure the hon. member that it is the government's intention to replace all outmoded jails in the province, including the Brant county jail. As I have just indicated, the task force has not recommended top priority for the replacement of the Brant county jail. However, as recommended by that task force, we have so far replaced kitchen equipment and started a programme of other necessary repairs to the Brant county jail.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I withdraw that question at this time.

**Mr. Speaker:** The hon. member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I have a question for the Minister of Education.

In view of the recurrent complaint by most of the 72 main speakers at the 10th annual conference of the Ontario Education Research Council at the Royal York Hotel this weekend, that while pupils are naturally falling in with the active discovery patterns of learning encouraged in the Hall-Dennis report, the real problem is teacher acceptance of these educationally sound techniques, will the Minister urgently consider diverting funds and giving a higher communications priority to in-service teacher instruction, curriculum updating and professional teacher development courses than they presently possess?

Second, in particular, will the Minister consider diverting some of the current ETV production from the primary pupil level—where comparable or better programming is abundant—to the professional level where there is a great dearth of suitable material? And,

within the transmission time pattern now available to him, will he allot the most suitable times to this type of broadcast?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I am going to take this question as notice, but just thinking from memory there are two or three things I think can be said in answer to this question:

First, the department gives a very high priority to the question of in-service courses and the whole question of the acceptance by the professional teacher of changing curriculum and teaching methods. At the present moment we have some 140 programme consultants within the department, and this is one of their prime functions.

There are some 45 curriculum committees and on the 45 curriculum committees there are a number of teacher representatives who are dealing with curriculum on a day-to-day basis with the thought, of course, that this is then more easily translated to the active professions. This past summer we had some 15,000 teachers who were involved in the summer course training programmes that relate to the very question the hon. member is raising.

And, of course, in the last two or three years — and this has been one of the very encouraging developments — I think in this current year some 6,000 teachers are involved in the in-service training programmes offered by the boards. As the larger units of administration begin their activities in a few weeks then more boards will be able to offer this type of service.

With respect to ETV, Mr. Speaker, I believe that last year there were some two series of programmes relating to this particular question. With respect to this year in ETV there will be nine series with some 65 programmes, and the times allocated are basically those of a Saturday morning when we feel the teacher, perhaps, has the freest amount of time available.

**Mr. Speaker:** The hon. member for Brantford had a question of the Attorney General.

**Mr. Makarchuk:** I have a question of the hon. Attorney General. In view of the fact that in some cases people have been forced to wait in the streets because of inadequate family court facilities at Brantford, what steps are being taken by The Attorney General's Department to improve the facilities?

**Hon. Mr. Wishart:** Mr. Speaker, I know that the family court facilities at Brantford are not as adequate or complete as we would

like them. We have been able to improve the magistrates' court area there, and we are much concerned with the other as we are in several areas of the province with court facilities which just came to our responsibility this year.

Just as soon as we have the funds they will be improved, and this goes for other places besides Brantford. We are working toward that objective as quickly as we can.

**Mr. Speaker:** The hon. member for Timiskaming.

**Mr. D. Jackson** (Timiskaming): Mr. Speaker, I have a question for the Minister of Trade and Development.

In view of the Minister's statement in March, 1967, when details of the HOME programme were unveiled, that 6,000 to 7,000 HOME lots would be available in 1967 — *Globe and Mail*, March 18, 1967 — and his further statement that 6,000 lots would be offered in 1968 — *Toronto Star*, February 1, 1968 — can the Minister explain why only 3,316 lots have been offered in the 22 months since the programme was announced according to statistics given in an OHC press release dated November 22, 1968?

**Hon. Mr. Randall:** I will take the question as notice and get the information for the hon. member, Mr. Speaker.

**Mr. Speaker:** The hon. member for Yorkview.

**Mr. Young:** Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

On what date did the Ontario Housing Corporation make its original offer to Renmore Development Limited for the purchase of land in Waterloo county? On what date was the deal closed?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the question the agreement to purchase was dated April 30, 1968.

The transaction was closed in two sections: (a) Section 1 — June 30, 1968, for 282.937 acres; (b) Section 2 — July 10, 1968, for 62.842 acres; for a total of 345.779 acres.

I have questions from two other members, Mr. Speaker. Will I answer them now?

**Mr. Speaker:** Perhaps we will finish today's questions; we have one more question from the hon. member for Scarborough East.

**Mr. T. Reid:** Mr. Speaker, I have a question for the Minister of Financial and Commercial Affairs, in two parts.

1. Does the consumer protection division of the Minister's department investigate the complaints of apartment lessees who have leases broken unilaterally by the lessors?

2. Has the consumer protection division investigated any complaints against Haver & Sons construction company who lease apartments at 875 Kennedy Road, Scarborough?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, in answer to the first part of the question, the consumer protection division has looked into this type of complaint on request and has, through discussion and moral suasion, obtained some degree of success on behalf of tenants.

In answer to the second part of the question—the answer is “no”.

**Mr. Speaker:** The hon. Minister of Trade and Development has answers to questions asked earlier.

**Hon. Mr. Randall:** Mr. Speaker, I have an answer here to a question from the hon. member for Humber (Mr. Ben) of a few days ago.

Over the past six months Ontario Housing Corporation has issued lease termination notices to 524 of its 8,042 tenants in Metropolitan Toronto. Of these 524 notices, 512 were for arrears of rent. The remaining 12 are classified as follows: Withholding information regarding income, one; violation of minimum standards by-law, one; bad house-keeping, coupled with anti-social behaviour, one; rental arrears coupled with other lease violations, nine.

In 71 cases the tenants complied with the notice to vacate and left the premises of their own volition. In 12 cases it has been necessary to obtain an order for possession through the courts. In the remaining 441 cases the leases were reinstated, as the tenants made satisfactory arrangements to settle their rental accounts.

It should be noted that in the case of rental delinquency a lease termination notice is issued automatically if, despite repeated attempts on the part of management to effect a settlement, the tenant fails to respond.

In those instances where a notice is issued for a reason other than rental delinquency, authorization has to be obtained from the board of directors of Ontario Housing Corporation. This same board approval is necessary in all cases before an order for possession is sought.

Where a tenant receives a notice to vacate because of rental arrears, he has recourse through his project supervisor or the regional manager, and the notice is rescinded if the tenant makes suitable arrangements to settle his account. For cause other than rental arrears, the same procedure for appeal applies, or the tenant may communicate directly with the chairman or managing director of Ontario Housing Corporation so that the matter may be brought before the board of directors.

Then I have an answer to a question from the hon. member for Sudbury East (Mr. Martel).

The geared-to-income rental scale applicable to all Ontario—

**Mr. Speaker:** Perhaps the hon. Minister would let me inquire if the NDP wish this question answered in the member's absence. I do not see the hon. member for Sudbury East.

**Hon. Mr. Randall:** Do they want the question answered now?

The geared-to-income rental scale applicable to all Ontario Housing Corporation developments throughout the province is a scale which has national application and can only be amended with the concurrence of the federal government which bears 50 per cent of the operating subsidies. It is not a question of policy on the part of Ontario Housing Corporation.

With the approval of the federal government the present scale was frozen as at May 1 of this year, based on the family income of the tenant at that date. However, in the event of reduced income caused through illness, unemployment, and so on, rental reductions are still being applied.

The purpose in applying the freeze was to permit an interim period during which a study could be undertaken which would indicate what revisions, if any, to the current scale should be introduced. As part of this study it had been suggested that a rental ceiling should be considered which would be related to market rent for a particular type and size of accommodation within each municipality. This part of the study has been concluded, but it does not appear that such a ceiling, because of the many variable factors, would be practicable. Nevertheless, discussions are continuing with Central Mortgage and Housing Corporation with a review, to a more complete review, of the national rental scale now being carried out.

**Mr. Speaker:** The hon. member for Grey South.

**Mr. E. A. Winkler (Grey South):** Mr. Speaker, if I may briefly, on a privilege, I would like to rise and say that the presentation on members' desks today is from the Georgian Bay Fruit Growers Association. Half of them are MacIntosh Reds and the other half are Red Delicious, both Canada's finest. I am proud to represent these producers who send them with their compliments and best wishes.

**Mr. Speaker:** When I heard the announcement I was hoping that they would all be MacIntosh apples, but apparently some strangers have gotten in. Also, as I watched the hon. members for Prince Edward-Lennox (Mr. Whitney) and for Riverdale (Mr. J. Renwick) enjoying these apples I was reminded of a news item in the paper last week where a member of the House of Commons at Westminster was enjoying the much with a crunch in the Houses of Parliament in Westminster. And at that time, while there was no ruling made, it was felt that the members in question should have had their lunch before they came to the House.

**Mr. Ben:** Mr. Speaker. The reason that the hon. member for Nipissing (Mr. R. S. Smith) and I did not get an apple is because we are not apple polishers.

**Hon. A. F. Lawrence (Minister of Mines):** No real bite!

**Mr. Speaker:** I would rather suspect that someone reached the desk first.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. R. T. Potter (Quinte):** Mr. Speaker, this is only the second Throne Debate in which I have had the opportunity of participating, and I must say I am disappointed to note that there is no mention made in the Speech from the Throne of proposed changes in either our hospital care or welfare programmes. I sincerely hope I will not have to emulate my good friend the hon. member



for Sudbury (Mr. Sopha) and make these suggestions an annual event.

Certainly I hope I will not still be expounding on the same issues eight or ten years from now.

**Mr. T. P. Reid** (Rainy River): The hon. member will not be here that long.

**Mr. Potter:** Do not kid yourself; just do not kid yourself!

**Mr. T. P. Reid:** He will still be on the back benches!

**Hon. A. F. Lawrence** (Minister of Mines): That is not necessarily so.

**An hon. member:** Voice of experience.

**Mr. T. P. Reid:** There is only room for one now.

**Mr. Potter:** Maybe you could tell me who is supposed to be making this speech?

**Mr. M. Shulman** (High Park): The Minister of Health (Mr. Dymond) just walked out.

**Mr. Potter:** I feel though, that since these are the issues that—

Interjection by an hon. member.

**An hon. member:** The member for Montreal is speaking.

**Mr. Potter:** The third party continues to flounder just like they have ever since they were established.

**Mr. Shulman:** He must be reading the wrong speech.

**Mr. Potter:** I feel though, that since these are the issues that prompted me to seek a seat in this Legislature, I must continue to try and impress our members with the urgent need for a complete review and re-vamping of these programmes. I do not believe I need to go into great detail at this time. This is already recorded in *Hansard* from one of my previous speeches. But last week, Mr. Speaker, the member for Riverdale (Mr. J. Renwick) gave us a very disturbing account of the difficulties an unfortunate individual in his riding, has been experiencing for the last number of years. I do not believe, Mr. Speaker, that there is any member in this Legislature who could not relate a similar instance in his own riding, if he cared to do so.

Earlier this year I introduced a resolution that nursing homes should be included in benefits under OHSC. At that time I stated that this was one of the two great gaps in

our otherwise excellent health programme. The other was the lack of subsidisation of OHSC premiums for those in the lower-income brackets. During the past summer I had occasion to speak to some university students on this subject and apparently, I scandalized some people by suggesting that doctors could find it necessary to lie in their long-stay reports in order to ensure that their patients receive necessary care.

We have heard from the member for Riverdale a classic example of what happens to a patient when the doctors concerned put in a completely honest report. Frankly, I am tired of government officials quoting statistics instead of facing realities. I am surprised that the hon. member got the answer he did from the department. I am surprised that he was not told that his problem was non-existent, that we have plenty of accommodation for this type of patient, because statistics prove it.

As I said, Mr. Speaker, I wonder how much longer it will be before we can eliminate this type of "ostrich thinking" and begin to make some of these badly needed reforms.

Interjections by hon. members.

**Mr. Potter:** Mr. Speaker, this seems to be the year for reading letters and I do not want anybody to think that I do not get letters too.

Perhaps I should start by saying "Dear Doctor Potter". This letter came to me on October 27 from the doctor located in a different part of the province than that from which I come; I do not know him and I still do not know who he is, but I thought you would be interested in what he had to say. He said:

I have read with considerable interest the report in the August 26 edition of the *Globe and Mail* regarding your emphasis on the need for more chronic beds for Ontario.

I do agree that this province woefully lacks beds for chronic patients and the elderly infirm. We have an acute bed shortage in our hospital, yet there are many chronically ill patients who are occupying these beds while awaiting chronic beds. Whenever possible, if the patient's condition permits, we try to use nursing home facilities which are not plentiful in themselves. Many patients cannot afford the extra cost, and many who perhaps have some savings, object to having to pay for nursing home care, feeling that this should be covered by OHSC.

As far as doctors lying on long stay forms is concerned, I would not exactly agree with this.

And, Mr. Speaker, I would just like you to listen to this.

As you know the delineation between active and chronic care is extremely fine, and I would think that perhaps many of us have interpreted towards active care in some situations where perhaps if more chronic beds may have been available, another interpretation may have been derived.

In other words, "we are not lying we are just changing our diagnosis".

I agree with you that our active hospital bed shortage would be greatly relieved if more chronic beds and nursing homes were built, along with OHSC coverage for nursing homes. I do appreciate your efforts to introduce such legislation.

As I have stated before, Mr. Speaker, due to the tremendous programme developed by our Department of Health, particularly over the past 15 years, we are rapidly approaching the stage when we will have sufficient active treatment beds to properly look after the actually ill patient in this province.

But let us not make any mistake, we will continue to have enough beds as long as we make sure that they are used for the purpose for which they are constructed and that is, for active acutely ill patients. We cannot afford to maintain long-stay patients of a convalescent or chronic nature in this type of accommodation. I know that OHSC is expanding its facilities but when it is so vital that we stretch every tax dollar as far as possible, then we must accelerate our programme to provide accommodation for this type of patient more economically.

I emphatically believe that this can be done by constructing more chronically ill hospitals and by having rehabilitation wings associated with our active treatment hospitals today. I am convinced that any patient, whether he suffers from accidental injuries, heart attack, stroke, or is recuperating from major surgery, would make a much faster recovery under these conditions.

It was intimated in the Throne Speech that changes in our health programme are anticipated.

**Mr. R. Gisborn (Hamilton East):** How about doctors' fees going up?

**Mr. Potter:** They are going up too. I had hoped, Mr. Speaker, that the Minister would

seriously consider extending OHSC coverage to nursing homes and would consider the subsidisation of OHSC premiums in the same manner as provided by OMSIP. It is ridiculous to suggest that a person who is unable to provide his own medical insurance could possibly afford to pay for hospital insurance without similar assistance.

Mr. Speaker, I believe that these two changes are of prime importance. It was encouraging to read in Thursday's paper of last week that the hon. Minister had requested the universities to develop some kind of a speed-up programme in order to qualify more physicians over the next few years. You may recall that I made such a suggestion last July 15 when I spoke on this subject in the House. I must admit it was disappointing to read that the response of the deans of medicine was lukewarm, to say the least. There is no question whatever that we must find a solution to this problem.

I fully appreciate the necessity of maintaining the highest possible standards of medical training in our province but at the same time I appreciate the tremendous role that research plays in such a programme. But we must keep our perspective. What we need right now is a large number of well-qualified general practitioners.

Surely this goal can be achieved with the excellent training schools we have in the province? What can be accomplished in wartime can certainly be accomplished now. It is not an insurmountable difficulty, and the only question is—when are we going to begin?

With regard to our welfare programme, Mr. Speaker, may I again suggest that we concentrate our efforts on rehabilitating people rather than merely supporting them. We must find ways to provide jobs to make them self-supporting, responsible individuals again.

At the same time, may I suggest we take a more realistic view of our pensions, and consider practical changes to bring them more in line with present day values? Our present guidelines are completely outmoded and sadly in need of revision. Mr. Speaker, the case cited to us last week is a perfect example of what happens. We have a man whose income is sufficient to keep himself and his wife, providing he does not have to pay extra for her care in a nursing home.

Under the regulations today, he does not qualify for assistance because his income is too great. But if he were to give up his job and use what savings he has, then our department is quite prepared to take him over and keep both of them. I have a similar in-

stance in my own riding of a widow with several children who is determined to work and raise her own family. Now that they are of school age, she has found she needs some additional assistance.

The case worker who saw this woman was very sympathetic. She realized she must have more money, but under the regulations she is making too much money now to qualify. Her suggestion was "Don't work so hard; only work half the number of hours, then you are eligible for assistance and you will be making more money than you are making today."

Mr. Speaker, it is for this reason that I say that our programme is sadly in need of revision.

The Throne Speech, Mr. Speaker, has been referred to us as an austerity programme, but I would suggest that in reality it is a programme based on sound economics. First of all, I would like to congratulate the hon. Provincial Treasurer (Mr. MacNaughton) for his timely remarks on how Ontario is applying the brakes.

I am sure that by far the majority of us in this House, and indeed in the province, will agree that it is time that we completely review all expenditures in the manner suggested by him. At the same time, we must give careful study to future plans and, as he has stated, decide first of all if each suggested programme is really necessary at the present time.

I am sure that many of these things that have been planned can be either postponed or cancelled without any undue hardships. When it has been decided definitely that a particular project should be proceeded with, then, as the hon. Minister has suggested, we must ask ourselves if the necessary financing can be assisted by a cut-back on any existing programme, or if the costs can be reduced by making use of any existing facilities.

I might revive once again the suggestion that we have all heard from time to time that we develop a more economical type of construction for our schools. Are all the expensive frills really necessary? Do they really add sufficiently to the quality of our education to justify the added expense? Like all taxpayers I am anxious to see just how serious our departments are about adopting this enlightened, common-sense programme.

Certainly, if we review our financial status we will find that the few socialist programmes we have adopted over the years have proven to be very expensive indeed, and would appear to be more costly than are

warranted by any benefits that have been derived from them.

One may argue that the basic shelter exemption has helped the lower income group, but as far as I am concerned the cost has far exceeded the benefits. Not only are we subsidizing the wealthy but we include foreign property owners, many of whom find that they are provided with tax-free summer cottages by our benevolent government.

Far too many landlords are raising rents if tenants ask for their rebate, and we find as great abuses of this plan as we have seen with the student loan and grant programme. In my opinion, this leads to the conclusion that the plan warrants a darn good, hard, second look.

While we find ourselves looking over our shoulder at this latest of our socialist programmes, we again hear rumblings of our government being forced to abandon party principles and policies, and accept the federal government's Medicare plan to subsidize everyone, regardless of need.

Last week, the leader of the Opposition (Mr. Nixon) once again urged our government to adopt the federal scheme. I do not know why; his reasoning is hard for me to understand. When he promotes Medicare, he is promoting the subsidization of the wealthy before those in need are given assistance with their hospital insurance and before the disabled and handicapped are provided with sufficient funds for a reasonable living standard. I am disappointed, because I was confident he would carefully examine each issue objectively, and not blindly allow party unity to take precedence over public interest.

**Mr. R. F. Nixon (Leader of the Opposition):** I would never do that.

**Mr. Potter:** Mr. Speaker, the Medicare programme, like OMSIP, is concerned only with medical services, services that are supplied by a medical doctor. When I was discussing the shortage of hospital facilities for certain types of patients, I was referring to the Ontario Hospital Services Commission, which concerns itself with hospital facilities in Ontario and which needs revision. Our medical services insurance programme ranks among the best in the world.

Mr. Speaker, our housing programme alone presents a much greater challenge than medical care in Ontario. If we can bring all these areas I have referred to up to the high standard we have achieved with our medical insurance plan, then we will have accomplished a great deal indeed. The

federal government would be well advised to study Ontario's present system in this field and could undoubtedly improve upon their own scheme accordingly.

Today in Ontario, Mr. Speaker, we have one of the most advanced educational programmes in the world. We are the proud possessors of 20 colleges of applied arts and technology. When the plans were made for these colleges, the Minister was anxious to leave control of their management in local hands; the boards were to be appointed locally, and the feeling was, and still is, that if the colleges attain their goal of serving the community and meeting its needs, then control must be made in the hands of a local board.

Unfortunately, in some cases we find an abuse of these powers. Not enough consideration is given to control of expenditures, and perhaps there is too great a desire to grow. I believe a review of some of these institutions would show that the cost per student, particularly in administrative staff, is far out of line.

In addition, while I am on the subject, I would like to suggest that consideration be given to transferring all types of education, including that of student nurses, to The Department of Education. I believe it would be more economical to provide facilities to teach nurses in the community colleges during their first two years of training than to provide teaching facilities in connection with the hospitals.

I understand that under the new system for the first two years the girls don't go near the hospitals, anyway. Consideration might be given to changes of this nature to determine what savings could be effected. If this system were to be instituted, I believe that we would be able to make available better-qualified instructors, because their time would be distributed amongst the various groups of students.

Mr. Speaker, I understand that there are already in the province two or three areas where they are doing this. But it is being done on a purely local basis, where the local hospital board is making arrangements for this instruction to go on at the community college level. I think the time has come when it should be established as a department policy.

While this review of expenditures is taking place, Mr. Speaker, I think it might be well to review the civil service generally. Over the years, it seems to me that there has been a growing tendency by the civil service

to assume responsibility that should remain solely in the hands of government.

Far too often, I have had complaints from some citizens that they have been subjected to some uncivil service indeed, at the hand of some government employees. Many times, I, myself, have found their attitude to be overbearing, to put it mildly. It seems to me to be only practical to suggest that the government should run a course in public relations for all such personnel. Perhaps we can give consideration to a plan that would require more careful screening of prospective employees to assure that they are capable of meeting and dealing with the public tactly. I feel that these qualities, Mr. Speaker, are of as great importance as efficiency and ability.

One of the most significant and encouraging of all the Prime Minister's (Mr. Roberts') statements, is that pollution of all kinds will be of first priority. As the hon. leader of the Opposition stated last week, OWRC often finds itself in the unhappy situation whereby the only solution to the problem of pollution of an area appears to be the closing down of a particular plant. This fact must be faced, and a suitable alternative found, since we have all agreed that pollution must be stopped today, or our country will not be fit to live in tomorrow. Indeed, there are already some very questionable areas. I trust that in line with the Treasurer's announced plans, we are now past the talking stage and will see some positive and productive action.

In conclusion, Mr. Speaker, I want to say that I was very heartened when our Prime Minister announced that his government has no intention of taxing places of worship or of extending the sales tax to food and children's clothing. We are all aware of the important studies on taxation that have been carried on by the Smith committee and the White committee, and the recommendation that they have made to our government. But I sincerely hope, in view of the announcement of our Provincial Treasurer that spending is carefully scrutinized, that a careful review will be made of all departments before consideration is given to any increase in present taxation or the introduction of any new means of raising tax money.

Mr. Speaker: Order, the hon. member for Port Arthur has the floor. Perhaps we will give him a hearing.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, "kechet-wah-wan-dah-gozewin", in

the Ojibway Indian language, means "dignity" or "honour". The importance our original Canadians attached to this quality of man, I think, is apparent from the length of the word "ketchetwahwandahgoozewin"; 24 letters in eight syllables, which, broken down and analyzed, means: "Worthy of great respect".

Just as you, sir, are concerned with upholding the dignity of the legislative procedures in this chamber and I would say, have done so excellently, my remarks in this Throne Speech Debate today will be concerned with the dignity of life in Ontario in 1968.

And well every member of this assembly might spend just a few moments considering with me the respectability of this society we are building for ourselves: a society which sees the dignity of those time-honoured institutions of old age, family, motherhood, parenthood, church and government under assault by an army of ill-guided professors and philosophers, disillusioned youth, unscrupulous commercial enterprisers, spineless religious leaders, confused, incompetent politicians, high-tax, high-cost, high-credit weary adults and merciless news media which tell everything, no matter how personal or how damaging the way it is.

Yes, our society, where growing old means relegation to loneliness and uselessness unless of course you have the money or the social stature, to end your years in dignity.

Our society, where students are allowed to be misguided by subversive militants or professors to use their education and their numbers to defy, to disgrace and to scare the very ones who bought their education, their affluence and their present freedom at heroic expense. Where is their respect?

Our society, sir, where many a man can't afford the current price of a home of his own or to rent for that matter; and, if he takes to a home on wheels, yes, a mobile home like my own, sir, he finds hardly a municipality where he is permitted to park it and live in dignity.

Our society, where a couple with more than two children are called fools. Dignity?

Our society, where a man who gets up to give his seat on the subway to a woman is scoffed at by others as an oddball. Where has the dignity of womanhood gone?

Our society, where a single moment of human weakness is a sufficient thing to see one's good name splattered like mud across the page of a newspaper or thousands of TV

screens. How vulnerable the shield of dignity is, in—in our society, where the majority cannot afford the high costs, and high taxes, which are today the price of dignity.

Our society, where the personal privacy of an individual's social records: medical, credit, educational, legal and employment may be invaded by anyone with the right connections.

Sir, the list of indignities this society inflicts upon the people is too long for me to read off here, of course, and I know every member here has his own little batch to elaborate on. But those are some of my current observations.

Those I represent in this Legislature, the people of Port Arthur riding, along with their neighbours in Fort William, have a whole new kind of indignity staring them in the face at this time. The indignity of being considered by this Robarts' government, through the Minister of Municipal Affairs (Mr. McKeough), as not being intelligent enough to decide through a democratic vote whether or not their cities will be united into one super-city of one hundred and twenty thousand people.

The Minister of Municipal Affairs says, "no plebiscite", and he has repeated it often, it is up to this assembly to decide. He is right. Ultimately this Legislature must decide. But is not knowing definitely how the Lakehead people feel about this vital decision something we should arm ourselves with before we, as the elected body, decide? What is wrong with that? Is the Minister afraid the people, the taxpayers will turn his great dream down? Does he dare to insult the intelligence of my people in this way? They want to vote. Many have already told him so by petition; and there will be many pleading for that democratic privilege before this is over.

What makes him and his government continue to say "no"? Is it really courage, wisdom, and political responsibility? I submit to you, Mr. Speaker, it is nothing more than sheer fear and a lack of knowledge and understanding of Lakehead people.

And I notify the Minister, sir, here and now that Lakehead people, whether for or against amalgamation, feel they have the right to decide this proposed unity by a plebiscite. This is what so many have asked me to tell this House. And I warn the Minister, through you, Mr. Speaker, that if they are not allowed to vote on it, they will be launched on this new municipal course with the confirmed belief and shame that it was forced upon them by a government who did not think



them intelligent enough or progressive enough to accept it on their own.

And what is just as bad, Lakeheaders are aware that many people down in southern Ontario and other parts of Canada believe Lakehead people would have to be legislated into this amalgamation whether they like it or not and that is the only way it will ever be done. How humiliating for those proud independent-minded people in Port Arthur and Fort William. How undignified. I am asking this House to give Lakeheaders the opportunity to prove they do not have to be forced by legislation into progress.

Let them make the decision and eradicate these totally wrong conceptions. A plebiscite on the simple principle of uniting Fort William, Port Arthur, Neebing and parts of Shuniah into a single super-city in one referendum involving all of the qualified voters from the four municipalities is the way to do it and the only way.

The hon. Minister of Municipal Affairs in his statement to this House concerning regional government last week said:

One of the cardinal principles we are following during implementation is the meaningful involvement of the local communities. Our desire for local participation is such that we will, in some cases, endure delays in the establishing process in order to give local opinion time to form and express itself.

Meaningful involvement! How can there be meaningful involvement by a people who know they have been forced into something with no regard for their community pride and dignity? Further in his statement the Minister said:

In a very real sense, the entire programme of regional government will fail if the people in the region are not convinced of the programme's merits. These are the people who will have to live with and run the regions once they are established.

Beautiful, sensible language — but words — that is all it is — words. And hypocritical words at that. To insult these people as not being intelligent enough to understand. To fly in the face of their requests for involvement in the decision, and then to state the success of the whole venture swings on their willingness to participate has got to be either sheer stupidity or hypocrisy.

I heard the Premier (Mr. Robarts) himself on TV the other day saying: "We want to get the government closer to the people." Well, I can assure you, sir, dictating Port Arthur and Fort William and their neighbouring municipalities into unity is the way to force government upon the people, but it is no way to bring the people up there closer to the government.

Mr. Speaker, this is a shotgun wedding. My people are being corralled into a new way of life. It is no way to start a marriage.

Let me be absolutely clear. As a resident of the Lakehead and a broadcast news editor I have been on record for nine years as of December 15 as being in favour of amalgamation of the Lakehead cities. I put my neck on the line long ago; but mine was a cause and a way of education and democratic debate and procedure. Never would I think of forcing my views upon my adopted people. It was a difficult row to hoe and I found myself cornered on my position at many public meetings. And just when we battlers for the big Lakehead city had the majority of people thinking our way, along comes the Minister of Municipal Affairs to spoil the whole shebang with his dictatorial ideas, and that is what I submit to this House.

The hon. Minister, sir, is spoiling the whole thing. Believe me, Mr. Speaker, the Lakehead people need the boost a new city hall will give them as proposed in the Eric Hardy report. It can be the big wholesome new thrust that will open up the great northwest of Ontario and I sincerely believe that. The government and the Minister of Municipal Affairs are right there, but Lakeheaders are proud independent people, who, along with their ancestors, have had the courage to tackle that new frontier up there when many others preferred the affluent society of the south, and when everything else seemed gone, they have always had that self-respect, that independence, yes, that great community dignity. To deprive them of the right, the privilege, the opportunity of expressing it on amalgamation, where so much of their lives and their money are at stake, is an insult to them. To state many other communities in Ontario will have to submit to the same kind of legislation, is just not good enough and I have heard that said by representatives on the other side. Lakeheaders are not the same as everyone else. They have their own brand of attitudes and community ways and are entitled to individual attention on a matter of this importance. Is this not true of every community in Ontario?

Mr. Speaker, I am obviously not opposed to Lakehead amalgamation. What I oppose is the way this government is proposing to implement it. I, too, want the fullest cooperation of the people. It is their community. They will have to live with it. They will have to pay for it. Surely they must be allowed to decide. If they are not, so many will want no part of it. So many will consider



the beautiful big new city like a sour pill to swallow. Lakeheaders must be trusted to vote on this and this is what is lacking, trust. I trust them, and I want amalgamation. Why cannot this government trust them so far?

I have the word of the leaders of those opposing amalgamation that if the new Lakehead city idea is approved in a vote of Lakehead people, they will stop their opposition and join in this new effort to build the Lakehead area. I will stand on that.

Even now a giant petition is being circulated at the Lakehead requesting a vote on amalgamation. But the organizers are afraid the Minister will get his legislation through this House before the petition has been completed. I ask the Minister, even though he is not in the House, through you, Mr. Speaker, and through *Hansard*: Will he delay introduction of that legislation long enough for that petition to arrive here at the seat of government? If that petition does not back up my arguments here today, then we will have to conclude that he was right, and I was wrong. And we know how Lakehead people can put petitions together when they feel strongly enough. There were 12,700 names on the last one I brought to this House.

So, Mr. Speaker, my plea today is for the dignity of Lakehead people. Once again I ask this Minister to let them vote on amalgamation or to at least delay the legislation long enough for the petition to prove how much the people there want the plebiscite.

Mr. Speaker, true dignity is so intently sought in many other areas of our society. Perhaps the most glowing example today is the Canadian Indian. Hardly a newscast or a newspaper goes by without a story on the deprivation of our original Canadians. And yet, here is a people who once could have taught us many great lessons about human dignity, a people who honoured and included their elders to such an exalted degree in their society, and who held leadership, God, motherhood, family and self-respect at such a high place of importance.

To see the name of his people slipped so low in the esteem of today's civilized world is perhaps the greatest difficulty a Canadian Indian has to face; to me that is at the source of his problem. I know so many Indian friends who are ashamed to be an Indian. That must be a most difficult emotion to cope with, to be ashamed of one's own race.

Recently I learned of some Canadian Indian ancestry of my own, and I was extremely proud to realize that I had the blood of not only the two founding races—English and

French—in me, but that of our original Canadians as well.

I immediately sought out a book on the Ojibway Indian language, it took me a year to find one, and then I set about learning it. But do you know that when my 11-year-old daughter, who is learning Indian with me, began trying it out on her schoolmates, she was called "a half-breed" and laughed at, in an Ontario school. As she cried her story out to me, later in the day I suddenly was able to identify a little bit better with our Canadians of Indian origin.

Mr. Speaker, nonetheless I must say here I am really proud to live at a time in Canada, in Ontario, when so many Canadians are starting to realize the Indian fact and so many are trying to do something about it. Part of my personal contribution will be to learn the Canadian Indian language which I have already found reveals so much about this wonderful race.

And I would like to do something in this exalted Chamber of hierarchy in which I am proud and privileged to find myself today which I hope will be interpreted by my Indian friends back home and other Indians, as a positive genuine effort to lift their heads and their spirits to a renewed self-respect and pride in what they are. I respect them and I honour them.

"Wa-ge-mah-we-yun, me-uhpe-zheg-wuh-che o-ke-chet-wah-wa-ne-maun ke-uh-nish-e-nah-bag-me-naun uh-yoon o-pee-duh-muh-waun uh-nish-e-nah-ba-moo-win oo-oo mah-wun-jee-de-wing en-an-dal-gwud."

That, Mr. Speaker, is my personal effort in our Ojibway Indian language, which might stand to be improved on in some places.

The translation: Sir, the time has come to honour our Canadian Indian people by introducing the Indian language in the Legislature.

I reiterate that I hope this effort will be accepted as a gesture of friendship toward our Canadian Indian people, and that it will indicate to them that one elected member of this House considered their language of origin worthy to be introduced in the highest legislative chamber in this province.

Mr. Speaker, the highest goal of our procedures must be to uphold and strengthen the dignity of all the people of Ontario. My plea today has been for dignity. Thank you.

Mr. M. Shulman (High Park): Mr. Speaker, I rise with some diffidence today. You may recall that last year in my speech at this time I spoke, perhaps, over-long and I wandered over many subjects and there was

some criticism for that reason. I thought that this year I would avoid that type of criticism by restricting my comments very briefly to perhaps one department.

I had a bit of a problem in deciding which department to talk about because there are a number there on the front bench who invite a few mild comments, and the front benches are a little empty today.

But of the two members in the front bench who are seated here today, one of them certainly, I felt, should have the benefit of a few of my kind words of advice. So I did prepare a few comments about The Department of Correctional Services; but then I thought about The Attorney General's Department, Mr. Speaker, and the way the courts are run. I felt perhaps I should make a few brief comments about The Attorney General's Department. And then I thought about the Minister of Energy and Resources Management (Mr. Simonett) and it was such a problem that I finally decided we would do this democratically, Mr. Speaker.

So I sent to every member of the Opposition, Liberal as well as NDP, a questionnaire. I asked their help, and the questionnaire read:

To all members of the Opposition: I need your help for a survey for use in reply to the Throne Speech and I would appreciate a reply to the question below:

In your opinion, which provincial government ministry is run most inefficiently?

I am delighted that I received so many replies and I will give you the results of my survey, Mr. Speaker, so you can understand how I chose the department to speak about today.

I was surprised; the Attorney General (Mr. Wishart) got only one vote; Municipal Affairs got only one vote; Transport got only one vote; the Prime Minister (Mr. Robarts) got one vote; Lands and Forests got two. To my amazement, The Department of Correctional Services got only two votes; Energy and Resources Management got three; Highways got three, Trade and Development got five. But the winner, the overall winner, Mr. Speaker, was The Department of Health. It got 12 votes.

So, working in the democratic manner, I shall restrict my comments today to The Department of Health.

The Department of Health does give a little scope for discussion, Mr. Speaker. There are a number of matters which are not run exactly as we would like them run from this side of the House. The member for Quinte (Mr. Potter) who spoke so very well just a few minutes ago has outlined some of the

criticisms which we have been voicing here for some time. But to begin—and I will follow with some of the matters which he spoke of—to begin, I think perhaps I would like to say just a word about air pollution because it is a matter of great dismay to us, on this side of the House, that air pollution is unfortunately controlled, or supposed to be controlled, by The Department of Health.

We had the pleasure the other day, of hearing the member for Sudbury (Mr. Sopha) speak at some length about his vision of the north, and I might digress, just for a moment. He gave us his beautiful 62-page, printed speech which I read with great interest. He led up to the final great point at the end, which was that we should have a study. I rather liked that speech because it sort of summarized the position of all three parties in the House. The Conservatives are happy with everything the way it is; the Liberals want a study; and we want to make some changes.

I will start off by talking about Sudbury—

**Mr. R. F. Nixon** (Leader of the Opposition): Tell us what the hon. member says about the north—

**Mr. Shulman:** That is what I am going to talk about right now—the north; air pollution in the north, and particularly air pollution in Sudbury.

There has been a great deal of controversy in recent years about things that have happened in Sudbury, Mr. Speaker, particularly about the air pollution problem produced by the International Nickel Company in that city. Outside of the general despoliation of the area which we all know of, the union up there has expressed deep concern regarding the health of their men, and has expressed the view that the sulphur dioxide level in the plant is dangerously high.

This has been vigorously denied by INCO, and they have been supported by inspectors from The Department of Mines who have gone in time and time again and have found that everything is just fine there, the sulphur dioxide level is very low. It was very hard to tell who was telling the truth; whether the union was telling the truth or whether the people who worked for The Department of Mines and the company were telling the truth.

I am delighted to say, Mr. Speaker, that due to the public interest of one of Toronto's great newspapers, combined with the bravery of a McGill University student, the truth is

finally available today. I have it here in my hand.

It has not been made public before and it is with great excitement I bring it to you. The background is as follows:

Before I give you the results of this very interesting visit to Sudbury: Copper Cliff is a tiny town lying just outside Sudbury, surrounded by miles of desolate land—I have been up there twice in recent months—rotted three trunks and barren blackened rock. With a population of 3,400, it is legally an independent, incorporated municipality with a mayor, town council, police force and all other trappings of an average town.

But in reality, it is a “company town.” It has been incorporated for over 60 years, and always the mayor and council have all been officials of the International Nickel Company of Canada.

There has never been an election. Mayors and councils are selected by “acclamation”. Copper Cliff collects taxes, like any other town, to finance its education, public works and police force. But Copper Cliff has only two taxpayers: a tiny branch of the Toronto-Dominion Bank which owns its land, and INCO—which owns every other inch of property.

The police force here is technically one like any other. But the Copper Cliff police also act as company-paid guards for INCO, and the jurisdiction between a private and a public force is an academic distinction not worth drawing.

**Mr. G. Ben (Humber):** INCO coppers!

**Mr. Shulman:** Right!

Three huge smoke stacks dominate the sky over this flat little town. Twenty-four hours a day, every day of the year, the three giants belch grey-white columns of smoke that curl to form the ghostly cloud that hangs over Sudbury.

On the edge of Copper Cliff is a vast complex of smoke-blackened buildings that feed the stacks. The complex is couched beside a 300-foot high range of slag—waste rock and iron—and stands out of the flat wasteland like some Alcatraz. It is surrounded by a 20-foot high fence, which is closely watched by the armed security police.

This is the Copper Cliff smelter of INCO—and a brave man whose name is Mark Starowicz climbed over that slag heap to get you the results that I am going to tell you about in a few moments, Mr. Speaker. This smelter is the largest of its kind in the world,

the pride of the Ontario mining industry. And this is where all the trouble is.

Here, the workers claim, they are forced to work in conditions that are archaic and unsafe, amid fumes that poison their systems, in dust that chokes their lungs.

Here, in these buildings, where clouds of blue-white gas prey through the various floors, and where millions of tons of chemicals are spewed into the atmosphere, they think lie the explanations for two startling facts discovered by a study done at Laurentian University.

These two facts are there: first, the death rate of a Sudbury male over 55 is 50 per cent higher than for the rest of Ontario.

And second, the life expectancy of a Sudbury male over 45 is seven years below the national average.

The men who work in Copper Cliff don't believe this is coincidence. They think they're being poisoned.

The vice-president of Local 6500, United Steelworkers of America, Kenneth Valentine, is the union's pollution and safety spokesman, and he has been fighting INCO on this for years.

It's something out of the industrial revolution,

he said.

The disregard INCO has for the men working there, and the effects they suffer in those stinking conditions sound like something out of the coal mines in the 18th century. It makes a farce of INCO's so-called concern over safety.

But INCO replied in their calm, reasonable way these charges are “exaggerated and irresponsible” and, as far as INCO is concerned, the excess gases are a product of the union's imagination. Well, who is telling the truth?

The gas is sulphur dioxide. It is produced by smelting the ore in the huge furnaces of the reverberator building. It rises from the multi-storey furnaces, and would escape through the giant centre stack at the plant, except for INCO's conscientiousness in trapping it.

Sulphur dioxide is a highly valuable gas because it is the essential element in the manufacture of sulphuric acid. CIL has put up a permanent plant within the INCO complex which just manufactures the chemical for industry.

In order to trap the gas and prevent it from escaping through the stack, there are

dampers in the furnaces that choke off its escape. The workers have claimed that the dampers are responsible for gas escaping onto the work floors. Valentine said:

INCO is so greedy to trap that gas that they keep the dampers three-quarters closed and poison their own workers just to prevent its escaping. When the dampers are open, as they should be, the gas conditions virtually disappear.

The effects of sulphur dioxide on the human body have been studied in many countries. The result of these studies have been compiled here in Toronto—before air pollution was taken over by the province. The man in charge who was doing an excellent job, supplied this to anyone who was interested and, doctors have all agreed that sulphur dioxide causes congestion of the bronchial tubes and lungs, affects the circulation of the blood and eventually leads to heart failure if it is present in the air at a certain level, and for any length of time.

Now, the question is what is the level?

First of all, if we are going to do anything about INCO, we have to be sure whether the sulphur dioxide level is too high, or whether it is safe. Now, the only legislation covering such a condition is a vague paragraph in The Mining Act:

Part IX, section 430 (i) states:

In every mill or plant where poisonous vapours or gases exist or may be formed, suitable means shall be adopted to provide such ventilation as will prevent the formation of dangerous concentrations of the same.

What are "dangerous concentrations"?

These are not defined in any legislation. However, industry has found it is generally accepted to follow the guidelines set out by the American Conference of Governmental Industrial Hygienists.

The Ontario Department of Health has recognized these as guidelines. The guidelines set a ceiling of five parts of sulphur dioxide per million as the safe working limit. Five parts per million, let me stress that, Mr. Speaker. They also recommend that good industrial practice calls for staying well below the limit.

Valentine claims it is a rare day when the reading near the furnaces dips below ten parts per million. INCO has replied that this is just not true. Our Minister of Mines (Mr. A. F. Lawrence) has sent inspectors time and time again. The level was always safe.

Two years ago the union took some clandestine tests. They claimed reading of over 200 parts per million were found. INCO has flatly denied the truth of these tests, and certainly results found by the government inspectors have shown the plant level to be quite safe.

Well, we finally found out in August, Mr. Speaker. To finally settle the truth of this matter, the Toronto *Star* hired a McGill University student, Mark Starowicz, and on the night of Wednesday, August 29, he went to find out for himself. I quote from the statement he subsequently dictated—after getting out of the plant.

Entry to the plant is illegal, unless one is a worker with a badge, a tourist with a guide, or a special visitor conducted by a company official. The plant is heavily guarded by armed security men. For two days I asked various workers to sketch for me sections of the plant they knew, and draw for me every walkway, passage and entrance.

The only way to avoid crossing the guards who scrutinized all entrants was to wait till nightfall, and climb over the massive slag range that dominates the rear of the complex.

Wednesday night, dressed in clothes given me by workers, and equipped with the required safety goggles and gas mask, I began crossing the slag heap. With me I took a camera and a drager meter—a compact precision instrument used to measure gas content in the air. Guards intermittently played powerful lights onto the slag range, and that made my progress slow, having to duck them.

But finally, after an hour, I was within the plant and at a set place, prearranged, met one worker who was going to be my guide that night. The worker would, without question, have been fired for helping me enter the plant if he was caught. But he shrugged off my fear, saying, "If you see it like it really is here and report it, then it will be worth getting fired."

We moved toward the converter building beneath the centre stack of the three giants, avoiding groups of men and supervisors' offices. Entering the giant operation, we inched past machines that dwarfed the men tending them and worked our way to the giant furnaces that were the core of the building. Several hundred men were in the plant on the night shift.

After half an hour of winding ramps and ladders, we reached our first destina-

tion: "D" floor, the base of the furnaces. Open furnaces blasted the ore, molten red, and through the furnace doors we saw the gentle rising of silvery grey fumes that followed the neck of the furnace up to the stacks.

Here was the source of the sulphur dioxide. Upstairs, on "M" floor, were the areas the men were complaining about. But they were also complaining about "D" floor, which is where we were and so we approached the groups of men who worked by the furnaces.

The heat grew in intensity at every step, and it was like breathing with your head in a hot oven. The heat pounded you and you felt the veins in your head.

I asked that we stop before we even reached the men near the furnaces. I was streaming sweat, and trying to walk towards these stoves of hell was like walking against some big, soft hand that was pushing you back. I could see the men better now—like automatons performing their tasks, their eyes half closed by the heat, moving silently. I myself could barely move.

You get used to this, sneered the man with me, but maybe if you ask the company very nicely they'll tell you how very conscientious they are about ventilating it.

He said the heat reached 150 degrees at times, and I believed it. As we climbed the east stairs to "M" floor, I held my breath so as not to inhale the hot stench of the furnaces.

"M" floor is a 20-foot wide walkway around the top of the furnaces, which fill the centre of the building. On the west side, the air is acrid, but bearable—it's the prettier side of the building where they show the tourists and where some supervisors' offices are. But down the walk-area, dimly lit by naked hanging bulbs, the east side was immersed in a shiny blue pall. In that pall, I saw the silhouettes of men working.

We donned our masks and goggles and moved toward the pall. After 50 feet, the acrid smell was penetrating my gas mask, and my mouth and throat felt suddenly as if I had gargled in kerosene. As we moved in deeper, the pall became a milky cloud, and I could only see a few feet ahead.

My eyes began stinging unbearably, and I struggled to keep them open to see. They watered so much the tears formed inside my goggles. A feeling of nausea began to grow in me, and I began gasping for air,

which gave me acute chest pains. I pressed the gas mask to my face, but I could not shut the gas out. I held my breath and tried to pull my camera out. But I began coughing, and unwittingly breathed a gulp. A sharp pain in my chest doubled me over, and the nausea overwhelmed me. I pulled off my mask and began to retch. As I groped for something to grab hold of, I felt very suddenly dizzy. Then, I collapsed.

I wasn't unconscious for long—45 seconds to a minute, said the worker who was with me. He had been right behind me and dragged me to a window when I passed out. The gas was rushing over my back as I bent low over the window sill to find air that was fresh.

After a few minutes, I pulled out the dragged meter, held my breath, and moved back into the gas cloud. I loaded the long, grey tube into the instrument. According to gas content, the tube turns white from one end, up a scale towards the other.

The maximum reading on the scale is 200.

I moved to the centre of the walkway—not near the furnace flues—but within a few feet of the men who were incredibly working there. The test took one minute, during which I didn't breathe.

I moved quickly to the window, gasped air, and looked at the drager meter tube. It was completely white. Off scale.

The air contained over 200 parts of sulphur dioxide per million. The guidelines said five was the recommended safe limit.

Goggles made no difference to my eyes. A gas mask was useless there—you'd need a scuba tank and pure oxygen. And as we moved into the cleaner air on the west side of the building, I stared at the silhouettes of the men who spent hours there in that shiny blue-white cloud. And I knew I'd do my share of coughing and spitting that night, as these men did every night of their lives.

After a few weeks, you can stand it, said my guide.

But what does it do to you later, I wondered.

The morning after my clandestine visit I telephoned assistant general manager of INCO, Don Fraser, and said I wanted to tour the areas the workers were complaining about.

I was told it was "irregular", but after some pressing and three hours waiting for

a decision they agreed to give me a tour. They refused to admit my photographer, however, saying only "It is against company policy". Any photographs I needed, Fraser said, I could be given from the public relations files in Toronto.

In the executive offices, which are air-conditioned by passing the air through a special chemical solution to cleanse it, I was started on my tour. My guide was Norman Spears, another assistant manager. I was taken on a broad tour of the plant, and when I asked to see the reverberator building, I was shown all along the fresh and tidy west side, where tourists are taken through every hour.

Standing on the clean and well-ventilated side of "M" floor I asked Spears if the spot we were standing in was the vicinity the workers were complaining about.

"Yes," he said, "and you can see there's nothing to those complaints. We take tourists through here every day."

So I pressed him to take me to the east end of "M" floor which is the actual area the workers are complaining about. The air was bearable, and there wasn't a worker in sight. My guide had predicted that the dampers would be opened for my visit, allowing all gases to escape—flattering, considering that costs INCO a few thousand dollars in sulphur dioxide. As I stood over the same spot where I had collapsed the night before, the INCO executive was speaking:

"Oh, sometimes on a bad day when the draught blows it here you might get a reading of ten, but that's all. There's nothing poisonous about conditions here. Those workers are a bunch of lazy bastards."

The air was bearable now, even without a gas mask. It was 2 p.m. Thursday.

Later that day I asked two workers I knew were on that afternoon shift if the dampers were open or closed at 2 p.m. They told me the dampers had been opened at 12.30 p.m. I had asked Spears if these were normal air conditions, and he said they were.

"Once in a while," he said, "if a leak is sprung, it might get a bit gassy. But that happens very rarely, and of course we pull the men out."

As best as anyone could remember, there hadn't been a leak on "M" floor for several months.

That is the end of the quote; that is the end of the statement from Mark Starowicz. And, Mr. Speaker, what a scandal that is; what a scandal it is for INCO; what a scandal it is for Sudbury, what a scandal it is for the member for Sudbury; what a scandal it is for the Ministers of Mines and Health (Mr. Dymond), for this government; and what a scandal it is for everyone in this House, that no one has done anything about this in all these years; that this terrible company has been able to lie and lie and lie and nobody over there cares. Where was the Minister of Mines all these years?

I know where the Minister of Mines has been all these years, and I know why he has not done his job, and I am going to tell you that too, Mr. Speaker, and it makes very painful hearing. Union men, the men who work up there, do not understand why the government has not acted. There have been Conservative members who come from the area, they have had members come down here—the member for Sudbury East (Mr. Martel) has spoken time and time again about the conditions in Sudbury. Someone in the government must have known and yet no one would act. Well, why has the government not acted?

The answer is a mixture of incompetence and venality. On the afternoon of December 15 last the member for Sudbury East got a phone call that broke the 25-year old myth propagated by the provincial Department of Mines. The call was from Mickey McGuire, safety director of Local 6500 (Sudbury) United Steelworkers of America. McGuire told the MPP for Sudbury East: "There is going to be an inspection of the INCO plant in Copper Cliff by Department of Mines people on December 18." This was December 15, Mr. Speaker. For 25 years the Minister of Mines in this province has consistently maintained that all visits by mining inspectors to the International Nickel Company plants in Sudbury were surprise ones.

The department stood by the policy that, of course, mine inspections must surprise the company, otherwise they are a farce. Safety violations could be quickly corrected if the company got any warning of an impending inspection.

The MPP for Sudbury East knew this policy was being consistently violated, but had not been able to prove it, not to the satisfaction of the Minister of Mines, not to the satisfaction of the government.

"How do you know there's going to be an inspection?" he asked McGuire.



"Because all the men have been put on clean-up jobs, they've been assigned to repaint, spruce up and doll up the plant," said McGuire. "Other men have been assigned to repair some faulty equipment. They've even got crews working overtime."

And this happens every time there is going to be an inspection and it happens three days ahead of time.

McGuire said all the workers knew there was going to be an inspection—"They've been told all must be spic and span by December 18."

—we finally have good representation from at least half of Sudbury here—

The MPP for Sudbury East saw his opportunity and told McGuire to send him a telegram immediately, detailing the fact that a mining inspection was imminent.

After the Christmas recess, on Friday, February 23, the MPP for Sudbury East rose to ask the hon. Minister of Mines:

Did the mining inspector visit the coal plant at INCO in Copper Cliff on Monday, December 18, 1967, and if so, what were the findings at that time?

On Monday, the hon. Minister presented his answer:

Two inspectors did make such an investigation on December 18, acting on complaints of faulty equipment received by the department, because there had been an explosion there in September.

They inspected three areas of equipment, and found them totally satisfactory and safe: fan motors, vacuum systems and dust chamber of No. 2 dryer.

The MPP for Sudbury East rose in the House to ask a supplementary question. He had a telegram in his hand.

How was it,

he asked the hon. Minister,

that International Nickel, in view of this telegram I received on December 17, was aware that this inspection was going to take place the next day?

The hon. Minister of Mines did not answer that question, he took it as notice. On March 5 he got up in the House and admitted INCO was advised 24 hours in advance of a planned safety inspection.

The hon. Minister told the Legislature his initial reaction when asked in the House last week if notice had been given was that such visits were surprises to all parties. However, he had since determined that large firms such as INCO were sometimes advised in advance so safety engineers could accompany the Mines Department inspectors on tours. The MPP for Sudbury East commented that it was like warning crooks of an impending police raid.

"It's a joke among the men," said Kenneth Valentine, vice-president of Steelworkers' Local 6500, and the man who had spearheaded a battle against INCO for several years.

This happens all the time. Everybody knows days ahead when there's going to be an inspection. Faulty equipment is fixed up, and the plant is made to look like a dollhouse. The Department of Mines repeatedly tips off INCO on safety inspections.

The MPP for Sudbury East also informed me that:

There are areas that mining inspectors have never seen, huge drifts where men risk their lives and work in water up to their knees.

This is contrary to The Mining Act, of course. But the government does not enforce The Mining Act when it comes to INCO.

This is a bit of a mystery, Mr. Speaker. Why does the government not enforce The Mining Act when it comes to INCO? Why is that the cries of the member for Sudbury and the member for Sudbury East are not paid attention to in this House? Why does The Department of Mines notify INCO ahead of time when they are going to make an inspection?

We have wondered for a long time about that, Mr. Speaker. We speculate, of course, because we tend to get a little suspicious over on this side of the House about matters like that, but we never had anything more than suspicions. But I am delighted, Mr. Speaker, finally to be able to enlighten you, and enlighten the other members of the House, as to the reason why, because now we finally know, because Mark Starowicz was a very bright young man.

Mr. Starowicz went to see, of all people, Shane MacKay. Now Shane MacKay is no union representative; he is no member of the NDP; he has nothing to do with the workers' side of things. He, of all things, is the Director of Public Affairs for INCO, and he rather neatly and unintentionally explained the whole scandal.

When asked about the suggestion that INCO contributed \$100,000 to the Conservative Party before the last provincial election he replied:

That's probably true, although I might point out that the company makes contributions to the Liberal Party as well. This is a normal policy with many firms. We also in the last provincial election made

specific contributions to certain candidates. But as far as INCO is concerned, we do not officially admit this, and please do not quote me.

**Mr. G. A. Kerr (Halton West):** The candidate from Sudbury East?

**Mr. Shulman:** No, I guess the member just arrived because the members perhaps are a little late coming in. I am quoting Mr. Shane MacKay, Director of Public Affairs for INCO.

**An hon. member:** Is he still there?

**Mr. Shulman:** He may not be there tomorrow.

He would not reveal which candidates received contributions, what the exact amounts were, or what parties they represented. He would only add that the New Democratic Party received no contributions.

**Mr. D. C. MacDonald (York South):** At least we are free agents to raise the issue.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** The hon. member does not even have anything to say about it.

**Mr. Shulman:** We have quite a bit to say about it and we are saying it now. This is the reason men cannot breathe in Sudbury—it is the government's fault.

Interjections by hon. members.

**Mr. Shulman:** Led by Valentine, the steelworkers union has been firing a barrage of charges at INCO over the past few years, alleging the company exposes men to unsafe working conditions, specifically poisonous gases in the Copper Cliff smelter.

Defenders of INCO have found a strong counter-argument in INCO's safety record, which is outstanding in the industry and is outstanding in the province. The fatality rate is less than half that for the mining industry as a whole. Does that not sound nice, Mr. Speaker, they have a wonderful safety record except that they cook the books, and I am going to prove that now. Let us go on to that next thing. Why do they have such a wonderful safety record? If things are so bad up there why is their record so good? Now I am going to tell you about that, Mr. Speaker.

Its premium rates paid to the workmen's compensation board are well below the average for all other industries. These premium rates are calibrated for each firm according to how many lost-time accidents it

has. The fewer lost-time hours a company has, the lower are its premiums into the workmen's compensation fund.

Valentine and the MPP for Sudbury East charge that INCO's safety record is "trumped up and totally distorted for the purpose of lowering its premiums and parading a false record to cover up its true disregard for safety."

INCO officials call the suggestion: "Preposterous. Those are the figures; it has been checked by the WCBO; it stands for itself; we have a safe record, we are a safe company." That is what they say.

**Mr. MacDonald:** And the Minister cried "foul".

**Mr. Shulman:** I am sorry the Minister of Labour (Mr. Bales) is not here; I am sorry the Minister of Health is not here; I am sorry the Minister of Mines is not in the House—what a shame for all of them these facts are.

In Dry No. 1—the building where men have their lockers, where they take their showers and store their equipment—there is a room called "Hernando's Hideaway". At least that is what the workers at the Copper Cliff smelter call it. It is quite a popular joke. And they call it that because of cases like Kerry Size.

Size has been with INCO for six and a half years, and he worked as a switcher. Today he is a motorman, driving the eight-ton electric locomotives.

But on April 6 he was still a switcher, and one of those eight-ton locomotives caught his ankle and crushed it against a timber. He was sent to a hospital, where a cast was put on his leg. He wore that cast till June 1. He never went on lost-time compensation.

At home, he was visited by one of INCO's 33 professional safety engineers, who made a proposition to him: Come back on the job on "light duty" and he would be given a labourer's salary. Size said: "How can I work? I have a cast on my leg." "Do not worry, you will not have to work. Just come back, we will give you something to do."

Size said he couldn't drive to work, so the safety engineer told him not to worry. For a week a cab picked Size up and drove him to work. For the next 60 days the company made arrangements for another worker to drive Size to work. Only Size did not have to work very hard.

For over 60 days I sat around in Hernando's Hideaway and did nothing. Zero. I just sat there, or hobbled around. Once

I wrote some number on some cards for a couple of hours. But that was all I ever did.

His leg had to be kept elevated most of the time, so INCO provided him with a make-shift cot and everything he needed. He says:

It sure was light duty, all right. Once I had to go home because my wife was sick, and I wanted to get paid for that time off so-called work. They said they could not pay me when I was not there, so I just told them I would report to the compensation board that I was in fact a lost-time accident. Next week they had me on an over-time shift, so I made time and a half. Seemed very strange they would put a guy who is doing nothing on overtime, but I sat there on overtime getting time and a half. They must have gotten scared.

Size says he knew why he got this "remarkably light duty" and so does the union. They say it happens all the time—that is why everyone knows that room as Hernando's Hideaway.

If someone is off work more than two days after an accident,

Size said,

—it's listed with the workmen's compensation board as a lost-time accident. But if he is back on the job before two days, it is only a compensable accident—which means you get a little money from the board, but it is not listed against the company's record as a lost-time accident. They got to me before two days were up. It was no light work; they just did not want 500 hours lost time tacked on to their record.

WCB premiums are calculated on total lost-time hours per million hours worked.

Nothing INCO did here was illegal—

Valentine stresses,

—just a bit immoral. The accident was reported to the WCB. Size agreed to the proposition—most men would rather make the money than get three-quarters of their salary. But it gives you an idea of how a company can legally build themselves up a very pretty record that means nothing really. This happens all the time.

INCO's Shane MacKay expressed disbelief, but confirmed that Size had been listed as a compensable accident with the WCB, and not a lost-time accident. He admitted a man had his leg crushed, was put in a cast, and did not lose any time from work. Quite a

miracle occurring up there at INCO. That is what is happening inside the plant.

What about the areas outside INCO itself? They have taken this lush land, created a desert, and called it "prosperity". If you arrive from the southeast by train, the forests begin to thin out 15 miles out of Sudbury, and a brown pallor overtakes the green. Ten miles out, you find scrubland, and a scattered breed of hardy bushes that somehow thrive on this black rock.

Approach Sudbury via Coniston, and you move through a pocked, cratered moonscape, scattered with the trunks of rotten trees as the only sign that once something thrived here.

Five miles out of Sudbury on Highway 17 there is a road sign put up by The Department of Lands and Forests, "Please use your ashtrays, prevent forest fires". Smile. What forests?

Test any lake within a ten-mile radius of Sudbury. There is not a living thing in them. And someone who goes hunting will find more game 15 miles out of Toronto than out of this town. Copper Cliff creek crosses Highway 17, and on a cold day it weaves a thick white fog over the highway. People have died in this fog, people have been crippled for life because of car accidents. The cause of the fog was never a mystery. It was generally assumed, and subsequently borne out, that industrial wastes from the INCO plant heated the creek, and the contrast with cold air formed the fog.

The mystery is that to this day, though it has been brought up in the Legislature time after time, nothing has been done save conduct a minor investigation to discover what everyone already knew.

There are white pines on the campus of Laurentian University that are dying. There are white pine on the shores of Lake Penage, 25 miles from the INCO smokestacks, that are dead. And this is one of the most beautiful resort areas in the province. It has been estimated by the government that \$1 million in white pine—a rare and delicate type of tree—has already been destroyed. Gardens wilt overnight in Sudbury if the wind blows the fumes the wrong way. The pollution affects clothes. It is estimated that pollution costs each Sudbury resident \$60 a year.

One million tons of sulphur dioxide are poured out into the atmosphere through the triple INCO stacks at Copper Cliff and the double stacks at Falconbridge Nickel at Coniston. One million tons of the noxious gas mix with three million tons of water to make

four million tons of sulphuric acid. That in diluted form is what passes for water in the lakes and rivers of the Sudbury basin. Government studies show surrounding waters have too high an acid concentration to support anything more complex than algae.

One part per million concentration of sulphur dioxide, exposed for 30 minutes to vegetation, will kill it, and remember that 200 plus.

Trying to grow a crop of anything within 15 miles of Sudbury requires a faith in providence not given most people. A crop can be wiped out in two hours. And most farmers to whom this happens have no recourse against the companies that pollute the atmosphere. In the thirties, farmers who were hard hit by the depression sold the "surface rights" to their lands for pittance, and thus gave up forever the right to seek recourse against the nickel companies.

A family buying a new home in Sudbury is likely to find this ancient clause attached to their lease, barring any claims against INCO or Falconbridge.

"What can that mean," asked Ken Valentine, the Steelworkers' Union expert on pollution, "except that in those early years these companies actually premeditated the destruction of the land?"

And he also asks: "Can we be breathing all this and really think it makes no difference in the long run? If it does this to vegetation and fish, what is it doing to the very young, to the very old?"

For years, among the town's businessmen and elected officials, a curious attitude prevailed towards the blatant facts of pollution. It was best summed up in the editorials of the *Sudbury Star*, which in about as many words asked: Do you want pollution or a ghost town? INCO has now invested in a slick magazine and newspaper ad campaign, which explains that INCO is really concerned about helping find ways of combatting pollution. It was best summed up in one of the editorials in the *Sudbury Star*.

One ad boasts how INCO is recovering two-thirds of the sulphur dioxide before it is allowed to escape in the stacks. It does not mention that the culling of the gas is a source of great profit to the company, as it makes valuable sulphuric acid. It suggests the motivation is philanthropic rather than mercenary.

The company has made breakthroughs in developing strains of wheat that grow on tailings—waste rock and dust—and also developing gas-resistant types of grass.

"All of which is very nice," says the MPP for Sudbury East, "but why don't they get to the point and just stop polluting the air? Several years ago a plant in Trail, British Columbia, was forced to stop polluting the air, because it was ruining crops in Washington State, and the American government threatened to take it to court. The federal government should do the same thing here. If the legislation does not exist, they should seek recourse to the courts."

The hon. member for Sudbury was interviewed by Mr. Starowicz. He said: "INCO is a more powerful legislator than the elected ones. The government is deaf whenever INCO is concerned. It is a very, very powerful lobby. Honest to Christ—and don't quote that because I don't want to lose the religious vote—but honest to Christ, those bosses in New York think of Sudbury as some place in the wilderness to be ravaged, exploited for all it's worth. Goddamit we contribute to make all these gee-gaws that are the baubles of western civilization and we have some rights."

**An hon. member:** Is "goddamit" a perfectly legitimate expression?

**Mr. Shulman:** I would not use that expression, Mr. Speaker, I was just quoting another member.

Interjections by hon. members.

**Mr. Shulman:** I am quoting the hon. member's statement to Mr. Starowicz.

Interjections by hon. members.

**Mr. Shulman:** Possibly the only comparison that can be made to determine the effects of sulphur dioxide on a population is with the famous London fog of 1952.

Mr. Speaker, I see we are at the hour, and we are coming to the private members' hour. May I move that we adjourn the debate and continue this pleasant subject tomorrow?

**Mr. Speaker:** Mr. Shulman moves the adjournment of the debate. Is it the pleasure of the House that the motion carry?

Motion agreed to.

#### NOTICES OF MOTION

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): It is private members' hour, Mr. Speaker; may I call Resolutions No. 7 and No. 10?

**Clerk of the House:** Notice of motion No. 7, by Mr. Gaunt.

**RESOLUTION:** That in the opinion of this House, nursing homes shall be included in the benefits of the Ontario Hospital Services Commission.

Notice of motion No. 10 by Mr. Davison:

**RESOLUTION:** That in the opinion of this House the government immediately extend hospital or insurance coverage to persons in chronic or convalescent hospitals or an approved nursing home, who do not require continued medical and skilled nursing care, but conditions indicate that in the opinion of a medical practitioner they cannot be returned to their own homes, or to a home for the aged.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I move, seconded by the hon. member for Parkdale (Mr. Trotter) Resolution No. 7 standing in my name, which has just been read.

**Mr. N. Davison: (Hamilton Centre):** Mr. Speaker, I move, seconded by the hon. member for Scarborough Centre (Mrs. M. Renwick) Resolution No. 10 standing in my name, which has just been read. Mr. Speaker, I do not suppose it will come as any surprise to you or to the hon. members to learn that I am once again seeking to have the scope of the Ontario Hospital Insurance Plan extended to include nursing home care.

What can one think of a government which advances no argument or reason for not providing this benefit? Even though those government members who speak on this subject, speak in favour of extending our hospital insurance plan to include nursing homes, this government simply refuses to make the change. It gives no reasons for not doing so. It makes no attempt to justify its inaction—just silence. I submit, Mr. Speaker, that this is because there is no justification, nor is there any valid reason to deny our citizens this protection.

The need to include nursing homes in our hospital insurance plan was brought to my attention most forcibly when I had the privilege of serving on the select committee on aging, but once you become aware of a need in this segment of our society, it is surprising how this awareness reveals a similar need in other segments of our society. The need is there for anyone who has been hospitalized and who requires continued rest and care when the need for active treatment has ceased.

This is the critical period on the patient's road to complete recovery. This is the time of testing for their doctor. All his skill is of no avail if his patient is discharged from hospital and he is then denied the care and attention needed for speedy and complete recovery.

We are well aware of the pressures of overcrowding and long waiting lists for entry into hospitals which force doctors to limit the hospital stay to that period when the patient must have active treatment, if he is to survive at all. But, then the doctor faces a real problem. He must decide whether to send his patient home—and of course if there are people in the home, willing and capable of providing the patient with the needed care, there is no problem.

But in so many instances the doctor will be well aware that not only will the patient be returned to a home where there is no provision for needed attention, but many times the patient is faced with the necessity of coping with pressures and responsibilities that are difficult for a well person. The result is frequently a delayed recovery or, a relapse and so the patient must return to the hospital for active treatment.

I am sure these are the conditions to which the hon. member for Quinte (Mr. Potter), referred when he was quoted in the *Toronto Globe and Mail* last August as saying:

Physicians lie in official reports to keep chronic patients in active-treatment hospitals because that is sometimes the only way to assure proper treatment in a province woefully lacking in chronic care hospitals—and our job is to care for the patients.

This is very true, Mr. Speaker. The doctor's position is almost untenable and I, for one, am glad I am not faced with his choice. He is forced to decide who can best survive without proper nursing care. His is the difficult decision to make whether one patient already in hospital can be released to inadequate convalescent care and survive, or at least come to less harm, than would another patient if his entry into hospital is delayed.

The doctor should be free to bend his every effort to treating his patients to the best of his ability without having to become party to rushing them through hospital without regard to their future well-being. Nor should this decision be placed on the shoulders of any other group because, Mr. Speaker, the doctor and the doctor only is aware of the individual's physical needs, his

character, his likely reactions and his home conditions, all of which are factors to be considered.

As I said, I believe these are the problems to which the member for Quinte referred, when he said that doctors lie in the forms which the Ontario Hospital Services Commission require the attending physician to complete when his patient has been hospitalized for 30 days. I am sure of this because on April 1, 1968, on page 1455 of *Hansard*, he cited a case of an individual entering hospital for a rest and he was disturbed that the bed she would use for resting would not be available for a patient in need of active treatment.

As we all know, doctors take an oath to serve their patients above all else and those doctors who take their declaration seriously are, as I said, placed in a dreadful situation.

The hon. Minister of Health (Mr. Dymond), does not seem to be concerned with this aspect because in the same article in the *Toronto Globe and Mail* last August he is quoted as saying if doctors do lie then "The Ontario College of Physicians and Surgeons would be asked to look into it", and further threatened to have the college look into the member for Quinte's ethics if he was lying.

I really believe that the hon. Minister is so concerned with getting patients moving through our hospitals with assembly line speed that he has overlooked the patients' needs. To the everlasting credit of many of our doctors, they are refusing to be bulldozed into this kind of factory-like action. It seems peculiar to me that the hon. Minister of Health does not seem to mind forcing the conscientious doctor into the position where, at times, he must lie for the good of his patient.

How different the attitude of the hon. Minister of Transport (Mr. Haskett). When it became apparent that motorists consistently exceeded the 60-mile-per-hour speed limit on our super highways, he raised the speed limit to 70 miles per hour, rather than force them to break the law. But, of course, motorists can vote and patients in active care hospitals cannot.

On the face of things, we would appear to have reached stalemate. Not enough active care hospital beds to meet the need and a shortage of chronic hospitals.

Yet we have nursing homes in almost every community. They exist even in communities too small to maintain a hospital and they are not being utilized to the fullest degree because the average Ontario citi-

zen cannot afford to pay their daily rates, even though they are much less than the daily rates of active care hospitals.

The reason is glaringly simple and one would think the dollars and cents minds of this government would eagerly recognize this reason. It is because most can afford to prepay their active and chronic hospital stay by paying the Ontario Hospital Insurance premiums.

In the same August 26, 1968, article in the *Globe and Mail*, the hon. Minister of Health seemed disappointed that all his threats to the doctors have resulted not in decreasing the average hospital stay but instead the result is an increase of three days in the average hospital stay. I ask myself why is he so willfully blind to the relief our hospitals would obtain if nursing homes were covered by the Ontario Hospital Insurance plan. Also the amount paid out of insurance funds would be less and a saving would be effected here.

We have three levels of care with three different levels of cost.

Most expensive, of course, is the active treatment hospital, where the costs are \$30,000 per bed. The daily public ward rate is up as high as \$60.

Next we have the chronic hospital, costing about \$20,000 a bed to build and where daily rates run up to \$24.

Both these are eligible for provincial grants and in both the patient can prepay his stay through the Ontario Hospital Insurance plan.

Then we have the nursing homes which are not eligible for government grants and where building costs are met by their private owners. Their daily rates vary from \$8 to \$16. But here the patient must meet the total cost himself. He cannot prepay his stay through the Ontario Hospital Insurance plan because even though all nursing homes must meet government standards, they are still not covered under the plan.

The only people who can make use of the facilities provided by nursing homes are the wealthy, who can afford to pay the daily rates, and the indigent, whose stay is paid by public tax money through the municipal welfare programmes.

But even this is in process of change. Improved standards and rising costs have caused nursing homes to increase their daily fees in the Hamilton area. They are running now from \$8.50 to \$11.50 a day and in the Toronto area from \$8.50 to \$12.



Due to the inaction of this government in placing nursing homes under the coverage of the Ontario Hospital Insurance plan, we witness the dreadful spectacle of the start of a programme for the mass removal of some 500 old and sick patients by the welfare department of Metro Toronto to less expensive homes in outlying communities so they could save \$2.75 per day on each patient.

Metro Toronto's welfare department apparently felt they were unable to pay 100 per cent of the increase and so took this heartless step.

Perhaps this was just a pressure move by the welfare department to force the provincial government to remove the ceiling on which they pay the 80 per cent subsidy because actually the move came to a temporary halt after only three or four patients were moved out of Metro and about 30 or 40 were moved within the city, mainly to homes for the aged. These events all occurred in the second week of May last year. The temporary halt in the mass removal of welfare patients came about because nursing home owners agreed to Metro's request that they withhold their demand for increase until results of a survey to be carried out by The Department of Health were produced.

I don't know if this survey has ever been completed but I do know that on Nov. 29, 1968, more than six months later, the *Globe and Mail* reports that Metro welfare and housing committee will request a meeting with Ontario's Ministers of Health and Social Services to try to get an increased provincial subsidy for nursing home operators who take welfare patients.

As I said earlier in my remarks, this government has not attempted to justify their refusal to put nursing homes under the provincial hospital insurance plan. Far from it.

The Ontario Department of Health published a nursing home operational manual in September 1967, outlining the duties and functions of nursing homes. I would like to quote from it.

#### Section 1—Licensed Nursing Homes

In Canada, several provinces have placed nursing homes in the category of private hospitals under an insurance scheme. In Ontario there is no prepaid insured service.

You see, they admit it is possible to include them in our insurance plan, even while they bluntly state we do not give the protection in Ontario. In other years I have drawn attention to the fact that Alberta has extended this protection to its citizens and I contend,

Mr. Speaker, what Alberta can do, Ontario can do.

I appeal to the hon. members here today to support this resolution.

Mr. Gaunt: Mr. Speaker, I am pleased to be associated with this resolution again this year. At the same time, I must indicate to you, sir, that I feel a sense of futility, perhaps despair, in taking part in what has become a ritual, year after year. Ever since I came into this House six years ago—with the exception of last year, I believe—I have sponsored a resolution in the order paper dealing with the coverage of nursing homes under OHSC.

Certainly I know the member for Hamilton Centre (Mr. Davison) has shared my concern about this matter. I believe we have been co-sponsors of this resolution over the years, until last year when the hon. member for Quinte lent his support to this particular proposal.

I must say the hon. member for Quinte gave me new heart and hope last year. I was just about to give up and accept total defeat in this respect; then the hon. member for Quinte appeared on the scene to give a very reasonable and sensible response from the government benches.

He did so again today, but unfortunately his own government has not paid much attention to him. I certainly hope he will keep trying. I gather from his remarks today that he certainly has not given up the crusade, and I am sure that he will keep pressing, if I judge his remarks today in the House correctly.

The intent of the two resolutions being debated today is clear, that being to underline the fact that an enlightened society has a responsibility to look after, in a proper way, its sick and older citizens. The mark of a mature and civilized society has to be the degree to which it looks after its disadvantaged in society. On that score this government does not rank very high. I am confronted by at least 10 to 15 cases every year of people who have been confined to their hospital beds for a period of time, and they are about to be released.

The person in question inevitably does not require active medical attention, but does require nursing care and some type of supervision. Of course, as the hon. member for Riverdale pointed out last Thursday (I believe it was in the Throne Speech), the former circumstance is covered under The Hospital Insurance and Diagnostic Services Act, the latter is not.

The doctor has to fill out a report on the patient to OHSC periodically, and when it is indicated in the report that the patient no longer requires active treatment, notification is given to the hospital that OHSC coverage for that patient will terminate on such and such a date.

There is a common thread running through all of these cases. The patient has nowhere to go, no one is able to care for him at home, and he cannot afford the nursing home charges for very long because of limited resources. The alternatives are clear. He goes either to the nursing home and stops there, until his assets have been reduced to \$500 if he is single or \$1,000 if he is married. Then he accepts the benevolence of the municipality and the province to pay for his keep. Or he is fortunate enough to be admitted to the home for the aged. In the meantime, his member of Parliament is almost certain to get a call from his family in their frantic attempt to resolve the situation.

The member then feels obliged to call the doctor. In my own case, I get the feeling that I am subjecting the doctor to downright coercion in my attempt to help the family and to help the patient. I suggest that this places the member in an untenable position; it usually ends up with the doctor saying something to the effect "Don't worry, I'll see that the patient is kept in the hospital until suitable accommodation is found elsewhere".

I suggest this is most unfair to the doctor, because one gets the feeling the only hope of success is for the doctor to go hunting for a condition that really is not present.

I think this is precisely the circumstance that the doctor is put in, and I think it is most unfair of this government to put the doctor in that position. I say it is most unfair of the government to put the member in that position, and I suggest that something be done about it.

In any case, I confess to you, sir, that on many occasions, I would have given anything to be able to tell the family, 'no problem, the patient will be placed in a nursing home, and will remain there and will be covered for life under OHSC'. But unfortunately, I cannot do that.

There are patients who do get coverage under the homes for special care programme, because of their previous confinement in an Ontario hospital. But for many others, it is a dead-end street. Many times I have found myself wishing that the patient whose discharge from the hospital is imminent will

contact a slight infection in the big toe so as to require active treatment for a further period, and thus take the heat off for the moment. I suggest that this is a disgrace in a province where we sing about "A Place to Stand".

The arguments are obviously compelling for nursing home coverage under OHSC. May I recite, sir, with your permission, my most recent case which was drawn to my attention a matter of two weeks ago. It involves a lady in her 79th year, whom I will call Mrs. S.

Mrs. S. was confined to the hospital where she suffered a series of strokes, leaving her body paralyzed—most of her body, in any case—and reducing her mind to that of a little child. She does not know any of her family; she cannot talk, she cannot walk or stand. She has to have help in eating; she has to be lifted in and out of bed; she cannot use toilet facilities without the help of someone. Yet the day came when the doctor felt that she would not benefit from further treatments, and subsequently released her from the hospital, I believe that date was Oct. 14 of this year.

Mrs. S. has a bank account of approximately \$1,700 but is incapable of looking after her own affairs because of her mental condition. Consequently, none of the money can be used for her keep in the nursing home, because she is incapable of writing a cheque. No one can get power of attorney to handle her affairs because one has to be of sound mind to grant power of attorney.

The nursing home operator has been successful in getting her to make some sort of mark on her old age security cheque which the bank so far has accepted. However, the difference between her keep in the nursing home and the old age security cheque has to be made up by her daughter who does not have the financial resources to do so, because she has five children going to school, one of whom is going to university.

Mrs. S. faces a lengthy wait to get into the county home for the aged. In the meantime her family is subjected to mental anguish beyond description in trying to cope with this matter.

Really, Mr. Speaker, there is no solution other than extending OHSC coverage to licensed nursing homes in the province. I cannot understand for the life of me the type of mentality which this government obviously possesses which would treat the sick and afflicted and elderly with such careless abandon.

Morally, the government's refusal cannot be justified. Surely, morality is the way we treat one another and the way in which we express our concern for our fellow man.

I submit that our people are not getting a fair break from this government in this regard. Yet it is hard to understand. In 1967, there were approximately 850,000 in the province of Ontario over the age of 60. That is over the age of 60 not 65 as was taken in the select committee report on aging; 850,000 people in the province of Ontario over age 60. So this age group comprises about 12 per cent of our total population in the province.

In addition, the all-party select committee on the aging unanimously recommended that OHSC coverage be extended to assist aged persons to be cared for other than in hospitals or in approved nursing and convalescent homes.

The government chooses to turn a deaf ear to all of this by saying that when Ottawa agrees to share the cost of doing this, then coverage will be given.

One thing that is obvious about this government—when they get into trouble they turn the blame on Ottawa. It is as predictable as day follows night. It is a fixation, an obsession with this government; one gets the impression that their sense of responsibility has all but disappeared.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): What about the federal government?

**Mr. Gaunt:** Well, the federal government participates in the plan in Alberta.

**Mr. R. F. Nixon** (Leader of the Opposition): That is the only thing the Minister could think of.

**Hon. M. B. Dymond** (Minister of Health): No, they do not.

**Mr. Gaunt:** Well my understanding was that they do.

**Hon. Mr. Dymond:** The member's understanding is wrong.

**Mr. Gaunt:** Well I am suggesting that—

**Mr. J. Renwick** (Riverdale): The injustice is right.

**Mr. Gaunt:** I am suggesting that the injustice is right and certainly, if this government were to take any sort of initiative—

**Hon. A. Grossman** (Minister of Correctional Services): How can injustice be right, injustice has to be wrong.

**Mr. Gaunt:** If this government were to take any sort of initiative I suggest the federal government would share the cost of the programme.

It goes without saying the many older people fear old age; they dread the sunset of life because they are afraid of not having the resources to cover the cost of illness and convalescence. There are those who can afford the \$10 or the \$12 or the \$14 a day to stay in the nursing home, others have nothing and consequently, are locked after by the province and the municipality.

There are many others between these two extremes who have to suffer the indignation, worry and embarrassment of spending their own money until it is gone and then getting welfare assistance. However, the government seems completely insensitive to the problem.

I need not remind the Treasury benches that it costs far less to keep a patient in a nursing home than in a hospital; \$7 to \$18 a day for a nursing home; anywhere from \$32 to \$66 per day in a hospital.

Nursing home care ought to be considered as a natural extension of hospital care. Patients should be allowed to be released into nursing homes earlier than would normally be the case, to convalesce in a relaxed and homey atmosphere, thus, releasing active hospital beds at an earlier date.

The fact that benefits under OHSC are restricted to the care and treatment of patients in hospitals has been a factor in the greatly increased cost of hospital care.

The facts of the matter are, Mr. Speaker, that this government does not know how to order its health facilities. I suggest it is almost time it learned. This area should be top priority. The intent of these resolutions should be enacted into legislation this session.

The reasons are obvious—relief of bed shortages in our hospitals, lower costs, and, most important, to relieve the worry and harassment as a result of the financial burden imposed on those people and their families who cannot be cared for at home.

To do nothing in this area is to have lost the will to govern. I commend these two resolutions to all hon. members of the House and particularly, to the members of the Treasury benches.

Mr. A. Carruthers (Durham): Mr. Speaker, in speaking to this resolution, I would like to inform the Legislature that this matter has a particular significance for me. It was my honour and privilege to serve as chairman of the legislative assembly select committee on aging which exerted some three years of intensive and concentrated research into the aging needs of our Ontario people.

The committee brought in its findings and final recommendations before the fifth session of the 27th Legislature last year. These recommendations were followed, within a short period of time, by a statement of the Ontario Hospital Services Commission. And the commission's statements, Mr. Speaker, fell well in step with the committee's recommendations in that it supported the need for a prepayment insurance principle, or some other method of payment, for domiciliary care service.

At the moment, payment for these services, which are frequently required for a prolonged period of time, is primarily the responsibility of the individual, aided by such assistance from government as personal assets allow. Domiciliary care involves, for the most part, a segment of population in its declining years, when the loss of health and indeed, loss of assets, is tantamount to the loss of security and independence, both for the individual and dependents. To this date we have left this small, unfortunate minority to fend for itself. Certainly we have provided them with other insurance protection afforded the remainder of our population, but we have not provided for the care of our aging, chronically ill, over and beyond hospital care.

These people are chronically ill and require post-hospital extended care. They cannot return to their own homes at this point—and at the same time, they are not covered under the hospital insurance plan. They are, in fact, caught up in a vicious current which threatens to pull them under the surface at any moment.

They need the care, but don't have any at the present moment—and the few paltry possessions they have are likely to be taken away from them. All this because no provision has been made for this type of domiciliary care.

The final recommendations of the select committee, in dealing with this matter, called for immediate extension of Ontario hospital insurance coverage to assist our aged people to be cared for either in hospitals or in approved nursing and convalescent homes until

they can be returned to their own homes or be transferred to a home for the aged.

The committee also urged that the federal authorities amend The Hospital Insurance and Diagnostic Services Act in order to permit extended coverage for a greater variety of short- and long-term needs.

This province may be forced, Mr. Speaker, into a programme of Medicare by the present federal government, a programme that will require the people of this province to contribute some \$115 million more per year than they will get back. Under Medicare and the federal equalization programme, Ontario taxpayers will be required to contribute some \$275 million for Medicare, receiving in return a programme worth an estimated \$160 million, a programme in which the federal government will cease to participate in five years hence.

With the finest medical insurance plan in existence, OMSIP, Ontario does not need Medicare. The need in this province lies in the area of domiciliary care in licensed nursing homes or similar facilities. The extra cost is estimated at \$90 million, but would complete the full care programme for our citizens.

The extended insurance coverage is, of course, Mr. Speaker, the most logical approach to the problem. It could well be in the form of a prepayment insurance plan for the care of domicile persons—a "domcare" insurance plan, if you wish.

This method could be used as a substitute for the personal contribution toward the cost of domiciliary care. It would embody the same type of arrangement as presently pertaining in the Ontario hospital insurance plan, with respect to indigent and non-indigent persons. It would allow the participant to contribute to the plan in the course of his productive years, so that at the time of need he would have the personal gratification of having paid for it, free from the connotation of welfare support.

Those already in need of the care and not able to contribute to it by way of prepayment would, of necessity, be covered by government sources.

This concept, Mr. Speaker, is not as unrealistic as some would have you believe. It was strongly urged in a 1967 study by Dr. G. C. Caudwell who is director of hospital care standards of the Ontario Hospital Services Commission. It has many desirable qualities. One of the most important is that it would fit in readily with the arrangements being planned for the Ontario hospital insurance and the OMSIP plans.

As our population figures grow, so do our figures in every other respect—including domiciliary cases. During 1967 there were 2,978 domiciliary cases in Ontario. Of this total, almost one-half, or 1,336 to be more exact, were without domiciliary days—cases that were not covered by insurance. These are the people I am speaking about—the people who need some sort of protection.

It is because of this, Mr. Speaker, that I urge this government to take up the cause of our chronically ill, aged persons and to provide for them. And in my opinion, the simple and most effective system can be none other than the domcare system that I suggest. It is a prepayment government plan which is certain to provide satisfactory protection for our aging people of Ontario.

**Mr. S. Lewis (Scarborough West):** Mr. Speaker, we have moved from the HOME programme to the "DOME" programme. In the process we have distorted a good deal of the reality in this field in the province of Ontario, which makes it very difficult to come to grips with the subject.

It seems obvious, Mr. Speaker, from the Throne Speech which began the afternoon, by the member for Quinte and from the intervention of the member for Northumberland (Mr. Rowe), that the government may well be on the verge of some kind of extension of Ontario hospital coverage to those requiring chronic, convalescent, or nursing care. I want to say from this side of the House, Mr. Speaker, let not the crusade of the members for Hamilton Centre and Huron-Bruce (Mr. Gaunt) go unnoticed as the government moves so slowly into the 20th century.

It is interesting to note that at precisely this juncture they are beginning to contemplate it; but not before tremendous injustices have been done and are allowed to prevail.

It was interesting to note that we come to this resolution yet again without a formal statement from government in the Throne Speech itself. It is also interesting to note that the government's response in the short term as well as the long term is just as indifferent, heartless and cynical as it has always been.

When my colleague, the member for Riverdale (Mr. J. Renwick), cited in this House the facts of the Boulter case last Friday, no one saw the Minister of Health jump to his feet and indicate the nature of the injustice and his willingness to intervene. No one saw the Minister of Social and Family Services (Mr. Yaremko) express deep feelings

of concern around the confusion and obvious insensitivity of several government departments.

No one on that side of the House for a moment indicated a willingness within 24 hours—and that is what they should have indicated—a willingness to say: "We will call the hospital off; we will attempt to stop the judicial process; we will assume as a government should assume, the cost not only for the Boulters but for all people in that kind of category."

There was the same myopic insensitive, largely unresponsive demeanor on the part of the government as they sat and listened to the Legislature spell out yet another case of concern, which simply evokes no reaction whatsoever. Even in debate this afternoon, whatever marginal discomfort the Minister of Health may have felt from the member for Quinte or from the member for Northumberland or, indeed, from the Opposition, one does not stir him. One does not see the Minister of Health rise, as he might, on a point of order and say, "Mr. Speaker, we recognize that it is an abuse of individuals which can no longer be tolerated and I, as Minister of Health, wish to announce the following; or I, as Minister of Health, will intervene with Treasury Board."

No, Mr. Speaker, the Minister of Health, representing his Treasury Board colleagues, has a rather different approach.

It was the member for Quinte who indicated that doctors are forced to violate the basic precepts which they supposedly maintain, given the problem of chronic, convalescent, and nursing home care. They lie. Lie categorically on statements which are made to the Ontario Hospital Services Commission!

With that vested interest the Minister of Health shows for his colleague, he indicated in his statement to the *Globe and Mail* that he did not think the doctors lie and went on to say: "But if they do, we'll have to ask the college of physicians and surgeons to look into it."

He then went on to say that the member for Quinte admitted lying: "Perhaps we will have to ask the college to look into his professional ethics". Thus does the Minister of Health accord substance to the remarks of one of his colleagues.

Mr. Speaker, there might well be justification for the college of physicians and surgeons looking into the political morality of the Minister of Health, that may be a just cause. In fact, it would be such a case of transparent immorality, Mr. Speaker, in the context



of this social issue, that it would be very difficult to mount a defence.

I can understand why the Minister might want to invoke the college of physicians and surgeons, capitulating, as he does, to their every whim and to that of the Ontario Medical Association, whether it be around fee schedules or whether it be around medical discipline. We know the relationship of the Minister to the governing medical bodies. But this Legislature will not be governed by those medical bodies. Nor will this Legislature be governed by the kind of reaction which the Minister gave to the statement from the member for Quinte.

It is no light matter that doctors violate the Hippocratic oath, if I may refer to that august oath. It is no light matter at all; that they are forced to an extremity should concern this Legislature greatly.

Now, Mr. Speaker, it is not only desirable that there be this kind of extension for Ontario hospital coverage to chronic convalescent and domiciliary care, but it is also possible for it to be extended. I am pleased to see the Provincial Treasurer (Mr. MacNaughton) walk into the House at this moment because he knows—and were he not a partisan he would agree with me—he knows that if Medicare were brought into this country and Ontario participated in that plan, between \$130 million and \$140 million would revert to the province of Ontario for purposes of health care.

Mr. Speaker, using the words of the member for Durham, if all that we require is \$90 million in order to provide complete coverage in this area, then that money would be forthcoming if this government participates in Medicare and that, of course, is what we should do.

There cannot be any particular economic argument against it, Mr. Speaker, it is a fairly obvious circumstance.

**Hon. Mr. Grossman:** That is a simple solution if I ever heard one.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Try it out on Mr. Benson.

**Mr. Lewis:** It is largely settled, Mr. Speaker. I am pleased that the Minister intervenes. It is largely settled because, of course, if it is not settled then the economic disarray, the generalship for which disarray is provided by the Provincial Treasurer, will, of course, continue. No little part of the economic disarray, Mr. Speaker, to move to the next obvious point, is caused by the wreckage of the hospital system, which is a

direct result of the Minister's refusal to extend care and coverage to these other areas.

In almost every sophisticated system in the world the average length of stay in hospital is falling because people are covered for chronic and convalescent and domiciliary care by hospital schemes in other places outside hospital. But in this province, in 1965, average length of stay was 10.4 days; in 1966 it was 10.4 days; in 1967 it was 10.5 days; in 1968 it has probably risen again, marginally.

The fact of the matter is that the pressure on the hospital beds in this province—the acute treatment beds—has become absolutely unmanageable because the Minister of Health, for whatever perverse, complex, unfathomable reason, refuses—in conjunction with his Treasury colleagues—to extend coverage for chronic, convalescent, and nursing home cases.

It is obviously a continuing disregard. And it is not simply—if I remember the phrase from the member for Durham—"a vicious current" applied to a small, unfortunate minority. I read the select committee report on aging, and I did not have the sense that the force of that document was restricted to a small, unfortunate minority. The members of the select committee on aging felt a tremendous impetus around the question of extending this care, Mr. Speaker, and they would not demean it by reducing the numbers involved.

The fact of the matter is that the cost, of course, will come down tremendously for active treatment, for chronic care, for all related forms of care if one did that. The government could, of course, do a great many other things; the government could support community and group practice and diminish the average number of days of care in active treatment hospitals. But it wishes also to avoid that critical issue.

In sum, Mr. Speaker, just to try to pull it together. Doctors in this province under the present circumstances are forced to fabrication and to a premeditated violation of medical ethics. Second—citizens are ravaged by discomfort, and hounded by the states and by some of the states institutions. Third, families are forced to a level of impoverishment because they cannot meet the costs involved—cost of convalescent and domiciliary care.

Fourth, the government pursues a policy of primeval economic perversity by refusing to move in the obvious social areas of this kind where costs could be brought down for



the average citizen so that the Provincial Treasurer would not have to weep so copiously and with such extravagance on the floor of this House, or at Dominion-provincial conferences. Finally, Mr. Speaker, and I think this point need be made by way of footnote, politics are again debased in the legislation.

Because they are simple things, simple political propositions, not complex, but human and compelling, they should be encompassed by this government. And there is nothing more simple, Mr. Speaker, than accepting the intent of this resolution, financing it by money available from the medical care plan and alleviating the tremendous human discomfort attendant on the present situation.

When you disregard that simple proposition, then you once again reinforce in the minds of the public as a whole that your government is perverse; that your Legislature is irrelevant; and that political problems admit no solution.

We in this party, Mr. Speaker, will not accept that kind of analysis. If we have to turf the government out in order to prove it, that we will also do.

**Mr. J. B. Trotter (Parkdale):** This is a sad routine that we have been going through year in and year out in an attempt to see that coverage is made available under the Ontario Hospital Services Commission for those people who require convalescent and chronic care.

I say it is a sad routine for two reasons. The first and most outstanding is that there are hundreds and thousands of people in this province suffering mental and economic distress because this government is completely inactive in regard to the whole subject.

It is a sad routine because this government is completely inactive in regard to the whole subject. It is a sad routine because the government of the province of Ontario completely ignores the wishes of the people, and not only ignores the wishes of the people, but it most certainly ignores the wishes of the members of this Legislature, and particularly, of the members of the Progressive Conservative Party.

I cannot recall hearing a member of the Progressive Conservative Party stand up and say that they were opposed to helping those who required convalescent and chronic care. I also cannot recall a Minister of the Crown, at any time, making any kind of an effort to help these people that require desperate help.

Now, Mr. Speaker, I was one of those who was fortunate to be on the committee on aging, under the chairmanship of the mem-

ber for Durham (Mr. Carruthers), who spoke previously in this debate. I do not think I ever heard anyone, at any time, not only on that committee, but among the numerous witnesses and organizations that we talked to, who were opposed to expanding and helping the services having to do with chronic and convalescent care.

They were not only not opposed to it, the vast majority who were informed on the subject realized that in this province there is a desperate need for chronic and convalescent care, not only in the construction of hospitals, but certainly in the insurance coverage that would make and encourage the facilities that are required.

I know in this day and age the Treasurer is complaining at great length about the shortage of money and that is pretty obvious. But, Mr. Speaker, how are we going to avoid having hospital costs at \$60 a day? And now this year, they are talking of costs in our general hospitals at being around \$66 a day.

How are we going to avoid this unless we do the obvious, and that is expand our services in the convalescent and chronic care area, where the costs are some place in the neighbourhood of from \$7 to \$24 per day? There is an awful difference, insofar as the economy of the province is concerned.

I cannot understand the government completely ignoring this situation; keeping its head in the sand. Of course, the other reason is—and it is the more urgent and the more obvious—that many people today are worried, that they are not able to regain their health simply because they do not know where to go.

It is little or no satisfaction whatsoever, Mr. Speaker, to have a patient told: "Well, you no longer require medical care, go home." There are many of them flat on their backs who just have no place to go except a nursing home.

I know of one case where, an elderly lady recently was able to pay accommodation in a nursing home at \$450 a month. Fortunately, she had the \$450. But what of the many hundreds, the many thousands who simply do not have the wherewithal to get the necessary protection?

The Queen Elizabeth Hospital is in my riding and I know that there is a waiting list of 150 patients waiting to get in. The one great advantage of the Queen Elizabeth Hospital, which is a hospital for the chronically ill and those who require convalescent care, is that it is covered by the Ontario Hospital Services Commission. If you are in

that hospital under the proper auspicious, your premium payment will cover the bill, or most of the bill.

People who require nursing care are anxious to get into the hospital. I have on many occasions received calls, first from people who are in nursing homes and anxious to be transferred to that hospital and, on other occasions, from people who are in the hospital who are told to get out because they no longer require medical care.

The Queen Elizabeth Hospital is, in many ways, different from a general hospital. If they require chronic care and they do in many respects need the attention of a doctor, then as a result they are covered under the present system.

The Boulter case came up in the Legislature the other day, where a person is being sued for \$4,000 plus. This is what is morally wrong with the present system, Mr. Speaker. If a person has no money whatsoever and either from ill luck or just living it up has no money, the government takes care of them. But if they are the average citizen, anxious to pay their way, have saved something, they are the ones that literally have to pay through the nose.

So I say to you, Mr. Speaker, the time has come for the government to give us some action in this matter. To be making endless speeches year in and year out for what is a very genuine and needy cause is utterly useless. It is particularly and utterly useless on the part of private government members to get up and say again and again: "We think it is a good idea". They, particularly the members on the government side, have a greater responsibility because they should have some influence with the Treasury Board.

All I can say is that the Treasury Board is not only ignoring the people of the province of Ontario, but is most certainly ignoring its own party members.

I say, Mr. Speaker, in closing, that the government has been utterly and completely heartless to the needs of the people of this province. It has been—even from a financial aspect—stupid and niggardly in the full economic approach to the necessary hospitalization. So it is time that we had a change and we got rid of what is nothing, but sheer Tory arrogance to the whole situation.

Mrs. A. Pritchard (Hamilton West): Mr. Speaker, I, of course, am very much in favour of the domiciliary care recommendations made before this Legislature by my colleague, the hon. member for Durham.

I should point out also that I too had the honour and privilege of serving on the legislative assembly select committee on aging.

While a prepayment plan such as my colleague suggests is a sound and logical one, I would like to make still another recommendation before this Legislature for consideration of the members.

And this is: That the government of Ontario broaden the scope of the present regulations governing the payment for domiciliary care.

This is readily applicable within the present administrative framework, according to Dr. G. G. Caudwell, director of hospital care standards for the Ontario Hospital Services Commission, and could be adjusted so as to meet the desired objective. It would have the distinct advantage of being shareable with the federal government and would involve only those persons in need of the service and not add any new dimension of administration.

This would involve amendments to the regulations under The Homes for the Aged and Rest Homes Act; The Charitable Institutions Act; The General Welfare Assistance Act; The Homes for Special Care Act—to enable federal sharing—and the last point is a most important one, Mr. Speaker. I refer to the amendment of the Act which would enable federal sharing.

The estimated cost of domiciliary care in Ontario is approximately \$90 million. This is a respectable figure. Yet, it is palatable when you consider provincial-federal sharing of this cost.

And I might add, Mr. Speaker, that in the light of the present tax situation we would be wise to consider a programme which involves this type of cost sharing.

We are being asked by the federal government to embark on a Medicare scheme, which to date has been an abortive effort, and to provide for a programme which the federal government proposes to drop within five years.

The irony of the entire issue is that Ontario already has the finest medical programme in the country. What Ontario does need is greater financial assistance so that we can fully round-out the existing programmes and continue to provide for our own people as never before.

Certainly nursing homes within the province are fulfilling a valuable service—in Hamilton, for example, there are 711 available nursing home beds and current figures

of occupancy are as follows: 278 patients under the municipal welfare programme; 182 transferred under the private home care programme from the psychiatric hospitals; 14 under the D.V.A. programme; 225 private patients—the majority of whom are senior citizens.

One of the major problems facing our senior citizens today is the high cost of private care—particularly those living alone with only the old age security subsistence. Their families are not able to, or prefer not to, take care of them, or they simply cannot afford to take care of them. Consequently they find refuge in one of our homes for the aged.

The capacity of our homes for the aged, for domiciliary care, is over-taxed. So, the alternative would be to turn to nursing homes. However, the cost of nursing homes is well beyond the means of many of the aging people.

In Hamilton too, the St. Peter's Infirmary board has advocated and is endeavouring to promote a geriatric centre. The purpose of this is to provide a very badly needed preventative programme.

But Hamilton is not the only place in need of this type of clinic. We need them over the entire province—for all of our aging people. These free clinics would provide periodic check-ups which would result in the correction of illnesses at an early stage at the very least—and possibly keep many of our people out of hospitals.

In this way we would free many of the urgently needed beds and facilities in our hospitals for more critically ill patients. This, of course, would reduce the expenses that are incurred in keeping domiciliary care patients in hospitals.

**Hon. Mr. MacNaughton:** Mr. Speaker, before asking you to call the motion for adjournment may I simply say that tomorrow we will be dealing with matters on the order paper, bills; and if we proceed sufficiently far, we will continue with the Throne Speech Debate.

Hon. Mr. MacNaughton moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 10, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 10, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today, we have many visitors in our galleries: in the east gallery, students from Downsview Secondary School and Eastdale High School in Oshawa; and in the west gallery from Central Public School in Grimsby. Later on this afternoon we will be joined, in both galleries, by students from the Preston High School in Preston.

Petitions.

Presenting reports.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I beg leave to present the report of the committee appointed to enquire into and report upon the pollution of air, soil and water in the townships of Dunn, Moulton and Sherbrooke in Haldimand county.

**Mr. Speaker:** Motions.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, having in mind the desire of various members to participate in the Throne Debate, some arrangements will be required by way of having night sittings, which will be on Thursday night of this week and next week on Monday, Tuesday and Thursday nights. Friday of this week and the following Friday, the House will sit at 10 o'clock rather than 10.30, and to accomplish that, I move on Friday, December 13 and Friday, December 20, the House will meet at 10 a.m.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

## THE EMPLOYMENT STANDARDS ACT, 1968

**Mr. N. Davison** (Hamilton Centre) moves first reading of bill intituled, An Act to amend The Employment Standards Act, 1968.

Motion agreed to; first reading of the bill.

**Mr. Davison:** Mr. Speaker, this bill increases the basic rate for minimal wages from \$1.30 to \$2.25 an hour.

**Mr. Speaker:** Does the hon. Minister have a bill?

The hon. member for High Park.

## THE HIGHWAY TRAFFIC ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to standardize the licensing of our drivers so as to be in conformity with that of the rest of North America.

**Mr. Speaker:** On Friday last a question was raised as to whether or not a bill respecting impaired drivers is *intra vires* of the province. The Speaker and the Clerk referred this question to the office of the legislative counsel for an opinion, which has now been received. I quote from that opinion as follows:

The provinces of Alberta and Saskatchewan have both had legislation including the principles in the bill ruled *intra vires*—the Alberta legislation by the Alberta Court of Appeal and the Saskatchewan legislation by the Supreme Court of Canada. Without going into an analysis of these cases, in my opinion, the above decisions form a firm enough basis to give the bill a reasonable chance of success in court. (Reference re section 92 (4) of The Vehicles Act Saskatchewan 1958 SCR 608, Regina v Tenta 67 DLR (2d) (1968) 536).

The practice of this office has been to advise on constitutional risks but not to put any barriers to legislation proceeding where constitutional doubts exist. To do so would amount to a judicial predetermination before a bill is even considered by the House, and the field is a very complex and shifting one. It should be open to the Legislature to test constitutional questions by passing legislation and it is the

function of the judiciary only, to finally determine the questions. An *ultra vires* Act must be observed until it is set aside by a court (Rex v Lessard (1940) 1 DLR 128).

To summarize the foregoing, the reasonable position appears to be that the question of *vires* is one for the courts and not to be predetermined by the Legislature. This situation is, of course, very different from a case where the proposed bill infringes one of the specific rules of the Legislature. In such a case it is not a question of constitutional jurisdiction, but simply of compliance with the rules of the assembly.

I concur in the opinion of legislative counsel and therefore beg to advise the House that the bill submitted by the hon. member for High Park is in order.

The hon. Minister of Financial and Commercial Affairs.

**Hon. Mr. Rowntree:** Mr. Speaker, I wish to make a statement to the House.

On December 3 of this year in answer to a question from the hon. member for Grey-Bruce (Mr. Sargent), I stated that the affairs of Atlantic Acceptance Corporation Limited were, and I refer to *Hansard*, page 309—

—under the control of the Montreal Trust Company which was appointed the receiver and manager according to the provisions of the federal Bankruptcy Act.

I have since been informed that my answer was not technically accurate.

To clarify the matter, Mr. Speaker, I wish to record that the Montreal Trust Company was in fact appointed receiver and manager by Mr. Justice Parker, of the Supreme Court of Ontario, on June 17, 1965, pursuant to the provisions of a trust indenture. But the company is not bankrupt in law. Accordingly, rather than to the Bankruptcy Court, the receiver and manager is recording and passing his accounts before the Supreme Court of Ontario.

**Mr. Speaker:** The hon. Minister of Labour has a statement.

**Mr. E. Sargent (Grey-Bruce):** May I ask the Minister a question, Mr. Speaker?

**Mr. Speaker:** If it is a question of clarification, yes; otherwise, no.

**Mr. Sargent:** Would the Minister advise; is there any hope of the proceeds to be distributed—

**Mr. Speaker:** Order, the hon. member may only ask for clarification of the Minister's statement, not an entirely different question. The hon. Minister of Labour has a statement.

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, today is International Human Rights Day, the 20th anniversary of the United Nations universal declaration of human rights. The hon. Prime Minister (Mr. Robarts) has asked that the Legislature officially observe this important anniversary.

I am sure that I speak for all of us when I express my deep regret that he is unable to be in the House this afternoon. We all know the untiring support by the Prime Minister of the principles of the universal declaration. Through his leadership he has ensured the continual strengthening of the Ontario Human Rights Code, one of the great social documents of our time. I am honoured to have the privilege of delivering the statement the Prime Minister had prepared to mark this occasion. At the conclusion of that statement I am sure that the hon. leader of the Opposition and the leader of the New Democratic Party will also wish to participate.

Mr. Speaker, as you are aware the Prime Minister has invited a number of distinguished guests to share this occasion with us. They are seated in your gallery. I shall introduce each of them and I suggest that we withhold our greeting until the introductions are completed.

The hon. J. C. McRuer, the former Chief Justice of the trial division of the Ontario Supreme Court and head of the Royal Commission on Civil Rights, and to whom we are so deeply indebted for the great zeal and devotion with which he has carried on his task; the hon. J. K. McKay, a former Lieutenant-Governor and former justice of the Ontario Supreme Court and now the president of the Canadian Civil Liberties Association; Dr. Louis Fine, who is the chairman of the Ontario Human Rights Commission, and who was for many years the chief conciliation officer in The Department of Labour. His outstanding contribution to the life of our province in the two closely related roles has won for him the admiration and respect of all citizens.

Dr. Daniel Hill, the director of the Ontario Human Rights Commission, who has made a unique contribution in the area of human rights, not only in Ontario but throughout Canada, and I may add, on an international scale as well.

Mr. Speaker, if I may I would now read the statement prepared by the Prime Minister in recognition of this anniversary:

Mr. Speaker, on this day 20 years ago the United Nations Assembly produced what has been appropriately described as a charter of humanity which declares that the fundamental freedoms must be protected by the rule of law.

The Universal Declaration of Human Rights recognizes that the inherent dignity and the equal and inalienable rights of all members of the human family are the foundation of freedom, justice and peace in the world.

December 10, 1948, will therefore no doubt take its place in history along with June 15, 1215, when the Magna Carta was signed, as one of the most remarkable milestones in mankind's search for justice.

And yet, in saying this, we would do well to ponder what the hon. James C. McRuer had to say in the course of his outstanding address to the National Conference on Human Rights in Ottawa last week. On that occasion, he said:

History is replete with declarations of civil rights that have little recognizable application to a large segment of the society to which they are supposed to apply.

Mr. McRuer pointed out that the declaration of rights and liberties by the British Parliament nearly 300 years ago was unquestionably, in some aspects, an important milestone in the progress of human liberty. However, in another aspect it was, in the words of Mr. McRuer, "merely a declaration of supremacy of one class over another in a religious war for power."

It declared that election of the members of the Parliament ought to be free. Nevertheless, for over two centuries the election of members to Parliament was free only to certain privileged members of that society. The bill of rights denounced and, at the same time, held out hope of redress from evils such as excessive bail, excessive fines and cruel punishment. Yet these and many other deeds such as the lash and the bullwhip continued to be applied to the back of the slave.

A century later the United States Declaration of Independence declared that:

All men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

Once again, in the words of Mr. McRuer:

The framers of the declaration had little or no concept of their general application. The slave, white or black, had no inalienable rights to life, liberty and the pursuit of happiness, nor did those privileged to enjoy these rights recognize any obligation to concede like rights to others if it interfered with the enjoyment of the rights they claimed for themselves.

Mr. Speaker, the conclusion to be drawn from all this is that human rights and human dignity in Canada as elsewhere in the world have not, and are not likely to be, realized by lofty rhetoric, even when enshrined in a constitution. They are achieved by those relentless forces of social change and by our timely response to them. It is a question of giving substance to words by taking positive, constructive action.

On March 14 next, it will be 25 years since this Legislature passed unanimously the first of our modern human rights statutes. This statute, The Racial Discrimination Act, outlawed discriminatory signs and notices referring to race and creed.

At the time the measure was introduced there were strong voices of protest from some who saw in the legislation a threat to freedom of speech. It will also be recalled that The Racial Discrimination Act was passed while we were still fighting in a war to preserve our freedom. It was fully realized by all those who sat in that 21st Legislature that discrimination and inequality within our own borders were just as serious threats to that freedom as the might of the enemy abroad.

In giving unanimous consent to the bill, our province embarked upon an entirely new course in defence of the rights of all its residents. It was an affirmative expression by the elected representatives of the people of Ontario that discrimination against any person threatens, not only the individual affected, but the very institutions and foundation of our democratic society.

It is appropriate on this occasion that I should again place in the record of this House several sentences from the eloquent speech delivered by the leader of the government, the hon. George Drew. In setting out the principle of the legislation and indeed of all subsequent legislation in this area, Mr. Drew said:

We have a very simple choice to make. When we say that Canada is a land of freedom and equality, we either mean what we say, or we do not. If we permit signs

and notices to be put up on conspicuous places indicating that any particular group of people are denied the ordinary rights available to all other people, then those who should be most indignant are not the people against whom the signs and notices are directed, but those whose basic principles of freedom, justice and equality have been insulted.

Mr. Speaker, it would be correct to say that most of those who gave their assent to The Racial Discrimination Act in March, 1944, were well aware that they were merely taking the first step toward the removal of injustices. They fully realized that this type of legislation does not remain static. It is dynamic. It is constantly on the move in response to changing conditions and changing attitudes.

It was only natural that in subsequent years the legislation should be extended far beyond offensive signs and notices. It now reaches into the areas of employment, restricted covenants, public services, housing, equal pay for women doing equal work, age discrimination, language rights, legal aid and consumer protection.

It also becomes clear that the mere passing of laws was not sufficient. It was apparent that a special agency would be required to give them application in their respective spheres. Thus, the present Ontario Human Rights Commission was established in 1958 under the chairmanship of Dr. Louis Fine, who for many years had served as chief conciliation officer for Ontario.

In 1962 the various statutes to which I have referred were combined in one Act, The Ontario Human Rights Code. This code is based upon the principles of the universal declaration of human rights.

In that same year we were extremely fortunate to secure the services of a distinguished sociologist in the person of Dr. Daniel Hill who became the first full-time director of the commission.

When the commission was first established its budget was a mere \$8,000. Today it is over \$300,000. It has a staff of 32 workers. This is three times the number employed in this area by other provinces and more than ten times the number employed by the federal government.

The commission has developed a comprehensive programme of education which extends into every municipality in the province. It has developed a close working relationship with our universities, which have given invaluable assistance in the field of research. The deans of law schools and other academics

have served as chairmen of the boards of inquiry of the commission. Its main publication, "Human Relations," has a circulation of 150,000. Its pamphlets dealing with many aspects of human rights have been widely distributed. The commission now has four regional offices.

It should also be pointed out that because of our successful experience, nine other provinces have modelled their human rights legislation on ours. Dr. Hill has been invited by all of them to assist in the development of their work. It is also noteworthy that Dr. Hill, on two occasions during the past year, has been invited by the government of Britain to assist in the fashioning of race relations legislation.

Since 1962 the Ontario Human Rights Commission has handled 8,000 human rights problems. It is eloquent testimony to its effective procedures that it has been able to achieve a just and amicable settlement by conciliation in the vast majority of cases.

As I have stressed on other occasions in this House, the Ontario Human Rights Code proceeds from its preamble which states:

It is public policy in Ontario that every person is free and equal in dignity and rights . . .

The commission, therefore, is not limited in its function to the mere processing and settlement of individual complaints. As Mr. Justice Bora Laskin has pointed out, the commission has the power and the responsibility to enquire into all areas where discrimination exists and to set in motion remedial action.

In this connection the commission was instrumental in establishing a citizens' advisory committee in the Windsor area to assist in the creation of enlarged employment opportunities for minority groups. It was also involved in the establishment of the mayor's committee in Kenora to assist in resolving the unemployment problems of local Indians.

At the present time the commission is co-operating with The Department of Education in a study of our school textbooks to ensure that they do justice to our native peoples as well as to those from other lands who have played a vital part in the development of our country.

Briefly stated, the Ontario Human Rights Code has a two-fold aim:

1. To make secure in law the inalienable rights of every person.

2. To create a climate of understanding and mutual respect among our people so that



all will be afforded the unhampered opportunity to contribute their maximum to the enrichment of the whole community.

There is abundant evidence, Mr. Speaker, that under the leadership of the Ontario Human Rights Commission substantial progress has been made in winning the wholehearted support of a wide variety of community organizations, such as churches, schools, trade unions, boards of trade, apartment developers and employment agencies. As a result, much progress has been made in making the aims of the code better known and understood by our people.

It is only natural that we feel called upon from time to time to deplore and condemn violations of human rights elsewhere in the world. But we must never cease to concern ourselves with those walls of prejudice which still exist in our own province and country, and often in our minds; walls which deny to our fellow citizens the justice and equality that is their inalienable right.

I feel confident that I expressed the view of all members in this House when I said that:

We must never lose sight of the fact that the Ontario Human Rights Code is much more than a number of laws designed to deal with a prejudiced minority. It is rather a set of inviolable principles to be practised and lived from day to day by all of us; not just because the law requires it, but rather because enlightened social behaviour demands it.

In other words, the ultimate effectiveness of the human rights code depends not so much upon the law as upon the degree to which the people of Ontario play their part in applying and living its principles in their respective communities.

Mr. Speaker, let me make this very clear: While we can be proud of what we have achieved here in Ontario and of the assistance we have given to our sister provinces, our work is far from finished. There is no justification whatsoever for resting on our laurels. We must all be painfully aware of the fact that there are still pockets of prejudice and wide areas of discrimination, sometimes very subtle discrimination, in our community life which demand not only our concern but effective remedial action. As one of our university professors said only a few days ago, discrimination "is like a hair drawn against a cheek—it is something felt but not seen."

Therefore, it remains the obligation of individuals, of community organizations, of this Legislature, and of the government of On-

tario, to strive for still higher levels of improvement in the field of human rights. Insofar as the government is concerned, we shall do our utmost in this regard.

I have given this résumé of what we are doing because we shall very shortly be discussing the whole question of human rights with our sister provinces and the federal government. Under our present Constitution the responsibilities of the two levels of government in this area are clearly defined. Therefore, we must welcome the fact that practically all provinces have taken substantial steps to deal with their human rights problems.

I am sure all hon. members will agree that the most grievously disadvantaged groups in Canada are our native Indians and Eskimos. Indeed, there is widespread recognition that their condition is one of the darkest blots on our daily life.

The hon. Mr. McRuer spoke of this in the course of the address to which I referred at the outset of these remarks. He said:

For 100 years we denied the native people of this country a right to express themselves in the government of the country. Solemn treaties were entered into with them and, if not broken by us with impunity, they were certainly circumvented by the payment of a few beads, hoes and the odd plow. Millions of acres of productive land were bought for such trifles. We did not massacre these native people as was done in some other countries, but we have undoubtedly starved thousands of them to death. If all men are born equal in this country, we well know that they do not stay equal long after they are born.

Mr. Speaker, this is something for which every Canadian must feel deep concern and deep shame. As Canadians we must all commit ourselves to ensure that justice is done.

It should be pointed out, of course, that under our Constitution the welfare of our Indians is the chief responsibility of the federal government. So far as I know, no provincial government has placed any obstacle, or indeed could place any obstacle, in the path of having these injustices removed. On the contrary, on our part the government of Ontario stands ready today to co-operate wholeheartedly with the federal government in launching a massive attack on this problem. There is no doubt in my mind that other provinces are equally prepared to play their part. No constitutional amendment is necessary for that purpose. There is no need

for any surrender of sovereignty. All that is required is for the federal government to exercise its sovereignty. In doing so, I repeat, it can count upon the full co-operation of the government of Ontario.

At a time when there are so many injustices to be corrected, I hope that we are not going to become bogged down in sterile philosophical debate over such constitutional abstractions as the surrender of sovereignty. Instead, all of us must exercise to the full our sovereignty in our own jurisdiction on behalf of all the disadvantaged in our society.

Mr. Speaker, it is well known that some provinces have already declared their unwillingness to proceed with a constitutional bill of rights before dealing with such questions as fiscal policy, distribution of powers, regional disparity, tax sharing and the like. It should be stressed that all of these questions have a strong bearing on the quality of life in our country. But this certainly does not mean any lack of interest in, or concern for, human rights. As I pointed out earlier, the provinces are already dealing with these matters in the light of their own particular problems.

Nine of the provinces which have established legislation to deal with human rights are already co-operating closely with each other and are sharing each other's experiences. All of them were represented at the recent National Conference on Human Rights.

In my view, no useful purpose would be served by diverting attention and energy from these promising developments by insisting upon a course of action on which there may well be not only sharp differences of opinion but little likelihood of any substantial agreement.

Surely this would be a backward step rather than a step forward in the progress of human rights. Why then should we become preoccupied with the form and fail to use our freedom of action to deal with the substance of the problem?

We in Ontario have before us the far-reaching recommendations of the McRuer Commission on Civil Rights. We have already begun to implement them. In due course we shall be receiving the second report of this important study, which no doubt will have equally important recommendations for our consideration in the field of human rights. While I am in no position to anticipate the exact nature of these recommendations, I should be surprised indeed if they did not affect future legislation in this field.

We are strongly of the opinion that, pending action on these matters, it would be most unwise to rush into short cuts which may well complicate rather than facilitate the ultimate solution. It seems to me that limiting ourselves to the question of entrenching a bill of rights in the present Constitution is a purely mechanical approach to the real problem before us. For even if this were done, it would only create the illusion of progress while everything remains the same.

I am not for a moment suggesting that at the appropriate time we shall not be fully prepared to consider the question of having a bill of rights entrenched in a revised or new Canadian Constitution. At the constitutional conference last February, my colleague, the Minister of Justice and Attorney General (Mr. Wishart), who stands second to no one as a champion of human rights, expressed views as to the wisdom of the course then proposed by the federal government. But being a reasonable man, he was far from taking a rigid, unyielding or uncompromising position.

I will only say at this time that we deem it most undesirable to have the vital question of human rights become an exercise in public relations. Nor should it become a subject of partisan bickering.

For my part, I would much prefer to have the two levels of government intensify their activities in the field of human rights under the present constitutional arrangements. To do otherwise would run the risk of dividing the country in an area where there need be no fundamental difference as to aim and purpose. Concrete action to remove injustices and more effective human rights programmes are far more important than what has been described as "the formulation of statutory platitudes." The victims of discrimination and the disadvantaged in our society will be little impressed and little affected by such declarations. What they expect, indeed what they demand, are deeds not words. Unless these deeds are forthcoming we shall all be in deep trouble.

The road to effective and far reaching action in the correction of social injustices is now wide open. There are no constitutional barriers whatsoever. Let the provinces continue to tackle these problems in their own way. Let the federal government give leadership by acting without delay to do justice to the Indians and Eskimos, which is their exclusive responsibility.

By so doing we shall find ourselves on a common course which will enable us to reach common agreement on how to bring the disadvantaged in our society into the main stream of Canadian life. This is an issue which must be considered with calm and balance. It is an issue on which we must ensure our common unity and avoid actions which are divisive.

Surely recent development in our own country and elsewhere in the world demonstrate that the use of coercion and partisan pressure are no substitutes for the more lasting results of reason and common sense.

May I conclude by again quoting from the address by Mr. Justice McRuer:

The task that I see that lies ahead transcends declarations of human rights, be they statutory or constitutional. The task is one of great magnitude—the development of a sense of obligation. Good legislation can and does, however, assist in this development. I like the philosophy of the Ontario human rights legislation with its emphasis on conciliation. The process of conciliation gives opportunity for the process of reason to work, and reasoning together leads to understanding and respect.

On the other hand, force leads to violence, and violence leads to hate, and hate defeats understanding. Understanding we must have; hate we must destroy. Those of us who have indulged ourselves in the luxuries of our way of life at the expense of others must be prepared to re-examine our way of life and to give to others in our society their rightful place of human dignity as rightful shareholders of the advantages of the society in which we live.

Not only must we do that in our domestic affairs, but we must be prepared to share our inheritance and our privileges with those of other countries who are struggling to be recognized as human beings entitled to human rights.

Mr. Speaker, it is only by responding to this wise counsel from one of our most distinguished and compassionate citizens that we can give real meaning to the Ontario Human Rights Code and to the Universal Declaration of Human Rights, upon which it is based and the 20th anniversary of which we are observing today.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I want to make some comments on the marking of the twentieth anniversary of the International Declaration of Human

Rights and also to join with the Minister of Labour in welcoming our four guests who are in your gallery, sir, and who have already been introduced.

It occurred to me, as these four gentlemen stood and were recognized by the members of the Legislature, that among them they probably had a larger grasp of the forces that have moulded modern Ontario and perhaps modern Canada than any other four men we could call as visitors in this chamber. Surely the prejudices that have come down to us from older times and older methods of education are recognized by these four men, and certainly we as citizens of Ontario are grateful for the leadership they have provided during their careers and the leadership which they will provide in the future in this important aspect of modern man's attempt to improve his humanity and his community.

I feel further that we have been most fortunate in the staff that has been appointed to administer the human rights legislation which is now almost 25 years old. I feel it is necessary that we comment upon the outstanding motivation and effectiveness of their administration and to express as perhaps only the Opposition can do, the respect we feel for the difficult job they have been assigned and the effective way that they have accomplished their assignment.

I was glad in the peroration of the Prime Minister's statement, that the Minister of Labour, in his reading, was able to give us a few paragraphs that indicated that the administration was by no means complacent and satisfied with the achievements that have been accomplished at this stage, and that the Minister of Labour, in speaking for the Premier, was able to point out a number of areas where we have fallen far short of the mark. I did feel at one stage, Mr. Speaker, that perhaps he was transgressing on the rules that govern this Legislature in statements before the orders of the day, which are supposed to be brief, but surely on this occasion we can excuse that.

But there was at least one reference in regard to the responsibility that we share with the federal jurisdiction in this matter that perhaps I would come to in my own remarks. He was dealing with the Indians and he reiterated on at least two occasions that this was a federal jurisdiction and that we were hoping that the federal government would take the steps to bring into line with our unanimous view of what should be done, those areas of life that have been closed to Indians who have not shared in, let us say,

the burgeoning economy and opportunity in the province of Ontario.

I feel that it is within my rights under these circumstances to bring to your attention, Mr. Speaker, that while we talk about these pious hopes, the Minister of Health and his counterpart at the federal level are bickering about who is going to pay for the cost of improved medical services. While both of these gentlemen feel that they have right on their side, the people that we concern ourselves with today, the Indian population, do not have the facilities that they should have.

I would say further that I agree with the Prime Minister's statement as made here in the last few minutes, that we must not be complacent as we look to the future and our responsibility to improve human rights as we experience them in this province. You know that there are private bills and resolutions on the order paper this year, as there have been in the past, that set out specific improvements that I am sure when they are enacted will be supported by all members of this House.

This is an area where certainly a partisan difference should not intrude. We do have a unanimous view that the work that has been achieved by the government with leadership, exemplified by our guests in the gallery today, has been supported on all sides and certainly we would support an extension of this work. Surely this is the only purpose for which perhaps there is a slight edge to my remarks today.

I feel that those who have said for 25 years that it is impossible to legislate against prejudice have been proved wrong in this province and in other jurisdictions. It is improper for anyone to say in this House that any effort to entrench this legislation in our Constitution is simply an exercise in public relations. That is unacceptable on an occasion such as this.

As I well remember, when this was put before the Premiers and Prime Ministers in February, 1968, at a federal-provincial conference, Ontario was not among those who were prepared to accept this as at least one of the goals—the entrenchment in our Constitution of civil rights legislation. We are going to be presented with another opportunity, surely, within the next few days, at the conference in Ottawa, and I hope that the attitudes expressed so well by the Minister of Labour reading the remarks of the Prime Minister will reflect, perhaps, in a more flexible attitude that Ontario will take on that occasion.

But may I say, Mr. Speaker, that in concluding my remarks on what I hope would be a note of harmony, there is complete support on all sides for meaningful efforts to improve the human rights situation in this province, and that we look forward to the introduction of amendments which will give the citizens access to an ombudsman. We look forward to amendments that will do something about those who are suffering from poverty situations in which their human rights perhaps take a secondary position to the immediate day-to-day problems that they suffer.

I say again that we in this House have been able to prove that you can legislate an end to prejudice and a better aspect to man's humanity to man.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I would like to associate myself with most of the comments that were made by the Minister of Labour on behalf of himself and the Prime Minister this afternoon, and for those on which I would have an edgy reaction equal to that of the leader of the Opposition, I would like to join with the leader of the Opposition. Perhaps this afternoon I might most usefully not only extend tribute to the four guests who have made a monumental contribution to this field, but devote my time to an emphasis on what I think is that area that we must move into if we are going to achieve the overall objective of a greater guarantee of human rights.

I think anybody who is interested in human rights as he looks across the world today cannot help but be profoundly disturbed. As one looks, for example, at a country like Great Britain, which has had, down through history, a pretty creditable record, relatively speaking, in this field, one cannot help but be disturbed today to see that a nation that has an influx of coloured people into its midst is now faced with a rising problem of how it is going to cope with the human relations problems created by that. And when one looks at the extent to which from all walks of society a blatant racist, such as Enoch Powell, is getting support even though he is condemned by all political parties, including his own, I repeat, one is disturbed.

When one looks, for example, at a country like the United States, which has just gone through a presidential election, and notes that one of the presidential candidates got ten million votes on what is a straight racist appeal, again one is disturbed—not perhaps by the fact that a good deal of support came from the southern United States where it might be expected in view of their traditions,

but particularly because of the fact that that support was drawn from all across the United States and, indeed, from some groups in American society where a great deal of educational work had been done and one had felt a great deal of progress had been made in getting the acceptance of better human relationships. I refer, quite frankly, to the fact that one of those groups is the trade union movement; in the latter stages of that campaign it was distressing to see the degree of support that came from industrial workers for a candidate like George Wallace.

But let us not, Mr. Speaker, dwell on the problems of others, and engage in the therapeutic exercise of preoccupation with them while ignoring our own. Let me come back to Ontario. And, Mr. Speaker, I want to initiate my comments with a quote from what is the preamble of the Ontario Human Rights Code:

It is public policy in Ontario that every person is free and equal in dignity and rights without regard to race, creed, colour, nationality, ancestry or place of origin.

That is the public policy in the province of Ontario.

Where I would share the edgy reaction of the leader of the Opposition is in reference to the kind of comments that the Minister of Labour made with regard to the Indian problem in the province of Ontario. This is not simply a federal problem; this is a provincial problem. The Indians are citizens in the province of Ontario, and this government cannot say this is federal jurisdiction. In fact I suggest that an accurate interpretation of the BNA Act indicates that the province has concurrent responsibility. Let us not get caught up on constitutional barriers, saying that it is the responsibility of the federal government to take the initiative to cope with the massive discrimination against Indians. The responsibility rests with this government in terms of implementing the Ontario Human Rights Code.

Which brings me, Mr. Speaker, to the point that I want to make. It is a point, quite frankly, which I have borrowed from a speech of Mr. Justice Bora Laskin to the 19th annual conference of the commission of human rights, a year or so ago. He commented on the preamble to the Ontario Human Rights Code, as follows:

The conjunction in the Ontario proclamation of the words, "dignity" and "rights", points the way to an enlarged depreciation of a social, as opposed to the purely individual, implication of dis-

crimination. I see social concern in the term "dignity." Disadvantaged groups that have an assurance of respect for their dignity will not likely have to wage a continuous battle to secure their individual members' rights.

Let me illustrate my point, by coming back to the problem of Indians as one example of the disadvantaged groups within our society. Our human rights commission has done a very good job in seeking out individual cases of illegal discrimination. We have made considerable progress in that field. But, Mr. Speaker, it is impossible to cope with the massive discrimination against our Indian population if there isn't a public policy to deal with the collective discrimination against them as a group. This can't be coped with by the human rights commission alone, its work becomes part of a co-ordinated approach of all government departments that affect the human condition in which Indians are living today.

If I may go on for a minute to the problem of those who are discriminated against because of poverty; we have had a shocking example in the last few days of a Negro in Nova Scotia who spent five months in jail because he could not pay a poll tax. This was the price of being poor. Once it was revealed, he was freed immediately. But, this kind of continuous, quiet, unseen discrimination goes on with regard to those who are poor.

Mr. Justice Bora Laskin referred to another group in his remarks—the children of parents who happen to be working class, and who think that they really don't have the right to university education, because of the fact that they are locked into an educational system that discriminates against them, and denies them the full opportunity of university education.

My point, Mr. Speaker, is this: the human rights commission has a job to do, and it has been doing it well, but if we are going to cope with the collective discrimination against groups in our society—these pockets of discrimination as the Minister refers to them—it cannot only be done by the human rights commission alone, it must be a collective approach involving many government departments.

We have had, for example, areas where this problem has emerged in a somewhat blatant fashion. In Amherstburg, the mayor appointed a committee to try to encourage employers in that area to provide more job opportunities for Negroes. We have had a



committee set up by the mayor of Kenora to try to create a human bridge between the people of Kenora and the Indians who live in the neighbouring areas. But, we cannot have a piecemeal approach to these pockets of discrimination. We must have an organized collective approach—otherwise we are not going to be able to remove the collective discrimination, and in not removing it we never will be able to cope with the massive individual discrimination that is involved.

Perhaps, Mr. Speaker, I can conclude my remarks, again by quoting from Mr. Justice Bora Laskin:

Equality before the law has in the past been conceived in primarily political and formal legal terms—for example, equal voting rights, equal standing before the court, and so on. We are beginning to carry it into social and economic fields. Presently in these fields the notion of equality before the law assumes conditions which the law itself has not, and may not be able to guarantee. What it can do, however, is at least provide an atmosphere and an opportunity for disadvantaged people to create those conditions for themselves.

Justice has a social and economic face, as well as a legal and a political face. We must surely see to it that all the faces of justice reflect the concept of social service. There is room for its greater realization in the field of human rights.

All I would like to add to this discussion this afternoon, Mr. Speaker, on the occasion of the twentieth anniversary of the Declaration of Human Rights, is that we should recognize the need for coping with the collective discrimination of groups within our society, recognizing that if we do not act there, we can never really solve the problem of individual discrimination.

Mr. Speaker: Order, please. Has the hon. member for Scarborough Centre a point of order or of privilege?

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, I would waive the floor to my colleague the member for Scarborough West (Mr. Lewis), who would like to continue the discussion that was on the floor of the House.

Mr. Speaker: Unfortunately there can be no further discussion of the matter. It is not a debate, it was an arrangement. Of course, I shall be guided by the rules of the House, and the desire of the members. But my understanding of the arrangement today was that the Prime Minister would make a state-

ment, and that the leaders of the two Opposition parties would be entitled also to make a statement on this very important anniversary of a great date in human history and that it was not to develop into a debate. There is plenty of opportunity for that in the Throne Speech debate, which is going on at the present time.

If I am incorrect in my interpretation of the understanding between the parties, and the House wishes to deal with the matter otherwise, I am quite prepared to do so. Otherwise I must rule that there can be no debate on the matter, but that points of order or privilege, of course, are always available to the members.

Mr. Nixon: A point of order at this stage.

I listened to your ruling very carefully. It seems to me that this would be an appropriate occasion for members from all sides to comment on the statement that has been put before us, under these particular circumstances. However, I have another point of order I would like to bring to your attention, as soon as we leave this topic.

Mr. S. Lewis (Scarborough West): On a point of order, Mr. Speaker. I assure you, sir, I had no intention of entering the debate in a contentious way at all. Given the nature of the subject matter, I wanted to share a reflection with the members of this House, and I would like to be permitted to do so. If at any moment I stepped out of order, I would, of course, be called to order. But it seems to me that on the occasion of a discussion of the—

Mr. Speaker: Before the hon. member embarks on his remarks. The hon. leader of the Opposition has expressed his opinion, and I gather that the New Democratic Party is in accord with the view of the member for York South. Would the government House leader perhaps express the government viewpoint with respect to this?

Hon. Mr. Rowntree: I think it is a subject which engages the attention of all hon. members, and there are many opportunities for pursuing it in this House. I think the occasion was an anniversary of an event and it was to mark this occasion that the Prime Minister wished to address himself to the members, and some of the leaders of the Opposition parties.

I think that having been accomplished, we should now proceed to regular business.

Interjections by hon. members.



**Mr. Lewis:** Mr. Speaker, I do not view what the House leader said as a closure motion. I simply wanted, if I may, add this observation, Mr. Speaker. I—

**Mr. Speaker:** Does the hon. member wish to speak to the point of order, because we have not come to the point of dealing with it yet.

**Mr. Lewis:** Well, Mr. Speaker, it was about a meeting of the International League for Human Rights in New York on Friday night which I attended. I wanted to share one reflection with the members of this House, precisely on topic.

**Mr. Speaker:** Unfortunately there are 115 other members who have equal rights to speak. If we enlarge this right from the leaders of the parties, we would put ourselves in that position, and my ruling will be that there will be no further debate on this matter at this time. That ruling, of course, is subject to the opinion of the House.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, on a point of order, I believe that the remarks of the hon. Minister of Labour on behalf of the Prime Minister were given in a spirit of celebration and commemoration.

**Mr. Speaker:** Order.

**Mr. Peacock:** I am speaking to a point of order, Mr. Speaker. I think that any other member who wishes to rise in his place will give his remarks in the same manner.

**Mr. Speaker:** I would point out further that a debate in this House, according to the rules, can only take place if there is a bill or motion before the House for debate. On ministerial statements the ruling has been, based on the precedents of this House as well as the rules, that the statements of Ministers before the orders of the day are not debatable, and only to be questioned for purpose of clarification.

This is a different arrangement, as I understood, between the parties, that the two Opposition party leaders should have the opportunity of joining with the leader of the government in paying tribute not only to our four honoured guests today, but to all that has been accomplished not only in our province but elsewhere in the way of civil and human rights over the past 20 years, and therefore there is no question but that any further debate is strictly out of order.

**Mr. MacDonald:** Mr. Speaker, I rise on a point of order. On many occasions in the past

the Prime Minister has indicated if there are other members in the House who wish to speak, he has no objections. I am a little puzzled as to why the line is drawn so sharply now, other than perhaps the Speaker is worried that the initial contribution by the Minister of Labour was so lengthy, taking up something like a half an hour.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Order.

**Mr. MacDonald:** Well, what about order? Mr. Speaker, may I make my point this way. Last week the hon. member for Sudbury (Mr. Sopha) said if we are going to avoid this kind of tension in this House we have to avoid treating members as though we were a bunch of school children and you were acting as a school master. I think this whole episode this afternoon is a perfect illustration of that problem, sir.

**Mr. Speaker:** I might point out that neither this Speaker, nor any of his predecessors—and I presume none of his successors—wishes to have the schoolmaster's position, but this Speaker, as well as his predecessors and successors, is bound by the rules of the House. The rules are those which are made by this House and so far as I am concerned cannot lightly be set aside, and cannot be set aside by Mr. Speaker.

The rules of the House do not provide for a debate unless there is a motion or a bill before the House and therefore my ruling still stands.

**Mr. Lewis:** Mr. Speaker, on a point of order, on other occasions in this House—

Interjections by hon. members.

**Mr. Lewis:** Members may wish to prolong it. I am standing on a point of order and I would appreciate the opportunity. On other occasions of commemorating an event—for instance St. Andrew's or St. George's, or whatever the day may be—

An hon. member: St. Patrick's day.

**Mr. Lewis:** —or St. Patrick's day, the leaders of the various parties stand in their places and make their respective contributions. Then members in the House, who for one reason or another may feel inclined to speak, are perfectly at liberty by way of precedent in this House to intervene. It is a precise analogy, Mr. Speaker. We are here dealing with an event which, in effect, the House is commemorating, and I think other members should

have a perfect opportunity to enter, particularly when it is understood that it is not meant by way of debate.

**Mr. Speaker:** Unfortunately the remarks of both leaders of the Opposition parties smacked—if I may use such an unparliamentary term—very much of debate rather than of a statement.

Interjections by hon. members.

**Mr. Speaker:** Order, order, let Mr. Speaker finish. I have no doubt in my mind that those remarks were prompted by statements made by the Minister and therefore we were on the verge of a debate—in fact we almost had a debate—and it is not my intention to allow this particular matter to develop into a debate. I have no fault to find, and I allowed both leaders of the Opposition parties to carry on as they did because of the fact that they were speaking, I think probably justifiably, in answer to what was said on the other side of the House. Quite proper—but we must not allow that to develop into a full-fledged debate.

**Mr. E. W. Sopha (Sudbury):** A great celebration of human rights day.

**Mr. Speaker:** Order.

**Hon. Mr. Rowntree:** Mr. Speaker, having in mind the very essence of the subject matter which engages our attention today, I think that this is one area where, of all opportunities to waive the rules, this would be a proper day on which to exercise this. I say that to you, having in—

Interjections by hon. members.

**Hon. Mr. Rowntree:** Mr. Speaker, there probably are other members who would like to express their views, as you yourself put it, without engaging in a debate, and from the government side of the House this would not be objectionable to us.

**Mr. Speaker:** Mr. Speaker's ruling still stands—there will be no debate.

**Mr. Lewis:** On a point of order then, Mr. Speaker, in view of the interpolation of the House leader I would request from this House for no more than two minutes, unanimous consent.

**Mr. Speaker:** I would say that that is a very fair suggestion and one to which Mr. Speaker would accede if the House is agreeable.

Interjections by hon. members.

**Mr. Speaker:** Order! Agreed.

**Mr. Lewis:** Mr. Speaker, my purpose for rising is very simple, I trust it does not savour terribly of anti-climax. I was at a meeting in New York on Friday night of the International League for Human Rights, commemorating the same 20th anniversary, and indeed the 85th birthday of Roger Baldwin who, with Charles Malik and Eleanor Roosevelt, wrote the original Universal Declaration of Human Rights for the United Nations Charter. There were four speakers that evening.

The first was Senator Edward Kennedy, who directed his remarks almost exclusively to the subject of the Nigerian-Biafran civil war, and pointed out that on this commemoration of human rights it might well do to remember that something in the range of two to three million lives would probably be lost by March, 1969, unless the world intervenes. He was followed by that extraordinary Yugoslav freedom fighter Milovan Djilas, who had somehow been brought from his country to speak at the conference, and who embodied more eloquently than one can say the repression that has just taken place in Czechoslovakia.

He in turn was followed by Rene Caisson, the head of the international court at the Hague, who raised the issues of South Africa, Rhodesia, Mozambique and Angola, as the most glaring international violations of human rights. Roger Baldwin himself summed up the evening by indicating that the necessary involvement in one's own jurisdiction with individual liberties and human rights carries significance only in perspective—only measured against the perspective of the gross and critical abuses for millions of people on the international scene. I felt that our own measure in this Legislature today might have some perspective in that regard as well.

**Mr. Speaker:** Has the hon. member for Scarborough Centre any further point of order or privilege?

**Mrs. M. Renwick:** Mr. Speaker, on a small point of order, just to state that we have visiting with us today in your gallery men and women from an organization known as WASP—Women Against Soaring Prices.

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, I would hope that the House would afford me the same privilege as it has accorded the member for Scarborough West. In line with what the hon. member has stated about some of us being so preoccupied with the human rights, with

which we should properly be occupied here, on our own continent, and in our own nation, I agree that we should have a great deal of concern for the human rights, which have been disregarded, of many millions of people across the world.

I am particularly anxious to remind the hon. members and the people of this province of those nations who have been subjugated by the "so-called socialist republics in Europe"—those people in Czechoslovakia whom I was honoured to visit just a few short weeks ago, at which time I saw the repression which was engaged in by the Russians and heard the Russian jack boots march up and down the streets of Prague. I am also concerned for the people in those countries such as Hungary, Estonia, Lithuania, Latvia, the Ukraine and many other countries who, today, I am afraid feel that many of us here have forgotten them.

I would think, sir, on this occasion, we should give them a word of encouragement that we, in the free countries of the world, on this great day, have not forgotten them.

**Mr. Speaker:** Is there any other member who would like to ask the unanimous approval of the House to speak on this matter before we move on?

We then will go to the questions before the orders of the day. Today we will deal with them in order of seniority on the government benches, so that the hon. member for Cochrane South (Mr. Ferrier) will please place his question to the Minister of Public Works.

**Mr. Nixon:** Mr. Speaker, if you will permit a point of order before you get into the question period.

As you know, sir, I have a question for the Treasurer (Mr. MacNaughton) who, unfortunately, is not in his place. He telephoned to tell me the reason why he was not here and I very much appreciated that phone call. But I would say to you, sir, that my point of order has to do with the Treasurer's abridged annual report, which completed the accounts for the province ending March 31, 1968.

There is a full description of this report in this morning's *Globe and Mail* and in the two afternoon newspapers. It was referred to by radio news broadcasts yesterday. But, as the leader of the Opposition and as a private member of this House, I have not yet seen it.

In my view this is a serious matter—for the Treasurer to undertake to release this

report and describe it to the press, radio and television without giving the members of the Legislature an opportunity even to look at it.

I do not know what the explanation is, because the Treasurer has assured me it was not his intention so to do. But this has happened in the past and this specific report happens, in my view, to be a report of considerable importance, because it indicates that our bookkeeping for the last 18 months has been considerably inefficient.

It appears that the Treasurer has now found \$55 million which he did not know that he had. This brings me to my second point of order, Mr. Speaker. It has to do with two paragraphs written about this report in this morning's *Globe and Mail* by Mr. Donald Newman, which with your permission, I would like to read. I quote:

The report released by the government yesterday lumped the sinking fund expenditures and the operating deficit together, creating the appearance of a government miscalculation of only \$12 million.

I say, in parenthesis, rather than the \$55 million that the report does indicate. I go on to quote:

The two systems of reporting the fiscal position of the province are apparently political. In 1967 the Conservatives were facing an election and, seeking to keep the projected deficit within manageable proportions, they bisected the operational deficit from the sinking fund requirements.

Now, however, attempting to pry more of the revenue collected in income tax from the federal government, Ontario is putting its worst fiscal face forward in an effort to appear hard pressed.

My point of order is this. If this is a good piece of interpretive reporting on a report that is not available to the members of this House, so be it. But if in fact, it is correct, then the Treasurer of Ontario is guilty of grossly misleading not only this House, but the people of this province, and should be severely censured by motion of this House.

I believe that if this misrepresentation is intentional that his usefulness to the government and to the people of this province—

**Hon. Mr. McKeough:** Oh, get off. Come on—

**Mr. Nixon:** —the people of this province particularly at this time, when we are approaching the government of Canada for important negotiations, leaves his usefulness

seriously in doubt and he should tender his resignation under those circumstances.

**Hon. S. J. Randall** (Minister of Trade and Development): He was out only \$770 million.

**Mr. Speaker:** Order! Order! Order!

May I say that, with respect to the first point of order I am sure that not only the hon. Treasurer but certainly Mr. Speaker agrees with the leader of the Opposition. I shall take it up with the Treasurer and the leader of the House in order to assure that the members of this House are given the information to which they are entitled, on first release.

With respect to the second point of order, of course, that must remain until the hon. Treasurer is here so that he may have an opportunity to defend himself and explain his interpretation of his statement and his rebuttal of the remarks of the hon. leader of the Opposition.

**Mr. Sargent:** You need two sets of books.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. Sopha:** Mr. Speaker, I was rising on a matter of privilege.

Yesterday, sir, while I was absent from the House, engaged in another sector of the public domain, the hon. member for High Park (Mr. Shulman)—

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): What, another case?

**Mr. Sopha:** That is another sector of the public domain.

The hon. member for High Park attributed some remarks to me which I have had the opportunity to read in the rough copy of *Hansard*. Now at best, his purveying of those remarks were at second hand, because apparently they come from a person by the name of Starowicz.

I say to you, sir, and all members of the House, through you, that I have no recollection of ever having spoken to a Mr. Starowicz. I have no recollection of having met any person by that name.

However, I only rise because included in those remarks are expletives of a nature that I am neither accustomed to use, nor am I wont to use, as will be corroborated by all those members who know me.

I say this in order to correct the record. I might add that the comments in the remarks that refer to the International Nickel

Company of Canada, I must say, in all honesty, reflect observations that I have made on the floor of this House.

It is to be noted in the quotation by the member for High Park that I am purported to have used a phrase to the effect that I did not wish to be quoted.

That is significant, sir, because finally, I say to you, in raising this matter of privilege, that the member for High Park of course, in the whole piece so far as I was concerned, was acting completely in character. As is usual, his whole reference to me in that context was part of the ordinary operation guttersnipe, of which he is a master.

**Mr. Shulman:** Mr. Speaker, in reference to the remarks you have just heard. In order to make sure that the quotation, which I used, was accurate—

**Mr. Sopha:** This is not debatable.

**Mr. Bullbrook:** What point of order is this?

**Mr. Shulman:** The quotation which I used was accurate—sir, I am rising on a point of privilege.

**Mr. Speaker:** Order! Order!

The hon. member for High Park will realize that there can be no debate either on a matter of privilege. If he has a point of privilege, so far as he is concerned, or a point of order, he has the floor.

**Mr. Shulman:** Sir, I am rising on a point of privilege. The point of privilege is that the member for Sudbury has suggested that I misled this House in a quotation.

In order to set the House quite straight I wish to inform you, sir, and through you, every member of this House, that to ensure that that quotation was accurate I had a special copy of that portion of my speech printed off a week before, which I personally supplied to the member for Sudbury as he sat in that chair. He made no objection then to that quotation, sir.

**Mr. Sopha:** I treated it as a joke.

**Mr. Speaker:** The hon. member for Kingston and the Islands has a statement.

**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, it is with profound regret that I announce to this Legislature today the death of the hon. William M. Nickle, QC. Mr. Nickle passed away late last evening and funeral services will be held at St. Andrew's Presbyterian Church in Kingston at 2 p.m. on Wednesday.

Mr. Nickle was born and educated in Kingston and at Osgoode Hall in Toronto. He served overseas in the first great war as a private in the Princess Patricia Canadian Light Infantry and later as an officer with the 21st Canadian Infantry battalion. He was wounded three times and was awarded the MBE, the Military Cross and the Medal of Honour from France.

From 1951 to 1963 Mr. Nickle represented the riding of Kingston and the Islands with distinction and devotion. Always the champion of the rights of the people, his death will be deeply felt by the people of Kingston and his many friends in all parts of this province.

He served in the Cabinet under the hon. Leslie Frost as Provincial Secretary and later as Minister of Planning and Development. He was a devoted public servant, fine friend and a wise counsellor who was of immense help to me on many occasions.

I know that the members of this House would wish to join me at this time in paying this tribute to him and extending to his wife and family our sincere sympathy.

Thank you, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, I would like to say just a few words about the bad news the member for Kingston and the Islands (Mr. Apps) has just put before us.

The hon. Mr. Nickle was no longer a member of this House when I was first elected, but I have met him on many occasions. I am sure, sir, you realize that his reputation has come down through those who had followed him, not only the member for Kingston and the Islands, but many friends who are still in this Legislature. We certainly join with the other members in conveying our shock and our condolences to Mrs. Nickle and the family.

**Mr. MacDonald:** I would just like to add a word without repeating unnecessarily the comments of the hon. member for Kingston and the Islands and the leader of the Opposition (Mr. Nixon).

I was in the House with the Hon. William Nickle. We had many an interesting tangle, but he was a warm human being who forgot his differences off the floor of the House. When you met him out in the hall afterwards you could also forget them.

I would like to join with the other members of the House in expressing our sense of bereavement to his family and all his friends.

**Mr. Speaker:** The hon. member for Cochrane South now perhaps would place his question.

**Mr. W. Ferrier (Cochrane South):** Yes, Mr. Speaker. My question is to the Minister of Public Works.

Has suitable accommodation been found in Timmins to house all Department of Mines offices in one building?

If so, what is the location of this accommodation?

If not, when will such accommodation become available?

**Hon. T. R. Connell (Minister of Public Works):** Mr. Speaker, the answer to the first question is "no".

The answer to the second question is that no suitable location could be found.

The answer to the third part of the question: The Department of Public Works is presently planning to advertise to have a building constructed to be leased for these purposes. If approval is obtained and satisfactory arrangements can be completed, a building could be provided by late 1969.

**Mr. Speaker:** The hon. member for Grey-Bruce has a question of the Minister of Health.

**Mr. Sargent:** Thank you, Mr. Speaker.

I have a question of the Minister of Health.

A report in the *New York Times* states that a heart transplant operation costs up to \$50,000 and the specialist further estimates that 10,000 people might be candidates for new hearts in one year. He further estimates that kidney transplants cost about \$17,750.

Will the government of Ontario consider legislation to set up a special fund of approximately \$500,000 to pay these special costs in Ontario this year?

**Hon. Mr. Dymond:** Mr. Speaker, special legislation as suggested by the hon. member would not be necessary to pay what is referred to as "special costs" in connection with these cases. All costs of hospitalization under the standard ward level of care arising out of medical necessity are already covered by legislation.

**Mr. Sargent:** In this amount?

**Hon. Mr. Dymond:** Amount does not come into it, Mr. Speaker, as long as it is in keeping with the recognized rates.

**Mr. Sargent:** Thank you, sir.



**Mr. Speaker:** The hon. member for Brantford has a question of the Minister of Health.

**Mr. M. Makarchuk (Brantford):** A question of the hon. Minister of Health:

Will the nurses who have been employed as part-time staff in Ontario psychiatric hospitals up to September 15, 1968, receive their vacation pay as prescribed by Department of Labour regulations?

If so, when? If not, why not?

**Hon. Mr. Dymond:** Mr. Speaker, I would like to take that question as notice.

**Mr. Speaker:** The hon. member for Yorkview.

**Mr. F. Young (Yorkview):** I have a question of the hon. Minister of Health, Mr. Speaker:

Have certain problems of design in connection with the GMC ambulances recently acquired by the Metropolitan Toronto ambulance service been brought to the attention of the Minister?

Is it the intention of the department to subsidize the acquisition of more of these ambulances for service in the province?

If so, will the design problems be rectified?

**Hon. Mr. Dymond:** Mr. Speaker, the ambulances referred to recently purchased by Metropolitan Toronto ambulance services have not complied fully with the specifications which were required in the tender and therefore they have been returned in succession for rectification.

We have been informed of no problem in the design of the vehicle, but only in the lack of measuring up to specifications.

The emergency health services of OHSC have developed these specifications for conversion of a number of types of vehicles to ambulance purposes. Specifications for any new ambulance procured in the province will be subject to the approval of the commission.

**Mr. Speaker:** The hon. member for Grey-Bruce has two questions of the Minister of Transport.

**Mr. Sargent:** Thank you, Mr. Speaker. A question to the Minister of Transport, of which he has already had notice.

On March 21, 1968 and May 16, 1968, I asked the Minister of Transport the following questions:

(1) Will the Minister advise the House if an ordinary citizen can obtain a complete list of car owners in the province of Ontario?

(2) Is a complete file of the Ontario motor vehicles branch available to R. L. Polk Company?

(3) If the answer is "yes"; what does R. L. Polk pay for this service?

The Minister replied:

(1) A duplicate list is not available and to provide one would be "time consuming."

(2) The only surplus copy—that is the carbon copy to registration and renewal—is made available.

(3) Approximately \$35,000 this year, in addition supplies our department—

**Mr. Speaker:** Order! The hon. member's copy as filed with me is \$35 million.

**Mr. Sargent:** Well, \$35,000 was the answer he gave. That is what it should be—that is what you should be getting, but you are only getting \$35,000 for it. That is the point.

**Mr. Speaker:** Order! Continue with the question, please.

**Mr. Sargent:** Therefore, I ask the Minister, Mr. Speaker:

(1) In view of the fact that R. L. Polk does not tender on this very valuable information list which is, in truth, an exclusive monopoly worth about \$500,000 a year, and in view of the fact that scores of advertising agencies and firms would like to bid on this, will the Minister advise if he will open this lucrative deal up for open bid by interested parties?

(2) Since the Minister advised on May 6, 1968, that this list would be available to the public "when the department is fully automated"; will he tell the House when it will be available to the public at the same rates as it is available to R. L. Polk Company?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the mechanization of the vehicle registration file is proceeding and, assuming that no unforeseen problems arise, it should be completed in 1970.

**Mr. Sargent:** Mr. Speaker, this is—

**Mr. Speaker:** Order! The hon. member will await the reply to the question. He was allowed to ask it.

**Hon. Mr. Haskett:** If at that time it is decided to make this information available, it will be provided to all interested parties on the same terms.

**Mr. Sargent:** Will the Minister accept a supplementary question?

**Hon. Mr. Haskett:** I will try.

**Mr. Sargent:** Realizing it is costing the taxpayers \$500,000 a year, does the Minister



agree that this is the way to treat taxpayers' money—to disregard this money?

**Hon. Mr. Haskett:** Mr. Speaker, since the premise on which the question is placed is entirely false, I am unable to answer it.

**Mr. Sargent:** On a point of order, Mr. Speaker, it is not false.

**Mr. Speaker:** Order! The hon. member—

**Mr. Sargent:** Mr. Speaker, the Minister is calling me a liar.

Interjections by hon. members.

**Mr. Speaker:** Order! I regret to say that my interpretation of the hon. Minister's reply to the hon. member is not the same as the member's. The hon. Minister has stated that the premises used by the member are false, not that the hon. member is falsifying anything.

Therefore, I would suggest that the hon. member and the Minister might get together and sort this out.

In the meantime he has another question before the orders of the day.

**Mr. Sargent:** On a point of order, Mr. Speaker, I do not see how a Minister can say a statement is false when he does not know the value of the property until he tenders for it.

So the statement still stands, \$500,000, and—

**Mr. Speaker:** Order! Order!

The hon. member has no point of order in that particular area.

**Mr. Sargent:** I think I have.

A question to the Minister again—the same Minister.

**An hon. member:** Eddie's happy hour.

**Mr. Sargent:** They are a shaggy bunch over there.

**An hon. member:** We are looking at a shaggy bunch too.

**Mr. Sargent:** Glad to have the member back.

**Mr. Speaker:** Order!

**Mr. Sargent:** Question to the Minister:

What steps have been taken to implement the recommendation of the report of organized crime that drivers' licences be required to bear a photograph of the owner, stamped or so effaced to prevent tampering, as found on page 122 of the report?

Two, will the Minister support a bill by the Opposition—crazy question—to amend The Highway Traffic Act to put this into force?

**Hon. Mr. Haskett:** Mr. Speaker, as we fail to identify this mentioned report of organized crime—with reference to drivers' licences on page 122—I am unable to answer the question.

In my copy of the Roach report of December 11, 1961, the material on page 122 is not germane.

**Mr. Speaker:** Perhaps—

**Mr. Sargent:** Will the Minister have a supplementary on this one?

**Mr. Speaker:** Perhaps the hon. member could furnish, to the Minister, between now and tomorrow—

**Mr. Sargent:** No, I will just ask him a supplementary question. Forgetting about where I found the material—will he go along with the idea of putting a picture of each person on his own licence? What is the Minister's opinion of that?

**An hon. member:** Too shaggy.

**Mr. Sargent:** Eyeball to eyeball—

**Hon. Mr. Haskett:** Mr. Speaker, in the absence of complete details on it I am not prepared to commit myself.

**An hon. member:** Dead from the eyeballs both ways.

**Mr. Speaker:** The hon. member for Perth has a question.

**Mr. H. Edighoffer (Perth):** Mr. Speaker—

**Mr. Sargent:** How does he hold his job down?

**Mr. Edighoffer:** Mr. Speaker, a question of the Minister of Energy and Resources Management. What progress has been made by the national Department of Energy, Mines and Resources and The Ontario Department of Energy and Resources Management, which was formed for the purpose of revising the conditions of the agreement of January, 1961, signed by the federal and provincial governments, to offer maximum flood control protection for the water shed at the Upper Thames River and all those downstream municipalities which are adjacent to the Thames River between London and Lake St. Clair?

**Hon. Mr. Simonett:** Mr. Speaker, in January, 1967, an inter-governmental committee

was established consisting of three representatives from the federal Department of Energy, Mines and Resources and three representatives from The Department of Energy and Resources Management.

This committee was assigned the task of reviewing the current agreements on shared costs water management programmes in Ontario to establish criteria guidelines and standards for the purpose of:

- (a) re negotiation of existing agreements and,
- (b) the negotiation of future agreements.

The committee has had ten meetings to date and has commissioned engineering studies to determine a standard method of assessing potential flood damages and to develop methods of determining secondary flood control benefits.

These studies have now been received and are being incorporated into a manual which will provide complete information to conservation authorities and consultants on water management programme development and procedures to be used in cost benefit analysis.

The committee hopes to have the manual completed early in 1969. This work is an essential step which must be taken before actual re-negotiation can begin. It is expected that the latter work will commence immediately upon completion of the manual.

**Mr. Speaker:** The hon. member for Windsor West has a question of the Minister of Trade and Development.

**Mr. Peacock:** Mr. Speaker, why are local offices of Ontario Housing Corporation informing OHC tenants that none qualifies for the residential property tax rebate, although no regulations under section 8(1) of the Act have been approved or gazetted?

**Hon. Mr. Randall:** I will get the information for the hon. member.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, to the same Minister. Will the Minister inform the House of the extent of the subsidy involved in full recovery projects in Hamilton which prevent tenants in such projects from receiving their tax rebate?

**Hon. Mr. Randall:** Mr. Speaker, I pointed out the other day in answer to a similar question, limited dividend housing rents are not market or even near market. Most of these families—

**An hon. member:** The member means a full recovery?

**Hon. Mr. Randall:** Most of these families have had income increases over the years. Had other houses been available or had they been converted to the geared-to-income scale, they would today be paying a much higher rent and perhaps if at or near market they would get the rebate.

Therefore, we do not believe we would be justified in view of the low rent scale they have enjoyed to date, using the taxpayer's dollar to extend to them in addition to the low rent they have had for many years, the rent rebate.

I might point out, Mr. Speaker, these are the same people who will most likely be able to take advantage of the OHC and Central Mortgage and Housing Corporation offer to sell to them their present premises when the new mortgage arrangements get into effect.

**Mr. Speaker:** The hon. member for Windsor West has a question of the Minister of Municipal Affairs.

**Mr. Peacock:** Mr. Speaker, why was the pamphlet entitled the "Tax Reduction Notice" and the related newspaper advertising written without any explanation of section 8(1) of The Residential Property Tax Reduction Act, 1968, as it applies to tenants of Ontario Housing Corporation?

**Hon. Mr. McKeough:** Mr. Speaker, the pamphlet entitled the "Tax Reductoin Notice" and the newspaper advertising was designed to inform landlords and tenants and homeowners of privately owned residential property in Ontario, of their rights and obligations under The Residential Property Tax Reduction Act.

A group of people who would be eligible under section 8(1) are probably something much less than one per cent of the population. Therefore, no specific reference was made to them in the pamphlet.

**Mr. Peacock:** Mr. Speaker, a supplementary to my question of the Minister. Will he not agree that in light of the distribution of these pamphlets to tenants of Ontario Housing Corporation as though the reduction applied to them, and in view of his statements during the debate on The Residential Property Tax Reduction Act in the last session, would he not re-consider amending section 8(1) to make it clear specifically as to the manner in which this tax rebate will apply to public housing tenants?

**Hon. Mr. McKeough:** No, that is being done by the regulation.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, a question for the Minister of Municipal Affairs. Will the Minister explain why Pickering township was included in the urban centred region of Oshawa as outlined in the Minister's speech on regional government, when all social, economic, planning and transportation factors have shown a strong orientation toward Metro Toronto for the past 10 years?

**Hon. Mr. McKeough:** Well, Mr. Speaker, I will attempt to reply to this question, perhaps at some length.

I think first of all, it should be said that in the creation of any regional government or any new municipality there must be a point of beginning. Boundaries are always difficult and I suppose they are somewhat arbitrary. There are a number of other factors and allow me to enumerate some of them.

There is a population of approximately 42,000 in the three municipalities of Pickering township, Ajax and Pickering village. I think we are talking about the whole area and to exclude these three municipalities from our Oshawa centred region would mean that the city of Oshawa, with a population of 80,000, would completely dominate the new region. On the other hand, with a population of approximately 42,000 only in those three municipalities, representation as a borough on the Metropolitan Toronto Council would be very difficult, if not impossible.

The concept of urban centred regions is one generally recognized as a suitable criteria to guide the restructuring of municipal government in most parts of Ontario. However, in the case of Toronto, the influence of this centre Toronto predominates over such a vast area of Ontario that the concept in this case is inappropriate. Other values such as the identification of the individual with a political unit, easy access to the administration and so on, operate to limit the political unit to a size less than the area of urban influence. From this point of view, Metro's boundaries will always appear arbitrary in the future.

Another way of putting this, of course, would be to say that the area of influence of Metropolitan Toronto is half, I suppose, of southern Ontario.

Pickering provides a sufficient area between the Metropolitan boundary and the Oshawa

core urban area for extensive residential development. The added influence of Oshawa over this area results from its position as an urban centre and will help somewhat to offset the orientation towards Toronto. Thus by the creation of political, educational and social facilities in Oshawa that serve the Pickering area, some help will be granted in reducing pressures on facilities and in particular on transportation corridors of Metropolitan Toronto.

Each of the goals plans in the MTARTS report, volume 2, views as a desirable objective the lessening of development pressures on Toronto and the Lakeshore corridor to its west. Several new communities—they call them sub-regional centres—are proposed for areas east of Metro. The object of these centres is to create employment opportunities related to areas of residential development, thereby reducing pressure on transportation corridors, again in the Toronto urban core. As mentioned above the simulation of the interest of Pickering residents in the Oshawa urban area resulting from centring this area for administrative purposes on Oshawa, again would add impetus to the attainment of these goals.

The present programme of the government of Ontario that is designed to reform and restructure local government, considers as particularly valuable the interest, concern, and participation of local residents. In all studies that have been instituted to date, much effort has gone into discovering what the area residents consider to be the most appropriate form of local government for their needs. Similar opportunities will be assured the residents of Pickering in a review of an Oshawa-centred region. From a practical viewpoint, a structure for local or regional government in the Oshawa-Pickering area will emerge and develop over a long period of time. This, again, will foster participation and interest.

In Metropolitan Toronto, the township of Pickering would be effectively submerged due to the predominance of the developed municipalities. In Metropolitan Toronto, a few areas remain that are as yet undeveloped. As a result, organizations that are established to plan future requirements, or install required services, show a particular specialization for dealing with problems of high density and concentrated development.

For example, the Metropolitan Toronto Planning Board will become increasingly concerned with problems of urban renewal; with maintaining adequate open space in heavily populated areas; and associated programmes.

It is conceivable that in this atmosphere the difficult problems of a rapidly developing municipality would receive more competent treatment and more thorough treatment from an agency located in the Oshawa-centred region that could deal more exclusively with similar areas.

The inclusion of Pickering in Metropolitan Toronto would increase considerably the length of Metro boundaries facing on areas as yet undeveloped. This would perpetuate existing problems of planning and co-ordinating the provision of services in these rural areas.

Those are some of the reasons, Mr. Speaker, which led us to the conclusions which we have arrived at. I suppose there are a couple of other reasons. The reeve of the township of Pickering has expressed rather strong views. I may say that the municipalities of Pickering village and Ajax have expressed equally strong views the other way. I do not think it probably escaped the notice of the members of the House that the city of Toronto expressed rather strong views on this particular subject. All these things led us to the conclusion that Pickering should be included in this new region which will be created to the east. I met with the group from the Oshawa area—Ontario county and part of Huron county—last Friday, and the reeve of Pickering was there and I indicated I would be glad to sit down and discuss this matter further with him, which I will.

**Mr. Good:** Would the Minister accept a supplementary question? There are two, I will embody them together.

First of all, is the Minister aware that the attitude of Oshawa council is that Pickering is, in fact, now a part of Metro, and that they have expressed publicly they would not want to touch it with a ten-foot pole?

Secondly, would the Minister assure the House that, in keeping with his programme as outlined on page 23 of his speech, consultation with people of the area, whose desire it is to be a part of Metro, would be carried out before finalization?

**Hon. Mr. McKeough:** I indicated in the latter part of my remarks that I was prepared to meet with the reeve of Pickering. I am prepared to meet with anyone. In answer to the first part of the question, no, I was not aware that Oshawa council had expressed such a positive view.

**Mr. Speaker:** I regret to inform the House that I inadvertently have demoted the

Minister of Labour (Mr. Bales) and I would ask the hon. member for Peterborough to address his question to the Minister of Labour.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to direct a question to the hon. Minister of Labour. Could the Minister elaborate on the chief conciliation officer's public comment that "it is a difficult situation" in relation to the Peterborough *Examiner* strike? Is it the company's refusal to accept a union security clause and a restriction on the transfer of personnel which is the main cause of the "difficulty"?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question from the hon. member for Peterborough, all strikes are difficult situations; it is a matter of degree. But the chief conciliation officer has just recently met with representatives of the parties and he will continue to meet and will do all he can to assist the parties to reach an agreement.

**Mr. Pitman:** May I ask a supplementary, Mr. Speaker? I understand that the union and the company met yesterday. Is there any definite date for future meetings or are meetings continuing today and tomorrow?

**Hon. Mr. Bales:** The meetings are not at the moment continuing, but they will be continuing within the next few days, dependent upon certain additional information that is required.

**Mr. Speaker:** The hon. member for Brantford has a question for the Minister of Labour?

**Mr. Makarchuk:** Mr. Speaker, in view of the answer I received from the Minister of Health I would like to hold this question until some later date perhaps.

**Mr. Speaker:** The hon. member may withdraw the question and resubmit it if he wishes. We must clear the deck daily; so this question will be marked "withdrawn".

**Mr. Makarchuk:** I will withdraw the question, Mr. Speaker.

**Mr. Speaker:** The hon. member is quite free to place it at a later date.

The hon. member for Yorkview has a question for the Minister of Municipal Affairs.

**Mr. Young:** The question is, Mr. Speaker: Does the new city near Uxbridge, as announced by revenue properties this morning, fit in with the MTARTS' recommenda-

tions, or with the Minister's plans for the area north of Metro?

**Hon. Mr. McKeough:** Mr. Speaker, yesterday afternoon I received a brochure announcing plans for a new city in the township of Uxbridge. It is a very imaginative proposal. I have not had an opportunity as yet to have the proposal checked against the goals plans as set out in the MTARTS programme.

The evaluation of the goals plans is presently being carried out by The Department of Treasury and Economics, supported by an inter-departmental task force. I would expect that it would be several months before a plan is adopted by the government, so that no definite answer to the proposal is possible at this time.

**Mr. Young:** Mr. Speaker, in the way of a supplementary question, is the Minister aware that the news last evening indicated that the present owners of this property had discussed this whole matter with the government?

**Hon. Mr. McKeough:** I did not hear the news programme last night, no.

**Mr. Young:** It has been discussed, then?

**Hon. Mr. McKeough:** Yes, I think it is fair to say that it has been discussed. They brought in the brochure yesterday. They indicated to us two or three months ago they were going to do so. We have not indicated to them that it fits into the goals plans as far as MTARTS is concerned because we do not know which goals plan may be chosen.

**Mr. Young:** Then this means that Rubin is making the decision for the government?

**Hon. Mr. McKeough:** No, I would not say that, because before that city, or any other city, goes ahead, there is going to have to be approval.

**Mr. Speaker:** The hon. member for Peterborough will ask his final question?

**Mr. Pitman:** Mr. Speaker, may I address my question to the hon. Minister of Municipal Affairs?

Has the Minister yet investigated the charge made in the report of the Eric Hardy consulting firm that the town of Trenton has been granting bonuses and assessment advantages in order to attract industry?

**Hon. Mr. McKeough:** Mr. Speaker, I apologize for this—the report has not yet been received. I do not know whether it was a combination of not correctly request-

ing it, or the request not being correctly interpreted. At any rate I understand that today it is in the mails; we should have it shortly. When I have received it and considered it, I will be in a position then to answer the question, but at this point we have not received it as yet.

**Mr. G. Ben (Humber):** Mr. Speaker, in light of your statement made with reference to the question or statement made by the member for Brantford (Mr. Makarchuk) on December 5, 1968, Mr. Speaker, I should say that I asked a question of the Minister of Health (Mr. Dymond) touching on the rate of illegitimate births in Ontario. That question was properly then directed to the Provincial Secretary (Mr. Welch). The Provincial Secretary, Mr. Speaker, has today handed me the answer to the question. I thought I would draw that to your attention, in order that the lists might be purged.

**Mr. Speaker:** I am very grateful to the hon. member for drawing it to my attention, because otherwise this matter would still remain on my records, and I think since the question was asked in the House, the proper procedure was for the answer to have been given by another member of the Ministry, so that it would appear in the records of the House. I will endeavour to draw that to the attention of the members of the Treasury benches, so that in future everyone will have the advantage of the learning and information which is contained in answers to the questions which the members ask. I acknowledge the courtesy of the hon. member.

**Mr. Ben:** Mr. Speaker, in light of your statement, you will then pardon me if I just read the answer into the record for the reasons stated by you. The statement that was sent to me is as follows:

Mr. George Ben, MPP, Humber, asked the following question before the orders of the day, December 5, 1968, to the hon. Provincial Secretary.

What is the rate of illegitimate births in Ontario for 1966, 1967 and to date 1968?

The rate per thousand live births for 1966 was 64.2. This is based on the population of 131,942, of which there were 8,476 illegitimate births. The rate for 1967 was 70.1 ptl births, and this was based on total births for 1967 of 127,509 of which 8,935 were illegitimate. No figures are available for 1968 since the returns will not be closed until approximately February 15, 1969, and the rates per annum will then be computed.

Thank you, Mr. Speaker.



**Mr. Lewis:** On a point of order, before the orders of the day. When this session began, placed on our desks were copies of the report of the committee appointed to enquire into the report about the pollution of air, soil and water. It seems the report constitutes a serious indictment of government policies. When will the Minister of Health bring forth legislation contingent on the report, Mr. Speaker?

**Mr. Speaker:** I would point out to the hon. member that the copies of the report were placed on the members' desks after the report was presented or introduced by the Minister, and we all watched the pages delivering them. Secondly, of course, the hon. member has asked a question, and has not raised any point of order.

The hon. member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Speaker, before the orders of the day, I wish to rise on a matter of privilege on behalf of the New Democratic Party and myself as a member of the standing committee on labour. I had expected a report from the committee on the disorganization of the meeting this morning to come before the House, which would have given me the opportunity to raise my point of protest.

My point is this, Mr. Speaker: The meeting was to organize the standing committee on labour—was scheduled to start at 10.30. Several members arrived at that time. Subsequently we elected the member for Kingston and the Islands as chairman of the committee, and also the member for Ontario South (Mr. W. Newman) as the vice-chairman, in absentia. Shortly after that motion was carried, the member for Kingston and the Islands, entered the meeting room, was informed by the Clerk what business had taken place, and that he was elected the chairman of the committee. Without taking his seat as chairman, he again left the meeting.

My protest is this, Mr. Speaker: It is either an organizational affront to the committee members, or an indiscreet discourtesy. We had attempted after he left the meeting to give instructions from the committee to arrange activities of that particular standing committee for the future, as we know it is a committee that has no regular schedule but is only called on the wish of the chairman. I deplore this action, when we realize that standing committees are an important function in the work of the Legislature. I hope that the chairman will at least offer an apology and help us to get the committee

operating in a way that will contribute to the work of this House.

**Mr. Speaker:** I would like to point out to the hon. member that while I am sure that all members of the House are interested to hear of these difficulties, once the committees are struck and the members appear at their meeting, these matters are matters for the committee to deal with, unless the committee refuses to and then the proper report is brought to the House. Therefore I would suggest to the hon. member who has brought the matter up, that he and the other members of the committee arrange for the matter to be dealt with by the committee, and thereafter if there is any action required by vote of the House or through Mr. Speaker, I am sure that it will be taken up upon a proper report to the House.

**Mr. Speaker:** Orders of the day.

#### THE ONTARIO HURRICANE RELIEF FUND ACT, 1955

**Hon. D. A. Bales (Minister of Labour)** moves second reading of Bill 16, An Act to amend The Ontario Hurricane Relief Fund Act, 1955.

Motion agreed to; second reading of the bill.

#### DAMAGE BY FUMES ARBITRATION ACT

**Hon. A. F. Lawrence (Minister of Mines)** moves second reading of Bill 23, An Act to amend The Damage by Fumes Arbitration Act.

**Mr. Speaker:** The hon. member for Riverdale has the floor.

**Mr. J. Renwick (Riverdale):** Mr. Speaker, I would like to make just two brief comments on the second reading of this bill.

The first comment is that, when The Air Pollution Control Act was introduced and passed through this House in 1967, I at that time asked the Minister of Health (Mr. Dymond) whether it was intended that the exclusion from the arbitration procedure and the negotiation procedure under The Air Pollution Control Act of arbitrations under The Damage by Fumes Arbitration Act would be continued indefinitely, or whether it was intended to co-ordinate them within the one statute. The Minister at that time replied that in the initial instance it was decided to continue The Damage by Fumes Arbitration



Act, but that that would be integrated under the single Air Pollution Control Act as soon as possible.

At the time of the estimates last year, on the vote under this for the estimates of the department relating to the arbitrator under this Act, I again asked the same question and I also asked at that time how many arbitrations had taken place. I was informed that there had not been any arbitrations for some three years. I also asked whether or not the Minister of Mines (Mr. A. F. Lawrence) had taken any steps to co-ordinate with the Minister of Health in order to eliminate this statute or make a decision as to policy under The Air Pollution Control Act, so that there would be one statute providing for the co-ordination of all air pollution control in the province. The Minister at that time, in his friendly and rather facetious way, said that when the session was over, if it was ever completed, he would sit down with the Minister and decide what was going to be done.

Now we find, of course, that he is bringing in an Act to amend The Damage by Fumes Arbitration Act, which would indicate that no thought is being given to its co-ordination and integration under The Air Pollution Control Act. Secondly, although there have been no arbitrations for some three years, we are now increasing the sum which will be claimed under this statute to defray the expenses of the arbitrator from some \$30,000 to \$50,000.

I have not had an opportunity, Mr. Speaker, to study the Hall report on pollution at Port Maitland other than to read the recommendations, but certainly one of the principal matters which is referred to in here is the lack of co-ordination between the various government departments in matters relating to industrial pollution. I would like to know whether the Minister of Mines is continuing to go along on his own road, and has decided to maintain The Damage by Fumes Arbitration Act within the purview of his department, entirely relating to sulphur dioxide or sulphur fume damage, or whether he is consulting with the Minister of Health or the other branches of government to determine what can be done to begin to get the kind of co-ordinated air pollution control that is required in this province.

These are matters which normally one would not raise had they not been raised on other occasions, and had not, on each of the other occasions, no definitive statement been made by the Minister. I think on the second reading of this bill it is incumbent on the Minister to make a definitive statement as

to what his intention is about this particular statute and whether he intends to carry on some aspect of pollution control in the province. And if he does intend to do so, whether or not he believes that this statute—which is now many years old and which appears from a simple reading of it to be totally inadequate—is to be under his department or whether he is going to bring in a revised statute.

For example, Mr. Speaker, there is no reference in this statute to any damage which may be caused to any human being as a result of sulphur fumes. Nor is there any reference in this statute to damage which may be caused to livestock because of sulphur fumes. It is very limited in its application, and it is exceedingly confusing if one endeavours to compare the similar provisions of The Air Pollution Control Act, relating to other damages by other fumes, to this statute, one wouldn't know what action could be taken in the event of sulphur fumes causing damage to livestock, and of course there appears to be no recourse for any damages which may be caused to human beings as a result of sulphur fumes.

These are my views, Mr. Speaker. This is our serious criticism of not just this bill, but the principle of a bill which is introduced apparently just to make certain marginal changes in the bill without in any way dealing with the fundamental problem of air pollution control in the province.

**Mr. J. E. Bullbrook (Sarnia):** Along the lines mentioned by the hon. member for Riverdale, I am concerned in this respect also. We have a general application of The Air Pollution Control Act and in this specific legislation vested within the Minister of Mines relating to the emanation of sulphur fumes. Now I in my maiden speech in this House discussed with you, Mr. Speaker, and my colleagues here, the question of possible fumigation in our area from the operation of the Hydro electric plant south of Courtriant. I am wondering more in the nature of an enquiry, if we are going to be faced with specific legislation, contemplated in this Act, relating to the emission of sulphur dioxide, is this within the legislative responsibility of the Minister of Mines?

It seems to me that we might be faced with an interpretative aspect from some board or tribunal saying, in effect, that situations arising out of fumigation in whole or in part by Hydro might not fall within the purview of this Act, it might not also fall within the purview of The Air Pollution Control Act. I

want to question the Minister in this respect, whether he is of the opinion that the wording "were damages occasioned directly or indirectly to crops, trees or other vegetation by sulphur fumes arising from smelting, grossly refining, or otherwise treating ores or minerals" would apply to the situation, sir, that might result from partial or total fumigation as a result of the production of hydro electric power through steam generation.

**Mr Speaker:** The hon member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** I will be very brief, Mr. Speaker. During the estimates last year in this department we mentioned this Act and its limited coverage. First of all, because it never did properly cover the situation, but second because the government has a clause—a rider—that is attached to most of the Crown land deeds, as they are sold to the individual, that prevents or takes away his right to arbitration for sulphur damage.

Now if the government is going to say that this Act covers sulphur dioxide damage, and then with the other hand refuses the right to a group of people by legislation of this very government, then I can see no reason for this to be even on the statute. And I would ask this Minister if he would care to comment on what I have said in view of what he said during the estimates, that he would look into the situation, and do something about it.

**Mr Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** I just have a short point, Mr. Speaker, as to who does the evaluation for the assessment of sulphur damage in the Sudbury district. I might be wrong, but I understand it is International Nickel Company's own man. If this is the case, then I think in this bill there should be a clarification of who is doing the assessment and it should be a government agency rather than the International Nickel Company itself. And I ask the Minister, if this is the case, to see that this will be corrected.

**Mr. E. W. Sopha (Sudbury):** I wish to raise the point, Mr. Speaker, that I believe this bill is wrong in principle, that it has become so hoary with tradition in its present form that it is to assume the posture of King Canute in speaking against the tide to attempt to deter this Minister of this government from this method of dealing with the very vexatious problems. And in considering this statute of

course, we must remember the background. It was another government, back in 1941 or 1942 that through an Order-in-Council, the basis of which I never took the trouble to ascertain—that is to say, its statutory foundation—but in any event by an Order-in-Council, that government of that day exempted all lands which of the time of its passing were vested in the Crown from damage from sulphur fumes. That is to say, that presently, when the Crown makes a conveyance in fee of its lands in the areas which I represent—I don't know about other areas, but certainly in the Sudbury area—then those lands are exempt from claims for sulphur fumes damage. That's no small matter, because that applies to a large geographic area, and every year the Crown makes grants of a substantial amount of lands in fee. But the principle here of course is in the derogation of common law right, that is to say at common law the owner of land would have the right to the process of the ordinary courts to come against those persons or corporations which emit noxious fumes. And the state, as I say, a long time ago decided as a matter of principle—in fact this government in this 25 years of power decided there is a matter of principle—that hereafter individual owners of land would be exempt from process in the ordinary courts. Now, a good many of the lands in the Sudbury area are subject to easement of both the International Nickel Co. and the Falconbridge Nickel Mines, which represents the transaction of bargain and sale where the individuals have sold an easement on their lands for the passage over them, and the injurious affection by the emission of sulphur fumes. And most often it can be revealed that that right thus sold by the individual is traded for a consideration of very modest proportions indeed.

I think I can simply say that the jurisdiction of this statute and in the carrying out of the principle enunciated in it, the sulphur fumes assessor could by no stretch of the imagination be called a busy man. I would think that if he were to deal with six claims a year then that would be an unusual year. I don't think he deals with anywhere near that number, for the reason that I have set out—on the exemption of the land granted from the Crown those large areas that have been purchased by the company, and leaves a very modest amount of land indeed, over which the sulphur fumes arbitrator has jurisdiction.

From that point of view, from the point of view of its deprivation, it is wrong in principle, but that is part and parcel of a demonstrated attitude on the part of this gov-

ernment. That principle has been acknowledged in other statutes and in some subtle ways that the common law right shall be divested of the individual. Another statute is the famous one that applies to operations of what was called the KVP Company. I mention it in passing and only for reasons of analogy, where this Legislature of 1952 or 1953 after—under the aegis of several large majorities at that time exempted the KVP Company from all processes in the court in relation to injurious affection of riparian owners on the Spanish River.

More subtle ways are the unforgettable declamation of the Minister of Energy and Resources Management, who appears to lay it down as a matter of axiom that in any industry where 25 people are employed—that appears to be the magic number—then any amount of deprecation by way of pollution is acceptable.

**Mr. E. Sargent (Grey-Bruce):** There are only 14 over there now.

**Mr. Sopha:** Yes, only 14 employed—

**Mr. Sargent:** Fifty-four members of the government absent. Pretty sad affair.

**Mr. Sopha:** I trust the *Hansard* reporter got that. My friend, the member for Grey-Bruce, said there are 54 Conservative members absent.

**Hon. J. H. White (Minister of Revenue):** The member for Sudbury always empties the Chamber.

**Mr. M. Shulman (High Park):** I trust the *Hansard* reporter got that.

**Mr. Sopha:** Yes, that is true, that is one of the burdens, the crosses I have to bear, but I do it with all the fortitude that I can muster, and all that sort of thing. That was a very significant contribution made by the Minister of Energy and Resources Management (Mr. Simonett), which is revelatory of the principle of this statute. He appears to say on behalf of the government that he is the responsible Minister, that the essential consideration is that the economy shall continue to run at full blast and on no account must we let the inhibition of attempting to correct pollution interfere with the running of the economy.

I am reminded of the announcer on CFRB who said in the small hours of one morning—he appears to be very taken up with this matter of pollution, especially of the atmosphere, and he said:

They say it will make the country bankrupt if they are forced to correct the

hazard to people's lungs. Well, maybe we have come to the point where I am willing to accept a few bankruptcies.

Of course, to say that, poses a Hobson's choice with which the responsible Ministers are faced.

It is absolutely clear to me by the introduction of this bill, that the government intends to continue the policy, that privileges shall be given to the corporate enterprise and the industrial entrepreneurs. Now the Minister is saying to this amendment that the same policy pursued here upon respect of sulphur fumes is going to be applied to other forms of pollutant.

Well, I am really sorry, I say in conclusion, that that is the enunciated policy of the government. I am very glad the Minister of Health is here to hear me remark, to remind him that for some time I have been in correspondence with him about this very grievous problem and have been waiting, along with my friend, the member for Sudbury East, for some definitive announcement of what is to be done to abate once and for all this nuisance and this grave hazard to health that exists in the Sudbury area.

And I say to you, Mr. Speaker, to the Minister of Mines, to other members of the House, that so far as I am concerned, that the only acceptable solution will not be the tinkering of amendments such as this, but the only acceptable solution will be total abatement of the nuisance.

Well, I have really come the belief, as I witness what this affluent society is doing in its pursuit of the gew-gaws that attend affluence and how I conjure up how future generations may look back upon us and condemn us for our folly; I really believe that the only solution of this matter of pollution is that we will have to decree as an order of the state that all solids, whether they exist in suspension, in liquid, or whether they are emitted as solids in gases, will have to be reduced to a solid state and carried away and put on some appropriate part of the surface of the earth.

There is no problem in northern Ontario, there is no problem, there are vast spaces that are amenable to the deposit of solids. All you have to do is look at the slag dumps of International Nickel that represent one form of waste that has accumulated over a half a century to appreciate how relatively small a part of the planet is necessary for the dumping of solid wastes.

I am told that in Germany, in West Germany, it is the law of the land that no

industry pollutes watersheds and no industry is permitted to emit noxious gases. They must be reduced to the solid state and piled up.

Having said that, I also reveal that I stated publicly at one time and no one from International Nickel Company, which company seems to get a lot of publicity around here lately, but then again it is one of the industrial giants of the world, no one from that company ever disputed me when I said that I did not think it was unreasonable—let me interpolate here. The Minister of Health is dealing with them—and maybe they are saying to them, let us just hypothesize for a moment, we will not be too wild, Mr. Speaker, maybe they are saying to the Minister of Health: “Well, look, if you force us to do that, it is going to cost us four or five million dollars.” Now, suppose we select that figure as a ball park figure, suppose that is the dialogue between them and the Minister of Health: “It will cost us \$5 million.”

Well, I have said publicly and they never disputed it, that we owe it to posterity to correct this evil now. That perhaps the International Nickel Company might be required to use one year's profits; one year's profit would not be too great a price to pay, far preferable than the fooling around that is encompassed within the four corners of this statute, because that is a very apt way to describe it, this is to fool around with the problem rather than meet it head on.

But from the point of view of our debt, as we witness the deprecation that goes on, the ghastly destruction that is happening in the Sudbury area where this year the damage from sulphur fumes threatened, not only threatened but caused great havoc in that beautiful recreation area that we know to the south and west as the Penage Lake area, well known to the Minister of Lands and Forests (Mr. Brunelle). The Minister of Lands and Forests is thoroughly aware of the great destruction that is taking place in front of his eyes and those of his officials. His officials are sore upset about it, as he indeed must be himself.

And, as we watch that and when, on the other hand, we contemplate the damage that must be done to the respiratory systems of the inhabitants of the area—and the biologists, the bio-chemists, the pathologists, they have not been able to definitively tell us that. I better correct that split infinitive—“to tell us definitely” about the nature of that damage.

Well, as we witness those things, then as the member for Sudbury, standing here, am

I responsible when I declaim that the \$130 million that that company harvests every year, is that too great a price for us to pay, in terms of cold cash, in preserving the heritage intact for future generations?

Having asked the question, I answer laconically by saying I think not, that it is not too great a price. There are some things on this planet more important than the business experience of a large American corporation that we permit to come in here and harvest our natural resources. Certainly they must come here with a sense of responsibility to the people who must live in that area.

So I, for one—if it were meaningful at all, I would vote against this step. I would vote against it. And it may be that we will divide the House yet on it, because this does not, in any meaningful way, help to correct the situation. That is in the hands of the Minister of Health.

He told my friend from Sudbury East (Mr. Martel) last week, as he told me in a letter a few weeks previously, but I sent my letter to the news media. They did not bother to print it—my letter—the Minister's reply. I am glad to see my friend from Sudbury East got across to the people. But he is still dickering with the International Nickel Company. They must have worn him out, because he has gone to sleep at this moment. They must be tough bargainers.

You might tell him, when he has a little snooze, Mr. Speaker, that one of the reasons you declined to rehire Charlie Mitchell was that he used to sleep in the corner over there. Charlie Mitchell used to sleep. I said to the Speaker that Alex Mackenzie used to sleep most of the time. The member for Welland (Mr. Morningstar) sleeps a good deal.

**Mr. Speaker:** Order! Order!

**Mr. E. P. Morningstar (Welland):** At least I am in the Legislature every day.

**Mr. Sopha:** Yes, that is great—even if he is asleep.

I have made the point I think. It boils down to this, that the Minister of Health says the International Nickel Company needs more time to submit more proposals to him.

I do not know whether it will be of assistance or not for him to have my views, but I do know this. The way I state it today about the ultimate resolution of the problem beyond the fooling around in this statute, is a matter of very anxious concern to most of the people in Sudbury who take the trouble to stop and think about it. They are anxious fears to

ever increasing numbers of the residents of the Sudbury basin.

So let the Minister of Mines, with the majority that stands behind him, go his merry way with this piecemeal panacea that he presents in this statute. The ultimate resolution rests with the Minister of Health and, behind him, the Minister of Lands and Forests, who has not been too active. He has not been much of a goad. The Minister will listen obligingly to what you have to say about his trees burning up and he will shake his head and wring his hands with anguish with you as he contemplates them. But one does not get the impression that the Minister of Lands and Forests is doing much to goad his colleague in the Cabinet.

Sure, he will give you an airplane ride to have a look at them and send his officials along and Mr. Winegard—I think that is his name. Everybody will stand out on the shore of Penage Lake and say: “Is it not terrible? Is it not awful”; as you contemplate the beautiful white pines and the spruce.

The Minister will write you a letter acknowledging the depredation, but what the people would like to see is the Minister of Lands and Forests carrying out his responsibilities in relation to that great resource that rests with him. He should be in there on Thursday mornings, or whenever they meet, pounding the table and saying: “Look, let us get on with the solution of this once and for all. Let us tell those companies that they have a fixed time limit to produce means of abatement, and if they do not, within that time”—this only repeats what I have said on earlier occasions here—“if they do not, then we send our experts in.”

“We hire experts and the experts tell us how it is done and then, if necessary, we will pass the requisite legislation to require that it be done that way to abate the nuisance and the companies will pick up the tab.”

This leads me to another thought that I want to share with the House, before I sit down, respecting pollution and again, indicative of the piecemeal approach that I complain about in this bill, the matter of principle. There was another area of pollution by noxious fumes and effluents that were identified eight years ago, in 1960, over on this side, by me and by others. I drew it to the attention of the government and the Minister of Energy and Resources Management—if that is what he was called at that time. Lo and behold a few months ago, in relation to that pollution, they held a meeting—the water resources commission—and acknowl-

edged that the pollution was caused by the International Nickel Company.

In the bulletin they sent out summoning the people to the ecumenical conference—they were holding an ecumenical conference down at the water resources offices—they said responsibility for abatement will be a secondary matter.

In other words, having identified the International Nickel Company as the originator, the causative agent, of the pollution, the Water Resources Commission had the gall to say to the people who like to think that they think rationally—that organization had the colossal gall to say: “In any event, we do not want to get down into blaming the International Nickel Company separately. We must not tangle with them.”

Whereas I was ready to take the position—and I did, in a lengthy letter to the appropriate Minister about that Casper Milquetoast organization known as the Water Resources Commission—the dinosaur that operates in that field. I was ready to take the position that what you ought to do is to go to the meeting and look the INCO people in the eye and say: “Finally we have determined that you are the cause of the pollution. You are going to correct it and you are going to pay for the correction.”

You know what is going to happen with that will o’ the wisp water resources commission? I will predict for you what is going to happen in respect of that pollution which has cost human lives—that noxious fume pollution on the Copper Cliff road.

You know what is going to happen. They will correct it and the cost of correcting it will be picked up out of the public purse. The public—old John Q. Public—will pick up the cost eventually, because the Water Resources Commission and the government have not got the courage to face INCO and say, “It is time you put up.”

**Mr. J. E. Stokes (Thunder Bay):** The member was extolling the virtues of their wonderful safety programme.

**Mr. Sopha:** Yes, well, I am talking about this one. It was eight years ago I drew this to the attention of the government, to this one on the Copper Cliff road.

**Mr. D. C. MacDonald (York South):** The member vacillates on both sides.

**Mr. Sopha:** Look, why does the member do that? When we are engaged in a serious debate why does he take that attitude—

**Mr. MacDonald:** Because he engages on both sides of the issue.



**Mr. Sopha:** —when we are engaged in common purpose?

**Mr. MacDonald:** The hon. member was on their side.

**Mr. Sopha:** Why does the hon. member niggle?

**Mr. MacDonald:** We like to remind him of his change in position.

**Mr. Sopha:** Why is he such a niggler of a person? Why do we not join in common purpose to bring about public good?

**Mr. MacDonald:** Is that right? Why was the hon. member not with us when we first raised the issue years ago—

**Mr. Sopha:** What does it matter?

**Mr. Speaker:** Order, please! Order, please!

Will the hon. member please address his remarks through the chair?

**Mr. Sopha:** What the hon. member does not appreciate is that one is either for the people, or against them.

**Mr. MacDonald:** We appreciated it long ago when the member was on INCO's side.

**Mr. Speaker:** Order! Order!

**Mr. MacDonald:** We appreciated it when you were on the other side.

**Mr. Speaker:** Order!

**Mr. Sopha:** You see you have been afflicted by the skulduggery of the hon. member for High Park.

**Mr. Speaker:** Order! Order!

Would the hon. member for Sudbury please confine his remarks to the House through the chair?

**Mr. Sopha:** Boy, oh boy, I cannot understand it. I cannot understand such a dereliction from public duty as that of the member for York South.

**Mr. Speaker:** The hon. member for Sudbury has the floor.

**Mr. Sopha:** It must baffle you too. But this is a good illustration—

**Hon. A. Grossman** (Minister of Correctional Services): Leave the House for one hour and you all get into trouble.

**Mr. Sargent:** Glad the Minister is back.

**Mr. Sopha:** This is a good illustration, by way of analogy to the halting misguided approach that this statute makes, to show

the refusal of the government by the testimony of passing Acts like this, to tackle the problem head on.

It can only be tackled one way, once and for all. We have to tell that giant and its junior colleague, the Falconbridge Nickel Mines—a ratio of about four to one—we have to tell them that one of the costs of doing business with the ore bodies which, after all, belong to the people of Ontario, is that as a cost of doing business, they must spend a requisite amount of money to abate pollution. That is the principled approach.

What the government does not realize is, that INCO and Falconbridge being essentially good business men, they would understand that approach. They would understand the government taking the hard line with them, because they are sensible enough to realize the tremendous amount of damage that they do. If the government started to lean on them a bit in putting it that way on behalf of the people of Ontario, and specifically the people of the Sudbury basin, then they would be truly surprised that the International Nickel Company and Falconbridge would be amenable to strong suggestions backed by the threat of legislative power of this government.

Finally, because I am so disillusioned and represent such large numbers of people of the Sudbury basin who are disillusioned about this type of approach, it may well be that before this debate ends that we on this side will have to consider our position in voting against this bill.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I join this debate to support my colleague from Sudbury (Mr. Sopha) in relation to a statute that frankly I know very little about. It is not a matter that concerns me in the city of Toronto from day to day. But it is a statute that, as I now read it, really flies in the face of so many things that we have been talking about in this House.

Today, it seems, was the celebration of the 20th anniversary of the declaration of human rights, and we paid tribute, amongst others, to James Chalmers McRuer. Now I am surprised that this Minister, Mr. Speaker, brings in an amendment to as archaic and unrealistic an Act as The Damage by Fumes Arbitration Act of 1960. It flies in the face of so many civil rights recommendations.

Let us look at what this Act has to say. It starts off—this is the original Act—

The Lieutenant-Governor-in-Council may appoint an arbitrator for the purposes of



this Act and may limit his jurisdiction either territorially or as to subject matter, and may extend such limited jurisdiction, or diminish it from time to time.

So we have the government appointing an official who will do exactly what he is told at all times—his jurisdiction can be extended, it can be limited, and he shall do exactly as he is told and there is no guide to what he is to do except as to what is in the mind of the Lieutenant-Governor-in-Council, and in this case I suppose it is the Minister of Mines.

The Minister of Mines used to be a bit of a rebel in this House, and even now he expresses views about the sad state of Conservative organizations throughout the party—I guess this is his present way of rebelling. Now he has been put in charge of a department and I suppose he is trying to rebel a bit there, but one would think that when his officials brought to him a real updating, a modernization, of The Damage by Fumes Arbitration Act that he would have looked at the original statute and begun to have it rewritten, if it is worth rewriting, in terms that are meaningful insofar as the principles that McRuer tried to lay down in his three volume report. But no, we do not see any of that at all. We still have the arbitrator being able to do exactly what he is told, his power is only as broad as his given authority, or as limited as his given authority. There is no restriction in the statute to govern it.

The second point that causes me substantial concern, Mr. Speaker, is section 4 of the old Act which is the most arbitrary privative clause that I have ever seen in any statute trying to avoid review of actions by the courts. There have been a lot of comments on that and McRuer had a great deal to say about preventing review by the courts of actions of civil servants and appointed bodies. Now here is what this one says:

—subject to section 5 the award of the Arbitrator is final and binding upon the parties and shall not be questioned, reviewed, restrained, or removed by prohibition, injunction, certiorari, or other process, or proceeding, in any court, and on being filed in the office of the Clerk of the County Court or the District Court, such award for the purpose of issuing execution thereon has the same force and effect as the judgment of the court.

Now I have never seen a privative clause as stringent as that one, Mr. Speaker, in any statute. Had it not been for the temerity of the Minister to bring forward this feeble

amendment, probably this kind of clause would not have come to light again. But here it is. The actions of this arbitrator are subject to a minor review by the Ontario Municipal Board—and if you believe the words of the statute that is all it can be—and the Municipal Board is tied in with the record as produced by the arbitrator who sets his own rules of evidence—subject to that minor review, the government says whatever this arbitrator to whom we give complete direction says, that is final, that is the end.

Why, Mr. Speaker, in addition to having the government act—the Minister of Health doing what my friend and colleague from Sudbury was suggesting that he should have done a long time ago—in addition to that—until that is done, why should ordinary civil rights not be restored to those people who suffer damages from noxious fumes? Why should not the courts be allowed to determine whether people who are injured by noxious fumes have a proper claim for damages, and for the amount of those claims?

**Mr. Sopha:** That is a good question.

**Mr. Singer:** What is happening here, Mr. Speaker, is the protection of vested interests, the continued protection of vested interests by the government in a statute that, as far as any statute can be written, attempts to take any review of this matter completely away from the courts. Let me read that section 4 again. I think this is a terrible section, Mr. Speaker—

**Mr. Speaker:** Order, please.

**Mr. Singer:** Yes, Mr. Speaker.

**Mr. Speaker:** May I point out to the hon. member that we are dealing with Bill 23 which is an amendment to the original Act. I think it is not proper to debate the original Act at this time. We are simply dealing with the section 2 which is an amendment to the original Act. We are debating this amendment.

**Mr. Singer:** Mr. Speaker, I quite agree with you that if it was not for the purposes of elucidation I would not even want to refer to the original Act. However, we have to see what the Minister wants to do and what sort of practices he wants to continue. He says in this Act—and look at the explanatory note in this Bill 23—he says the language is being brought into line with present-day conditions to clarify the intent. Well we certainly have to look at the amending Act and the old Act to see what the intent was. Now the intent

must be what is in the old Act as well as what is in the new, and what is in the old Act, Mr. Speaker, is the most restrictive statute that we have on our statute books today that denies access of anybody to the courts who wants to complain about damage by fumes.

And I say, Mr. Speaker, that unfortunately I think we are going to have to vote against this Act because this is the only way we have of protesting the denial of proper civil rights to the people who suffer damage by fumes. Even the ordinary remedy that the ordinary citizen has of going to court and saying "I have been caused damage by people who emit fumes"—even that right apparently is being taken away, or so surrounded by restrictions and by controls, that it is almost meaningless. You cannot get into the courts to have a review.

So, Mr. Speaker, I would like to know from the Minister when he comes to take part in this debate, how he can so have changed in his approach to the things that he has told us in past years he believes in—the principles that he has espoused over these many years—why he is so changed because suddenly he has a portfolio to look after, and why, instead of bringing this pat amendment before us—and that is all it is—why he has not had the courage to bring in an Act to repeal The Damage by Fumes Arbitration Act and to restore the civil rights to those people who might suffer this kind of damage?

Mr. Speaker: Does any other member wish to enter the debate before the hon. Minister replies? The hon. member for Niagara Falls?

Mr. G. Bukator (Niagara Falls): Mr. Speaker, I was wondering how the Minister would collect from industry that borders along the Niagara River. If you were to drive from Niagara Falls to Fort Erie you would find that many industries on the American side that are smelting the ores that come from Canada are in this position. If you have an east wind you have a lot of smoke and a lot of pollution from the American side into our country. I wonder how the Minister is going to control that particular group of industries who do a tremendous job of polluting our air with their large industries?

As you drive up that river, you see stack after stack of pollution coming out of those industries at Bethlehem Steel and many others and I am wondering how the Minister could go about collecting from them to assist for paying for the administration and for the cost of the damage done in Canada by American industry.

This is being done not only in the Niagara Falls area to Fort Erie and from Buffalo down to Niagara Falls, New York, but many other areas of the province, I am sure, in the international areas. I would like this question answered. I cannot find anything in this bill that says they can make them pay or in any way collect the damages being done to Canadian properties by American industries.

Mr. Speaker: Are there other members wishing to participate in the debate? If not, the hon. Minister:

Hon. A. F. Lawrence: Well, Mr. Speaker, I might agree with a lot that has been said by the member for Riverdale (Mr. J. Renwick), the member for Sudbury, and the member for Downsview (Mr. Singer)—

Hon. Mr. White: The member for Sudbury was not interested enough to stay and hear the Minister out.

Mr. R. F. Nixon (Leader of the Opposition): Let *Hansard* note that.

Hon. A. F. Lawrence: I think I can indicate the government's concurrence with some of the views in relation to the principle involved in this bill.

I gave an indication at the time the estimates of The Department of Mines were being considered last year, that the whole of the question relating to the future of this particular bill and under whose jurisdiction it would remain and indeed, for that matter, even the question of the principle of the bill, was being seriously considered by the advisors to the government, not necessarily the government itself.

I can only indicate to the House that this investigation is still continuing. My understanding is that it is not yet ready to be presented to the Executive Council and therefore, under the circumstances, as the responsible Minister at the moment for the administration of the Act, we came along at this session to introduce—as I indicated on the first reading—merely a technical or rather two technical amendments to the Act.

The member for Riverdale refers to it as a "changing of the marginal notes". The member for Sudbury indicates that it is a "tinkering with the Act"; both of these descriptions are perfectly correct. That is all they are. They are merely two technical amendments at the moment but I can indicate to you that it is my hope that before long, the whole matter in relation to the principle of this bill is going to be seriously considered by the

Executive Council of the government and I assume the results of that consideration will be imparted in due course.

I must say however, that there has been a rather one-sided, biased interpretation of the matter by the member for Downsview which, as he admitted, he knew very little about. As I understand the history of the Act—I do not want to defend it but I merely say for purposes of information more than anything else—as I understand the history of the Act this scheme was to facilitate the easier collection by people, especially in the Sudbury area, whose crops have been damaged by fumes emission.

**Mr. Singer:** How many arbitrations?

**Hon. A. F. Lawrence:** By arbitration in respect of fumes only and—

**Mr. Sopha:** May I ask how many arbitrations have taken place?

**Hon. A. F. Lawrence:** I answered it last year. There have been no arbitrations for the last three years.

**Mr. Sopha:** That is what I thought.

**Hon. A. F. Lawrence:** The purpose of the bill was to make easier the collection of damage claims by people in the immediate vicinity of Sudbury, of moneys that they felt were owing to them because of those damage claims and for that reason it took away the common law right of suing in the courts for those purposes. Whether one may agree or disagree with this principle, the principle is there at the moment and it is being questioned at the moment by the advisors to the government and will be questioned by the administration—by the executive arm of government in due course.

In relation, Mr. Speaker, to some of the questions—and I hope I can remember them. Of course, the arbitrator is an employee of The Department of Mines not an employee of International Nickel or any mining company whatsoever. The purpose of the amendment, Mr. Speaker, is to increase the amount of the expenses under which he operates. Due to inflationary trends this had to be increased to \$50,000 from \$30,000.

This is no charge upon the public treasury in the long run, because these funds are collected in due course from those corporations from which these fumes are emitted. My interpretation, for what it is worth, in respect of any hydro plants of course, would be that they are not smelting minerals and therefore—

**Mr. Martel:** Mr. Speaker, on a point of order.

**Mr. Speaker:** The hon. member for Sudbury East is up on a point of order.

**Hon. A. F. Lawrence:** May I just finish my interpretation of the applicability—

**Mr. Speaker:** The hon. member for Sudbury East resumed his seat; he acceded to the Minister's request?

**Mr. Martel:** Well when the Minister indicated he wanted to just finish up his point, I sat down. I will raise my point or order when he is finished, as he asked me to.

**Hon. A. F. Lawrence:** Well briefly and bluntly, I do not think it would apply to the emission of fumes from a Hydro stack. It would not be smelting of ores.

**Mr. Martel:** My point of order, Mr. Speaker.

**Mr. Speaker:** The hon. member for Sudbury East is rising on a point of order.

**Mr. Martel:** The question I asked was who does the evaluation and the assessment of damages to crops by International Nickel—

**Mr. Speaker:** Order, please. This is not, in the mind of Mr. Speaker, a point of order. It is a matter of further questioning the hon. Minister. Each member had the opportunity to enter the debate and I think that questions of this type are not in order at this time. The hon. Minister has further remarks?

**Mr. Bullbrook:** Mr. Speaker, on a point of order.

**Hon. A. F. Lawrence:** Yes, Mr. Speaker.

**Mr. Speaker:** The hon. member for Sarnia is rising on a point of order?

**Mr. Bullbrook:** Mr. Speaker, I thought on this occasion that the Minister might use his discretion in entertaining a question from the member.

**Hon. A. F. Lawrence:** That is what the committee of the whole House is for.

**Mr. Bullbrook:** Well I am wondering if the Minister would entertain a question.

**Hon. A. F. Lawrence:** That is what the committee of the whole House is for.

**Mr. Speaker:** If the hon. Minister wishes to entertain a further question this is—

**Hon. A. F. Lawrence:** Well to facilitate the matter I would, but I should point out that I think we could get into these discussions in the committee of the whole House or perhaps—

Interjection by an hon. member.

**Hon. A. F. Lawrence:** But if the hon. member wants to ask a question, I have no objection.

**Mr. Speaker:** I might say that it is not routine procedure to permit questions after each member has had the opportunity to speak to the bill. If the hon. Minister wishes to answer a specific question in connection with his remarks and with the concurrence of the House, otherwise—the hon. member for Sudbury East had risen on a point of order—otherwise the questions may be directed during the committee of the whole House.

**Hon. A. F. Lawrence:** Well I have no objection, Mr. Speaker, to answering any questions.

**Mr. Speaker:** All right. The hon. member for Sarnia.

**Mr. Bullbrook:** Mr. Speaker, I wanted to ask the opinion of the Minister in this respect. In view of the enlarging of the word structure from the original wording of section 2 to its present wording, the Minister refers to smelting alone.

I am wondering if the Minister would not agree that the words "or otherwise treating ores or minerals" might well lead a tribunal to come to the conclusion that in the manufacture of hydro electric power you are otherwise treating a mineral by changing its form, in effect.

**Hon. A. F. Lawrence:** The member has asked for my interpretation and my interpretation would be that it would not.

Do we have another question, Mr. Speaker?

I have forgotten, Mr. Speaker, some of the other points being mentioned. As I say, they are technical amendments only. One is to increase the expenses of the arbitrator; these amounts are returned to the consolidated revenue fund. The arbitrator himself, of course, does the assessment.

The expansion of the language is merely to clarify another geographic area that we feel may possibly develop in the future in respect of the smelting or roasting of ores that may not necessarily be nickel ores or iron ores. Therefore, we thought it best to widen the definition at the moment to include another particular operation that we had in mind.

**Mr. Speaker:** The motion is for second reading of Bill 23. Is it the pleasure of the House that the motion carry?

The House divided on the motion, which was agreed to by the following vote:

AYES	NAYS
Allan	Ben
Apps	Brown
Auld	Bukator
Belanger	Bullbrook
Bernier	Burr
Boyer	Davison
Brunelle	Deacon
Carruthers	Deans
Connell	De Monte
Demers	Edighoffer
Downer	Farquhar
Dymond	Ferrier
Gilbertson	Gisborn
Gomme	Haggerty
Grossman	Innes
Guindon	Jackson
Hamilton	Lawlor
Haskett	MacDonald
Henderson	MacKenzie
Hodgson	Makarchuk
(Victoria-Haliburton)	Martel
Hodgson	Nixon
(York North)	Paterson
Jessiman	Peacock
Johnston	Pitman
(St. Catharines)	Reid
Johnston	(Rainy River)
(Carleton)	Reid
Kennedy	(Scarborough East)
Kerr	Renwick
Lawrence	(Riverdale)
(Carleton East)	Renwick (Mrs.)
Lawrence	(Scarborough Centre)
(St. George)	Ruston
MacNaughton	Sargent
Meen	Shulman
Morningstar	Singer
Morrow	Smith
McNeil	(Nipissing)
Olde	Sopha
Potter	Stokes
Randall	Trotter
Reuter	Worton
Root	Young—39.
Rowntree	
Snow	
Stewart	
Villeneuve	
Wells	
White	
Winkler	
Wishart	
Yakabuski—47.	

**Mr. I. Deans (Wentworth):** Mr. Speaker, on a point of order. Might I ask whether the member for Hamilton Mountain (Mr. J. R. Smith) was recorded?

**Hon. Mr. Grossman:** This is a point of order?

**Mr. Speaker:** I think this is quite a proper question in view of—

**An hon. member:** The member for Hamilton Mountain is not present.

**Mr. Speaker:** The answer is “no”. The member for Hamilton Mountain is not recorded as voting.

**Clerk of the House:** Mr. Speaker, the “ayes” are 47, the “nays” are 39.

Motion agreed to; second reading of the bill.

#### THE MINING ACT

**Hon. A. F. Lawrence** moves second reading of Bill 24, An Act to amend The Mining Act.

**Mr. Speaker:** The hon. member for Timiskaming.

**Mr. Jackson:** Mr. Speaker, I would like to say that I cannot really oppose the bill, but I agree with it with certain regrets and reservations.

I think it is a necessary Act. I think it had to come. However, I realize—and I think the Minister must realize—that it is going to put the small prospector out of business; that the day has come at long last when they have legislated him out of business.

As I say, I honestly cannot oppose the bill because I believe it is necessary. However, I do have the reservations that I am sorry to see the small prospector in the position he is in today.

**Mr. Sopha:** Mr. Speaker, I wanted to add the observation that the principle apparently is continued in the bill of allowing the staking of claims. Now all restrictions are removed as to the number that may be staked in any particular mining division. The principle, as I say, is continued of this method as the basic vehicle for the development of the ore bodies that may be found in the province. And, sir, I want to call to your attention, by way of making an inquiry in this House as to whether the time has not arrived that the government of this province, charged as it is with responsibility for

such matters, might not reconsider this vehicle of the development of the precious ore bodies. It might substitute for it something akin to the method adopted by the government of Quebec in relation to the establishment of the corporation, I think, that is known as SEDBEC.

Now, Mr. Speaker, in that light I must say that, whereas I am not against public entertainment—

**Mr. MacDonald:** SOQUEM.

**Mr. Sopha:** SOQUEM. Thank you—S-O-Q-U-E-M, I believe. I am not against public entertainment within limits, but I did think rather ludicrous the display put on in the so-called staking rush in the Elliott Lake area last winter, which followed hard on the heels of the elevation—or is the word translation—of this hon. member to the Ministry of Mines. Shortly after he was called he wended his way up to Elliott Lake—I think he wended his way by aircraft, or helicopter, or something—and he seemed to preside as the major domo of the Dan McGrew-like festivities that went on in that area.

It was good for public entertainment I must say, but I want to query whether we have not come to a time that we might approach the development of our ore bodies through the means of putting the areas that seem to be geographically favourable out to some form of tender. When I say that, I superimpose upon it the notion that, if they are put out to some form of tender, the Minister, or the Executive Council, on behalf of the people of Ontario, would say to those who would come and seek a license for exploiting them: “The public, through their ownership of these ore bodies, must get their fair share off the top. Off the top first.”

The Attorney General attends me in what I’m saying, and no one knows more than he, in this House, that, in many ways, over the 60, 70 years of this century that have gone by, we have collectively bestowed tremendous undeserved benefits on a very minute number of people in the exploitation of our rich natural resources in the northern part of the province.

I have often queried here—and I’ll continue to repeat it in the hope that perhaps some day, in some form, my words may be hearkened to—I really questioned the moral right of people like Harry Oakes and W. H. Wright to come along and point to a plot of ground and the resources in

it put there by bountiful providence and say, against all other people, that it is his. "That's ours to do with as we will."

I really question the moral right of W. H. Wright to walk out of northern Ontario with an estate of \$47 million. I say, what right has that man, one man got to such wealth?

My father worked at the Buffalo mine for 25 years before I was born. He went back to work in the mines at the age of 70 because of the shortage of men during the war. He went back to run a blast furnace at the old Nipissing mine. Through my father, I am an owner. He was an owner by the fact that he worked in the Buffalo mine in extremely hazardous and unpleasant conditions for 25 or 30 years of his life. And those like him—and thousands like him, who built this country by the exploitation of those rich deposits—they were owners. Then why should a privileged few come and stake out the ground and say: "By virtue of recording in the mining office; this bill sets out, by virtue of our investment of capital, we have the right to exploit it against all others."

Interjection by an hon. member.

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I am not sure if these remarks are in order on the principle. They are however very interesting. I am just curious, if you would permit, Mr. Speaker, as to how putting these areas out to tender would obviate the acquisition by persons. I do not understand that.

**Mr. Sopha:** I have only a passing knowledge of the operations of the company known as SOQUEM in Quebec; and that was gained when the mining committee were guests of the government of Quebec during our deliberations. As I understand it, that Crown corporation has the right to deal with any person in respect of an area of Quebec and to enter into a contract with it, whereby the government of Quebec in effect becomes a partner, which has the virtue that the government of Quebec does not put up any money. They get a fixed return under the contract, and I understand that that contract is variable; it may be varied, depending upon the experience.

But if we may leave that system, let us go to the system adopted by the government of Alberta, when they suddenly discovered that Alberta was sitting on a virtual sea of oil and natural gas. They not only adopted the system of letting out concessions and getting a fixed return on the concessions, but indeed

adopted the checkerboard system, whereby one piece of land was leased out, and the one next to it was kept in the Crown to be disposed of within the wishes of the government of Alberta. It became the only province in Canada with revenues so great that it managed to escape a sales tax—the only province in Canada that really has revenues derived from the rich natural resource sufficient to meet its needs, though I understand that that has somewhat changed of late. But that, in contrast to the principle here—my friend the member for York South (Mr. MacDonald) asked if this is Liberal policy—that type of niggardly interjection—of course it is.

**An hon. member:** Like heck it is!

**Mr. MacDonald:** Down with free enterprise!

**Mr. Sopha:** Of course it is the policy, we are a progressive party. Indeed we are. And we remember our heritage of political traditions, in the tradition of Mackenzie, Baldwin and Blake, and all of those. We do not forget them like these people forget the Regina manifesto.

**Mr. MacDonald:** Let us play the violins.

**Mr. Sopha:** We do not forget ours, but it has become a bourgeois group, a bourgeois rump group, even Marx would disown them.

Interjections by hon. members.

**Mr. W. G. Pitman (Peterborough):** I would be glad to hear about C. D. Howe.

**Mr. Sopha:** All right, you want to talk about C. D. Howe, what I propose is right in the tradition of his life's work. One of the greatest builders that Canada ever had.

Interjections by hon. members.

**Mr. Sopha:** And a man, Mr. Speaker, who used the state as a builder.

**An hon. member:** And then gave it away.

**Hon. Mr. Wishart:** Mr. Speaker, on a point of order, I fear we have strayed far from the bill, with discussion between these two Opposition parties.

**Mr. Sopha:** It is enlightening, is it not?

**Hon. Mr. Grossman:** And entertaining!

**Mr. Sopha:** All right; the point I make is simply this, that this method adopted in this bill does not give a fair return to the people of Ontario for their ownership of the resource.



Eventually this system has to change to a more enlightened one where we are assured, in the development and exploitation of those ores that belong to all of the people, that as a first charge upon them there is paid back into the public treasury a sufficient sum to be a fair representation of their value in the hands of those who exploit them.

**Mr. Sargent:** Mr. Speaker, not being too technical about the mining industry, I do want to say this, that somewhere along the line I believe that there is in this bill a motivation to give unlimited claims to the larger corporations.

It would seem to me that if the ordinary people in this province are going to share in the wealth of the province, if the small prospectors are going to have a chance, he cannot compete today with the new technologies the wealthy companies have. They can fly over these territories and they can stake claims from the air. Multimillionaire companies are the only people today who can amass this great wealth and the day of the small prospector is over.

It would seem to me, somewhere along the line, that the government could come forth. The Minister of Mines in his forward thinking, could come along with something that would set aside a capital fund of money that would be available to the small prospector that would stake him to take his share of the great wealth of the north.

This bill to me, without knowing the intricacies or the mechanics of the bill, I would suggest it gives the larger corporations a blank cheque, as it were, to go out and sew up as much territory as they want with all the technology they have at their command. I agree with the member for Sudbury that, somewhere along the line, Mr. Speaker, this Minister, this House and the people of Ontario will expect that we should be looking after the great wealth that is there and is being tapped now only by the big corporations. Let the small men have a chance in the future.

**Mr. Speaker:** Is there any other member who wishes to speak to the bill?

**Mr. J. Renwick:** Mr. Speaker, I want to speak just for a moment or two on the bill.

It is about time that the government got around to the proposition of discarding the

outright grant of mining rights in the province and substituting for it a leasing basis. So that, when a claim is staked, instead of making an outright grant of the mineral rights to the person who has staked the claim, that you lease—

**Hon. A. F. Lawrence:** That was changed 12 years ago.

**Mr. J. Renwick:** But you have not done it. What have Texas Gulf got?

**An hon. member:** Answer that!

**Mr. J. Renwick:** The Minister will tell me in a minute? Oh fine, just tell me—

**Hon. A. F. Lawrence:** Yes—

**Mr. Speaker:** Order. Perhaps if this debate is going to continue, it would be well to adjourn it. On the other hand, if the hon. member is about done with his remarks, or the hon. member and the Minister wish to deal with them shortly, we perhaps could finish this order of business. But there is little point in going on, if it is going to carry on as a debate.

**Mr. J. Renwick:** I was curious about the Texas Gulf situation, because is there not something that the government can do about existing outright grants to prevent this kind of exploitation which is taking place by the Texas Gulf company?

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker—

**Mr. Speaker:** I would respectfully request that the member adjourn the debate, because undoubtedly the Minister would wish to speak to this.

**Mr. Lawlor** moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Tomorrow we will have a look at the order paper, and probably House in committee and the Throne Debate.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 11, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 11, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon we have students in the galleries once again; in the east gallery from Emery Junior High School in Weston, from Lambton Central Collegiate Vocational School, Petrolia, who are hosting the students from Lafayette High School in St. Louis, Missouri.

And in the west gallery we have students from Bridlewood Public School, Agincourt; Silverthorn Collegiate Institute in Etobicoke and from York Mills Collegiate Institute in Willowdale.

Petitions.

Motions.

Presenting reports.

Introduction of bills.

## THE CONSUMER PROTECTION ACT, 1966

**Mr. D. A. Paterson** (Essex South) moves first reading of bill intituled, An Act to amend The Consumer Protection Act, 1966.

Motion agreed to; first reading of the bill.

## THE HIGHWAY TRAFFIC ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill fills an omission in The Highway Traffic Act. The purpose is to make it an offence for the driver of a motor vehicle to fail to stop when given a clear signal to do so by a uniformed constable or police officer driving a plainly marked police vehicle.

**Mr. Speaker:** Introduction of bills.

The hon. Provincial Treasurer.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, I have a short state-

ment to make to the House today which I hope might well comprise the answer to—

**Mr. E. Sargent** (Grey-Bruce): Speak up, we cannot hear the Minister. Not that we want to very much.

**Hon. Mr. MacNaughton:** I would hope that the statement I propose to make, Mr. Speaker, would comprise the answers to certain questions sent to my office yesterday by the hon. leader of the Opposition (Mr. Nixon), and constitute a reply to the point of order he raised in the House yesterday.

Mr. Speaker, I must apologize to you and to the members of the House for the fact that copies of the abridged financial report for the year ending March 31, 1968, did not reach you before today. This is a matter of deep personal regret on my part and I appreciate the concern that was expressed, quite appropriately, by the hon. leader of the Opposition during the point of order he raised yesterday in the House. I can assure you, however, that this late delivery was not my intention.

I have been advised that copies for the members were delivered to the legislative post office at approximately 10 a.m. on Monday, December 9. Copies for the press gallery were delivered at approximately noon the same day.

Unfortunately, I now discover that some confusion developed in the mailing process, about which I was unaware when I telephoned the leader of the Opposition yesterday after I received his questions on the financial report. I was under the impression that it should have been in the hands of the members by that time. The fact that they were not is a matter of extreme personal regret, as I have said.

As the members will note from the letter accompanying the reports on their desks today, it was our intention that the material was to be in their hands before it was sent to the press.

If the material had been available to the leader of the Opposition in advance of press reports, as was intended, I believe that the report itself would have provided clarification of the matter he raised yesterday in his point of order before the House.

I must say emphatically, Mr. Speaker, that this redesign of our annual abridged financial report was not intended to mislead this House in any way; in fact, our purpose was the very reverse. Our new report was prepared with the express intention of providing the members of this House and the people of Ontario with a much clearer disclosure of the province's financial position than had been the practice in the past.

The point in question appears to concern two figures shown on page 1 of the report under the heading "Highlights of year ended March 31, 1968". The first figure shows our deficit on budgetary transactions to be \$149,748,000—or the \$150 million figure referred to in the press reports; the second figure shown is the increase in net debt at \$106,748,000.

The larger figure shows the provision for sinking fund; the second relates to the actual increase in our net debt as a result of the year's operations.

The sinking fund provision must be shown separately from the year's operation in order to provide the members and the public with a true picture of the province's financial position. The allocation of funds for debt is not considered to be part of the current year's expenditures in the same light as salaries, services, grants or maintenance costs and therefore should be kept separate from these expenditures.

The provision for the sinking fund appears under the heading "consolidated revenue fund" on page 6 of the report and is explained once again very clearly on page 22 of the appendix.

I will quote the entire section entitled "budgetary transactions" as it appears on page 22 of the abridged financial report for 1968:

In the group are the general revenue and expenditure transactions resulting from the implementation of the government's taxation policies and the operation of its many public service programmes. At the end of any fiscal year the net result of these transactions will have a direct effect upon the net debt of the province.

There is another part of the government's operation which is not associated directly with a singular public service programme. This is a Treasury function, which makes provision in each fiscal year for the planned retirement of that portion of long-term debt which from time to time is incurred to provide funds to meet general government expenditures, rather than for capital or investment purposes. The controlled retire-

ment of such debt is achieved through the operation of a general sinking fund, funds for which are made available by an appropriation of the general of each fiscal year. As such, this provision falls within the category of budgetary transactions.

The fund itself remains as an asset of the province and the appropriation made through budgetary transactions is reported as a non-budgetary receipt. There is, consequently, no outflow of funds, and the net debt of the province is not affected.

In addition, our 10-year review of budgetary deficit on pages 16 and 17 refers explicitly to the provision for sinking fund.

While there are many changes incorporated in this year's report for the purposes of clarification, I must assure the members that the presentation of the provision for sinking fund does not differ from previous reports of this nature. I would refer the members to page 11 of the previous report, for the year ending March 31, 1967, which shows the provision for sinking fund in our statement of net ordinary revenue and net ordinary expenditure.

If, Mr. Speaker, by including these two figures—the deficit on budgetary transactions and the increase in net debt—in the first-page highlights of the report, it would appear that I have misled this House, then I do humbly apologize. However, may I say that this was not my intention and may I repeat that the purpose of revising our presentation was to provide a more accurate and lucid picture of our operations to the members and to the public. To substantiate this intention, may I refer the members to my foreword statement in the report itself. I would also bring to the attention of the House the 12-page appendix which provides considerable detail and explanation of the changes we have incorporated to ensure that there would be no confusion or misunderstanding.

You may recall that the leader of the Opposition raised the question of more modern financial reporting in his speech to this House last year following the presentation of the estimates of my department, and on previous occasions. He urged us to modernize and clarify the abridged financial report among other official documents of a financial nature. Because I agreed with his criticisms, I instructed my officials to do just that.

As members of the House know, a major reorganization took place during the creation of The Department of Treasury and Economics. Following my own beliefs and the

quite proper suggestions of the leader of the Opposition among others, I asked the officials of the department to streamline and modernize the technical aspects of our financial reporting. You will have noticed the substantial changes in the budget statement of 1968. This process has been carried on in the abridged report of 1967-1968. No instructions were given to the officials of The Department of Treasury and Economics apart from the request to improve and modernize the presentation.

Turning to the actual results of our operations for 1967-1968, may I explain that the difference in the increase in our net debt between the estimates in the original forecast and the actual figures in the abridged financial report is 2.4 per cent of the budgetary expenditures for the year.

I am pleased to report, Mr. Speaker, that the difference resulted almost entirely from improved economic conditions which brought higher revenues than we had anticipated. I know the members will appreciate that the forecasting of revenues which depend upon future economic conditions is not an exact science and I expect they gratified, as I am, that our economy strengthened to the point that our revenues were higher than we could anticipate.

Mr. Speaker, I sincerely hope that this submission will reaffirm to you, to the leader of the Opposition and to the members of the House that while certain matters may have appeared to be misleading, that was not in fact my intention and I would repeat that my concern was just the reverse. Our report was designed to disclose more fully the financial position of the province of Ontario.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, perhaps you will permit a comment by way of clarification on two items.

**Mr. Speaker:** Would the hon. leader also advise whether he wishes to do anything with the question that he had yesterday so that it could all be dealt with at the same time?

**Mr. Nixon:** I would say, Mr. Speaker, that the Treasurer has answered the first one, which was asked for the date upon which the report was released to the press. The second one was for him to account for the serious over-estimation of our debt position, which he now has explained is because our revenues fortunately were larger than he had estimated by 2.4 per cent—which, at a quick estimate, I would say, is close to \$50 million.

I wonder if the Treasurer would give us the amount in dollars rather than per cent of his error in estimation.

**Hon. Mr. MacNaughton:** Mr. Speaker, the mathematics of the hon. leader of the Opposition are quite accurate, something on the order of \$50 million to \$55 million. That's correct.

**Mr. Nixon:** I asked for comment on the *Globe and Mail*—which had access to the report, when we did not—to the fact, and I quote “that the two systems of reporting the fiscal position of the province are apparently political.” The statement was made because the position appeared advantageous at election time last year, and now that it has changed is advantageous at fiscal negotiation time this year.

But I would like to bring to your attention, Mr. Speaker, that the Minister of Revenue might very well take a leading role in this discussion, rather than sitting in the back row barracking. What is he the Minister of Revenue for?

**Hon. J. H. White** (Minister of Revenue): Mr. Speaker, on the invitation of the leader of the Opposition, I should like very much to get into this debate. The system which is now being used by the government is that system which was asked for by the Opposition, the ex-member for Grey-Bruce was one—

**Mr. Speaker:** Order! Unfortunately the rules of the House really do not provide for members to engage in the debate on the question—not even the leader of the Opposition.

May I therefore ask the leader of the Opposition to continue with his questioning of the Provincial Treasurer.

**Mr. Nixon:** Speaking to the point—and this would surely concern the Minister of Revenue—and on a point of clarification, I am sure, Mr. Speaker, you will permit me to continue briefly. The Treasurer was concerned about our receiving this report, which is now on our desks.

I received mine this morning by mail, and traced the difficulties the Treasurer has drawn to our attention. I would say it was mailed from his office with 14 cents postage, and that it was sent to the mailroom of the Parliament Building from where it was sent to the public post office downtown. Then it came back here and has still not been received through the mails by the members of the Opposition.

I am very glad, however, that the Treasurer did what he should have done on Monday—brought a few copies under his arm from this office, and had the pages put on the desks.

**Hon. Mr. MacNaughton:** Mr. Speaker, if I may, I frankly say that the leader of the Opposition is making a mountain out of a molehill. I have admitted that there was a mistake made. I phoned the leader of the Opposition yesterday when I got this question to tell him why I could not be in the House to table the report or make a statement, and that I had pursued the only means at my disposal to ensure that the members got the copy.

Now, if something went wrong with the mails, I must apologize, Mr. Speaker. That's a department for which I have no responsibility. There was no postage put on the envelopes in The Department of Treasury. We are pursuing how this happened and we will find out. Now, if the leader of the Opposition wants to make a real issue over that, let him go ahead. There are bigger things to do in this House.

**Mr. Speaker:** Order. The hon. leader of the Opposition has questions.

**Mr. Nixon:** A question, Mr. Speaker, for the Prime Minister and the Minister of Health, neither of these gentlemen are present, I regret.

**Mr. Speaker:** You are quite right, I regret. The hon. Minister of Agriculture and Food has a statement.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Well, it certainly will not be on the invitation of the Minister as a member for Rainy River.

Mr. Speaker, I would like at this time to announce plans for major expansion of the facilities at the Centralia College of Agricultural Technology. In order that the large concentration of livestock and poultry production in the mid-western Ontario counties might be better serviced, we plan, early in 1969, to begin the establishment of a regional veterinary services laboratory on the Centralia site.

When it is considered that the eight counties of Bruce, Elgin, Huron, Middlesex, Norfolk, Oxford, Perth and Lambton produce one-third of the province's cattle, pigs and poultry, one-half of the turkeys, and 20 per cent of all horses and sheep, then it must be recognized that this area is vital to the industry.

The establishment of these facilities is in response to a growing demand for diagnostic and laboratory facilities to serve this general area. This laboratory will provide a vital service to the farmers in that area, and especially to the many practicing veterinarians, who service those farmers.

The decision to establish this veterinary services laboratory on the Centralia site was influenced greatly by the fact that there exists now a solid and substantial building, formerly used as the air base hospital, which can be converted to this new use with a minimum of cost and delay.

In addition to this announcement involving the establishment of the new laboratory, I would like to state that we have also decided to transfer the animal health technician course, now being carried on at Ridgetown, to the Centralia College of Agricultural Technology. This is a two-year course, started just two years ago in Ridgetown for the purpose of training technicians in veterinary medicine, who would be capable of assisting practicing veterinarians, and answering to the growing demand for technicians in laboratories, colleges and in the government service.

The first class will graduate this year, with 15 students, 10 of these young ladies. A further 23 students, 13 of these girls, are now completing their first year of study in this course.

The establishment of this new veterinary services laboratory and the transfer of the animal health technicians course to the Centralia College site will mean also that those young people presently enrolled in the general agricultural course at Centralia will have enriched facilities for their courses in animal health.

It will mean that the present students in their first year in the technicians course at Ridgetown will be moved to the facilities in Centralia, along with many of the teaching staff. I want to point out, however, that the veterinary services laboratory now located at Ridgetown on the campus of the Ridgetown College of Agricultural Technology will remain there to service the southwestern part of the province, and there will be adequate staff allocated to this facility to ensure that the Ridgetown students in agricultural technology will receive professional training in animal health.

Mr. Speaker, the moves that I am announcing today are designed to maximize the service available to this important area of agricultural production, and to minimize the

time required for vital veterinary diagnostic work to be carried out.

When one considers that there are more than a million cattle, in excess of 10 million poultry — that includes chickens and hens — close to 2 million turkeys, more than three-quarters of a million hogs, and nearly 50,000 sheep in the eight counties I have mentioned, I am sure the provision of these facilities will be fully appreciated and welcomed by the farmers involved.

**Mr. Speaker:** Does the hon. member wish to ask a question of clarification?

**Mr. T. Reid (Scarborough East):** Mr. Speaker, could the Minister give us some idea of the capital costs of the new facilities for the veterinary laboratory at Ridgeway for capital and equipment?

**Hon. Mr. Stewart:** At Ridgeway?

**Mr. T. Reid:** I am sorry, at Centralia.

**Hon. Mr. Stewart:** Yes, at Centralia — \$72,000 is the estimated cost to renovate the present base hospital to the diagnostic laboratory facility.

**Mr. Speaker:** The hon. member for Humber has a question from the other day of the Minister of Education with other questions which he might place.

**Mr. Ben (Humber):** Thank you, Mr. Speaker.

I have a question of the Minister of Education as follows: Is the formation of a youth and recreation branch of The Department of Education, as recently announced by the Minister, a government answer to the recommendations of the select committee on youth as set out in its report of March, 1967?

Secondly, does this mean that instead of the establishment of a Department of Youth, to which the member for Kingston and the Islands is looking forward, as recommended by the select committee on youth, all problems concerning youth will be handled by The Department of Education?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the consolidation of the former youth branch and community programmes branch resulted partially because of the report of the select committee on youth. I think it should be pointed out that this was done after due consideration, but it is not the final answer to all the recommendations obviously in that report.

**Mr. Ben:** Would the Minister accept a supplementary question?

Can we expect a statement from the government that something will be done in setting up a Ministry of Youth?

**Hon. Mr. Davis:** Mr. Speaker, I would think that any statement with respect to the establishment of any new Ministry should—reading the speeches made by the hon. member's leader in recent days about the number of departments—emanate from the Prime Minister of this government. I would think that in view of what his own leader has said about the multiplicity of departments that this would be something of a contradiction of what he has already stated.

**Mr. Ben:** A supplementary question: What did the Minister say?

**Hon. Mr. Davis:** Mr. Speaker, I would be delighted to repeat it but I am not sure that I can repeat it exactly as I said it.

**Mr. Nixon:** Or as well.

**Hon. Mr. Davis:** Or perhaps as well, so if he reads *Hansard* tomorrow and if it is a matter that will not be determined the next day or so, perhaps he will be able to understand what I have said and maybe explain it to me.

**Mr. Ben:** Can I follow my question to the Minister?

**Mr. Speaker:** Yes, indeed.

**Mr. Ben:** Mr. Speaker, questions that were submitted to you today were answered by the Minister of Education.

Is the extension of the secondary school year to June an attempt by the government to postpone the entry of secondary school students into the labour market because summer employment will not be provided for them by the government?

**Mr. Speaker:** Perhaps before the hon. Minister answers that, the member for York South would allow me to place also before the Minister a question from the member for Peterborough yesterday, which has to do with the same matter, or does the member for York South have it there? Perhaps he would place it if he has.

**Mr. D. C. MacDonald (York South):** Which one is it, Mr. Speaker?

**Mr. Speaker:** It is No. 302.



**Mr. MacDonald:** I am sorry, I do not happen to have the numbering. I have the question but I do not know which are—

**Mr. Speaker:** It is “what is the reason for the school year . . . ?”

**Mr. MacDonald:** What is the reason for the extension of the school year to Friday, June 13, with exams beginning on Monday, June 16, as indicated on a recent circular from The Department of Education?

**Mr. Speaker:** Thank you.

**Hon. Mr. Davis:** Mr. Speaker, the two are related. The elimination of the grade 13 examinations and the emphasis now on a continued programme throughout the school year rather than on the reliance of examinations—and this applies at all grade levels—and the use now of shorter testing procedures which can be scheduled during class time and the greatly reduced amount of time required for marking resulting from the fact that students are permitted with a 60 per cent average to be exempt from final examinations, all of these factors enabled us to determine that more emphasis can now be placed on the actual learning process and this can continue throughout the year and until June 13.

This still allows sufficient time for examinations, the marking and the administrative work that must go on, to be completed by the end of the month. This, Mr. Speaker, I think answers the question of the member for Humber as well.

**Mr. Ben:** Does this mean that all examinations in the department are now going to be “yes” or “no” questions and will the Minister answer yes or no?

**Hon. Mr. Davis:** Well, Mr. Speaker, the hon. member perhaps is not aware that we do not as a department set examinations. So there is no need to answer the question. I do not think we have reached the point where the examinations which are set internally in the schools or the SACU tests result in “yes” and “no” answers *per se*. What I am saying is, the testing procedures have been shortened, there is no final external departmental examination now in grade 13, and this has enabled us to extend the school year.

**Mr. Ben:** Mr. Speaker, would the Minister be kind enough to elaborate on what he means by “shorter testing procedure”?

**Hon. Mr. Davis:** Mr. Speaker, the development of some of the tests that are now being given by SACU can be given during the school year, during the school term, without having to provide time for marking by the teachers giving the instruction. In other words, they are marked by the SACU people and this relieves the administrative task on the part of the teachers.

**Mr. Speaker:** The hon. member has two questions of the Minister of Energy and Resources Management which he might place.

**Mr. Ben:** Mr. Speaker, I have to get them in order of seniority.

**Mr. Speaker:** We are operating on members today, as the members catch my eye.

**Mr. E. W. Sopha (Sudbury):** Have we changed again?

**Mr. Speaker:** No, we have not changed again. On Mondays, Wednesdays and Fridays—

Interjections by hon. members.

**Mr. Ben:** My questions, Mr. Speaker, are of the Minister of Energy and Resources Management.

The estimated cost in today's terms of the construction of the proposed power station (on the 2,300 acre site adjacent to Douglas Point) as reported in the Ontario Hydro news release dated December 5, 1968, is \$760 million. My questions, Mr. Speaker:

1. Will the Minister inform the House whether the figure of \$760 million includes the cost of charging, i.e. fueling the reactor?

2. If the answer to the above is no, what will be the cost in today's terms of fueling the reactor?

3. What is the cost per kilowatt hour based on a three-quarter capacity (3,000,000 kw) average output?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, as reported in the Ontario Hydro news release dated December 5, 1968, based on today's construction cost the estimated cost of the new Douglas Point generating station is \$760 million.

The answer to question 1: The estimated cost of \$760 million includes one-half of all costs associated with charging the reactors with fuel.

No. 2: That has been answered now, and the answer to No. 3: The cost per kilowatt



hour for the proposed 3,000 megawatt nuclear generating station at Douglas Point based on (a) current costs for construction and fuel; (b) seven per cent interest charge on capital and, (c) annual capacity factor of three-quarter capacity is estimated to be 4.1 mills per kilowatt hour.

**Mr. Ben:** Mr. Speaker, would the Minister accept a supplementary question?

**Hon. Mr. Simonett:** No.

**Mr. Speaker:** The hon. member has a second question?

**Mr. Ben:** Yes. I expected that answer because I did not think he could answer it anyway, but that is the opinion expressed. Again of the Minister of Energy and Resources Management—it chokes in my throat to use that word “management”, Mr. Speaker—

**Mr. Speaker:** Order! The hon. member is placing a question.

**Mr. Ben:** How many tons of coal will be required per annum to keep fueled the electric power plant which is to be constructed at Bath, based on operation of three-quarter capacity, being estimated at two million kilowatts?

How much will this coal cost per ton?

How much is that per kilowatt hour?

Where will the coal be purchased?

**Hon. Mr. Simonett:** Mr. Speaker, it is estimated that approximately 4.4 million tons of coal will be required per annum to fuel the proposed 2,000 megawatt thermal generating station near Bath, based on the capacity factor of three-quarters. Based on current costs, that coal delivered to the plant is estimated to cost approximately \$8.60 per ton.

**Mr. Ben:** I am sorry, is that 50 or 15? 8.15 or 8.50?

**Hon. Mr. Simonett:** What is the hon. member talking about?

**Mr. Ben:** The cost per ton, I did not catch whether it was—

**Hon. Mr. Simonett:** \$8.60 per ton.

**Mr. Ben:** 60?

**Hon. Mr. Simonett:** Yes.

**Mr. Ben:** Thank you.

**Hon. Mr. Simonett:** The answer to three—the corresponding specific fuelling cost is estimated to be 2.86 mills per kilowatt hour.

The answer to question 4—it is expected that most of the coal would be purchased from the United States. If fuel oil or natural gas should become available at a competitive price, Ontario Hydro would, of course, turn to these sources. We are always hopeful that this will be the case.

**Mr. Ben:** I have a question, Mr. Speaker, but will the Minister accept a supplementary question?

**Hon. Mr. Simonett:** No.

**Mr. Ben:** I would not ask anyway, the Minister never knows—

**Mr. Speaker:** Order! The hon. member for Brantford has a question from yesterday of the Minister of Social and Family Services.

**Mr. M. Makarchuk (Brantford):** A question of the Minister of Social and Family Services: Will the Minister permit welfare recipients to keep their basic shelter exemption grant payment or will it be deducted from their welfare payment?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, the recipient retains the basic shelter exemption grant payments to the extent that the amount actually paid for shelter exceeded the amounts provided in their allowances for shelter.

**Mr. Speaker:** Does the hon. member for York South wish to place the questions from yesterday, for the hon. member for Peterborough?

**Mr. MacDonald:** The ones to the Minister of Education?

**Mr. Speaker:** Yes, the Minister of Education.

**Mr. MacDonald:** The first one from the member for Peterborough to the Minister of Education—

In view of the second report of the Bilingual and Bicultural Commission, would the Minister consider more generous grants to the Boards of Education to cover the cost of providing instruction in French in elementary school, at least, until the federal government accepts its responsibility in this area?

**Mr. T. Reid:** Mr. Speaker, I have a question similar to the one just put by the member for York South—

**Mr. Speaker:** Well perhaps it would help matters if the hon. member would place it.

**Mr. T. Reid:** Mr. Speaker, does the Minister of Education accept, as a desirable objective, the introduction of French as a course of study in Ontario's English language primary and secondary schools at the Grade one level, as recommended by the Royal Commission on Bilingualism and Biculturalism in its second report?

Second part of the same question: How many English language primary schools in Ontario have language laboratories?

**Hon. Mr. Davis:** Mr. Speaker, I wonder if the hon. member for Scarborough East would like to place the other questions that are directly related to the B and B report, in that the answer will be more or less identical to all the questions he asks.

I am just thinking—

**Mr. T. Reid:** Mr. Speaker, for the reason the Minister gave—yes, I would place them all at once. Although I would like an opportunity to ask him supplementaries on each of them individually.

**Mr. Speaker:** The hon. member will have every opportunity to ask questions which are supplementary provided the Minister will accept them.

**Mr. T. Reid:** Which I am sure he will. Thank you. Another question, on the same subject Mr. Speaker.

How many people from France have been granted special teaching certificates by The Department of Education of Ontario to teach French in primary and secondary schools in Ontario during the current school year?

Second part of the same question: how many people from Quebec and other provinces in Canada, other than Ontario, have been granted similar special teaching certificates?

Another question on the report released, Mr. Speaker, is this:

What steps, if any, has the Minister of Education taken to establish a specific inter-provincial bureau to co-ordinate, on a national basis, training programmes for second-language teachers for elementary and secondary schools, as recommended by the Royal Commission on Bilingualism and Biculturalism in its second report?

And the final question, Mr. Speaker, is also to the Minister of Education:

En vue de la déclaration dans son premier rapport par la Commission Royale sur le

Bilingualisme et le Biculturalisme que l'Ontario soit officiellement bilingue, et de sa recommandation dans son deuxième rapport qu'un sous-ministre adjoint ou associé en Ontario soit chargé du curriculum, des textes scolaires, des examens, de la formation d'enseignants et d'autres services académiques dans les écoles de langue française de l'Ontario, est-ce que l'honorable Ministre propose nommer un tel sous-ministre adjoint ou associé?

**Mr. Speaker:** Perhaps the hon. member for York South would place the other question of the member for Peterborough with respect to the—is there another one?

**Hon. Mr. Davis:** Mr. Speaker, it is not really directly related. I can deal with it after.

Perhaps I can deal with all I have, if I can remember them at this particular moment.

The answer, Mr. Speaker, to all the questions, with the exception of one relating to the number of certificates, is very simply this: The report was made available to me in its actual form as of yesterday. If I had been able to be in the House yesterday I would have said that I had not read the report yet; I am in the process of reading it. I am not in a position to make any comment upon these specific recommendations contained in the report, so I am unable to give the hon. member any additional information on this occasion.

I would like to make one general observation with respect to the second portion of the B and B report and that is dealing with some of the general suggestions contained in it. I think it is fair to state, Mr. Speaker, that we are implementing, or are in the process of implementing, many of the general programmes suggested within the report itself.

But I am not in the position—because it is a very lengthy report as the hon. member, I am sure, is aware—to comment on the specific recommendations contained therein, at this present moment.

With respect to the question that asked something in detail that does not relate necessarily to the B and B report, I would say (with respect to the teaching certificates), that temporary certificates, such as teachers of French to English-speaking pupils in the elementary schools obtained after a five-week summer course, were issued to some 17 persons educated in France. This certificate is valid for one year. It may be renewed yearly upon the recommendation of the area or

municipal superintendent. These certificates are not issued for teaching in the secondary schools.

At the secondary level, through the Franco-Canadian agreement, there are five "assistants" from France in Ontario schools this year; three of them I believe are in Scarborough, and two of them with the York board.

In answer to (b) part of the question, temporary certificates were obtained by the following persons educated in Quebec and other provinces; Quebec 25, Ontario 90—these are the temporary certificates—from the Middle East 19, from the West Indies 1, from Europe (not including those I mentioned from France) 19, from the U.S.A. 1, and from India 3.

**Mr. Speaker:** Supplementary questions from the hon. member for York South, first—any supplementary questions?

**Mr. MacDonald:** No, I have no supplementary questions.

**Mr. Speaker:** All right. The hon. member for Scarborough East.

**Mr. T. Reid:** Mr. Speaker, the one supplementary question is: Will the Minister refer the report to the education committee of the Legislature so that we might look into some of the questions that I have raised at this time?

**Hon. Mr. Davis:** Mr. Speaker, I am not prepared to comment whether I will refer the report to the standing committee of education. Certainly, I think it is a report that we can discuss either there or perhaps during the debates on the estimates of The Department of Education.

I think certainly some opportunity will be given to discuss this in some detail. I cannot say, at this point, where the most appropriate place will be.

**Mr. MacDonald:** Mr. Speaker, I have a related, if not supplementary, question. It is rather difficult for members of the Opposition to deal intelligently with this report until we have a copy.

The government provided members of the Legislature with a copy of the first report. Is it your intention, and how quickly can it be implemented, to supply us with copies of the second one?

**Hon. Mr. Davis:** Mr. Speaker, I was not involved in the distribution of the first edition

of the B and B report. I would have to check with the Prime Minister as to what our policy will be with respect to the second edition. It does relate basically, I guess, to educational programmes. Perhaps I shall do what I can to see that we get copies for the members.

**Hon. Mr. Yaremko:** Can I get a refund on my copy?

**Hon. Mr. Davis:** Yes, some of us have had to go out and get them.

**Mr. T. Reid:** Mr. Speaker, on a matter of—point of personal privilege, if I may; it is related to the current discussion.

The point of privilege, Mr. Speaker, is this: The Minister of Education has told us that he cannot comment on specific questions which I have asked him and which the hon. member for Peterborough has asked him, because he has not yet seen the report.

Mr. Speaker, I certainly accept—

**Mr. Speaker:** Order! The hon. Minister.

**Hon. Mr. Davis:** I think, Mr. Speaker, on a point of order, I did not say that. I said if I had answered these questions yesterday this would be, in fact, what I would have said. I think I made it very clear that I am in the process of reading the report. I did not say I had not seen it.

**Mr. T. Reid:** Mr. Speaker, I accept that correction.

My point of privilege, sir, is that on page 12 in the *Telegram* on Tuesday, December 10, there is a fairly lengthy article entitled "Visionary, impractical, say Ontario educators" and I quote directly from this, Mr. Speaker:

Dr. J. R. McCarthy, Ontario's Deputy Minister of Education, warned last night that it would be a catastrophe to scrap the province's plans for bilingual education in favour of a haphazard crash programme.

His comment, which came on the heels of the Bi-Bi commission's second major report, neatly summed up the reaction of most Ontario educators to the latest document.

Mr. Speaker, I submit that when the civil servants of this province talk to reporters about government policy and the Minister of this province—

**Hon. Mr. Davis:** Mr. Speaker, on a point of order, I fail to see how this—

**Mr. Speaker:** Order! Order!

**Mr. T. Reid:** The Minister fails to see a lot.

**Mr. Speaker:** Order! The hon. member will resume his seat when Mr. Speaker has the floor. The hon. Minister will resume his seat.

The hon. member is rising on a point of privilege. He will please state his point of privilege and then it can be dealt with.

**Mr. Sopha:** That is precisely what he was doing. On a point of order, that is precisely what he was doing.

**Mr. T. Reid:** Mr. Speaker—

**Mr. Speaker:** And that is precisely what Mr. Speaker is asking him to do.

**Mr. T. Reid:** My point of privilege, sir, is simply that we have a Legislature in this province with duly elected members in it; we have a loyal, official Opposition whose responsibility it is to question and criticize the government. I have asked this Minister questions; he says he cannot answer them and yet two days ago, his Deputy Minister, who is an appointed official—who is not elected but appointed by this government—sees fit to tell reporters what the official department reaction is to the Bi-Bi report.

That, sir, is an infringement on my personal right as a member of this Legislature.

**Mr. Sopha:** It should be the Minister.

**Hon. Mr. Davis:** Mr. Speaker, to reply to that. I also read the story. I also discussed it with the Deputy Minister and I think if one reads the story carefully, one must assume from that, that the Deputy Minister was not commenting at all on the recommendations *per se* in the report, because he, at that time, had not seen the report either.

Certain hypothetical situations were placed by this reporter with great initiative and there was some reaction to these. I say very specifically that the Deputy Minister has not, in any way, determined policy other than that which presently exists. I want to make this very abundantly clear.

He has, as have other officials in the department—in response to queries from the communications media, gone out of his way to indicate the present programmes that are available in this province. Our present programmes relate to French language instruction in our high schools and so on, and that has been the extent of his participation.

**Mr. T. Reid:** Mr. Speaker, on this same point of privilege. In the *Globe and Mail* dated Tuesday, Dec. 10, page 8, this quotation appears in it, and perhaps the Minister will say that it is an accurate quotation.

**Mr. Speaker:** Order! The hon. member may not put words in the Minister's mouth.

**Mr. T. Reid:** The quotation, sir, is this:

Spokesmen close to the government said Ontario would particularly welcome the recommendation that the federal government accept in principle responsibility for extra costs the provinces incur by providing education in minority languages.

Mr. Speaker, my point of privilege I have already stated and I would like to know whether the Minister is going to say that that statement in the *Globe and Mail* is incorrect or whether he does not know about it and what steps he is taking to prevent such statements from being made.

**Mr. S. Lewis (Scarborough West):** On a point of privilege, that report was discussed with me by a member of the *Globe and Mail* staff and I will not be called a spokesman close to the government.

**Mr. Speaker:** The hon. member is answered.

**Hon. Mr. Davis:** Mr. Speaker, may I add to that. I would concur with what the last hon. member has said. We would not want it to be inferred that he is close to the government either. May I also add this: I fail to understand the point of order at all from the hon. member for Scarborough East. He is referring to a "close source to the government" or something.

It does not involve an official of The Department of Education or any official over whom I may have jurisdiction whatsoever. Why he directs this point of order as far as I am concerned, Mr. Speaker, is totally irrelevant.

**Mr. Speaker:** The hon. member for York South has two further questions.

**Mr. MacDonald:** I have two further questions to the Minister of Education on behalf of the member for Peterborough.

1. In view of the comments of the Bilingual and Bicultural Commission on the teaching of Canadian history, has the Ontario Department of Education accepted the recommendations of the National History Project directed by A. B. Hodgetts, and will the department

provide leadership to other provinces in implementing these recommendations?

**Hon. Mr. Davis:** Mr. Speaker, at the last meeting of the Council of Ministers which was held here last September, I introduced Mr. Hodgetts, who was one of the authors of the report, to the other Ministers of Education. It was agreed at that particular time that the various Ministers and departments would study these proposals.

At the same time there would be some consultation between the staff of the project and the various departments of education across this country. There is a further meeting of the Council of Ministers, Mr. Speaker, in the early part of February—the 9th or the 10th, and I anticipate that this item will be on the agenda for further discussion at that time.

**Mr. Sopha:** Mr. Speaker, I wish to raise a point of order in respect to this document that has been discussed here—the Report of the National History Project, published under the auspices of what is euphemistically known as OISE, though I think they call it “OIS” down below.

I call to your attention, Mr. Speaker, that it was sold for \$2 a copy to the public or anybody else that wanted it. It was highly critical of the teaching of Canadian history in all provinces, including Ontario.

As a member of the House, I consider that quite an affront. I say to you, sir, that, on the other hand, had it been laudatory of the teaching of history, this Minister would have given it away like hot cakes and had his picture in the front.

**Mr. Speaker:** Perhaps after that excursion out of the area of points of order we would come to the next question.

**Mr. MacDonald:** A final question to the—

**Mr. Sopha:** Sold it for \$2. Forgive me, it is a damning indictment—

**Hon. Mr. Davis:** Only in the member's opinion.

**Mr. Speaker:** Order. The hon. member for York South has the floor.

**Mr. MacDonald:** The final question to the Minister of Education is — what was the average percentage of electors who voted for trustees to the new county boards of education? That is again on behalf of the member for Peterborough.

**Hon. Mr. Davis:** Mr. Speaker, I just do not have this information available. We are in the process of trying to get some rough calculations, but it is very difficult to separate those voting for municipal elections and those voting for the new county boards. I am just not in a position to get this information as yet.

**Mr. Speaker:** The hon. member for Scarborough East might complete his questions of the Minister.

**Mr. T. Reid:** The question, Mr. Speaker, is in three parts.

1. Can a young Canadian living in Ontario, who is required by the laws of the provincial government of Ontario to register and attend school, be denied access to a school—which receives financial support from the provincial government—by the principal of that school on the grounds that that young person does not dress in a manner that would be acceptable to most businesses? For example, a male student wearing brightly-coloured clothing, or a female student wearing a mini skirt?

2. If the answer is yes, must there be due process of law before such a person is denied access to such a school and what method of appeal, if any, does a young person have? Or must he or she submit to arbitrary measures?

3. If the answer is no, will the Minister inquire into the case of David Budgell at Martin Grove Collegiate in Etobicoke as reported on the front page of the *Globe and Mail* this morning; and the case of several female students at Sutton District High School as reported in the *Toronto Daily Star*, October 10, 1968?

**Hon. Mr. Davis:** Mr. Speaker, I am sure the hon. member is aware of and has read the relevant statutes. The Schools Administration Act provides regulations concerning the bearing and conduct of pupils, with very broad guidelines as to how such matters should be dealt with. It is a matter that is traditionally dealt with by the principal and the board involved.

The Act further goes on to say:

The parent or guardian of any pupil suspended may appeal against the action of the principal to the board which has the power to remove, confirm, or modify the suspension.

**Mr. Speaker:** The hon. member for High Park has a question?



**Mr. Lewis:** Why does the Minister allow a punitive and—

**Mr. Speaker:** Order. The hon. member for High Park.

**Hon. Mr. Davis:** Enter what?

**Mr. Lewis:** Enter this particular dispute.

**Mr. Speaker:** Perhaps the hon. member would observe the rules of the House. If the hon. member for Scarborough West wishes to place a question of the Minister, he is well experienced and knows how to do so. And perhaps the Minister would refrain from cross talk and let the hon. member for High Park have the floor.

**Mr. Shulman:** Mr. Speaker, I have a question for the Attorney General. Why was no inquest held in the death of Samuel Farella—killed in Brockville on August 15, 1968—despite promises by the coroner and the Crown Attorney that an inquest would be held?

2. Is the Attorney General aware of the deep suspicions that have been produced in the Farella family by failure to hold such an inquest?

3. Will the Attorney General intervene to order that an inquest be held in the near future?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the matter of this death was fully investigated by the provincial police and the results of that investigation were made known to the Crown Attorney and to the coroner. After discussion between both those persons, it was agreed that no inquest should be held, that no new information would likely be brought out by the inquest. I am not aware that any promise was made by any official that any inquest would be held. I think that the statement an inquest was promised is incorrect.

As for the second part of the question, Mr. Speaker, I do not know about the word "suspicion", but I understand the feelings of the family in their bereavement. The circumstances were that a nine-year-old riding his bicycle was killed by a car as he crossed the street to his home.

As I say, the matter was investigated by the police and it was not found that any charges should be laid. A full investigation indicated that an inquest would not bring out any additional facts.

I wrote to the family in August, and again, after reviewing the file myself, to the father on December 3rd of this year. So I think the

family, certainly the father, is aware that the file has been most thoroughly reviewed. I do not, therefore, intend to intervene and order an inquest.

**Mr. Shulman:** Mr. Speaker, would the Attorney General accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** This child was killed as a result of a car accident and it has been the policy of this department, when there has been a death of this nature and when no charge has been laid, always to hold inquests. This has certainly been the experience up until April of last year. In view of these facts, will the Attorney General inform me if the policy has been changed in the department or whether a specific exception has been made in this case? And if so, why?

**Hon. Mr. Wishart:** Mr. Speaker, there is no specific exception. It is not the policy to hold an inquest into every case of death by motor vehicle.

**Mr. Shulman:** Where no charges have—

**Hon. Mr. Wishart:** As far as I am aware, that has never been a firm policy. I recall, if I may refer to my own personal experience as a Crown Attorney several years ago. If the facts were clear on a police investigation, we decided whether charges would be laid and also, whether an inquest would be held. There is no change in policy.

**Mr. Speaker:** The hon. member for Sarnia has a question.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, a two-part question for the Minister of Energy and Resources Management:

1. Relative to the expropriation by the Hydro Electric Power Commission of Ontario of certain lands in the township of Moore, in the county of Lambton, and owned by Messrs. Wellington, Brown, Sharpe and Munday, would the Minister advise as to whether the commission has advised the property owners if the commission will accept the recommendation of the board of negotiation dated March 26, 1968?

2. If not, will the Minister advise the reason for the delay?

**Hon. Mr. Simonett:** Mr. Speaker, on May 29 this year, the commission orally advised the solicitor acting for these owners that it could not accept the recommendations of the board of negotiation with respect to compensation for their properties, because these



recommendations were substantially in excess of appraisals of value by qualified independent real estate appraisers.

**Mr. Bullbrook:** Would the Minister accept a supplementary, Mr. Speaker?

**Hon. Mr. Simonett:** Yes.

**Mr. Bullbrook:** Could the Minister give me the name of the official of the Ontario Hydro Electric Power Commission who notified the solicitor on that date, please?

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry I cannot but I could get it for the hon. member.

**Mr. Bullbrook:** I would appreciate that.

**Mr. Speaker:** The hon. member for York South has a question of the Provincial Secretary who has now returned.

**Mr. MacDonald:** Mr. Speaker, I have a question, on my behalf, for the Provincial Secretary.

Is it correct that permits granted by the LLBO for New Year's eve are for five hours for private clubs, and only four hours for Legion branches? If so, what explanation is there for this difference in hours?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, the answer to the question is no.

**Mr. Speaker:** The hon. member for Dovercourt also has a question of that Minister.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, a question of the Provincial Secretary, a five-part question.

What are the names of the people who are conducting the review of Ontario's liquor laws?

Has the Provincial Secretary asked for a deadline when the review must be completed?

When will liquor be available in grocery stores?

How many stores will be involved?

Will the Provincial Secretary be asking the Legislature for funds to conduct an extensive public information programme on the uses and abuses of alcohol?

**Hon. Mr. Welch:** Mr. Speaker, in answer to the hon. member, may I answer the question as it was asked?

The answer to number one is that the review is, of course, an internal one being conducted by a committee of the Cabinet.

Number two—no deadline has been set because we are most anxious to have a very complete review.

Number three—I am very glad this question was asked because it gives me the opportunity to point out that notwithstanding all the speculation to the contrary, no such decision has been made. Indeed, no recommendations have yet been made because the review is still going on.

Number four—of course, is answered by the answer to number three.

Number five—I am unable to answer number five because the study is still going on and the implications of that study will have to be considered by government.

Sufficient though, perhaps, to say that as all members of the Legislature will know, the Legislature has voted considerable sums of money to the Alcoholism and Drug Addiction Research Foundation. You will notice in the estimates of the current fiscal year, the operating activity of that foundation has been awarded \$5,566,000 and there is an additional \$634,000 for research. I am sure that a good portion of that, or a substantial portion of that, is for public information and education programmes as well.

**Mr. Speaker:** The hon. member has a supplementary question?

The hon. member for Windsor West has a question.

**Mr. II. Peacock (Windsor West):** Mr. Speaker, my question is of the Minister of Social and Family Services.

For the month of December, will the Minister agree to advance the date of mailing of benefit cheques so that recipients will receive their cheques prior to Christmas?

**Hon. Mr. Yaremko:** Mr. Speaker, the answer is no.

**Mr. Peacock:** A supplementary, Mr. Speaker, will the Minister—

**Hon. Mr. Yaremko:** Mr. Speaker, I do not think any supplementary is necessary in view of the answer to the first part.

**Mr. Speaker:** The hon. member for Welland South.

**Mr. Peacock:** That is why a supplemental is necessary.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, I have a question of the Minister of Municipal Affairs.

Will the municipalities of Lincoln and Welland counties have an opportunity to review the legislation concerning regional government in that area, before it is submitted to the Cabinet by the Minister for approval?

When does the Minister anticipate that he will be able to announce the regional plan for these counties?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, during the course of my remarks in this House, on December 2 last, I indicated that one of the criteria to be applied in regional government studies is community participation and, where possible, community acceptability. I assure the hon. member that this criteria, along with the seven other criteria I announced, will be applied in the Niagara area proposals.

I also indicated, on December 2, that I will be making a presentation to representatives of the Niagara area municipalities in January. I would certainly expect to receive the views of the representatives on the proposals.

I may also add that these views will receive very serious consideration before legislation is submitted to this House for consideration.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, my question is for the Minister of Energy and Resources Management.

Will the Minister introduce legislation during the current session, outlining the conditions, if any, under which rainmaker machines may be used in Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, the answer is no.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good** (Waterloo North): Mr. Speaker, I have a question for the Attorney General in four parts.

Is the legal aid programme operating within its budget for 1968?

Number two, what amount has been spent so far this year on legal aid programmes?

**Mr. Speaker:** Order. The question as submitted to the Speaker is, what amount has been spent so far. There is no "this year"!

**Mr. Good:** Sorry. Thank you. Well, he got my reference.

Number three, does the—

**Mr. Speaker:** Order. The hon. the Attorney General can only answer the question in the terms it is submitted. Will the hon. member please read question two, again?

**Mr. Good:** In the context of number one then, what amount has been spent so far on legal aid programmes?

Part three—and Mr. Speaker, with your permission, the initials here are incorrect; they should have been "CA", which in turn means Crown Attorney.

Question three, does the Attorney General agree with—with your permission—Crown Attorney Daufman, of Kitchener, that legal aid has caused delays heaped upon delays and by the time these cases come to trial witnesses forget their testimony, as was reported on radio station CHYM on Oct. 17, 1968?

**Mr. Speaker:** Order. The question has lost its meaning now because the hon. member has changed it. Because he starts out asking the Attorney General if he agrees with the Crown Attorney and then it goes on as "he"; presumably the Crown Attorney stated. The member did not read it that way; he read it "as was reported". So perhaps he would place the question and get the proper meaning of it.

**Mr. Good:** Someone has changed the context on me, then. All right, as he stated on radio station CHYM on Oct. 17, 1968?

Question four, does the Attorney General agree with Mr. Daufman that legal aid is being taken advantage of by some lawyers who ask for remand after remand?

**Hon. Mr. Wishart:** Mr. Speaker, the answer to the first question—is the legal aid programme operating within its budget for 1968?—is yes.

The amount which has been spent so far on the legal aid programme since March 29, 1967—that was the date of inception of the legal aid programme—up to Oct 31 of this year, a total of 19 months, totals \$7,700,000.

Mr. Speaker, as to questions three and four, I am not familiar with Mr. Daufman's comments and I am not, therefore, prepared to comment upon them. I will just say that if he said what is reported here, I would not agree with him.

**Mr. Good:** The Minister would not?

**Hon. Mr. Wishart:** I would not agree with him.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, I do not know who changes the questions when they go in to you but somebody without my authority, has changed my questions around.

**Mr. Speaker:** I would inform the hon. member that Mr. Speaker tried to make a question out of the very long preamble which the member submitted. It was sent back with the suggestion and the question, as it finally came back, was a question that was quite acceptable. As it was submitted in the first place, it was a long statement of facts, which of course is not supported by the rules.

**Mr. Sargent:** I do not think that you have any right to take a question and destroy the meaning of the question. That is what you have done in this—

**Mr. Speaker:** I have taken out the advertising material.

**Mr. Sargent:** Question to the Provincial Secretary. In view of the fact that quality and quantity of the alcoholic content in brand names of spirits in liquor stores are protected by the government fiat, can the Minister advise the reason why the LCBO stores cannot deliver liquor like any other commodity? And two, can the Minister further advise the number of employees in the LCBO outlets and beer stores across Ontario?

Three, can the Minister inform the House the number of LCBO outlets and brewers' warehouses in Ontario?

Four, can the Minister further advise the total number of employees in the year 1957 and the number of employees in the year 1967?

**Hon. Mr. Welch:** Mr. Speaker, obviously I will have to take this question as notice to get this material ready. I might say, with the greatest respect, I really do not understand the first question. If Mr. Speaker would permit, I wonder if I could have some clarification in order that I might satisfy myself that I am in fact answering question number one.

**Mr. Sargent:** Mr. Minister, that is the very point you see—

**Mr. Speaker:** Order! I would point out that this question was accepted by Mr. Speaker as it was submitted, even though he did not know what it meant.

**Mr. Sargent:** Mr. Minister, in answer to your question no—instead of going into a liquor store, lining up, making out a slip, is there a slip that needs a stamp, getting your

bag wrapped, and stamped and sneaking home. Why can't you pick up the phone and phone an order of a bottle of booze, like any other commodity?

**Hon. Mr. Welch:** Well, I will check into this.

Interjection by an hon. member.

**Mr. Sargent:** Question for the hon. Attorney General. According to the *Journal of Correction*, Mr. Minister, it was stated that Canada was the most—I am sorry—was imprisoning 240 people per 100,000 population, 20 per cent more than the United States and 500 more than Norway. Would the Minister advise what Ontario averages per 100,000 population, and why a work release programme cannot be instituted in Ontario?

**Hon. Mr. Wishart:** Mr. Speaker, the subject matter of this question certainly is related to The Department of Correctional Services, and the figures which he referred to were, I believe, contained in the material published by the department and I. As to the second part of the question, I think that the Minister of Correctional Services answered that very same question recently in the House and I would like to suggest to the hon. member that he either refer his question to my colleague or direct it there, himself.

**Mr. Speaker:** I agree with the hon. Minister.

**Mr. J. B. Trotter (Parkdale):** We have been told on other occasions by the Minister of Correctional Services, that he does not do the sentencing. The prisoner, or offender against the law is sentenced under the auspices of the Attorney General's office. This has come up on a number of occasions.

**Mr. Speaker:** Actually I think what the Minister said was that the second part belongs to the Minister of Correctional Services, and I think he is quite correct, that is a release programme, and on the first part of the question. I am inclined to agree with the hon. member for Parkdale, and therefore with permission of the member asking the question I would redirect these questions tomorrow, first part to the Attorney General, and the second part to the Minister of Correctional Services.

**Hon. Mr. Wishart:** Mr. Speaker, with respect to your ruling, I would point out that the first part of the question does say "it is stated that Canada is imprisoning 240 people per 100,000". True, the Attorney

General has to do with sentencing. Not, by any means, all those who are sentenced go to prison. I may not be able to get the figures, but I would not object if the Speaker directs the question to me. Those figures are within the Department of Correctional Services, and I would get them there.

**Mr. Speaker:** Order, I am sure that the two Ministers concerned will arrange that an answer to this be provided, and perhaps Mr. Minister you would arrange that without any further direction from Mr. Speaker or the member.

**Hon. Mr. Wishart:** Thank you, Mr. Speaker.

**Mr. Speaker:** Order, the hon. member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Speaker, yesterday I rose on a matter of privilege, protesting the lack of opportunity to arrange future activities of the standing committee on labour, and I made reference to the election of the member for Kingston and the Islands (Mr. Apps) and stated in effect that he had left the meeting before it adjourned.

I am now aware that the hon. member for Kingston and the Islands had not attended the meeting at all, and I want to clear the record and say it was a clear mistake of identification, and I retract the reference to the hon. member in all cases.

**Mr. Shulman:** Mr. Speaker, I rise on a point of order that has to do with your high office. The duty of the Speaker is of course to the members of this House and to this House, and by and large, I think that all members of this House are quite content with the way that duty has been carried out. However, there is something that happened yesterday which is to my mind extremely serious, and I wish to draw it to your attention. When votes were called on Bill 23, there were 21 government members in this House and 31 members of the Opposition. The government members, I may say, rather weakly called their aye; the 31 members of the Opposition very loudly, much louder than the government, called out nay, and yet, Mr. Speaker, the deputy speaker in your absence said—and he blushed when he said it—he smiled, in my opinion—"the ayes have it".

He knew very well that the ayes did not have it. Apparently there is a tradition in this House for the Speaker in moments of this type to forget his neutrality and to resume a partisan political role. I would

like to suggest to you that this is a very bad tradition. It removes the respect which we in this House hold for the person holding that high office, and I would like to request to you that such an instance does not occur again.

**Mr. Speaker:** Well, I would like to point out to the hon. member that from where he sits surrounded by people, by members, who undoubtedly will be calling the same response to a vote as he, the sound might be much louder than the sound which Mr. Speaker—

Order—the hon. member was speaking about the ruling of the chair that the ayes had it, as I understand it, and I am pointing out to him that from where he sits, which is quite natural, he undoubtedly would have heard many more of the one vote, than he would of the other. One of the reasons Mr. Speaker is placed in the centre, and at the head, is so that he not only may look over the whole Chamber but that he may hear impartially from both ears, from both sides. And, therefore, it would be my opinion—not having been in the House at that moment—that it would have been more than likely—knowing the hon. chairman of the committee of the whole House—that undoubtedly he ruled as he heard.

I would like to thank the hon. member for bringing that to my attention, because there is some substance in what he says, but my own view of it is as I have stated.

**Mr. Shulman:** Mr. Speaker, may I just add to this then that it is quite possible that sitting over here I may have perhaps heard the nays more loudly. May I suggest to you that there were some neutral people in the House at that time who are not known for their bias towards this party, and they were sitting in the press gallery. May I suggest, sir, that you have someone from your department question those men as to what happened in this House and you may then wish to make a different comment on the situation, sir.

**Mr. Speaker:** All that needs to be said on this matter has been said by Mr. Speaker, and the matter rests as so far as the Chair is concerned.

**Mr. MacDonald:** With respect, I suggest that all has not been said that needs to be said. It is correct as the hon. member for High Park has said, that with one exception—which was startling in its uniqueness—the chairman of the committee or the Speaker of this House has never conceded that the

government had been defeated in the voice vote, even when it was obvious.

The exception was when the hon. member for Eglinton (Mr. Reilly) on one occasion took a long look at the House and it was obvious there were more Opposition members than the other and he say "the nays have it", and it took about five minutes for the stunned members on the government side of the House to realize what had happened.

I think the point the hon. member for High Park has said is valid—that if there is in your view an equal balance, or more noise coming from the left side of the House, or if the Speaker is not certain and he examines by a quick count that there are more members on the Opposition side, that the truth should be spoken by the Speaker, not the tradition of invariably conceding it as an aye to the government.

**Hon. Mr. White:** Small potatoes.

**Mr. MacDonald:** It is not small potatoes at all; it is the system.

Interjections by hon. members.

**Mr. Speaker:** Order! Surely this House has important business which should now be proceeded with.

Orders of the day.

**Clerk of the House:** The 1st order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable the Lieutenant Governor at the opening of the session.

#### THRONE DEBATE

**Mr. M. Shulman (High Park):** Mr. Speaker, when I last had the pleasure of having a discourse with you, you may recall I was making some mild criticisms of The Department of Health. You may also recall that I chose The Department of Health to speak about this year democratically by democratic vote of all the members of the Opposition as to which was the most inefficiently run department in the House.

You may also recall that the Minister of Health won that vote by an overwhelming majority. So for that reason, I began by discussing air pollution, which up to this point at least has been one of the Minister's prime, if somewhat neglected, responsibilities.

And because one of the worst areas in this province as far as air pollution is concerned

was Sudbury, I chose Sudbury as the area to begin and I discussed International Nickel briefly, you may recall, sir, I related how the *Toronto Star* had very enterprisingly hired a McGill University student, one Mark Starowicz, who bravely at night climbed in over the slag heap surrounding International Nickel and who had carried a Drager meter with him and how he found that the true level of sulphur dioxide within that plant is some 200 parts per million, near a certain area of the plant, while a safe level is only five parts per million.

I also told you, sir, you may recall, how INCO had denied this, how the inspectors from The Department of Mines had never been able to discover this, perhaps because they gave one day's notice every time they went to visit. I also told you something about the safety record, the excellent safety record of INCO, which is half that of the industry, and which is cooked by bringing sick people who cannot walk into the plant and putting them to bed in the plant itself. I am rather amused, Mr. Speaker, because in yesterday's *Toronto Daily Star*, by some coincidence, there is an article by one Mark Starowicz which bears some resemblance to the facts which I brought out here.

The heading of that article, which is what I want to draw to your attention, is "Company claim charges impossible". Well, the company claimed a little too quickly, Mr. Speaker, because I have not quite finished what I was going to say. Unfortunately we came to the hour and I was not able to reveal these facts, as I would have that day, if I had had time, but unfortunately we ran out of time, and these "impossible charges", these things that they deny can now be proved.

Interjection by an hon. member.

**Mr. Shulman:** Well, there is one other little piece of evidence I have here which I shall subsequently take great pleasure in showing to the Minister of Mines (Mr. Lawrence) if he is interested and there is some question about that.

Mr. Speaker, I have in my hand a measurement of the sulphur dioxide in the INCO plant. This was not made by the union, this was not made by Mark Starowicz, this was made by the International Nickel Company themselves. They are very, very good record keepers and they like to know how badly they are poisoning their workers, so they have a little machine up there, and they keep a record of the sulphur dioxide in the plant. And it is very interesting. On the day that

inspectors are coming, the sulphur dioxide level is about one part per million, in fact it runs right along the zero line. But, when the inspectors are not there, Mr. Speaker, strangely enough the sulphur dioxide level goes creeping away up over the safe level.

Well, here is the record. It is on INCO paper, it was done by INCO, and let me say, in case you are wondering how I got this, Mr. Speaker, everyone who works at INCO is not quite as callous as the board of directors. The board of directors do not care. "Get that nickel out, get it out as cheap as you can, do not worry about The Department of Mines, we do not have to worry about them, we gave the government \$100,000."

You recall, Mr. Speaker, that Mark Starowicz was interviewed by the director of public relations from INCO and he revealed—spilled the beans unfortunately—revealed the amount that the government received in donations before the last election.

Well, I have the evidence here in my hand produced by INCO. Let them say tomorrow these charges are impossible and I am delighted to show this to any member of the House who is interested. I will not give it to the Minister of Mines—he is waving "please give it to me"—no, no, Mr. Speaker, I do not want anything to happen to it, but I would be delighted to show it to the Minister at any time.

Well, there was one matter, this time in relation to Sudbury and in relation to the safety record at INCO. It disturbs me, Mr. Speaker, to find that the safety record at INCO should be so very bad, while in fact, the Workmen's Compensation Board figures show it to be so very, very good.

I could not understand this, Mr. Speaker, I felt after all before October of last year there must have been responsible members of this House who would get up and reveal the true facts. So, Mr. Speaker, I thought it would be interesting to look back, so this morning I went to the library in this building to see what had been said about INCO in the recent past before the election of the member for Sudbury East (Mr. Martel) and myself and other members of this party, and I was delighted to find a quotation here which perhaps reveals why INCO has been able to get away with this for so long. I will read you the quotation:

INCO and Falconbridge know how to mine the ore. If the hon. Minister wants to know something about the technique of mining, telephone INCO and Falconbridge

and ask them how it is done. They are the experts. This department—

He is talking about The Department of Mines—

This department so far as I can see does two things, it looks after safety but with INCO and Falconbridge it does not have to bother very much about that because there are not two industries on the continent more conscious of the need for safety of the personnel who work for them.

The date is February 27, 1964, and the speaker at that time was the member for Sudbury, Mr. Speaker.

Well, Mr. Speaker, perhaps this explains part of the problem in Sudbury.

Mr. S. Lewis (Scarborough East): Extreme provocation for the chair.

Mr. E. W. Sopha (Sudbury) is acting as Deputy Speaker.)

Mr. Shulman: You see, Mr. Speaker, the member for Sudbury East and myself and other members from the north were not present then and Sudbury unfortunately had to depend for its representation in this House, and for the people to speak for safety of the men, on the then member for Sudbury. So, Mr. Speaker, under the circumstances I think perhaps you will understand why the safety level in Sudbury is so low; why men are suffering so badly in Sudbury; why perhaps with the Opposition at that time so weak, why perhaps The Department of Mines was able to get away by notifying INCO every time they were going to do an inspection.

Hon. A. F. Lawrence (Minister of Mines): On a point of order, Mr. Speaker—

An hon. member: If the Speaker would like me to take his place while he can defend himself—

Mr. Speaker: Well I do not think the point of order is well taken. The overriding characteristic of this House, of course, is its dependence upon free speech.

Mr. D. C. MacDonald (York South): And impartiality of the chair.

Mr. Shulman: Thank you very much, Mr. Speaker, I appreciate your intervention.

Hon. A. F. Lawrence: You made that decision without giving us a chance to debate.

Mr. Shulman: Well, Mr. Speaker, on a more serious level—and that is very serious—



but on a more serious level, the men were fooled for a long time in Sudbury and the union was not active on this for a long time in Sudbury. But they are not fooled any more, they know the facts; they have read what Starowicz found; they knew themselves before he went up there but now it has been proven. The material is available, it is being reproduced and every worker in Sudbury is going to get a copy of the true facts up there.

They are not going to be prepared to put up with this type of management; they are not prepared any longer to put up with this type of mines inspection; and I very much fear unless this government steps in immediately—and I mean immediately—and I fear very much that there is little hope of that with the present Minister, unless the government steps in immediately there is going to be an eruption in Sudbury which is going to shake this province. The union-company contract is running out in a very short time.

**Mr. E. W. Martel (Sudbury East):** Oh, INCO is looking into that.

**Mr. Shulman:** We have already had plants by INCO in the Sudbury *Star* of "facts" to say that they are well overstocked with ore. Really, the implication was that if the men go out on strike they can stand it a long time and INCO is not going to suffer.

It is not true, mind you, because they need that ore and they are gobbling it up as fast as they can get it, but this is the first shot. The men are not so much disturbed about the matter of money. I do not think the wages are the major problem. What they are disturbed about is the fact that they are being killed in that plant.

And unless this government, this Department of Mines, steps in to ensure that INCO does something immediately to remove this dangerous situation both within and outside the plant, you are going to have a strike that is going to be ridden with violence.

There is going to be a long strike, and the people—not only of Sudbury, but of all Ontario—are going to suffer grievously as a result. So, through you, Mr. Speaker, to the Prime Minister, I ask you for goodness sake do something now, because if you do not we are all going to suffer very grievously.

Mr. Speaker, I am going to leave this subject now. I am going to go to a very different matter referring to an area of Ontario which unfortunately is not too well represented. Fortunately northern Ontario is now well represented and I would now like to

discuss an area of the province which perhaps does not get as aggressive representation as northern Ontario. Of course I am referring to eastern Ontario.

Well now, Mr. Speaker, I must confess that our party has done very poorly at the polls in eastern Ontario. We get a tiny fraction of the vote, something—

**Mr. D. Jackson (Timiskaming):** So have the voters done very poorly.

**Mr. Shulman:** We get a very tiny fraction of the vote, Mr. Speaker, sometimes in some of the ridings like Glengarry, it runs around five per cent. Therefore, you can imagine my amazement, Mr. Speaker, when a delegation came to see me from eastern Ontario and asked if I would raise a matter for them in the Legislature.

This delegation came from Stormont riding and the member for Stormont riding I know to be a genial gentleman for whom I have the highest personal regard. He is certainly one of the least partisan members of this House.

In fact, I would say he is one of the nicest gentlemen in this House. And yet the people of his riding came to me because they were very upset. They have a very serious problem in their riding and the member for their riding—although he was very sympathetic with their problem—was not able to help them. In fact he had not even been able to get them an appointment with the Minister involved.

Frankly, I discounted this at first, Mr. Speaker, because I thought it must be a mistake and these people must be in error and I really did not do anything about it—I am embarrassed now. But then, the following week, Mr. Speaker, another delegation came with a petition—this time from Glengarry riding, Mr. Speaker. This petition is signed by some 500 names and I thought, having received this petition, perhaps I should get up in the House because it really—

**Mr. Lewis:** That will bring our vote to eight per cent.

**Mr. Shulman:** Mr. Speaker, I am sorry to digress for a moment—the Minister of Mines has asked if he may see this draft and I am sending it over to him now, sir. I would appreciate it if you would see that I get it back.

Mr. Speaker, this petition which I received from Glengarry riding—and, Mr. Speaker, I

am a little embarrassed at reading the heading of this petition; I am not going to take the time of the House by reading all the names because—

Interjection by an hon. member.

**Mr. Speaker:** Order.

**Mr. Shulman:** Mr. Speaker, I will read the wording in the petition. I am a little embarrassed, Mr. Speaker, I really am, because I do not know this member particularly well. I do not think he has spoken any time I have been in the House, but I am sure he does his job to the best of his ability, Mr. Speaker, and for that reason I am a little embarrassed for him.

In any case it reads as follows:

Re: the closing of St. Lawrence Sanitarium.

We the undersigned would like to protest against the closing of the sanitarium until it is investigated more thoroughly.

and it follows underneath:

A sample of lists of people of Glengarry who protest unilateral decisions of Toronto bureaucracy; who protest that no one represents them in Toronto Parliament; who promise Mr. Osie Villeneuve to vote for anyone but him.

Well, Mr. Speaker, this is then followed by some pages of names and addresses of people who live in the Glengarry riding.

At this point, Mr. Speaker, I thought perhaps I should look into this matter. I agree that eastern Ontario has been badly treated by the government but on the other hand they have voted Conservative for a fairly lengthy time and they must take a certain amount of abuse for that reason.

But in any case—well I must point out to you, Mr. Speaker, I was rather delighted that the people of Glengarry and of Stormont at least were intelligent enough to come to the NDP, rather than to that other party which has done somewhat better at the polls that we have down in eastern Ontario. But somehow I wonder next time—they do not seem to have much faith in the Liberal Party, Mr. Speaker.

Interjections by hon. members.

**Mr. J. E. Bullbrook** (Sarnia): Is he for real, Mr. Speaker?

**Mr. Speaker:** Order.

**Mr. Shulman:** Well, Mr. Speaker, I can understand the member for Sarnia's inter-

ruption, he has had a rather rough week in the House; he has raised two points and he has done poorly on them, but I will forgive him for that reason.

**Mr. Bullbrook:** The member should be in the House when I speak.

**Mr. Shulman:** Mr. Speaker, I shall look forward with delight to being in the House when the member for Sarnia speaks. I would never miss it because I must always make great notes so I can correct his errors.

Mr. Speaker, to come back to the point which I was discussing: under these circumstances I felt I should investigate this matter of eastern Ontario a little more carefully and so I travelled down there and I found to my amazement, Mr. Speaker, that the St. Lawrence sanitarium is being closed through an error.

I will tell you about that shortly. The following groups in that area around Cornwall realized it was an error and you may find this a rather diverse list. I will read it to you, it amazed me: the Cornwall Academy of Medicine; the Cornwall Ministerial Association; Dr. Z. Gorecki, the medical superintendent of St. Lawrence Sanitarium; a grand jury report made in September last; the Cornwall and district Labour Council; the newspaper, the *Standard Freeholder*; the mayor of Cornwall; the Catholic Women's League; the city council of Cornwall; the superintendent of nurses of the Cornwall Sanitarium and each and every patient.

All of these groups, all of these people—

**Hon. F. Guindon** (Minister without Portfolio): How many patients?

**Mr. Shulman:** We will be coming to that very shortly—19 Mr. Speaker. All of these groups, Mr. Speaker, were protesting the closing of the Cornwall sanitarium to their representatives—protesting that a mistake had been made. They protested that the Minister of Health was closing the sanitarium and they were having a little difficulty getting to see the Minister to protest this.

Well they had good Conservative representation in the House—there were three members involved actually, the third one was from Grenville-Dundas, Mr. Speaker.

Well they approached the three members and the people tell me that they received a very sympathetic hearing; that all three members agreed that it was an error to close the sanitarium. If I am in error, Mr. Speaker, I would be glad to be corrected by any one

of the three members if they feel it is correct to close the sanitarium.

**Hon. Mr. Guindon:** Point of order, Mr. Speaker, I never said it was an error, not to my knowledge.

**Mr. Shulman:** Well in that case, Mr. Speaker, I stand corrected. The member for Stormont is in favour of closing the sanitarium, I think—

**Hon. Mr. Guindon:** Point of order, Mr. Speaker. I have made all the representations to the Minister in question on this, representing my constituents. Then, when I get word there are only 19 patients—and not all of them TB cases—and after a task force, who were not members of the government, decided to close the sanitarium and take the patients to the Ottawa Sanitarium and once the department had made a firm decision, then I had no choice but to support the Minister of Health. And I will again in the future.

**Mr. Speaker:** I think the hon. member for High Park may take the point as well taken. As I understand the rule if an hon. member says that he is misrepresented in the position he is taking, then he is at liberty to elucidate his position on the matter and I think the hon. member must accept the explanation.

**Mr. Shulman:** By all means, Mr. Speaker, I am delighted to hear the explanation as a matter of fact.

**An hon. member:** Close that issue then.

**Mr. Shulman:** Well, I am not quite through with it yet.

The people in Cornwall and in Glengarry and in Grenville-Dundas are a little upset, Mr. Speaker. As a matter of fact, what they decided to do, Mr. Speaker, was to set up a representative group to speak to the Minister of Health and see if they could not point out the errors it had made in its decision, so that he could correct them.

So what they did was to set up a committee consisting of Doctor McGuire, Doctor Corbeil and Doctor Sprulle. They approached their local member and said: "Could you arrange for our committee to have an interview with Doctor Dymond because he is coming to Cornwall anyway to open a nursing association home?"

The Minister was very courteous to them. He said he would attempt to set up the meeting with the Minister of Health. He was most

kind, as he always is. I presume he approached the Minister of Health, but unfortunately he did not have enough influence with the Minister and the Minister of Health refused to see this delegation. And the delegation—

**Hon. Mr. Guindon:** On a point of order, Mr. Speaker. This is incorrect. I approached the Minister's office and the Minister was away from his office on that day. His secretary told me she thought everything would be fine.

So I left Toronto and when I got to Cornwall I told the doctors that, as far as I knew, there would be a meeting with the Minister the next day. In the meantime, the Minister of Health had a press conference which cleared the facts. These are the facts.

**Mr. Shulman:** I am happy to accept the facts as the Minister has presented them. The fact is, unfortunately, that the Minister of Health refused to see the delegation. He was in Cornwall and they were standing there asking to speak to him and he refused.

Well, now that we leave that aside, let us look at the facts of the Cornwall closing. It seems very odd to me, Mr. Speaker, that when we have such unanimity of all the people of this area that an error was being made and when there was at least a sympathetic hearing from the three members involved, it seems very odd that the Minister of Health would press ahead with closing this institution.

So I looked into it a little further and it is not really the Minister of Health's fault. Actually, he hired a task force of very prominent men and they went around the sanitoriums in the province to see which ones should be closed.

We are very fortunate in this day and age that the tuberculosis problem is gradually being reduced. We need fewer sanitorium beds and so it is possible to close sanitoriums from time to time and move these patients into other accommodation.

This is a very eminent task force. I will read their names: Doctor A. R. J. Boyd, MOH of Toronto; Doctor J. B. Cook, MOH of Sudbury; Doctor H. T. Ewert, the superintendent from Mountain Sanitorium in Hamilton; Doctor Charlotte Horner, MOH of Northumberland-Durham Health Unit; Doctor McClintock, director of the Gage; Doctor McLennan, the TB Prevention Service, Toronto; Doctor Rorabeck, chief of the TB Prevention Service, Toronto; Doctor Shaffer, superintendent of

Niagara Peninsula sanitoriums, St. Catharines; and Doctor C. A. Wick, superintendent of the Toronto Hospital, Weston.

**Mr. MacDonald:** That is an army, not a task force.

**Mr. Shulman:** Well, this task force travelled around to all the various sanitoriums. After making a presumably reasonable examination, they decided that the one in Cornwall should be closed. Well—

**Hon. Mr. Guindon:** The sanitorium is not in Cornwall, the sanitorium is in Glengarry. Point of order—he just said the sanitorium was in Cornwall—

**Mr. Speaker:** As I understand the rule, the hon. member may rise if he is being misrepresented or is being misquoted but—

**Hon. Mr. Guindon:** I am being misquoted.

**Mr. Speaker:** But it is not the function of a member to assist another member in making his speech. Perhaps he will—

**Mr. Shulman:** Mr. Speaker, I thank you but I am always glad of the assistance of the members of the House in making my speech because I would not want any errors in anything I say. If there is anything that is not completely correct, please gentlemen, feel free to assist me.

Well the members of the task force travelled to the various sanitoriums and they decided the one near Cornwall should be closed.

Now, on what grounds did they decide this? Was this a matter of expense; was it a matter of vacancy; was it a matter of convenience? Not exactly, Mr. Speaker. To my great dismay and to my embarrassment for the members involved, the task force made a mistake.

They got their figures mixed up and the Minister of Health, in accepting their ruling, in his usual inimitable way, would not go back and look. They presented figures which indicated the costs were double what they actually are at Cornwall and this, undoubtedly, was one of the factors.

I have all the figures here now, Mr. Speaker, and at the moment I am not going to say anything about the human factor involved. I will come to that later because that is really the important thing.

First of all, I want to explain the error that was made by the task force and really, what I am doing now, Mr. Speaker, is pleading

through you, not to the Minister of Health, but to the Prime Minister of this province. A member of the Cabinet got up publicly the day before yesterday and said—I saw him on television—that in the urban areas the Conservative Party is dead from the eyeballs in both directions.

Unless the Prime Minister intervenes here, you will be able to make the same comment about the rural party in eastern Ontario. You can still save those three seats, Mr. Prime Minister, if you will rescind this ruling because you made a very bad mistake.

**Mr. Speaker,** I am speaking now for the benefit of the Conservative Party, out of loyalty to my old connections with them and I am giving them an opportunity to save three seats in eastern Ontario.

**Mr. Speaker,** to carry on with the error made by the task force and which has been carried on by the Minister of Health who has been unwilling to even discuss it, unwilling to hear the representations in Cornwall, I have here first of all, the figures for every sanitarium in the province showing the vacancy rate and the beds available.

Cornwall has 20 beds available, 19 in residence; Fort William has 150 beds available, 29 in residence; Hamilton has 43 available, 28 in residence; Kingston has 50 available, 30 in residence; Kitchener has 42 available; 22 in residence; London has 103 available, 69 in residence; Ottawa has 53 available, 19 in residence; St. Catharines has 107 available, 50 in residence; Sudbury has 38 available, 34 in residence; Weston has 366 available, 222 in residence; Windsor has 36 available, 26 in residence.

That is a total of 1,008 beds, with 548 in residence. The overall vacancy rate is 46 per cent. In Windsor, the vacancy rate is 28 per cent; in Weston 39 per cent; in Sudbury 11 per cent; in St. Catharines 53 per cent; in Ottawa 64 per cent; in London 33 per cent; in Kitchener 48 per cent; in Kingston 40 per cent; in Hamilton 35 per cent; in Fort William 81 per cent. In Cornwall it is only 5 per cent. They are closing the sanitarium which has the highest occupancy rate!

Point two. I have the figures here—

**Mr. J. Jessiman (Fort William):** May I speak on a point of privilege?

I question the figures that the member has mentioned for Fort William. Where did he get them from? I happened to be at the sanitarium on Sunday.

**Mr. Speaker:** I do not want to interrupt the hon. member for Fort William, but I think his point is not well taken. If there is disagreement with an item of information presented by an hon. member during the speech, then it is open to the hon. member at a subsequent time to correct it. But I do not think it is in order to get up and interrupt an hon. member to correct factual information when he is making his answer to the Throne Speech.

**Mr. Lewis:** How does he spend his Sundays there?

**Mr. Shulman:** Mr. Speaker, actually I can explain the confusion in the member's mind. These figures are as of August 31, 1968. They were collected by the task force which I have previously referred to. The figures may have changed since that time.

Now what about costs? Mr. Speaker, I do not have the cost of all the sanitariums. I do have them for four. Here are the figures Mr. Speaker: The cost per day per patient is really the important thing if we are thinking of closing a sanitarium, outside of the human factor, which I will get to by and by. At the Mountain sanitarium in Hamilton, the cost is \$30.40 per day; at the Ongwanada sanitarium in Kingston, it is \$25.10 per day; at the Royal Ottawa sanitarium in Ottawa it is \$28.80 per day; at the St. Lawrence sanitarium in Cornwall, the cost is only \$14.80 per day, Mr. Speaker—half the cost of the other sanitarium.

Well perhaps there is no TB out in eastern Ontario. Maybe they do not really need a sanitarium, or maybe that is what the task force is thinking. Well I looked into that matter too, Mr. Speaker.

**Mr. O. F. Villeneuve (Glengarry):** Will the hon. member answer a question?

**Mr. Shulman:** Certainly.

**Mr. Villeneuve:** Can he tell me how many patients actually have to be isolated in the sanitarium?

**An hon. member:** He does not know.

**Mr. Villeneuve:** If he does not know, I will tell him—four.

**Mr. Shulman:** I will give the members a little information on TB. The number of patients in sanitarium does not relate to the number of patients who have to be isolated. The same thing applies to every sanitarium across the province. Of course, you do not have to be isolated unless the disease is open.

Once you have reached a certain level in your treatment, then Mr. Speaker, you do not have to be isolated but you still must be in a place like a sanitarium. I suppose we could put them in the general hospitals and keep out the people who have to have babies and appendix operations if this is what the member is suggesting.

But those 19 patients have to be chronically hospitalized, and the fact that they do not have to be isolated is a complete irrelevancy which is nonsense that we should have expected from this quarter.

Well to carry on, Mr. Speaker, you may recall, I was discussing with you the matter of whether the level of TB is high in eastern Ontario or whether, perhaps, they have cleared the whole problem and they did not need sanitariums there any more.

So I looked that up, Mr. Speaker, and here it is: According to the latest report of the TB division of The Health Department of Ontario, there are yearly 19.5 new active cases of TB per 100,000 population in this province.

This morbidity has levelled off without much hope for a further rapid improvement. Let me repeat that figure, Mr. Speaker—19.5 new active cases of TB per 100,000 for all of the province. For the backward county of Glengarry—when I say backward I mean healthwise, Mr. Speaker, it was certainly intended as no slur otherwise. For the medically backward county of Glengarry, which is in the region of eastern Ontario, east of Cornwall on the border of Quebec province, the rate, Mr. Speaker, I am ashamed to say is 39.6 per 100,000 or twice as high as the average rate for all of Ontario.

This is where we are getting the TB from. This is why the rate in Ontario is so high, because there are two areas in the province where the TB rate is high. On the Indian reservation, and in eastern Ontario. That is where we need a sanitarium, Mr. Speaker.

Well, Mr. Speaker, how did the task force make such a mistake? By perusing their report, I discovered how this all occurred. They went down that list of sanatoria and they saw that Cornwall was the smallest sanatorium and they looked at the cost and somehow, Mr. Speaker, they got down that the cost per day was \$37.31.

Somebody who had prepared the figures had made a mistake, and this is how the whole silly error occurred. This is why the Minister of Health has now got himself into a ridiculous position. And he would not listen

to the people who came and tried to tell him when an error had been made.

The findings have been published by the Ontario Hospital Association. These show the daily cost of each patient is \$14.80, with \$7.72 of that used for food. The figures in the task report were \$37.31 with \$8.50 of this attributed to food. They have made a grievous error, and this Minister would not listen.

**Mr. MacDonald:** Insensible—that is the term we have used so often.

**An hon. member:** Senseless is the word.

**Mr. MacDonald:** Perhaps senseless too.

**Mr. Shulman:** Well, Mr. Speaker, the people approached their member, and he was very sympathetic as I said. He wrote them a lovely letter, which they were kind enough to send to me and I thought perhaps the member would like to have his name in the records of *Hansard*, and he might like to have his letter quoted.

This is from the member for Glengarry, Mr. Speaker. I will not take your time by reading the whole letter, it is really very sad, but I will read you one sentence:

I can assure you that we have the interests of our population at heart, but some of these decisions are beyond our recommendations, and because the Minister in charge has a budget to work on, and he feels that the general public will not suffer adversely by this decision.

Well the phrase there that appeals to me is that some of these decisions are beyond our recommendation, and I do not like to digress, Mr. Speaker, but I am a little disturbed that none of the members from that area got up in this House to fight for their constituents.

I am just suggesting through you, sir, to their constituents and to the people of the rest of Ontario, if you are represented by a member who is a member of the ruling party, who may even be in the Cabinet, his recommendations will not be followed; perhaps, sir, it is time they got more active representation.

**Mr. MacDonald:** That is what comes of being in a Tory pocket borough.

**Mr. Shulman:** Mr. Speaker, a brief was prepared regarding closure of the St. Lawrence sanatorium in Cornwall, Ontario. This brief was prepared by a number of the medical people at the sanatorium headed by Dr. Z. Gorecki.

Perhaps I should tell you that Dr. Gorecki has some 11 years' experience at the sanatorium as the director. Just last month he was given the honour by the Ontario Hospital Association of presiding over the tuberculosis programme which was held during their 44th annual convention on October 28, 29 and 30, at the Royal York Hotel, Toronto.

He has been highly praised by one Dr. M. D. Dymond, present Minister of Health. His credentials are beyond question. His ability is beyond question by anyone, including The Department of Health. This is a brief prepared, under the direction of Dr. Gorecki, by the medical and nursing staff of that hospital.

I wish to read it in full, Mr. Speaker, because I feel this is a very important matter to the people of eastern Ontario, and I think it is very important that someone speak for them in this House.

I will quote the brief, Mr. Speaker:

Brief regarding proposed closure of the St. Lawrence sanatorium in Cornwall, Ontario.

Relying on the advice of an anonymous task force whose members from Toronto and west of Toronto never investigated local regional conditions of the Cornwall area, The Ontario Health Department ordered closure of the St. Lawrence sanatorium. The St. Lawrence sanatorium was built in 1937 by the people of the Cornwall region, because our area at that time had the highest rate of TB in the province. We still have a comparatively very high rate of TB. The people of the county, dollar by dollar, collected one-third of the cost of the buildings and bought the land.

They then appealed to the federal and provincial governments to provide the remainder with moneys collected through taxation.

**Hon. J. H. White (Minister of Revenue):** The member's own leader is not even listening to him.

**Mr. Shulman:** Mr. Speaker, if I may digress for a moment to make a comment through you, sir, to the Minister of Revenue. I must digress; I am sorry to do this. I will explain to him—the reason my leader does not have to hear this is because he has had the pleasure of reading this brief already, because, of course, I would not bring anything up in this House without first consulting with him. The other point I should mention, I have not yet congratulated the—



**Mr. MacDonald:** If the Minister was not talking so much he might be able to listen.

**Mr. Shulman:** I have not yet congratulated the Minister on his high elevation to the Cabinet. I am very pleased that he has made Cabinet; I think he will make a great addition to the Cabinet. He is certainly one of the finest brains in the Cabinet; in fact I think he has one of the finest brains produced in the 18th century. And I wish him well.

**Mr. Lewis:** That is putting it ahead of his time in that category.

**Mr. Shulman:** Mr. Speaker, to continue: I quote again, Mr. Speaker:

The people of the country, dollar by dollar, collected one third of the cost of the buildings and bought the land. They then appealed to federal and provincial government to provide the remainder with moneys collected through taxation.

Is it too costly to treat TB locally? The latest official report for 1967 shows the per diem cost: St. Lawrence Sanitarium, \$14.80; Royal Ottawa Sanitarium, \$28.80; Kingston Sanitarium, \$25.10; Mountain Sanitarium, Hamilton, \$30.40.

TB is not a disease of the past. One hundred and fifty one new cases of bacillary infectious TB were found in the Cornwall region since 1961, in addition to a greater number of non-bacillary TB. Fifty per cent of those in need of treatment come from French-Canadian families.

Compared to the region of the rich west of Toronto (Golden Horseshoe), where there are close to each other four sanitarium Toronto, Hamilton, Niagara, Kitchener—the Cornwall area has a lot of poor families, and only a few years ago Cornwall was designated as a depressed region. Due to overcrowding and poor housing, this region finds shocking cases of a father infecting four or infecting eight children before he reports for treatment.

It will be only much worse when the local sanitarium will be closed. The number of recent admissions to the sanitarium in the Cornwall region did not drop drastically.

In 1938, 75 patients admitted to the sanitarium; 1958, 67 patients admitted to the sanitarium; 1968, 60, the number of projected admissions to the end of December.

Mr. Speaker, I am stopping my quotation for the moment just to digress because those

figures are terribly important. This shows that although the TB figure in the rest of the province has dropped drastically—which has resulted in other sanitarium becoming 50 or 60 or 80 per cent vacant—in Cornwall, because of the high TB rate, in Glengarry the sanitarium has remained practically as heavily occupied as it was way back in 1938 before this battle against TB was begun. And so another reason why this sanitarium should be preserved. I will go back to my quotation now from the brief, Mr. Speaker:

Bed occupancy: The official report for July, 1968, shows: in Ottawa, 47 per cent empty beds; in Kitchener, 40 per cent empty beds; in St. Catharines, 50 per cent empty beds; in Cornwall, 25 per cent empty beds. Bed occupancy in Cornwall in 1967 was 87 per cent; projected for 1968 is 92 per cent.

Ninety-two per cent occupied for Cornwall. There is not a record like that anywhere else in the province.

**Mr. Villeneuve:** May I inform the hon. member that a wing of it serves as an annex for the Cornwall General Hospital for chronic cases, and that is why there is high occupancy.

**Mr. Shulman:** Thank you very much. Mr. Speaker, I was coming to that. I am glad the member for Glengarry brought that up, because I will digress again—

**Mr. Martel:** He seems to be opposed to it.

**Mr. Shulman:** I am not quite sure whether the member for Glengarry wants this sanitarium kept open or kept closed. If he would like to rise and state his views, I would be delighted to give him the floor for that purpose, Mr. Speaker, but I do not think he is too anxious. He does not wish the floor so I shall continue.

I would like to stress that, Mr. Speaker, I am honestly, sincerely, asking through you, sir, to the House leader and to the Prime Minister, save this sanitarium. This should be an apolitical matter. It is not. Because it is in this House and because I am saying it, it is a political matter; but I should not be saying it. I should not have to be saying it; it should have been said by men on that side of the House. But for goodness sake, do the right thing for once.

Anyway, to come back. Yes, of course, it has been used for a chronic patients' adjunct by the general hospital there, which is one

more reason to preserve it. Where are these people to go?

**Hon. Mr. Guindon:** Ottawa.

**Mr. Shulman:** Now we hear from the Minister without Portfolio that they want to send them to Ottawa. Now the truth comes out, they want to send them to Ottawa. I will come to that by and by, Mr. Speaker.

**Hon. Mr. Guindon:** St. Catharines is next.

**Mr. Shulman:** I hope the record will show that the member for Stormont said Ottawa.

I will continue with the brief, Mr. Speaker.

Interjections by hon. members.

**Mr. Shulman:** I will continue:

Economy: If a patient from the Cornwall area will be forced to go for treatment to Kingston or Ottawa, the daily cost of treatment will be twice as high. What about the hardships for the family of the poor wishing to visit the sick? A bus trip to Ottawa is \$5.40, plus taxi, because the sanitarium is located far away from the bus terminal. A bus trip to Kingston is \$8.10. As only the local people know too well, the communication with Ottawa is poor. We have no trains, whereas the commuter system west of Toronto is excellent and there are four sanitariums close to each other.

**Dr. Z. Gorecki, MD,**  
Superintendent.

Mr. Speaker, I do not really think I need add anything more about sending these people to Ottawa; the brief speaks for itself. I am sorry that the Minister without Portfolio feels this way.

Interjections by hon. members.

**Mr. Shulman:** Mr. Speaker, I am delighted that the government is interested in savings and obviously the Minister missed one line, so I will repeat it: "If a patient from the Cornwall area will be forced to go for treatment to Ottawa, the daily cost of treatment will be twice as high," plus the cost to the family.

**Hon. Mr. Guindon:** For 19 patients, Mr. Speaker.

**Mr. Shulman:** For 19 patients, Mr. Speaker, plus their families. If we are talking about costs, Mr. Speaker, it does not matter whether it is one patient or 100 patients. This involves 19 people at this moment but not 19

patients—let us not get confused. There were 70 patients admitted this year and there is going to be 70 next year, 70 the year after. Each one of those patient's costs are going to be twice as high as they are now.

It is not just affecting the 19 patients who are in there now. There are many more patients who will be admitted in the future if the government intervenes to save this sanitarium. You are going to push the cost for all of those patients twice as high.

Now, let us leave the money aside, they are wrong in the money; let us leave the convenience aside, they are wrong in the convenience; let us leave the occupancy rate aside, the cost of running it aside; what about the human beings involved?

This is really the ultimate important factor. Do we really, as a government—and now I say all of us—do we really want to see this occur? Do we really want to take chronically ill people and place them far away from their homes in chronic hospitals where, I think it must be obvious to all, the rate of visiting is going to be much lower? Where they are going to see their families much less? Where they are going to be able to get home for the day much less? Surely we as a group do not want to do this.

I do not think there is a member in the House who wants to do this, whether in the Conservative Party or in the Liberal Party or the NDP.

I ask the support of the member for Glengarry and the ex-member for Stormont, because I have not brought this up really to try and embarrass them. I would have preferred to have settled it earlier. One of these gentlemen, particularly, happens to be, I know, a very fine gentleman who does his best for his people.

I say now, Mr. Speaker, through you to the House leader who is here, intervene. A very grievous error is being made and I would consider it—and I am sure the member for Glengarry would consider it, the member for Stormont would consider it—an act of humanity if the government would intervene now and correct this mistake. Do not close this sanitarium. It is supposed to be closed in two weeks. Do not do it! Because you are making a grievous mistake; a grievous mistake politically; a grievous mistake in terms of humanism.

Mr. Speaker, I wish to go on to another matter here. But before I do there is a matter I wish to mention in connection with air pollution. I would like to make a small digres-

sion a little later in my brief comment about The Department of Health.

I had hoped to say a few words about mental retardation, and there is someone in the building at the present time to whom I wish to draw the members' attention. I do not want to keep her here any longer, because it is a great strain having her here. I will explain why I brought her in the first place.

One of the problems is that mental retardation has been grossly neglected in this province. I will come to this in some detail later on. But it's a very serious human problem that people who had mentally retarded children—so severely mentally retarded that they can not speak, in some case can not recognize; they cry all the time; they are a constant agony for those about them—cannot get these people into an Ontario hospital.

One of those children is here today. I asked the parents to bring her down, and I will explain why.

Her name is Susan A, she is a hopelessly retarded child who cannot be by herself for five minutes. She is 5½ years old and she has been on a waiting list to get into Orillia for 5½ years, ever since she was born. I have made a personal plea to get her in—as her doctor, not as her MP. As her doctor I pleaded, before I was ever elected here.

Since then I have been down at the hospital and she still can not get up to the head of that list after 5½ years. She is in the west lobby and I am inviting a few of the members, particularly from the Conservative side, to go into the west lobby now, talk to her parents, see what this child is like, see the horror that this family and countless other families are going through in this province because this department is being run so badly.

Please, somebody, go and see so you will know that I am not making this up. I am telling you the truth. I am going to talk about this into some detail later on, but I don't want to keep this child here; it is very difficult for the parents to have her here.

She is not an isolated case. She is on a long list; she has been on that list for 5½ years. How long must they suffer? They do not just suffer the agonies of this child; they are also being broken financially. The wife must stay home constantly; she can not go out to work, and the family is suffering grievously financially. Why can not we get help for her? Why can not we get this child into a hospital? I will come back to that.

I want to say a few words about this report of the committee appointed to inquire into a report upon the pollution of air, soil and water. This report damns the government. Its final recommendation is that a department of pollution control be set up, and with all this I can agree most heartily. We certainly need a department of pollution control. Surely what came out in the House about Sudbury and INCO points out the tremendous need to take pollution control away from the Ministry where it now is.

I do not like throwing kudos to the government, but you do happen to have a man on those benches who can handle this quite well. I am referring, of course, to the member for Quinte; I hope this is not the kiss of death. But for goodness sake—this is a department that has been abandoned; nothing has been done; we need aggressive hands at the helm there. We can not wait until the next election.

We need someone immediately to take hold of the pollution problem, to take an aggressive position, to step in on the collective companies down in Port Maitland and Dunnville, to step into the INCO situation. You have to take this out of The Department of Health; you must set up a department of pollution control.

I hope that this recommendation by the committee will be followed by the government.

But there is one matter that comes into the report which disturbs me. I have a deep doubt, Mr. Speaker, about the personnel of the Royal commission that has been set up in this province. The government sometimes appear to lean over backward to make sure they get the results they want. I was very disturbed when the personnel of this particular committee was announced because, you may recall, Mr. Speaker, that this committee was really set up as result of the work of Dr. Waldbott which was revealed by the CBC. Dr. Waldbott certainly should have been the key witness in any such enquiry; I don't think there is any question among the medical men in this country, or around the world, that he is one of the leading experts on chlorosis. He, of course, did not testify.

The head of the committee is Dr. Hall, and I found that upsetting because Dr. Hall was an old antagonist of Dr. Waldbott dating back to the fluoridation hearings that were also held here under the jurisdiction of The Department of Health. The two men disagreed, if you may recall, Mr. Speaker, quite

extensively. I would have thought that the government would have been a little discreet and appointed someone who had not already disagreed with Dr. Waldbott before the hearing began.

Mr. Speaker, Dr. Waldbott did not testify, and that is a great pity, because one of the findings, the key findings of the committee—the one that was in the headlines of the three newspapers—was that the fluoride in the air, in the ground, on the ground, on the vegetables, was not a danger to human beings. I am very much afraid, Mr. Speaker, that this may not prove to be true. I don't know.

There is certainly doubt in the minds of many. There is doubt in my mind; there is very acute doubt in the mind of Dr. Waldbott. Why didn't he testify? Why didn't they hear his words? After all, I see here on page 81 of the report, they heard—you will forgive me, Mr. Speaker, I must smile while I read this—they heard a recognized specialist in the field of chlorosis, Dr. Yendt. Dr. Yendt and I went to school together and I think he would be a little embarrassed to find himself called a recognized expert in the field of fluorosis. He was one of the smartest men in my class; he is one of the best internists in all of Canada but, frankly, I doubt if he has ever seen a case of fluorosis, because we haven't had these cases in Canada, thank goodness. There are very few experts in this field because there are few men who have had an opportunity to treat this disease.

Dr. Waldbott is one. He did not testify. In the summary here there is a page given to Dr. Waldbott, on page 347, and it says, "Dr. Waldbott was invited to testify, but did not do so."

He did, however, supply a brief on April 17 which was examined and which presumably was disagreed with by the other doctors the committee had heard.

With all respect, Mr. Speaker, I think this is a rather serious error. I have received a letter from Dr. Waldbott now explaining his view, and with your permission, sir, I would like to give the House the benefit of this. Because this is an extremely important matter, and I am afraid if we just accept the committee's findings, holus-bolus, people in the area which is receiving the high fluoride content may go along in an unjustified optimism which may really not be called for by the facts.

To refresh your memory, sir, I am sure you will recall back in late April the member for Sandwich-Riverside rose in this House

and read a letter from Dr. Waldbott dated April 17, 1968, addressed to the hon. Minister of Health. It is a very brief letter and so I will read it into the record to refresh your memory, sir:

Dear Sir:

On January 8, 1968, in reply to an invitation by the Ontario pollution inquiry committee, I offered to appear as soon as I had accumulated sufficient data concerning the Port Maitland individuals afflicted by fluoride air pollution.

On February 16, in reply to my second offer to testify before the commission, its secretary requested an outline of 'the general nature of the evidence' I wished to present and asked to what purpose this evidence is directed.

I stated on March 4 that I was prepared to present the data originally requested of me, namely, 'a discussion of the disease which appears to be endemic in the Port Maitland area, its diagnosis and measures for its prevention'.

In response to the request by Attorney Brooks that the committee furnish me with some of the findings on the persons I had interviewed, the committee's chairman, Dr. G. E. Hall, stated on January 24, 1968, 'with extremely competent physicians and diagnosticians in Ontario, Dr. Waldbott's request will be reviewed by the committee'.

To date, I have received no further communication from the committee.

I have had no further word from the committee. Indirectly through Mr. Brooks I have learned that neither the final data on the individuals hospitalized in Toronto, nor my own presentation, in case I were permitted to testify, would be given in hearings open to the public, as was all previous testimony and that no further public hearings would be scheduled regarding Port Maitland.

Because of this decision and because no other physicians with personal knowledge about fluorosis not connected with industry and government had been heard by the committee, I consider it inappropriate to make further efforts to appear. Instead, I am herewith submitting my completed report to you. I trust that the data which I have accumulated will assist you in assessing the ill effects due to air pollution in the Port Maitland area.

Yours sincerely,

George L. Waldbott, MD

That was the letter of April 17.

Well now I have a letter written a few days ago, Mr. Speaker, from Dr. Waldbott, which sums up his views of the committee's investigations and their findings. I think they are very important, because in my mind and in Dr. Waldbott's mind, and I think perhaps in the minds of a number of farmers near Dunnville, the problem is not quite as neatly solved as this pollution report would have us believe.

This letter is dated December 2, and was sent to the member for Sandwich-Riverside and he was kind enough to pass it on to me, since I am speaking today on the Throne Debate, so that I could present this while the matter was topical.

At the Cayuga hearing it was revealed that neither of the two consultants from England who testified in ERCO's behalf, had carried out research in fluoride. They were not familiar with much of the available literature on fluorosis. One even failed to mention fluoride in his brief.

Those who had examined the stricken persons, although highly competent physicians, had acknowledged that they had had no personal experience with chronic fluoride poisoning. Some even denied the disease exists on the American continent.

Names of experts with clinical experience in human fluorosis were given to the committee of inquiry. Neither these scientists nor the two arbiters who had settled former claims between the company and the farmers were consulted. The arbiters had accumulated much information on the fluoride content of food and livestock produced in the Port Maitland area. In fact, no experts representing the farmers were heard at the open hearings.

The committee had discontinued its hearings before I had an opportunity to complete my report. My request for an opportunity to discuss my clinical data with a Toronto specialist who was studying some of the afflicted persons was rejected. These specialists, according to the transcript of the hearings, were baffled concerning a diagnosis of the illness of the two most seriously affected farmers, Ted Boorsma and Joseph Cassina. According to the transcript of the Cayuga hearing they had not arrived at an adequate diagnosis in Mr. Ted Boorsma's case even after three months' hospitalization.

When these two farmers were interviewed November 10, 1968, they were still

consuming excessive amounts of fluoride. Their disease had not improved during the past 12 months. Mr. Boorsma told me that he was advised to undergo surgery on the parathyroid gland without having first been placed on a strict low fluoride regime. According to all medical literature a disturbance of the parathyroid function is associated with chronic fluoride poisoning.

Regarding my own investigation of 18 persons whom I interviewed in the fall of 1967, ten exhibited manifestations typical of fluorosis; in seven others the diagnosis fluorosis was probable. Of five examined in Detroit three were admitted to hospital where extensive consultations were carried out and thorough tests performed.

I was particularly impressed by the occurrence of acute episodes of severe abdominal pain which are usually incorrectly diagnosed as intestinal flu, gall bladder disease, pancreatitis, and the like.

In the meantime I had also observed this condition in three other fluoride polluted areas in the USA, namely in the vicinity of two additional phosphate fertilizer factories in Humboldt, Iowa, and Walcott, Iowa, and near one iron foundry in Inlay City, Michigan.

Acute episodes of abdominal pain can be traced to poisoning by fluoride contaminated food. Corn grown near one of the factories contained as much as 91.5 parts per million of fluoride according to government reports.

Many basic facts were not brought out at the Cayuga hearings, such as the number of cattle killed, and the extensive crop losses. As late as July 8, 1968, urine tests on four Port Maitland persons residing near the factory showed fluoride levels ranging from 7.04 to 12.6 milligrams. Normal is about a half to one and a half milligrams. Muscle tissue removed from one patient showed 116.4 parts per million. His prostate gland contained 92.2 parts per million. Normal is less than one part per million. The tissue analyses were done by one of Europe's most outstanding experts on fluoride analysis, Dr. W. Ohlschlager, of Hohenheim, Stuttgart.

Whereas meantime, the company may have installed equipment to reduce fluoride emissions from factory chimneys, no reliable data has been provided recently to the affected persons of the amount of fluoride emanating from storage bins and from the settling basins near the factory.



The dust formerly contained between 9,000 and 11,000 parts per million of fluoride.

On May 17, 1968, I examined three Port Maitland persons in my office who were suffering from chronic fluoride poisoning. As recently as November 19, 1968, I interviewed ten additional Port Maitland cases; seven of whom were adversely affected by fluoride.

The following action should be taken.

One, unbiased non-industry sponsored investigator should establish clearly the degree of fluoride intoxication in livestock.

Two, the amounts of fluoride in the edibles grown in the Port Maitland area should be made available to citizens.

Three, and this is the important one, a thorough survey of the health of every citizen residing near the ERCO factory should be made by physicians with adequate knowledge of the disease who need not depend upon industry sponsored experts.

Four, the most seriously affected individuals should be relocated in uncontaminated areas.

Five, adequate restriction should be provided through legislation on housing and on cultivation of edibles in the immediate vicinity of the factory.

Damage from fluoride emanation has been established in Canada and an aluminum company in Quebec has already paid out more than \$1 million for damages resulting from air pollution by fluoride.

The committee of enquiry has failed to recognize the essence of the problem, namely the damage to human health by air pollution which is now being recognized throughout the world by some of the most eminent scientists.

*Signed, George L. Waldbott.*

Well now, Mr. Speaker, this is the leading fluoride expert in the world. He has not spoken from theory. He has, as recently as last month, done examinations, which have been confirmed by unbiased experts, of the fluoride problem near Dunnville and this report is not going to make it go away.

The interesting thing about this report is even though at the beginning they say there is no fluoride danger to human beings, in the recommendations which they make they act as though there was because their recommendations certainly say, for goodness sake do something, there is nothing to worry about but do something and do it fast, which makes me wonder a little bit about this report.

Well, Mr. Speaker, there is no question that Doctor Waldbott's findings cannot be shrugged aside. We have to do something immediately and that something is not just accept the report and sit back. The government should, immediately, now, before Christmas—this they can do right off the bat—pick one of your aggressive members, you must have one you trust, set him up at the head of a committee on pollution, get him to work on the Dunnville and the Sudbury problems to start with and then, next year he can go on to the more or less serious difficulties.

I do not think I will say any more at this time on the pollution report. I am sure other members will have some contributions to make and I may have something further to say about that later.

I would like now to turn to a different subject. I am not going to be able to cover it completely today. I am sorry, but I will begin it. It is really the subject that I wanted to talk about in this Throne Speech and these preliminary remarks were merely to lead up to the general problems in The Department of Health.

I have done a great deal of research, Mr. Speaker, in the problem which I am going to come to now. The work which I spoke of the day before yesterday in relation to Sudbury was work that was not really done by myself. It was done by the Toronto *Daily Star* and by Mark Starowicz.

**Mr. E. W. Sopha (Sudbury):** Does the member represent the Toronto *Star* here?

**Mr. Shulman:** Well I always had the impression, Mr. Speaker, that the members to the right of me represented the Toronto *Star* here. But since the Toronto *Daily Star* was kind enough to let me deliver the material here before they printed it, I really feel no reason—no need to apologize.

**Mr. Sopha:** I must say there is one place you do not represent and that is High Park because you are never there.

**Mr. Shulman:** Since the member for Sudbury has brought up the complaint that I have not discussed—High Park—perhaps I should digress for a few moments. I had not really intended to give the type of speech we hear from the Liberals, which speaks about “my great riding and how many highways we have and our wonderful parks.” I honestly had hoped never to make a speech of that nature in this House.

But because I would not want to be criticized by anyone for not paying tribute to my



riding, I thank the member for Sudbury for reminding me of this. I, perhaps, should say a few words about my riding and so, I will digress. My riding, Mr. Speaker, happens—

**Mr. T. Reid** (Scarborough East): Is that a "possessive" term—

**Mr. Shulman:** My riding, Mr. Speaker, the one which I have the honour to represent, has had the honour to be represented by a number of far more illustrious men in this House. I was preceded by a former Prime Minister, whose name I cannot remember, and there was also of course, Mr. William Temple, who was one of the better members in this Legislature, and of course, my predecessor. I am sure we all remember my predecessor because he, Mr. Speaker, was the head of the air pollution committee and we know what a wonderful job he did on that problem.

It is a fine riding, Mr. Speaker, I am proud to represent it. I am happy to say that I do not raise the local problems here. I do not get up like certain members to my right and say, we need a bigger bridge, why do you not widen the bridge going to Niagara Falls, why do you not give us a bigger highway going into Kitchener or Sarnia, something has got to be done. The local problems, Mr. Speaker, I have always believed, should not be brought to the floor of the House. They should not be used to waste the time of the House.

I look after those problems, Mr. Speaker, but I look after them in my office and by contacting the appropriate Ministers and I am delighted to say that on the local problems I have had good co-operation from the government Ministers. They co-operate very well on local problems. They only fall down on the problems affecting the whole province, and these are the problems that should be brought up in the House, not the local problems.

Unfortunately I sometimes have to bring up local problems in this House, Mr. Speaker, but you will notice they do not have to do with High Park riding. They have to do with the ridings that are not represented in the House. Ridings like Glengarry, or Sudbury; ridings of that nature, Mr. Speaker.

**Mr. Sopha:** Did you ever hear such strident arrogance?

**An hon. member:** Yes.

**Mr. P. D. Lawlor** (Lakeshore): The hon. member for Sudbury has homework to do.

**Mr. Shulman:** Anyway, Mr. Speaker, to return to—

Interjections by hon. members.

**Mr. Shulman:** To return, Mr. Speaker, I will pledge though that I will no longer have to refer to matters from Sudbury because I am delighted the member has now been elected for Sudbury East, who is quite competent to handle those problems and I am sure, for the remainder of this Legislature, until we form—

**Mr. Sopha:** I was elected three times.

**Mr. Shulman:** —until we form the next government that he will do an excellent job and ultimately will take over as the appropriate Minister. Well now, to come back to where I was, Mr. Speaker. I think I was talking about the *Toronto Star*—

**Mr. Sopha:** There has got to be something wrong with us to have to put up with—

**Mr. Shulman:** Mr. Speaker, again through you, may I thank the member for Sudbury for giving me these little rests because my throat has been weakening a bit and this allows me to speak a little slower.

Mr. Speaker, the work in Sudbury which was done by Mr. Starowicz of the *Toronto Daily Star* deserves a great deal of credit and I would like to thank him for it. I do not wish to take credit for that. I did not do that work. Similarly in relation to the matters in Cornwall this work was compiled by local residents of Gengarry and of Stormont and of Grenville-Dundas and I would not want to take the credit for that. The people of that area merely came to me because they were unable to get anyone else in the House who could—or would—present the matters for them. Now however, I would like to turn to a matter which I have done myself.

**Mr. G. A. Kerr** (Halton West): How many members have you got in eastern Ontario?

**Mr. W. Ferrier** (Cochrane South): We will have a lot more after the next election.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Who said that?

**Mr. Ferrier:** You come up to northern Ontario and make those statements again and you will not get one up there.

**Mr. P. J. Yakabuski** (Renfrew South): You are not so safe in Timmins.

Mr. Shulman: Mr. Speaker, this summer I spent productively I believe. I am going to make some suggestions about one of the problems in this province, Mr. Speaker, and I am not making them, I believe and I hope, in a carping or destructive way. I hope I am going to make them in a constructive way. I would like to suggest that these things are essential, not to the NDP or the member for High Park, but to every person in this House and I hope that perhaps we will have a more responsible attitude from the members who have been making interjections on these particular matters.

Before I go into this matter, which really has to do with mental retardation, perhaps I should say one word about The Department of Health. I do not have too much confidence in the administration of that department because of certain incidents that occurred there last year. You may recall that I made some harsh comments about not having too much confidence in the administration of that department because of certain incidents that occurred here last year. You may recall that I made some harsh comments about the administration of that department in reference to the Janet Gurman case.

And I asked at that time the member for Nickel Belt, who was the head of the health committee—a committee which incidentally never meets. It is rather strange considering the situation of The Department of Health.

In any case, I asked the member for Nickel Belt if he would have the committee meet to investigate the Clara Villa Nursing Home situation, and the Janet Gurman situation, and at the time he said: "We had better wait and see what the PM is going to do." And the PM finally decided, the best thing would be lay charges against Mrs. Gurman for all sorts of horrible things—you may recall; fourteen charges, I believe. They all failed. She was found not guilty.

What has the government done? Nothing! What has the Minister of Health done? Nothing! The Prime Minister has risen in this House and said: "Too bad about her, she lost her life's savings, she lost her nursing home. We made a mistake. Too bad, too bad about her, we have got to go on to something else."

Well I cannot do anything about her, we are not in the government yet—although we will when we are. But to go on—because of this case I have lost confidence in The Department of Health and in its administration, and because of that I did a great deal of research into this department this summer.

I spent a lot of time and visited a lot of institutions. And so that you would not think that my research was not done in some detail, Mr. Speaker, I am going to read to you a list of the institutions which I visited in these past few months, so that I would be in a position to make a comment which I am going to make shortly.

I examined and personally toured before preparing this speech, the following places: the Mental Retardation Centre on Surrey Place, the Aurora Ontario Hospital, the Aurora Hospital for the Retarded, the St. Thomas Psychiatric Hospital, the Smith Falls Hospital School, the Goderich Psychiatric Hospital, the London Children's Psychiatric Research Centre, the Good Shepherd Home, the Plainfield Home for Retarded Children, Gordon's Nursing Home, the Happy Half Way House in Belleville, the Lamb's Craigwood Home for Emotionally Disturbed Boys, the New Toronto Hospital, in company with the delightful member for Lakeshore, the Ontario Hospital at 999 Queen Street, the Harlow Lawson School and the Residence for Retarded Children, and I attempted to tour the Ontario Hospital at Penetang, but I was ejected on orders of the Minister of Health.

I have also had lengthy discussions with physicians on the staff of the Brockville Psychiatric and the Whitby Ontario Hospital. With reference to my ejection, Mr. Speaker, I am sure you would like to know the details to that. I will give them to you in some detail a little later. You might find them quite instructive.

Mr. Speaker, as an MPP I am not speaking in a partisan way. I was ashamed to discover the neglect with which this government treats the majority of the thousands of mental defectives in Ontario.

What I am about to tell you is a story of institutional brutality, of misery, of callousness, but most of all of sheer neglect. And let me stress to start with, the brutality is not directed against the inmates by any staff member. It is a case of inter-patient brutality resulting invariably in some insufficient and often underpaid staff. Let me also stress the dedication of the staff. They would have to be dedicated to put up with the pay and the conditions.

A letter which I have here written last August by Mr. P. A. Smith, who is an after-care officer at the Guelph Reformatory, to his superior, illustrates the horrors that can develop in our mental hospitals as a result

of insufficient supervision. And I quote from his letter:

Dr. Michael Conlin, chief medical officer of the Goderich Psychiatric Hospital requested an interview with the writer on Thursday, August 1, 1968, concerning Jack S. I won't use his full name. The doctor is deeply concerned at the recent escapade of S. who with another patient tied up a lad of seven years of age with wire. He was only discovered in the nick of time or there would have been a tragedy. The child had turned blue and there was evidence of strangulation.

I phoned the medical superintendent at Goderich to get further details, and he told me that this seven-year-old lad had been kept in the same ward as the two older boys, two teenagers. The superintendent said that one of the boys—the Jack S. referred to in the letter—was 13 years old, and had been transferred to an adult ward following this incident, pending transfer to the Psychiatric Research Centre in London.

Jack S. had been involved in serious trouble before coming to Goderich and had been transferred from a training school. The other boy was 14 years old, and he had now been discharged from the hospital as a result of the incident, because the hospital came to the conclusion that he could not be helped further.

And what is going to happen to the seven-year-old near where he lives? I could not believe these things when they were told me, Mr. Speaker. Imagine, putting a seven-year-old—and I will tell you a little more about this seven-year-old in a few moments—in the same ward with two teenage psychotics. Imagine, not getting proper supervision to this ward. Imagine discharging one of the psychotics when he strangles a boy, so he will not strangle anyone else in the hospital. Imagine sending him home. What is wrong in that department? Well, the next week I went up to the hospital, to try to learn how this type of thing could occur.

On August 25, 1968, I found that children from seven to 16 were kept on the same ward. I was surprised to find this ward included disturbed teenagers of both sexes, who used common washroom facilities with the girls living on one side of the ward and the boys on the other.

I was more shocked to discover this ward contained both emotionally disturbed and mentally retarded children. Think of it, Mr. Speaker, in 1968, putting mentally retarded

in with emotionally disturbed. Think of the effect the retarded have on the disturbed children. Think of the terrible incidence that can occur when aggressive disturbed children vent their aggression on a helpless retarded.

Perhaps I shouldn't have been shocked. The government showplace in London—of course their showplace should be expected to be in London—does exactly the same thing. I will tell you about that institution later.

The staff were fine, dedicated young people. They all made the same complaints to me. Just not enough staff to look after the patients. What should the staff requirements be for a hospital of that type? Dr. Robert Switzer, director of the Children's Centre at the Menninger Foundation, who has done pioneer work with disturbed children, said on September 30, 1968: "There must be an almost one to one relationship between the staff and the children. These children must be cared for alertly, 24 hours a day."

But in the children's ward I visited, there was only one male attendant and one assistant. At night there was only one attendant on the boys' side, with no one to supervise the girls' side of the ward. This is how these two psychotics were able to get this seven year old boy off in a washroom and strangle him to the point of death. Because there was just no one to supervise. And this seven year old boy was not mentally retarded.

I was shocked to learn that he was in this hospital purely and simply because he had grown up with elderly parents on a farm, away from children of his own age, and as a result he had not had an opportunity to learn how to live with children his own age and he had become shy. And when forced to begin going to school he found it difficult to adjust and they had brought him here, to this place, so that he could learn to adjust better. And they strangled him almost to the point of death.

Imagine putting a child like that in with mentally retarded, aggressive emotionally disturbed boys who have been transferred from a training school. Unbelievable!

The staff and the patients at Goderich found it very disturbing that because of the proximity to other wards the occasional adult mental patient wanders through the children's ward. The staff shortage extends up to all levels of the hospital. In fact, there were only two doctors for all 250 patients. Two doctors, for 250 patients, and this is a psychiatric hospital.

If you just think about it, Mr. Speaker, a psychiatric interview takes about an hour. If these men work every day, for 8 hours a day, they could between them see 16 patients a day. That means that they would see the patients once every fifteen days. And this is supposed to be an acute treatment psychiatric hospital. Imagine seeing a doctor once every fifteen days.

As a result of the striking staff shortage a normal seven-year-old boy who had been sent to hospital only for investigation of shyness, had become strangled. Goderich was not unique in this type of inter-patient brutality.

I have here a statement given to me by Mrs. Ingrid K., of Rolyat Street, Toronto. I will not use her full name, although she has given me permission to do so. I quote the statement:

Stanley (her son) is now in Orillia Memorial Hospital.

Stanley is 17 years old.

He was admitted over four years ago on April 28, 1964. On Friday, August 30, 1968, Dr. Wilson phoned me and said Stanley had been in a scuffle with another boy—a patient. The other boy put his knee on Stanley's pelvis during the scuffle and Stanley was bleeding. There was blood in his urine.

I visited Stanley on Saturday, August 31, and found him half conscious in the hospital ward of the Ontario Hospital. Dr. Hopewood denied the scuffle, said there was no record of any scuffle. Dr. Cleary also said he did not know anything about it. Dr. Sinclair is going to operate today as far as I know at the Memorial Hospital in Orillia.

I saw Stanley last on September 2. On August 31 at the Ontario Hospital in Stanley's ward I talked to an orderly, the one who guards the patients, and the orderly said the children never get outside on Stanley's floor because of a lack of supervision.

Stanley is able to walk and knows how to go out and come back. I do not know why they will not let him go outside. If he was so badly retarded that he could not walk I would understand it. When he was on the first floor they took him outside. I saw him in June and he looked healthy.

Then I went to Sweden to see my mother because she was very sick and was not expected to live. When I came back in August and saw Stanley I was shocked—

he was so thin as though he lost about 50 pounds. His ward is called E cottage.

Well I went to the hospital, Mr. Speaker, and when I was there, the doctors involved were not present so I wrote to Dr. Cleary and he replied as follows:

In regard to your letter of October 1 requesting some information on Mrs. Kulik's complaint that Stanley's hematuria resulted from being beaten at the hospital, I am unable to produce evidence that this did occur.

During his stay here, Stanley has been a very irritable boy; he has been very rough with other patients and he is easily provoked to anger and has a severe temper.

After he developed the hematuria, the staff members on the ward questioned some of the other residents and found that Stanley had been involved in a scuffle with another boy much smaller than himself.

This incident had not been observed by the staff who were supervising at the time. One of the staff physicians examined Stanley on the day that the hematuria first occurred and at that time he did not report any bruises, abrasions, or any other abnormal findings on Stanley. The only abnormality noted was the hematuria.

I accept Dr. Cleary's explanation without question. But in effect he is really saying exactly the same as Mrs. Kulik—there just is not enough staff to properly supervise the patients.

When I visited the Orillia Hospital this summer, Mr. Speaker, I had an experience which has not happened to me in some long time—I cried, I actually cried. It is a heart-rending experience. There is only one worse in this province and that is to go to Smiths Falls. I wish that some of the members from this House would visit the Ontario Hospitals in this province.

The member for Nickel Belt says he has. I am delighted to hear that. I was shocked to go into Ontario Hospital after Ontario Hospital where they told me there had not been an MPP visit or an MP visit in years. Place after place I was told that.

If you went there, if you saw for yourselves, you would not tolerate what is actually going on in those hospitals because it is a terrible experience. Each and every ward in Orillia is short staffed.

There are not enough doctors, not enough nurses, not enough attendants. The chief nurse of one section complained that her

nurses were forced to do aides' work because there was no one else to do it and as a result had no time to work with the patients.

Salaries are low. They begin at \$4,600—this was after the recent raise—and the department has just raised the educational requirements from grade 10 to grade 12 for beginning attendants.

As a senior nurse said to me at the time:

They are short staffed now and this will make it worse. The department just does not seem to know what it is doing. An attendant does not need higher education; she needs love and dedication.

The staff shortage at Orillia results in patients there in E cottage being locked up in their ward because there is not enough staff to supervise taking them outside to play. You have to see the despair and boredom of those children and then compare the children in Orillia with retarded children of similar IQs cared for in more enlightened surroundings.

When you walk into a ward in Orillia you will never forget the experience, the children immediately run up to you, they surround you, they clutch at you. They are starved for love. They are starved for affection. They are starved for attention. Most of them have been deserted by their parents. Over half of the children in Orillia never get a visitor—never.

They have been abandoned by society and in many wards there is only one attendant for 40 children. Those attendants try their best, but one human being cannot supply enough love or attention to 40 children. They have difficulty supplying the immediate basic needs, they have not time to give the love.

You walk into another jurisdiction, not in this province—and I will tell you about those soon—and the children carry on their work. They smile at you, but they carry on their work.

You go into Orillia, you go into Smiths Falls, they clutch at you, they say: "Please do not go. No one has come to see us this year. No one has time to talk to us." This is the situation in Ontario.

Well, I digress, Mr. Speaker. I was talking about brutality in institutions. It is not only children who are attacked in our mental hospitals. On September 27, 1968, together with the member for Brantford, I visited Mr. Malcolm White at the St. Thomas Ontario Hospital.

Mr. White was very elderly and unable to defend himself. He had been struck so hard

across the neck that the black and blue marks extended from ear to ear. They looked like strangulation marks. A few days after this incident, in my opinion, probably as a result of the weakening produced by that incident, Mr. White fell and broke his leg. He will not recover. In my opinion he will not leave that hospital.

Dr. J. Kaufman, the superintendent, confirmed to us—the member for Brantford was with me when we visited—that the hospital was short of staff. I asked him how short and he said: "Well, perhaps you had better write me."

I wrote him the next day asking the cause of Mr. White's injuries and Dr. Kaufman's opinion of the number of attendants required in his hospital to bring this level up to a proper one and he replied: "Thank you for your letter of September 13. This matter is now under review." There has been no further word from Dr. Kaufman.

I may say, Mr. Speaker, to digress again for a moment, we have had the same experience, the same problem with other superintendents—they are having a little difficulty in expressing themselves at the present moment. When I come a little later to the material I have available, perhaps you will understand why they are having difficulty expressing themselves.

Well what do we find in the other government mental hospitals? The same, and worse. Smiths Falls is only for those with strong stomachs. Understaffed, underpaid, overcrowded—it is a terrible place.

The wards were built for 36 patients and they all contain 47. There were three staff for every two wards when the member for Lakeshore and I visited—an average of one attendant for every 32 patients. Think about that for a moment, Mr. Speaker. One attendant on duty to handle 32 mentally retarded patients.

I am embarrassed for the government now, Mr. Speaker. One of the Conservative back benchers has just come in with one of their typical comments. I would hope that in this material which should not be political we would have a little better attitude from them. For goodness sake try to improve this province.

The staff do their best, Mr. Speaker, but it is hopeless. As a result of insufficient supervision, pregnancies are common among the mentally-retarded female patients. I was told by the deputy superintendent of one of those hospitals—I have his name but he



has asked that I not use it here in the House—that last year there were over 400 pregnancies among retarded long-term inmates of our mental institutions. Well, perhaps it is not 400, perhaps it is 100, I have no way of getting the figures but it boggles the mind, the chance that these children have.

What further preventable and foolish expense—and all because of the short-sighted policies of this government. Go to Smiths Falls, Mr. Speaker, see the hopeless dull faces of those children. See the toilets which have had the doors ripped off. See the clothing the children are given. As we walked the wards, we wondered why the patients seemed to be dressed in too small clothing. I asked our guide, a senior attendant, and he explained that all the clothing discoloured and shrank so badly after the first washing that it ceased to fit. We saw boys with sweaters which had shrunk to just below their elbows.

Mr. Speaker, I have brought samples here to show you. The attendant was good enough, the hospital was good enough, to give me this material and I wanted the House to see what is happening in Smiths Falls. What is happening in our mental institutions.

Mr. Speaker, these are pants. These are brand new. These are issued to patients in the mental hospital at Smiths Falls. They look very nice; nice colours. The patients look great in them the first time they wear them. That is what they look like, but that is not what you see patients walking around in.

This is what you see patients walking around in. This is what happens as they go through the washing machine. They shrink up; they discolour; they rag. That is what happens at Smiths Falls. The member for Lakeshore was with me when the attendant said "Go back and see if something can be done. Why do they send us this clothing?"

Mr. MacDonald: Where do they buy it, I wonder?

Mr. Shulman: We will come to that. Here is a sweat shirt; brand new sweat shirt, has not been through the washing machine. This was issued at Smiths Falls. Nice colours. This is not what you see the patients wearing in Smiths Falls.

This is what you see them wearing. Shrunken up, discoloured. Who makes it? Penmans makes it. Earl Penmans. So I said why in the world are you sending this stuff down to Smiths Falls? Does the government

specifically order this shoddy material? And they said (they sent me back a great letter) no, the government does not specifically order shoddy material; we are going to investigate it and let you know.

That was two months ago. I have not heard anything more from them. I do not understand it. After all there are all sorts of very reliable leading business men on the board of Penmans; there is Marcel Faribault, and he should know something about business. I am waiting.

Undoubtedly there is an explanation. We will hear it. It is not just that the clothing they buy is sad.

These are the socks. Somebody orders wool socks and puts them through washing machines. Any housewife can tell you you cannot put wool socks through washing machines. If you are going to use washing machines, you are to buy artificial—nylon, orlon or things of this nature that will not shrink up.

If you insist on buying wool socks, you must not put them through the washing machine. Every patient is walking around with these shrunken up socks because someone does not know what they are doing down there.

That is the situation in Smiths Falls, Mr. Speaker.

Mr. J. L. Brown (Beaches-Woodbine): Look at the empty Cabinet.

Mr. Shulman: Yes, look at that front row Mr. Speaker, not a member here. Not one is interested.

Mr. Brown: That is why these conditions exist.

An hon. member: My member is here.

Mr. MacDonald: As long as the Minister without Portfolio (Mr. Guindon) thinks so.

Mr. Shulman: Mr. Speaker, small wonder that the Minister of Health does not want the MPPs visiting these hospitals, unless he is aware in advance and is able to prepare a conducted tour. I did not believe that, Mr. Speaker. We have had Ministers get up, and even the Minister of Correctional Services, with all his faults, is prepared to allow the members of this House to go to the institutions under his control. He says "I have nothing to hide, go any time you want; see what you want".



I have always believed that the government, the Prime Minister, surely was not going to try and hide things in a public institution. I never dreamed that they would attempt to bar the MPPs from the public institutions. Even when I received this letter, Mr. Speaker, I still did not believe it. Now this is from a superintendent in Orillia, and I will read the letter. I quote:

Dear Dr. Shulman:

I am not acquainted with you personally and as yet have not had the pleasure of meeting you, but permit me to congratulate you for your interest and your visit to the Ontario Hospital School in Orillia.

I venture to say, Doctor, you had not been in the Ontario Hospital School five minutes when my phone rang and I was told of your visit yesterday at 4.15 pm. I was duly informed that an open letter signed by Dr. Zarfes of Toronto was subsequently sent to all supervisors of the Ontario Hospital Schools, instructing them that under no circumstances was any member of Parliament allowed in future to visit or question anyone in the wards of that school.

So you see, I respectfully submit to you that your visit has caused some concern to the brass and it is very evident that they cannot stand up to any constructive criticism.

I did not believe it, Mr. Speaker. I thought surely, after everything that has been said by the Prime Minister in this House, by members of the Cabinet, this must be an error of some official at some level in The Department of Health. Surely they do not mean it. Perhaps this man is wrong with his information. I just disregarded it. To my absolute amazement, the Minister confirmed it himself. On September 4, I received this letter from the Minister of Health. I will read it in full. "My Dear Colleague"—

At first I thought I had received the wrong letter, Mr. Speaker, but then it was meant for me.

My Dear Colleague:

I was surprised and distressed to learn of your lack of consideration in visiting the Goderich Psychiatric Hospital, and the Children's Psychiatric Research Institute on Saturday, August 24.

For your information and guidance, I would direct your attention to the following extract from my remarks to the Legislature in May of 1966, as recorded on page 2933 of *Hansard*,

And then there is a quote inside the letter, Mr. Speaker:

"The primary purpose and objective of a hospital, whether it is a general hospital, a hospital for the mentally ill or retarded, is the care and treatment of the sick. The fact that the hospital is established and operated by the government does not make it any less important to give first consideration to the patient. Public relations are also important. A hospital is part of a community, and must have the support of the community to fulfil its purposes.

It is therefore, important to the community to know something about the efforts being made to care for the sick, and the problems faced by the hospital in achieving its objectives.

The interest of the public and the hon. members of this House in the services provided for the mentally ill and retarded is encouraging and appreciated by those who devote their lives to this work. This interest cannot, however, and will not, be permitted to interfere with the care and treatment of our patients.

My staff are prepared to make arrangements for a reasonable number of visits for interested individuals or groups to our hospitals so that they might better understand the work that is being done. We need to remember, however, that the staff are busy, and the patients do not relish being put on display.

If the hon. members, in their efforts to serve the people of this province, have a particular interest in the programme at one of our hospitals, I would ask them to make arrangements to visit the institutions through my office, or the office of my Deputy Minister.

We will do our best to accommodate you and I am sure that your interest will best be served if we avoid any unwarranted interference with the work of the doctors and the staff, and observe a proper respect and consideration for the patients."

End of quote within the quote. Dr. Dymond goes on:

I can assure you that we are most pleased to make arrangements for a visit in accordance with the above policies, and I trust that we will have your full co-operation in respect to any visit you wish to make to our facilities in the future.

Yours sincerely,  
M. B. Dymond, MD,  
Minister of Health.

As you know, Mr. Speaker, I am a very gentle, polite man, so I replied in my usual gentle way:

Dear Doctor Dymond:

This will acknowledge receipt of your letter of September 3, 1968. I certainly agree with you that the work of the doctors and their staff should not be interfered with, and this is why I have made my visits on weekends. In addition, I certainly agree with you that the patients should not be put on display, but I am sure that your staff have informed you that I have taken care to avoid anything of this nature.

On the other hand, I am sure that the Premier in the Legislature would agree with me that it should not be necessary to notify the Minister before a member visits a public institution. Certainly, if it were the case of the officials concerned having advance knowledge of such visits, abuses would never be exposed. I shall look forward to presenting this matter to the Legislature and to the public to get their view. I rather think that once again you will be proved to be wrong. In the meantime I shall continue my work, as the facts which I have already uncovered indicate an urgent need for changes at the top level of your department.

Your sincerely,  
Morton Shulman.

I did not hear any more from the Minister, so I presumed that my argument convinced him, and I continued to visit the institutions. In fact, just two weeks after that, the member for Lakeshore and I had the pleasure of going down to Smith Falls. As we always do when we arrive at an institution, as I always do when I arrive at an institution, we went to the switchboard and asked for whoever was in charge that day. We then presented our cards and announced ourselves, and we said we were MPPs and we would like to see the institution and Smiths Falls. They showed us through and we subsequently went to other institutions and were shown through, but I thought that the Minister had relented.

Alas, this was not the case. What had happened was that his department, so badly organized and so inefficient, had problems getting the memorandum barring us, around to the various hospitals. I discovered this—

Mrs. M. Renwick (Scarborough Centre): They have not had time to read it.

Mr. Shulman: Or the other possibility is, as the member for Scarborough Centre said,

they have not had time to read it; they are so short staffed.

In any case, on Nov. 24, off to Penetang.

Mr. Sopha: I wish I could believe his interest was genuine.

Mrs. M. Renwick: That is not the point.

Mr. Shulman: Mr. Speaker, I wish—

Interjections by hon. members.

Mr. Speaker: Order! Order!

Mr. MacDonald: Mr. Speaker, on a point of order. Can an hon. member gratuitously interject and cast aspersions on the motives of another member?

Mr. Sopha: I asked a question.

Mr. Speaker: With respect to the interjections, I am sure that all the members, and particularly including the member who now raises a point of order, have had a habit of making interjections which have not helped very often in the business of this House. But, of course, it is quite improper that any member should impugn the motives of another member in this House. I am sure that that must not have been the intention of the hon. member for Sudbury.

Mr. MacDonald: What was his intention?

Mr. Sopha: Mr. Speaker, that was not my intention. I was wondering aloud, musing the form of a question.

Mr. Shulman: Mr. Speaker, let me—

Mr. Sopha: I have no doubt about the member for Lakeshore, none at all.

Mr. Shulman: Mr. Speaker, to give credit where credit is due, these visits were not my idea. They were the idea of the member for Lakeshore. It was his suggestion a year ago that, inasmuch as no member had visited these institutions in many a year, someone should go. It was my original thought that it would be best if members of more than just one party went but, unfortunately, we were unable to interest members of another party to go. I may say, sir, that in every institution I visited I asked, in every case, has any—

Mr. A. B. R. Lawrence (Carleton East): Mr. Speaker, I wonder if the hon. member would permit a correction of the facts. I, myself, have—

**Mr. J. E. Stokes (Thunder Bay):** You will have a chance in the Throne Debate, sit down. Take your seat.

**Mr. Speaker:** Order.

Interjections by hon. members.

**Mr. A. B. R. Lawrence:** I am speaking to the Chair, if I may.

**Mr. Speaker:** Order. The hon. member will please resume his seat for a moment, when Mr. Speaker is calling for order.

Will the hon. member who has the floor permit a question from the hon. member for Carleton East?

The hon. member now has the floor to ask a question, not to make a statement.

**Mr. A. B. R. Lawrence:** Mr. Speaker, has the hon. member in fact checked to see whether other members of other parties have indeed visited these particular institutions?

**Mr. Shulman:** Yes, I have made a point of checking, Mr. Speaker. I must say that on two or three occasions there were Conservative members who had visited. I was never able to find one—

**An hon. member:** Why did you not tell us that?

**Mr. Shulman:** I mentioned the member for the Nickel Belt. I was never able to find one where a Liberal had visited, to my embarrassment.

**Mr. J. B. Trotter (Parkdale):** A point of order, Mr. Speaker. Over a period of time I have been to a number of these institutions mentioned. I know that the member for Humber has been and, in fact, the member for Essex South (Mr. Paterson) has been and the member for Etobicoke has been to various institutions here, not only in the city but throughout the province. I know of four or five members that have been there. So that remark is completely, just utterly wrong.

**Mr. Sopha:** To make the record complete, on a point of order, I was with the member for Nickel Belt.

**Mr. Shulman:** Mr. Speaker, I am delighted to learn that the Liberals are not quite as remiss in their duties as I thought. What I was repeating, Mr. Speaker, was a question that was asked in every case of the superintendent or assistant supervisor who took us around. In every case I said, has any MPP or MP come to this institution? In most of

the institutions, I am sorry to say, no MPP had come from any party.

**Mr. R. F. Nixon (Leader of the Opposition):** That is wrong.

**Mr. Shulman:** No MPP had come from any party. In two or three, they said the Minister of Health had been here. In one or two cases, a Conservative member had come to this institution, in most of the institutions, I am sorry to say, no MPP had come from any party. In two or three they said the Minister of Health had been here, in one or two cases a Conservative member had been mentioned. Now, to carry on.

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Parkdale rose on a point of order. He might state his point of order.

**Mr. Trotter:** All I want to say is I will again repeat (because the hon. member for High Park has gone into this question again that our members have not been at these institutions. In fact, I do not know if he has ever been to Cedar Springs; he has not mentioned that one), but I want to state again that I have been to almost all of them over a period of time. There are one or two that I personally have not been in. The ones I have not been to, I know other Liberal members have been, not only once but many times and particularly the Ontario hospitals. I have visited some hospitals four or five times, particularly those close to my own area, so I know that these statements are just wrong.

**Mr. Shulman:** Mr. Speaker, I am delighted to learn that the members have been to the hospitals. Now I am a little worried because if they have visited them and saw what we saw, why in the world have they not been rising in this House doing something about it?

**Mr. Trotter:** On a point of order, I would ask, Mr. Speaker, that the hon. member refer himself to *Hansard* over the last eight or nine years. And on this point of order, I want to emphasize that while I was speaking on this subject, the hon. member for High Park was working tooth and nail for the Tory party.

**Mr. Shulman:** Let me say the work done by the members who have spoken in aid of this situation appears to have been missed not only by myself but by everyone else in this House, and in reference to my working tooth and nail for the Conservative Party they somehow did not seem to think I was,

because while these speeches were being made I seemed to be having a slight disagreement with that group.

**Mr. Nixon:** The member was appointed coroner by the Conservative Party by his own admission.

**Mr. Shulman:** Oh, yes, that was in 1952, Mr. Speaker.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Shulman:** Mr. Speaker, before we had these outraged interjections, I was about to tell you about Penetang. On Sunday, November 24, I went to Penetang—

**Mr. T. Reid:** Why did the member not stay there?

**Mr. Shulman:** It disturbs me, Mr. Speaker, that the Liberals have shown as little concern with their interjections—I hope that interjection was on the record—as was that of the Conservative backbenchers. “Why did you not stay in Penetang?” I would hope we would get all-party support for this type or problem, not carping criticism. Would *Hansard* please note that the member for Scarborough East made this comment.

**Mr. T. Reid:** If the member presented his case in a decent way he would.

**Mr. Shulman:** Mr. Speaker, on Sunday, November 24, I went to Penetang. I announced myself at the switchboard and said that I would like to see through the hospital and asked that the doctor in charge be called. I was told that the superintendent, Dr. Boyd, was away, that the deputy superintendent—I believe his name was Dr. Barker—was off at lunch, but that they would summon Dr. McKay, who was the ranking VIP and in the meanwhile the head of the nurses was called and she said “Please sit down for a few moments while I find out what can be done”. She spoke to Dr. McKay over the phone and she said, “Fine, let’s begin our tour at the new building”.

Well, I did not go up there to see the new building but the new building is a sort of little show place that has been put up to house a few old people and get them out of the sordid surroundings that they were in, in a mental home, and it primarily is to educate these people so they can manage in society. I had come up to see the branch of the building which is the old building, which contains practically all of the patients, which is locked, which contains all of the

criminally insane. There have been a number of stories coming out—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Shulman:** There were some hundreds of patients in the building for the criminally insane. There have been a number of stories that have been appearing in the press recently about rather unusual treatments that have been given there and I was anxious to see the medical treatments that were being given as well as the level of care.

However, to start with, this head of nurses said, “Well, let’s go through this new building where there are a few old patients until Dr. McKay arrives.” This was quite agreeable so we went through the new building. “Now, before you start to tour the hospital, we better go back to the switchboard and you can meet Dr. McKay and he will take you through,” said the head nurse.

So back we went to the switchboard and sure enough there was Dr. McKay and Dr. McKay looked very unhappy and he said: “Would you come into my office please—I want to stress I have nothing to hide and I am following instructions only. I have been instructed that you are not to be allowed to go through the Penetang Hospital for the criminally insane.”

I said: “Well I cannot believe that—it must be a mistake. Would you mind phoning the superintendent?”

So Dr. McKay said: “I will phone Dr. Barker and get him on the phone.” They got Dr. Barker on the phone and Dr. Barker said: “No, you cannot go through unless you have made a prior appointment.”

This is fine. It is only 11:00 in the morning, I have come all the way from Toronto. “Can I make an appointment for later today?” I guess that was not enough time to clean the place up. They said: “No—not today, how about some other day? We cannot give you an appointment for later today.”

So I went back to Toronto, Mr. Speaker, and I received a lovely letter just the next day from Dr. Boyd, superintendent of the hospital and it reads as follows:

Dear Dr. Shulman,

I was so sorry to hear that you arrived for a visit on Sunday, November 24, the only day in over a month when I have been away from the hospital, out of town. We frequently have groups of social workers, psychiatric residents, students and

staff from other hospitals visiting us to see our facilities and our programmes.

Each year we hold an open house during which the entire hospital is open to the public and this year, we had over 1,800 people visit during our three-day open house. We are particularly pleased to have professional people in the health field and people occupying such responsible positions as yours, visit.

You will appreciate that on weekends we operate with a skeleton staff just sufficient to keep some programmes going for the patients and it is difficult to provide tours without prior notice. We will be pleased to have you visit us during the week or, if this is difficult for you, I would be glad to arrange it for a weekend if you will give me a few days' notice.

*Signed, Dr. Boyd*

Well, I was very pleased to receive this. It was all a mistake, so I wrote another letter back to Dr. Boyd telling him I was coming:

Dear Dr. Boyd:

Thank you for your letter of November 25. I do not wish to make another useless trip to Penetang and so would appreciate a clarification of your letter.

My visits to Ontario institutions have all been without prior announcement so that I could view the hospitals as they are and not after a clean-up specifically made for my visit. Therefore, would you please tell me if I arrive unannounced on a week day will I be allowed to tour your hospital?

If you are only prepared to allow me to visit the hospital with your previous knowledge of my visit, I will not waste either your time or mine with this type of visit.

Yours sincerely,  
Morton Shulman

I did not get any answer to that letter, Mr. Speaker, so I thought perhaps I should phone Dr. Boyd, that perhaps he did not get my letter. I phoned him yesterday and he said: "Oh I got your letter all right, but I am not sending you an answer."

I said: "Why are you not sending me an answer?" and he said: "Well, I did not like

that letter very much and I have been in touch with Toronto and I am afraid if you want to go to the hospital you will have to contact them down there."

So there is the situation—The Department of Health gave instructions I was not to tour that hospital. Well, I can tell you why I was not allowed to tour that hospital.

Mr. W. Newman (Ontario South): What right does the member have over everybody else?

Mr. Shulman: Oh the Conservative back benches have come to! I should hope they would realize that any MPP should be allowed to tour any public institution in this province. If they cannot, there is something rotten inside those institutions.

Mr. W. Newman: Nobody said they could not, at any time.

Mr. Shulman: As a member of the Opposition—

Mr. W. Newman: Well, it is time the member learned a little bit.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker, may I complete my sentence? I was merely going to say, Mr. Speaker, I now have the reasons here why they would not let me in Penetang. Tomorrow I shall take great pleasure in presenting them to you.

Mr. Shulman moves the adjournment of the debate.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Financial and Consumer Affairs): We will continue with the Throne Debate tomorrow and I remind the hon. members that there will be a night session tomorrow evening.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 12, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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## LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 12, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today our guests in the galleries are: in the east gallery students from Hillfield college in Hamilton and from Saltfleet high school, Stoney Creek; and in the west gallery, students from St. Joseph's commercial school in Toronto and North Bendale public school in Scarborough.

Petitions.

The following petitions were read and received:

Of the corporation of the county of Ontario praying that an Act may pass extending the time for taking of the assessment for the township of Pickering and for returning the roll to the Clerk.

Of the board of education of the city of Windsor praying that an Act may pass approving completion and equipment of Centennial secondary school and authorizing the issue of the necessary debentures by the city of Windsor.

**Mr. Speaker:** Presenting reports.

Mr. A. B. R. Lawrence (Carleton East), from the standing private bills committee, presented the committee's first report, which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill Pr2, An Act respecting Ontario Co-operative Credit Society.

Bill Pr9, An Act respecting March Diamond Drilling Limited.

Bill Pr10, An Act respecting the town of Parry Sound.

**Mr. Speaker:** Motions.

**Mr. G. Demers (Nickel Belt):** I move that leave be given to the legal and municipal committee to sit during the hours of sitting of this House until the Christmas recess.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, just a comment on that. I presume it is so that the investigation of Bill 5, the expropriation bill, might be carried to its completion before we rise for the Christ-

mas recess. I would ask, Mr. Speaker, if this is something that has been done during a session of the House before in your experience?

**Mr. Speaker:** I would be pleased to advise the hon. leader of the Opposition that some years ago I was chairman of the committee on privileges and elections. We sat investigated a certain matter every evening for a week while the House was sitting, I believe, so that within my personal experience it has been done on a resolution of the House.

Does any other member wish to speak to this motion?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I would just like to say very briefly that I think it is the wish of all members of the House that this legislation be carried forward as quickly as possible, consistent with discussion of the provisions of the Act. We have had two meetings of the committee this week and we are making, I think, fair progress. But I think it is the wish of all members, certainly of the committee, and, I would think, of the House, that if we can, by the exertion of a little extra effort, conclude our discussions in committee before this session adjourns, we should do so.

There was a unanimous indication of willingness in the committee this morning that we should endeavour to do that, if the House would give us permission.

**Mr. Speaker:** I would point out to the hon. leader of the Opposition that it has a further benefit too. We always know where to go for members if we fall short in the House on such an occasion.

Motion agreed to.

Motions.

Introduction of bills.

### THE MECHANICS' LIEN ACT, 1968-1969

**Hon. Mr. Wishart** moves first reading of bill intituled, The Mechanics' Lien Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, I would like to speak very briefly introducing the bill. Actually, what I propose to say to the House is largely contained in the explanatory note which will appear when the bill is printed. This is really the statement of how the bill was developed, at this time.

I would point out that in 1965, the Ontario Law Reform Commission undertook an extensive study of the law in Ontario as it relates to mechanics' liens. A report, dated February 22, 1966, containing the recommendations of the Law Reform Commission for updating and revising The Mechanics' Lien Act, was made by the commission to the Attorney General.

Bill 190, which was a part of that report, was introduced and given first reading at the 1966 session. This bill gave the proposed legislation an opportunity for wide distribution in convenient form for study by interested persons and organizations. That study, I may say, was wide and extended.

The commission then held a further public hearing and considered many submissions resulting from the study and these, in turn, resulted in a supplementary report which was dated May 26, 1967.

The recommendations of the commission contained in the supplementary report have been incorporated in the present bill. There is, however, one major exception. The bill does not transfer jurisdiction in mechanics' lien action from the Supreme Court to the county and district courts as was recommended by the commission in both of its reports—both the supplementary report and the previous one.

It is thought advisable to leave this matter in abeyance, pending the conclusion of the general review of the jurisdictions of the several court systems in Ontario, which is now going on as a result of the recommendations contained in the McRuer Report on Civil Rights.

The bill also contains a number of editorial and other changes which are designed to clarify the intent. These have resulted from the study of Bill 190.

#### INSTITUTE FOR THE PREVENTION AND CURE OF BIRTH DEFECTS

**Mr. M. Shulman (High Park)** moves first reading of bill intituled, An Act to establish an Institute for the Prevention and Cure of Birth Defects.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, I shall explain the purpose of the bill during the course of my Throne Debate contribution during the next two or three days.

**Mr. Speaker:** The hon. Attorney General.

**Hon. Mr. Wishart:** Mr. Speaker, I think it is fitting and proper, and I am sure the members of the House would agree, that at this time we pay some tribute to two young men, Detective-Sergeant Lorne Chapitis and Corporal James Smith. They had dedicated themselves to making Ontario a better and a safer place in which to live when they became members, some years ago, of the Ontario Provincial Police force, and each in his turn took an oath of office to serve Her Majesty the Queen without favour or affection, malice, or ill-will, and that to the best of his power he would cause the peace to be kept and preserved and would prevent offences against the person and property of people of this province.

Each of these men, Mr. Speaker, has distinguished himself in the service. Detective-Sergeant Chapitis was a competent specialist in criminal investigation and was charged with the responsibility of supervising that branch of the forces in No. 8 district with headquarters in the city of Peterborough. Corporal James Smith was a teaching corporal with the district and in addition was a specialist in the use of special equipment.

When the call came to these men, Detective-Sergeant Chapitis left his dinner table with his food untouched, met with the corporal, and these two men went about their duty where they met their death.

I am sure all members of the House join with me in expressing our condolences and sympathy to the families and in paying a tribute to the courage and the conduct and the devotion to duty of these two men, and I would associate particularly in those remarks the members of this House from Peterborough and Victoria-Haliburton.

**Mr. Nixon:** Mr. Speaker, I think it is most appropriate that the Attorney General has taken this opportunity to say a few words to express our feelings on this particular day. I was listening to the news as I drove in to Toronto this morning and wondered what could be done to express in some small way the feeling that all of us as members of the Legislature have at this terrible circumstance. Certainly I join with the Attorney General and all other members in wishing something else might have been the alternative, but

that we offer our sincerest condolences to the families.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I wonder if I might be allowed to say a word in view of the fact that one of these men was from the city of Peterborough and the other I think was from the township of Ennismore. They were highly regarded men and I awoke this morning in the atmosphere of sadness in the city of Peterborough that such a tragedy should have taken place.

They were fine men who shared the admiration of the citizens of Peterborough and the surrounding district, an admiration which extends to all the men, I think, of the Ontario Provincial Police, who do such excellent work in that area.

I think that all of us would hope that the province can be as generous as possible to the families—one man I think has one child and the other one has three children. I am sure our condolences go out to the families and I do hope the province can see fit to be as generous as possible to those who are left.

**Mr. Speaker:** The hon. member for Dovercourt has a point of order.

**Mr. D. M. De Monte (Dovercourt):** I do not know, Mr. Speaker, if it is a point of order, but I would like to inform this House that there will be a memorial service for those who gave their lives during the construction of the east-west subway, tomorrow at 12.45 p.m. at Bloor and Yonge Streets. I think we should sometimes reflect on the sacrifice these men and their families have made to the industrial undertaking of our province and in the construction of our great city, and I would like to take this opportunity to express my personal condolences to the men who gave their lives during the construction of the subway and perhaps the condolences of this House if possible. Thank you, Mr. Speaker.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** Thank you, Mr. Speaker. I had a question for the Premier (Mr. Robarts) concerning the disposition of the federal-provincial conference next week. He is not in his place but I do not believe the question requires any further answer since the news reports of the last few hours indicate that it is postponed. However, it might be possible for the hon. Treasurer to tell the House if the timing of the Conference of Treasurers with

the Minister of Finance will be altered as well?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, we learned this morning that Ottawa is calling all provinces to secure consent to proceed with the Finance Ministers' conference. Indications at noon were that the meeting would take place as scheduled and we expect to be advised definitely some time later in the day.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs which I will ask in a moment, after I have asked a question of the hon. Minister of Energy and Resources Management.

When the Ontario Water Resources Commission constructs a pipeline to a municipality and determines rates for water to cover costs, will the initial water rate be changed if the water is sold to another municipality from that pipeline?

And, second, will the rate be changed in London as other municipalities use the OWRC pipeline there?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, I might say initially that when OWRC enters into the contract or agreement with the municipality, the answer could be no. But all these contracts or agreements are subject to review. The rates vary from contract to contract, in accordance with how the use of water on that particular line increases. Then after a particular period they are reviewed and new rates struck. And that would apply to London as well.

**Mr. Nixon:** If I might ask a supplementary question: It is reviewed depending on the local situation, but there is no necessity that the cost would go down, as the number of users increases?

**Hon. Mr. Simonett:** Not until they had initially fulfilled the first part of the contract or agreement. And the review date is in every agreement.

**Mr. Nixon:** Is the review date normally five years, Mr. Minister?

**Hon. Mr. Simonett:** Yes, approximately five years.

**Mr. Nixon:** I have a question, Mr. Speaker, for the Attorney General.

Will the Attorney General investigate the case of an 18-year-old Canadian Indian girl held, because of her inability to raise \$1,000

bail, in the Don Jail for one month awaiting trial on a charge of theft, which was finally dismissed, as reported in the letter to the editor of the *Globe and Mail*, written by P. T. Matlow in his capacity as an officer of the court?

**Hon. Mr. Wishart:** Mr. Speaker, I have asked the Crown Attorney for the County of York to get me particulars of this case and I propose to review it.

**Mr. Nixon:** Mr. Speaker, a question of the Hon. Minister of Municipal Affairs. No. 1: What steps has the Minister taken to enforce "conflicts of interest" regulations for municipal officials in London?

2. Is the department contemplating any action against Mr. Les Thomas, a member of the London Public Utilities Commission, who refuses to sign the declaration of office form?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, the disqualification of a member of council is a matter which must be determined by a court, at the instance of an elector of the municipality concerned. The Minister of Municipal Affairs not being an elector of the city of London has no authority to institute such an action. Therefore it follows that the answer for the second part of the question is no.

**Mr. Nixon:** Mr. Speaker, a question of the Minister of Health; is the Minister of Health going to undertake any action to control the air pollution in the townships of Moulton and Sherbrooke, since the report of the Royal commission yesterday, the question, which was filed yesterday, indicates such pollution is continuing.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, the report indicated that the pollution was continuing at the time when the commission concluded its hearings in March. During the 1968 growing season, ERCO did not operate their fertilizer production facilities, the company had been advised that such practice must continue until they install a positive means of control on their curing sheds, and this had been confirmed by a Ministerial order.

The facilities of Sherbrooke Metallurgical have been surveyed and requirements will be made upon completion of the work.

Inspection during the growing season this year indicates that economic loss of agriculture, crops and livestock was not evident. We have not been requested to provide negotiation services for the settlement of any claims.

**Mr. Speaker:** The hon. member for Oxford has a question of the Minister of Health, from yesterday.

**Mr. G. W. Innes** (Oxford): Mr. Speaker, a question for the Minister of Health. How many patients from the Ontario Hospital at Woodstock are being transferred to private nursing homes? Two—What is the purpose of the transfer? Three—Is this a continuing process? And fourth, does this indicate that care may be provided more cheaply in private nursing homes than in Ontario Hospitals for the patients who are subject to transfer?

**Hon. Mr. Dymond:** Mr. Speaker, there is no stated number of patients being transferred. They are transferred as the need for hospital facilities come to an end. When patients are transferred from an Ontario psychiatric hospital they are discharged from psychiatric hospitals, because there is no longer a need of psychiatric treatment. Those who are in need of a certain amount of personal care, care which can be provided in a nursing home, are transferred to such a facility. The cost has really nothing to do with it whatsoever. The determination as to whether a transfer should be effected or not is dependent entirely on the medical view as to whether the patient requires the kind of treatment provided in the psychiatric hospital, and if not, to what kind of facility should he be transferred.

This procedure is to be continued in keeping with a policy laid down some time ago so that the facilities of the hospital can be put to the proper use and provide the care for patients who need such facilities.

**Mr. Innes:** A supplementary question of the Minister. How many homes are involved? Are they transferred to one home in particular? And how many at the moment are in nursing homes?

**Hon. Mr. Dymond:** Mr. Speaker, I will have to get those numbers for the hon. member.

**Mr. Speaker:** The hon. member for Essex-Kent has a question of the Minister of Correctional Services.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, a question of the Minister of Correctional Services:

Has the Minister received the report of George Street, chairman of the national parole board that some provincial jails and mental hospitals are like dungeons, and what are the names of those jails?



**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, we have not received such a report. Indeed we are not subject to any such report by the federal authorities. I can only assume that the hon. member was referring to a news report of statements attributed to Mr. Street during an appearance which he made before the Commons standing committee on justice and legal affairs.

In order to answer the questions, it was necessary to telephone Mr. Street, who advised us that he had made absolutely no derogatory statements regarding the correctional system in Ontario. As a matter of fact, he emphasized "I stated that Ontario, Saskatchewan and British Columbia have good systems."

Perhaps I might enlarge on that too, Mr. Speaker. I think the confusion here arises because of the different systems in effect in the various provinces. There are some provinces which in effect have one building which is used as a local lock-up and what we would consider here a county jail for men, and for women, a detention centre for juveniles, what we would consider here a training school for boys—and for girls—and what we would consider here a reformatory for males and for females. In some jurisdictions in this country these are all housed in one building.

So, I think the confusion arises in interpreting Mr. Stewart's statement as referring to the kind of a very sophisticated system which we have in the province of Ontario, which of course he was not referring to.

**Mr. Speaker:** The hon. member for Huron-Bruce has a question of the Minister of Agriculture and Food.

**Mr. M. Gaunt** (Huron-Bruce): Thank you, Mr. Speaker.

When can the report of the inquiry committee studying the cheese industry be expected by the government?

Will the report be made public?

Has the disbursement fee paid to cheese factories not producing fodder cheese been discontinued?

Is it the policy of the Ontario milk marketing board to promote natural cheddar cheese?

How many pounds of this product have been exported to date this year to the United States and to France?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, in reply to the question, the report is now in the hands of the printer and copies of this report will be

made available to whoever wishes to have one.

I am not sure what the hon. member means by "disbursement". Was it "disbursement fee", he referred to? What does he mean by that?

**Mr. Gaunt:** Well, on a point of clarification, Mr. Speaker, if I may, I understood that there was a payment made to cheese factories not to produce fodder cheese. In other words, it was hard to sell and they did not want them to produce it.

**Hon. Mr. Stewart:** Then I assume, Mr. Speaker, the hon. member means the diversion payment that was paid to divert milk to other uses?

**Mr. Gaunt:** Oh, was it called "diversion payment"?

**Hon. Mr. Stewart:** If I assume correctly, this is what it is.

**Mr. Gaunt:** To divert it from one use to the other?

**Hon. Mr. Stewart:** Yes. The diversion payment which is made to encourage the plants to divert surplus milk into other more marketable products, such as skim milk powder, because fodder cheese is difficult to sell.

This programme was discontinued by the milk marketing board on April 1, 1967 when the surplus removal function became the accepted responsibility of the Canadian Dairy Commission.

Now in reply to the question, "is the policy of the Ontario milk marketing board to promote natural cheddar cheese" yes, it most certainly is. The milk marketing board has done this in several ways.

Firstly, the board provides moneys for advertising and promotional purposes to the Canadian dairy food service bureau, to promote all dairy foods generally. This programme has been highly successful, as far as cheddar cheese is concerned.

The milk marketing board has, on its own, engaged in some very extensive cheddar cheese promotion. For instance, during the month of October the National Cheese Festival month, the board engaged in such promotion in all media. In fact, the full page colour spreads placed by the board in many of the leading daily papers, won special awards.

I regret, Mr. Speaker, that the figures for the hon. member's last question concerning the export of cheese to United States and France are not yet available.

**Mr. Speaker:** The hon. Minister of Trade and Development advises me that he has an answer to a question placed by the member for Humber. Would the leader of the Opposition wish the answer given?

**Mr. Nixon:** Yes.

**Mr. Speaker:** Perhaps we might have the answer if it is agreeable.

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, tenants of Ontario Housing Corporation who are given an opportunity to purchase the dwelling which they occupy are under no obligation to take the step of becoming a home owner. Before any sale is consummated, the dwellings are thoroughly inspected by OHC and any repairs which can be attributed to normal fair wear and tear, and then carried out.

Once a tenant has entered into a purchase agreement with OHC any subsequent repairs or maintenance are his responsibility.

**Mr. Speaker:** The hon. member for Hamilton Mountain has a question of the Minister.

**Mr. J. R. Smith:** Mr. Speaker, a question of the Minister of Trade and Development. Why has the Ontario Housing Corporation not sold the 2.6 acres to the Hamilton Separate School Board that are needed for a school site in the Lawfield subdivision in Hamilton for the proposed St. Pius School?

**Hon. Mr. Randall:** Mr. Speaker, the answer to the hon. member's question is that the Ontario Housing Corporation is endeavouring to expedite the sale of approximately 2.68 acres of land in the Lawfield subdivision to the Hamilton Separate School Board.

As I am sure the hon. member is aware, Central Mortgage and Housing Corporation is a joint owner of this land with OHC. Therefore, Central Mortgage and Housing Corporation's approval of the sale is required.

This has been requested by OHC. At the present time the area in question is not on a registered plan although registration is anticipated at any time.

Again, recognizing the needs of the separate school board, OHC has indicated its willingness to sell the site to the board on the basis of metes and bounds description, subject to the exact boundaries of the site being defined, when a plan has been registered.

The agreement with the separate school board will also make provision for payment

by the board of its share of services and costs and so on.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of the Attorney General.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question to the Attorney General. Has the Ontario Fire Marshal yet made any recommendations arising out of the discussions at the 60th convention of the Canadian Association of Fire Chiefs concerning problems in fighting fires in high rise buildings?

**Hon. Mr. Wishart:** Mr. Speaker, at the present time, this matter of fire fighting in high rise buildings and apartments of that nature is under study by the Dominion Fire Commissioner, the Association of Fire Marshals and Commissioners of Canada and the Canadian Association of Fire Chiefs. The subject is considered to be quite a complex and difficult one. No conclusions have yet been reached. Consequently, no recommendations have been made by the Ontario Fire Marshal to municipalities.

I would point out, that since the Association of Fire Chiefs are taking part in this study, the discussions and conclusions which so far have been considered and reached, are available to the fire chiefs of municipalities.

I think I might add that the problem is, not so much one of fighting the fire in these situations, but what to do with the occupants of the buildings; whether to take them completely away or just have them evacuate temporarily and so on. The problem really arises there and it is not really a case of fire fighting.

The study is continuing and it is expected there will be some recommendations shortly.

**Mr. Speaker:** The hon. member for Parkdale has placed two identically worded questions; one to the Minister of Highways and one to the Minister of Municipal Affairs, requesting an opinion on a legal matter and I would have thought that it would also have been directed to the Minister of Justice.

However, perhaps the hon. member will place the two questions now to the two Ministers and we will see what happens.

**Mr. J. B. Trotter (Parkdale):** Right. Mr. Speaker, the first question, which is identical to the second, is to the Minister of Highways.

As a result of the advice received from the Attorney General, would the Minister inform the House as to the legal position of the pro-

vincial government in regard to the raceway on Lakeshore Boulevard West in Toronto?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, we have not received any advice from the Attorney General on this matter.

**Mr. Trotter**: I have been informed that they were advised—

**Mr. Speaker**: Order! Order! The hon. member has asked a question and it has been answered by the Minister. The hon. member may ask a supplementary question if he wishes but not make a statement.

**Mr. Trotter**: Mr. Speaker, I wonder if the Minister of Highways could let us know when the Attorney General will be giving him the information, as I am informed, he has already got it.

**An hon. member**: He wrote it on his Christmas card.

**Hon. Mr. Gomme**: To my knowledge, Mr. Speaker, we have not asked him for that information.

**Mr. Speaker**: Order!

**An hon. member**: He is not going to give it until they pay their bill.

**Hon. Mr. Wishart**: Mr. Speaker, I think perhaps I have some responsibility in this area. Perhaps not in a question in the House but in some conversation outside with the hon. member I may have indicated that I gave an opinion to the Minister of Highways.

An opinion was requested of The Department of the Attorney General and that opinion was furnished but it was requested from The Prime Minister's Department and the opinion went forward there. That was done some days ago.

**Mr. Trotter**: Well then, Mr. Speaker, my question no doubt to the Minister of Municipal Affairs is redundant. I assume the same answer: "He has not received the information."

**An hon. member**: He is very busy these days.

**Hon. Mr. McKeough**: Ask it.

**Mr. Trotter**: I will ask the question if the Minister will feel better. Mr. Speaker, as a result of the advice received from the Attorney General, would the Minister inform the House as to the legal position of the provin-

cial government in regard to the raceway on Lakeshore Boulevard West in Toronto?

**Hon. Mr. McKeough**: Mr. Speaker, the advice has not yet been received.

**Mr. Speaker**: The hon. Minister of Health—

**Mr. Trotter**: May I ask a supplementary question, Mr. Speaker?

**Hon. Mr. McKeough**: Yes.

**Mr. Trotter**: Has the Minister requested advice from the Attorney General?

**Hon. Mr. McKeough**: Mr. Speaker, I indicated that in the House a week or 10 days ago—

**Mr. Trotter**: And the Minister has—

**Hon. Mr. McKeough**: —that I asked for his advice, that we had collectively asked for his advice.

**Mr. Trotter**: Well your chains of communication in that government are really confusing.

**Hon. Mr. McKeough**: Well then I can only say that the hon. member should refer himself to *Hansard* and he would find where I answered that question a week or ten days ago.

**Mr. Trotter**: That is why I am asking him now. I know an answer was given, I cannot—

**Mr. Speaker**: Order!

**Hon. Mr. Grossman**: Does the hon. member give legal advice right off the cuff?

**Mr. Speaker**: Order. The hon. Minister of Health has answers to two questions; one from the member for Humber, and the other from the member for Grey-Bruce. Would it be in order to have those answered or would you wait?

**Hon. Mr. Dymond**: Mr. Speaker, the hon. member for Humber asked question 330: What are the names of those mental hospitals which are like dungeons as indicated by National Parole Board chairman George Street to the standing committee of the House of Commons on justice and legal affairs? I am unable to provide that information since they do not fit any mental hospital in Ontario.

The other question, Mr. Speaker, placed by the hon. member for Grey-Bruce: What consent is sought before electro-shock treatment is given to patients in provincially—

**Mr. Speaker:** Order! That one, I do not think, has been asked. The hon. member is not here.

**Hon. Mr. Dymond:** I am sorry.

**Mr. Speaker:** The hon. member for Sudbury East has a question of the Minister of Mines.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, what action has the Minister taken or will he take in light of the findings by the Ontario Water Resources Commission after analysis of a sample of drinking water from the Fecunis Mill to the effect that the problem could be eliminated by the installation of a filtration system and the flushing of the water mains with a high dosage chlorine?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, the Minister has no knowledge whatsoever of any analysis by the Ontario Water Resources Commission of this matter, nor the findings, obviously, of the commission, and therefore no action in respect of that matter by the department is being contemplated.

I must say, though, that the district mining engineer indicates that he has not observed any bad taste over the last five months in the water but he is willing to admit that this might be due to the cooling of the water by the cooler fountains which are all over the plant. It is also my understanding that the water in the Fecunis plant is already being chlorinated.

**Mr. Martel:** A supplementary question. Would the Minister accept the report which I will send to him and then he will be in a better position to reply to the question?

**Hon. A. F. Lawrence:** Certainly, we might have saved time by having that in the first place.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, before the orders of the day I have the answer to a question posed yesterday by the member for Grey-Bruce. He is not in his seat; should I hold the answer or should I proceed to give it?

**Mr. Speaker:** The leader of the Opposition has indicated that the answer should be given.

**Hon. A. F. Lawrence:** May I rise on a point of order just for a moment? You have just heard the question and the supplementary question asked me by the member for Sud-

bury East. He has now forwarded to me what appears to be a copy of a personal letter directed to him by the Water Resources Commission but the implication, I think, of the supplementary question was that somewhere or other this department or this government was derelict in not already having this information.

**Mr. Martel:** On a point of order. I assumed, Mr. Speaker, when I submitted the question to the Minister he would seek out the knowledge, because I submitted this water for analysis at the suggestion of the Minister of Health approximately a week and a half ago. I thought once he had received the question he would look into it.

**Mr. Speaker:** Order! The hon. member is not in order. The hon. Provincial Secretary has an answer.

**Hon. Mr. Welch:** Mr. Speaker, yesterday the member for Grey-Bruce posed a four-part question to me and I would like to answer as follows:

1. Delivery service by the Liquor Control Board of Ontario has been available in Metropolitan Toronto, Ottawa, Hamilton, London and Windsor areas for some years. A charge of 35 cents per package is made for such deliveries, which are on a prepaid basis.

2. The annual report of the LCBO for the fiscal year ending March 31, 1968, showed the LCBO to have 2,144 persons in retail store operations. For the same period the Brewers Warehousing Company had 820 permanent people in their stores, plus approximately 1,000 part-time employees.

3. The LCBO has 406 retail stores in operation and the Brewers Warehousing Company has 358 stores.

4. The total number of employees in the LCBO in the fiscal year ending 1957 was 1,774 and in 1967 the total was 2,440.

**Hon. Mr. McKeough:** Mr. Speaker, the member for Grey-Bruce had an urgent question. I am wondering if the leader of the Opposition would like to place it.

**Mr. Speaker:** Order.

**Hon. Mr. McKeough:** Then can I assume that this question is withdrawn?

**Mr. Speaker:** No, the hon. Minister cannot.

**Mr. Nixon:** Mr. Speaker, the member cannot be in his place and he will ask the question after notice being given.

**Mr. Speaker:** This matter was dealt with at some previous time and the hon. Minister either has not read *Hansard* or did not pay attention.

At that time Mr. Speaker agreed that there were occasions upon which Ministers could not be present to answer questions directed to them and occasions upon which members could not be present when answers were given, or when questions were to be placed. I think it was agreed by the House that in such events they would not be placed or answered unless the party concerned had asked the leader of his party to deal with the matter.

I think that is a very satisfactory way of dealing with it. It has worked very well and unless there is some change in the attitude of the House we will continue in that manner.

**Hon. Mr. McKeough:** Thank you, Mr. Speaker, I just felt that as it was so urgent I would like to—

**Mr. Speaker:** Order! The hon. member for York South has the floor.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I rise on a question of personal privilege. I draw it to your attention and particularly to that of the Attorney General.

This morning most of my colleagues and I drove to Peterborough to join for an hour or two on the picket line with the strikers at the *Examiner*. In so doing we found ourselves in the good company of a couple of professors from the local university and a couple of members of the clergy and other citizenry.

The whole thing was relatively uneventful except for one rather interesting aspect. There were only two policemen on the site—local policemen, not OPP—and they spent their time taking pictures, first with the normal kind of camera that a press man would have and then with a telephoto lens, from various stations across the street.

The point of privilege, Mr. Speaker, is that I think that members of this Legislature—indeed, I would extend it to citizens of this province—have the right to go anywhere in this province and express their support of any event such as this without being subjected to continuous photographing by the police.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. MacDonald:** I can assure you, Mr. Speaker, that we were not intimidated, but

a normal citizen who wanted to express his support would immediately find that his picture was going to be in the police file. For what purpose?

Mr. Speaker, three of my colleagues and I, not being able to get an explanation from the police officers on the scene, went to visit the chief. It was confirmed by him that the men were there on his instructions.

Since they arrived half to three quarters of an hour after we did they were obviously there to photograph members of the Legislature who came down to express support for strikers out on a legal strike. When we asked whether or not for example, this kind of thing had been done with the strike-breakers brought in from other Thompson plants, the answer was no, unless they happened to be in other pictures that were taken.

Mr. Speaker, I draw this to your attention because I think it is intimidation; I think it is intimidation for members of the Legislature, or for any citizen of the province.

I would ask the Attorney General to examine under what authority citizens of this province are subjected to continuous photographing by the police.

**Hon. Mr. Wishart:** Mr. Speaker, since this was drawn particularly to my attention by the hon. member, I would first of all say I would think there is no question of privilege involved here. I know of no law which says that any citizen may not be photographed as he goes about his lawful errands.

**Mr. MacDonald:** Continuously, by the police?

**Hon. Mr. Wishart:** I can recall an occasion, when the hon. member was photographed; I saw him on television in a very similar situation. He seemed to be very proud of the fact that he got that publicity.

I do not think there is anything to constrain the police from photographing anyone. I do not think it is a question of privilege. Perhaps it was unnecessary. But I would say this further, Mr. Speaker. The police in this province are governed at the local level in their activities of this nature by the local boards of police commissioners—that is the head of a municipality, a judge, and a citizen of that municipality—on matters of discipline and conduct which, under The Police Act, have to be dealt with. They come up through procedures laid forth in that Act to the police commission and then to the Attorney General.



I will look at this. At the moment I do not think it is a matter of privilege—I say that openly and frankly and firmly. But, since the hon. member has raised it, I shall consider it.

**Hon. Mr. Grossman:** Remember what happened to Joliffe. Be careful! It could happen again.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order. Resuming the adjourned debate on the amendment to the amendment of the motion for an address in reply to the Speech of the hon. the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. M. Shulman (High Park):** You may recall, Mr. Speaker, in recent days I have had the pleasure of talking with you about areas of this province which had not had too good a representation in the Legislature. I thought I could briefly turn my attention to another area of the province—the area that lies somewhat to the west of Toronto where, perhaps, the people are not quite satisfied any more with the representatives they are sending to this Legislature.

**Hon. A. F. Lawrence (Minister of Mines):** The member was talking about Sudbury.

**Mr. Shulman:** Oh, well, the member for Sudbury has abandoned us, so we will leave that. I am sorry the member for Stormont (Mr. Guindon) is not here, but we still have the member for Glengarry (Mr. Villeneuve). But I am not going to talk about that today, Mr. Speaker.

Mr. Speaker, I am going to give away a political secret now. I am giving this to our political opponents so they may use it for what it is worth. We, in this party, have set up a new plan to save the areas of the province that are still backward politically and each of the members in our caucus has been assigned two or possibly three ridings in which to act as foster father and which it is our duty to win in the coming election.

The member for Lakeshore (Mr. Lawlor) and I were given the honour of taking the ridings of Halton East, Peel South and Peel North from the infidel, and we have been working industriously—

**Hon. A. Grossman (Minister of Correctional Services):** What happened to St. Andrew-St. Patrick?

**Mr. W. G. Pitman (Peterborough):** It is being looked after.

**Mr. Shulman:** We have been working industriously at this problem, Mr. Speaker, and I am delighted to announce that there was a breakthrough this morning. Mr. Speaker, I was called this morning by one Bruce McKinnon, president of the Young PCs of Oakville, and he said they are having their next regular meeting on March 5 and they wanted me to come and be their guest speaker.

**Hon. Mr. Grossman:** They figured it was time for some entertainment.

**Mr. Shulman:** At first, Mr. Speaker, I thought they had made an error and that they were still using an old list of guest speakers. I questioned Mr. McKinnon about this matter but he assured me that this was not the situation and he told me that I could choose any topic I wished. I told him the topic I would discuss is, "Why you are getting poor representation at Queen's Park."

**Hon. Mr. Grossman:** Why do we not get these invitations from the NDP?

**Mr. Shulman:** The Minister is welcome at my riding's next meeting. I want to invite all of the members here, particularly on the Conservative side of the House, to come to Oakville on March 5 and hear the discussion of why representation is poor from those three ridings, and perhaps we will convert a few of the young PCs. I am hopeful to get at least a few workers for the next election.

**Mr. J. W. Snow (Halton East):** The member knows he is second choice—

**Mr. Shulman:** You can see, Mr. Speaker, how desperate the people in those ridings are; they are even trying the Liberals.

Yesterday, you may recall, Mr. Speaker, I was discussing some of the problems in the mental hospitals and homes for the retarded throughout this province, and discussing some of the interesting travels that the member for Brantford (Mr. Makarchuk), the member for Lakeshore and myself had about the province. And there was a little uproar towards the end of the day from the official Opposition when I suggested that perhaps they were not visiting these institutions.

If I may digress for a moment, Mr. Speaker, I use the word "official" Opposition with some pleasure. You may have noticed, Mr. Speaker, the Liberal members always stress when they get up, "the official Opposition", and the "leader of the official Opposition". What they



do not realize—the error they are making—is everyone else in the House also refers to them as the official Opposition; and then there is also the real Opposition.

We did not go on a bi-partisan basis to these institutions, although I wanted to. The member for Lakeshore and I said we should not go as two NDP members to these institutions, we should go with two Liberal members, so the things we would bring out of there would be apolitical, on a bi-partisan basis, so we could make these suggestions in an apolitical way. I would like you to know why we did not go in that way, Mr. Speaker.

We made two approaches to the Liberal Party. The first was made last year at the time we discovered there were beatings occurring in the Guelph Reformatory, and we asked at that time if one of their members would accompany us down to Guelph and we were refused. We made a second approach; I personally spoke to the executive assistant of the Liberal leader before we began this tour, and again we were rebuffed. For that reason and that reason only did we make these tours on our own. I wanted to get that quite clear, Mr. Speaker.

When I left off I was discussing my ejection from Penetang and I promised you, Mr. Speaker, that I would explain what I discovered about Penetang without getting into that institution. But first of all, I kept all this clothing from Smith Falls here. It really belongs to The Department of Health and I would not want anyone from The Department of Health accusing me of taking any of their goods, so could one of the pages arrange to have this returned to the Minister, please?

Interjections by hon. members.

Mr. Shulman: You notice the attitude, Mr. Speaker, of the Conservative backbenchers. They say “put it in the wastebasket”, and that is where it should be; it should be in the wastebasket—

Mr. R. M. Johnston (St. Catharines): It should not be in this House.

Mr. Shulman: It surely should not be in this House and it should not be in the Smiths Falls institution where it was. It is shoddy goods produced by a Conservative manufacturer for a Conservative government and foisted on the helpless people who cannot do anything about it. And if you are not embarrassed, you should be.

Mr. D. C. MacDonald (York South): Except I am not certain he is capable of embarrassment.

Mr. R. M. Johnston: How come you are defending it?

Mr. E. W. Martel (Sudbury East): Is that his maiden speech?

Mr. R. M. Johnston: We can make a blooper. Down boy, down.

Mr. Shulman: Mr. Speaker, it is always a pleasure to hear the erudite remarks of the member for St. Catharines. He is now at his best and I would hope that *Hansard* has it all down for the benefit of his constituents.

Mr. R. Gisborn (Hamilton East): Best speech he ever made.

Mr. Shulman: It is indeed.

When I went to Penetang, shortly before my ejection from that building I had an opportunity to examine the bulletin board and to copy down a little notice that was on that bulletin board. It is not a terribly important matter and I only mention it to show how very disorganized The Department of Health is. When I came back the next day I asked a question in this House of the Minister of Health about patients in that hospital who were being assigned at low rates of pay to act as domestics or labourers for the staff. And you may recall the Minister of Health replied, and I asked him a supplementary because I was wondering if he had made a mistake.

He replied that the workers did not receive any of these funds and they went into a common fund which was then divided among all the workers. This is completely wrong, and although it is not terribly important, I merely mention this before I come to the important thing about Penetang, to show how poorly organized this department is. The Minister just does not know what is going on in his own hospitals. I will read the copy of the memorandum, signed by Dr. Boyd, superintendent of the hospital, which was taken from the bulletin board. It reads as follows:

Sixty per cent of these moneys will go to the patient concerned.

Of course this money should go to the patient concerned, but it bothers me that the Minister does not know what is happening.

You will recall that I did not have an opportunity, unfortunately, to go through

Penetang. However, by the strangest of coincidences, the very next day I discovered why—or a very good reason why—the Minister would not want me to go through Penetang, or for that matter, any other member of this House to go through Penetang. A woman came to my office and by sheer coincidence her name is Mrs. May V.—I have her full name here. She lived at Orchard Park Boulevard in Toronto and she has a 16-year-old boy who has spent the last year in the Penetanguishene psychiatric hospital.

She was extremely upset and distraught when she came to my office and she told me a hair-raising tale which at first I did not believe. This hair-raising tale is that her boy was on a certain ward F, and she begged me to phone to the supervisor of the hospital, Dr. Boyd, and get him off. When I asked her why she was so upset about him being on this ward F, she explained to me that because of the shortage of staff at this hospital, inmates of the hospital had been assigned as teachers, and her boy was under two of these inmates, and they had been forcing him to have homosexual relations with them.

Quite frankly, Mr. Speaker, I didn't believe this. She went on to say that they had been caught doing this, as a result of which one had been transferred back to Kingston Penitentiary—back—note the word "back". Apparently he came from Kingston penitentiary to Penetang, and there had been assigned as a teacher with young boys in his care. The other one had been transferred to another part of the hospital. A fantastic story, hard to believe. The only trouble is, it is true.

I phoned the hospital. Dr. Boyd was not there when I called, and I was put in touch with Dr. Barker. Dr. Barker, you may recall, was the assistant superintendent who refused me permission to tour the hospital. Dr. Barker, when I related these facts to him, said: "Well, there was no proof they were having homosexual relations." I asked him: "Is it true you transferred these two men, one to Kingston, and one to another part of the hospital?" He said, "Yes, that's true." I said, "Why did you transfer them?" "Well, we thought they were forcing the boy to have homosexual relations."

They must have had pretty strong thoughts to take such radical action. That is what is going on Penetanguishene. That is what they do not want us to see.

And where is the Minister of Health? As always he's not in this House. He is not out doing the job he should be doing. For goodness sake, through you, Mr. Speaker, through

the Prime Minister, do something. There is something very, very wrong in that department. This comes back to the same problem that I hammered at yesterday and the day before—shortage of staff. You shouldn't be putting homosexual inmates with other inmates, or in charge of young boys. You must realize what is going to happen in a situation like that. And, if you don't realize it, you are incompetent.

Now, appropriate the money; instead of spending \$300 million this year on new highways we do not need, spend \$290 million. Appropriate enough money out of that bloated highway budget, and do what you have to do in those institutions. Because if you do not, you are going to have abuses of this nature—scandals repeatedly—and be forced to do the type of thing, the Minister of Health has been forced to do, that is turn these opened places into closed places where the Opposition may not go for fear they will discover the horrible facts.

Well, so much for Penetang. I could not—I did not see Penetang. I wish I had. I am sure there is a great deal to see there. Perhaps someday we will get in, and find out what is really going on in Penetang.

Well, Mr. Speaker, The Department of Health does have a show institution. They have one and are proud to show it to you. There is one in this province. You would have no difficulty to get into that institution. It is in London, by coincidence. All the good institutions in this province come to London. It is called the Children's Psychiatric Research Institute. This is a beautifully landscaped place. It is a former sanatorium and covers 160 acres.

On this 160 acres, the department says, there is capacity for only 100 children.

Actually, last September when I was there, there were only 80 patients. Eighty on 160 acres. This is while we have a long waiting list of children who cannot get into these hospitals. I could not believe that—even where you have 160 acres, with 100 patients supposed to be there, you only have 80. I could not believe they would leave 20 empty places. When I have patients in my own practice—I am sure every doctor in this city has patients who are waiting to get into a place like that—and they cannot get in. For goodness sake, why do you not fill those 20 empty beds?

The supervisor of nurses replied: "shortage of staff." The junior supervisor said more staff was available in the area, at the salaries offered, but unfortunately there was no

money to pay them, because the staff requirements, which had been submitted to the department for each ward, had been slashed this year. Cutting back this year, when they should be expanding!

**Mr. Gisborn:** This is a great programme we heard about a year or so ago.

**Mr. Shulman:** Because of the shortage of staff, in London, at this show institution, patients today have to wait a minimum of six weeks, many of them longer, just for the initial outpatient interview. Not to be admitted—just to be heard and to see what the problem is.

As Dr. Zarfes, the then superintendent, said in 1965—and I quote him: “Parents who wait the longest for their appointment tend to be negative in their attitude and felt that they had not been helped by this institution.”

That was the situation in 1965, and this year, in response to Dr. Zarfes’ plea—Dr. Zarfes is now at a higher level in the department—they cut back from 100 to 80 beds.

I find it very disturbing that the stated and published aims of the institution are not followed. They say one thing, as this government does often, and they do another.

For example, in the annual report of the institute it states that a child will be accepted, unless, “It is obviously not mentally retarded.” This is an institution for the mentally retarded. They do not want people in there who are not mentally retarded. This is common sense, one would think. Yet, when I went there in September, children who obviously are not mentally retarded, children who are obviously emotionally upset, are mixed in with the obviously mentally retarded. Surely, the institute could follow its own rules?

Furthermore, the institute was set up for research among the retarded, with the intention of having the patients in for short terms, with ultimate care. That’s what it is—a research institute to try and find out what can be done for the children and then to send them to the appropriate institution, with appropriate care laid out for them. Yet, even this rule is not being followed.

I was amazed to have a conversation with Sandra, a hydro-cephalic girl of 12, who has now been in the institute for seven years. The maximum stay is supposed to be 60 days! She is there seven years with no thought of moving her. Something has gone wrong with the mechanism. Something has gone wrong in that department. Something is very seri-

ously wrong in the show institution in London.

So even in the very best institution for our retarded—the very best public institution in this province—the Children’s Psychiatric Research Institute, there are serious and obvious flaws, and fatal understaffing.

But of all the Ontario hospitals for the retarded, none is as depressing as Aurora. And Aurora, I may say is one which, for some reason, nobody has visited.

I wonder if the Minister of Health has ever been to the Aurora hospital? The staff do not recall him going there. None of the staff I spoke to could recall anyone ever visiting. And for darned good reasons.

**Mr. Speaker,** go for yourself. It is very close to Toronto. It is not too far from your riding. Go for yourself, and go up to the top floor, Mr. Speaker, the common room. An elevator opens and you step out of this common room and it is a sight that is beyond description. It is emetic! This is the only word I can use.

You see the hopeless, the abandoned, the helpless. You see people like animals, like vegetables, lying on the floor, others trotting on and over them. There is only one thing I can compare it to, Mr. Speaker. I saw a movie a short time ago, a movie which I fear will not be shown in Ontario, because of our present Minister of censorship. It is called “The Tittie Cut Follies”. This is a movie that was made surreptitiously in the Bridgewater hospital for the mentally ill, in Massachusetts.

When I saw this movie, I was frightfully reminded of our institutions. The state of Massachusetts has gone to the Supreme Court of the United States, and has succeeded in stopping the showing of this movie, with good reasons. For the same reasons the Minister of Health does not want me to go to Penetang, and does not want any of us to go into the public institutions. Because it shows the truth. And when you see that movie, “The Tittie Cut Follies”—and we are going to try to show it here—

Interjection by an hon. member.

**Mr. Shulman:** Invasion of privacy was the reason given.

The state of Massachusetts felt that it was being slandered and said the patients’ privacy was being invaded. And the patients looked terribly like the patients in the hospitals here in Ontario—the same problems, the same difficulties, the same shortage of staff. I hope

that our Minister of Tourism and Information will at least be willing to arrange to have the members of this House see that movie. Because that movie outlines the problems we have here in this province.

If, Mr. Speaker, the Minister prevents it from being shown in this country, I shall inform you in due time in this forum.

Well, what of the senior staff in the Ontario mental hospitals? I received a letter from a psychiatrist who is a senior physician at the Brockville Psychiatric Hospital. He is a man who has been on the provincial staff for a long time. I will quote—this came in just a few weeks ago, Mr. Speaker:

Dear Dr. Shulman:

I enclose here a memo, the contents of which will make clear the subject I wish to see you about. We believe you are the person able to help us here. Needless to say, being a civil servant, if you reveal my name as the informer, I will be immediately fired from my position.

Having tried every means available, there appears to be no other way than to seek external help, and we trust you will help. No one knows that I have contacted you, only that someone's aid will be sought. If an official inquiry is ordered, naturally all the persons mentioned, including myself will testify accordingly. Please let me know, whether you are willing to provide help.

So, I phoned that doctor and made an appointment to see him and he gave me this memo. Let me quote from a portion of the memo:

Nursing and attendant staffs of wards are suddenly totally transferred to another ward without prior notice to or consultation with the physician in charge. Physicians who carry out ECT treatment [that is electrical treatments for the mentally disturbed] and have to do also the anaesthetics find themselves with untrained new staff and this creates a great danger to the safety of the patients. The new staff know nothing about the patients, so that after such a change total confusion exists for days, hampering treatment.

Mr. H. Peacock (Windsor West): Is that why one died the other day?

Mr. Shulman: I am going to digress for a moment, Mr. Speaker, and as the member for Windsor West has just pointed out, under ECT treatment just a few days ago, a patient in one of these hospitals did die. There is going to be an inquest held.

Mr. Peacock: One has been held.

Mr. Shulman: I continue with my quotation:

Presently a number of female wards are completely staffed by male attendants who are obliged to bathe female patients. They resent this work and report sick in large numbers.

Pharmacy keys have been withdrawn from all physicians due to the pilfering of drugs. There is absolutely no communication between the medical, nursing and administrative staffs, except in written orders.

Due to these conditions there is an atmosphere of mistrust, fear and frustration. Any attempt at change or improvement is immediately suppressed. Physicians who take up positions soon leave the hospital.

Sexual intercourse between male and female patients is tolerated and ignored, frequently leading to marital troubles. The same is tolerated between female student nurses and male patients. Night staff of wards frequently consists of a male and female attendant, in most cases, both married, frequently leading to break-up of marriages of the same.

The conditions as described above can be verified by the following staff members.

I have the names here and I will be supplying them shortly.

I am not going to repeat the names in this forum but I hope to supply them to the health committee. The list includes six medical doctors, one psychologist, three nursing superintendents, one chief attendant, and three attending superintendents. The medical doctors who are listed either are, or have been within the last two years, on the staff of that hospital.

Through you, Mr. Speaker, I ask the health committee—we are supposed to have a health committee, it has never met since it was organized—I ask the health committee to travel to this hospital and interview the staff members mentioned—and I will supply the names to them—to determine the facts for themselves. I ask only one condition; that each of these staff members be interviewed privately and that they be promised they will not be discharged if they tell the truth. Under those—the member for Fort William is jumping a bit. Did you wish to ask a question?

Mr. J. Jessiman (Fort William): Oh no, Mr. Speaker. Just that the member has mentioned that student nurses have intercourse with the patients. He has said this in the House and

now he wants secrecy. I cannot understand his sadistic attitude, Mr. Speaker.

**Mr. Shulman:** Obviously, the member is confused, as usual.

What I am doing, of course, is preserving the jobs of the people involved. The homes of the doctors and nurses should not be disrupted because they are willing to speak out and tell the truth. They have promised to speak—

**Hon. W. A. Stewart** (Minister of Agriculture and Food): The hon. member is casting a smear against every nurse in every Ontario Hospital—a shameful accusation!

Interjection by an hon. member.

**Mr. Shulman:** They have agreed to—

**Mr. MacDonald:** The usual Tory reaction.

**Mr. Shulman:** Mr. Speaker, we see the typical attitude of the Tory benches.

**Mr. J. L. Brown** (Beaches-Woodbine): They are trying to cover up something that is wrong.

Interjections by hon. members.

**Mr. Shulman:** Mr. Speaker, they will not be willing to have the health committee go there—you know it and I know it. But because they are afraid of the truth, they yell the usual Tory word—smear. That is the only word they know. They are afraid of truth, particularly that front bench.

**Mr. Brown:** If they have nothing to hide why do they not bring it out in the open?

**Hon. Mr. Stewart:** The hon. member smears everybody disgracefully—that is his tactic.

**Mr. Shulman:** All right. I ask through you, Mr. Speaker—we have a Minister—

Interjections by hon. members.

**Mr. Shulman:** Mr. Speaker, I am delighted to see there is a Minister in the front bench. Will the Minister agree that the health committee should go to that hospital?

The government has stacked the health committee with Conservatives. They have nothing to worry about. They have a nice safe majority. Is the Minister willing to let his back benches hear the truth? Say yes.

Big silence. Silence. He is afraid. Sure he is afraid.

**Mr. Brown:** Let the press in. Just open it up to the press.

**Mr. Shulman:** I am not even asking the press, I am asking the Conservative back benches, there are a few good Conservative back benchers. Let the head of the health committee go there; let the hon. member for Nickel Belt (Mr. Demers) hear the facts. The Minister is afraid. He does not want him to hear.

Well, what of the hopelessly mentally retarded?

**Mr. Martel:** They are all over there.

**Mr. Shulman:** What of those who are waiting to enter places like Orillia because it is impossible for the parents to keep them at home? Children like Susan A., who I had down here yesterday. Susan—I stood here, in this Legislature, I said I want you to see this child who has been brought down here by her parents—it was a heartache for them to do it. I said to the Conservative members, go and look; go into the west lobby and see for yourselves.

There were 12 members that went in to see; one Conservative had the heart to go and see what it was all about, the member for Algoma (Mr. Gilbertson).

Not one member from the other side of the House would walk across and see for himself. They do not want to know: “keep it hidden, do not show it to us.” They did not have the heart to walk that 20 steps.

**Mr. L. M. Reilly** (Eglinton): Then the hon. member would complain we were out of the House.

**Mr. MacDonald:** That is pretty neat.

Interjections by hon. members.

**Mr. Shulman:** Mr. Speaker, I would have expected better from the Conservative Whip. We can understand the Tory back benchers, they are frightened. They are afraid they are going to lose their seats. The Whip comes from a good Conservative riding and when we own all 116 other seats he will still be here. So he does not have to worry.

So there is no reason for him to be afraid to step those 20 paces and peek out the door, if he does not want to leave the House. Not one of them took the trouble. Not one from that side of the House. You have one man here, over on our side, and that is where he should be.

**Mr. R. M. Johnston:** We served our people.

**Mr. Shulman:** You served them. I have seen how you served them. I have been to



Orillia. I have been to Smiths Falls. I have been to the other institutions. Go in and—

**Mr. R. M. Johnston:** You do not know you are alive.

**Mr. Shulman:** Go in and take your health committee. You know why the health committee never meets, Mr. Speaker? Because they are afraid of that health committee.

They made the mistake of putting a few Tories who think on it and that is why they do not allow it to meet. They are afraid it might go into some of these institutions and see what is going on. It has not met in a whole year and a half.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, on a point of order.

The member for Nickel Belt and the chairman of that committee is not present here today, Mr. Speaker, but I was on that committee last year and we did meet at least once. The hon. member for High Park was not there to express his views.

So I would like to set the record straight: we did meet last year, but the hon. member was not there.

**Mr. Shulman:** Mr. Speaker, I am sure the hon. member for Rainy River would not wish to mislead the House. There was one meeting last year and I was present. I hope they will take the trouble to get out the minutes to check the attendance because I was there.

It was the organizational meeting and we organized the meeting and we then dismissed and we have not heard from them since. They have not been to one institution in this province.

**An hon. member:** They do not care.

**Mr. T. P. Reid:** They were out at the Ontario OMSIP.

**Mr. Shulman:** They went to OMSIP, Mr. Speaker. They took a little tour and had a lunch at OMSIP and that is their contribution. That was their one meeting. That meeting, incidentally, was called at the same time as the meeting of the committee on government commissions.

There is your health committee. But it is not a bad committee, if they would just be allowed to meet. So I say, through you, Mr. Speaker, to the Prime Minister—there is no use speaking to the Minister of Health, I do not really think he wants this committee to meet—but to the Prime Minister, for goodness sakes either disband the committee or let

them do their job. Maybe they can save this situation for you.

Well, what about Susan A? She is a patient of mine, has been for some four years—

**Hon. C. S. MacNaughton (Provincial Treasurer):** Maybe that is the trouble.

**Mr. Shulman:** Yes, perhaps that is the trouble.

**Mr. Martel:** That is the type of remark we expect.

**Mr. Shulman:** Perhaps that is the trouble. I like the implication of that remark from the hon. Treasurer. If I have taken the wrong implication—I hope I am wrong, I hope the Treasurer will correct me. If that patient is a patient of mine, is that why she is being kept out of the mental hospital? If that is what the hon. Treasurer is suggesting I am ashamed for him. I weep for him.

**Hon. Mr. MacNaughton:** That was not the connotation of my remark.

**Mr. Brown:** That is why the conditions are the way they are.

**Mr. Shulman:** Yes, this is a patient of mine, Mr. Speaker. Perhaps if it was a patient of Dr. Dymond's, the patient would be in hospital by now. But that is the trouble. The hon. Treasurer blurted it out in his usual—

**An hon. member:** Inimitable fashion!

**Mr. Martel:** Boorish manner!

**Mr. Shulman:** When this child was born 5½ years ago, it was immediately obvious to the doctors that she was hopelessly retarded; that she could never live in a home setting; that she could never be cared for at home. She was immediately put on the waiting list to go into Orillia. She is still on the waiting list.

A year ago I wrote: What is wrong; why is it taking so long? At that time I got a letter back: "Do not worry, she is on the list. It is coming along, she is number seven."

Six months ago I could not understand what was happening, so I contacted Dr. Fotheringham at the mental retardation centre and went to see him. I have no criticism of this man; he is a kindly man who is working under horrible conditions and doing the best he can. He told me an incredible story.

He said most children are admitted within six months, but Susan had not been admitted, and would not be admitted, because she



had been put on the wrong list. There are two lists.

It seems that two years ago, because of the long list of waiting children, the department decided to start all over again. All new applicants went on to a new list and, if severely retarded enough, were admitted within a period of six months—within a reasonable period of time. But if you had applied before that date two years ago, your child could not go on the new list. You had to stay on the old list and you just had to keep her at home and wait. What a system! What a department!

**Mr. MacDonald:** It is a good Tory way of getting rid of the problem.

**Mr. Shulman:** It is a good Tory way of getting rid of the problem except that Susan A's do not go away. They stay at home and the misery continues. The families are going through unbearable tortures as a result of this.

Periodically the department says, "Oh well, we feel sorry for you"—actually it is not the department, it is Dr. Fotheringham. Periodically he calls the family up and says, "Look, we will give you a couple of weeks' rest, send her in here to the mental retardation centre". They call it family relief. They take her in for ten days or two weeks so the mother can have a few days when she can leave the house.

They have done that I think three or four times for Susan. Very kind of them. Dr. Fotheringham is doing his best, but what a department that must be, when you can let children like that remain on a list for five and a half years with no hope of getting her in even today. And how many Susan A's are there in this province? How long is that list? Who knows? Dr. Fotheringham did not have a copy of it. The Minister of Health knows nothing of what goes on in his own department.

**Mr. Martel:** They ripped up the list to stop the problem.

**Mr. Shulman:** Yes, the list got too long, so they ripped it up to stop the problem. You notice the Treasurer is fleeing again from the House, Mr. Speaker. If he had stayed we would at least have one member in the front bench to hear the true facts. What is the department doing about this mess? They now have a new policy, Mr. Speaker. I believe the Provincial Treasurer has a question, he has his hand in the air. Oh, I thought you wanted to leave the room, I am sorry.

They have a new policy. After all these years, this year they finally brought out a new policy; they have decided that the number of retarded in the Ontario Hospitals must be reduced, so in order to carry out this policy they are doing two things. They are discharging patients and not taking an equal number of new ones in, which means the Susan A remains at home; in addition to which they have a bright new idea—they encourage nursing homes to be set up to take these patients. The results have been disastrous for the patients involved, and this has quickly become common knowledge among parents of the mentally retarded so that more and more of these families are refusing permission for the move.

You make have heard earlier today one of the backbench Liberal members ask a question of the Minister of Health in which he enquired about the policy of transferring patients to nursing homes from mental hospitals. The Minister of Health replied in a way that indicates he probably is not aware of the policy, so perhaps I should inform the House, and perhaps, through you, Mr. Speaker, if he returns you will let the Minister of Health know what is going on in his department.

These nursing homes have very quickly degenerated, and the relatives who have visited them have become aware of the bad surroundings in these nursing homes. Now it is becoming almost impossible for the hospitals to get permission of the relatives to get these children or the older defectives moved, and the reason for the difficulty is so very simple. Again it boils down to the same old thing: This government's priorities are cockeyed.

They have agreed to pay \$8.50 per day for the care and feeding and nursing of each patient. Compare this to the \$23 and more per day paid for the care of the emotionally disturbed and you will understand the difficulties in the nursing homes. You just cannot care for a mentally defective—and these are the hopeless ones that are going into these homes for \$8.50 a day.

I visited two such homes in the last three months, and at both, the proprietors were bitter and unhappy. One home in Belleville had been set up to care only for infants, and even under these circumstances the \$8.50 per day barely allowed the owner to break even. But even worse was the fact that for unknown reasons—unknown to the proprietor, unknown to me, unknown to everybody—The Department of Health persists in sending

older mental defectives to the home even though there is no staff in that home to handle older patients.

In recent months five patients have been sent from Smiths Falls, from age 10 to 16 years, to a nursing home that has only cribs. To aggravate the situation, the patients have been sent to the home with no accompanying medical or psychiatric information. Requests for this information by the owner of the nursing home were met with the reply that it was none of her business.

I said to her, "I do not understand it, why do you not just refuse these patients and send them back?" She said, "Well, I barely break even now keeping a full complement. I did that twice; I sent two patients back and they said if I continued to do this I was not going to get any more patients. They have no infants for me, therefore I take them and I shut up, or I lose my investment." That is what they are doing—running things badly from one end to the other.

At the other nursing home I visited, which was in a city in northern Ontario—and I will not mention the name of this nursing home—the owner complained that he could not break even on this \$8.50 per day but he was certainly trying his best. The home was understaffed, the patients were lonely and neglected, the stench was unbearable due to uncleaned human waste, and there was not even a yard for the patients to be taken out to. Small wonder that parents beg to have their children kept in Orillia or Smiths Falls, with all their faults, rather than to be transferred to these nursing homes, if we can call them nursing homes.

How did we in Ontario come to allow such a hideous scandal to develop? It did not happen overnight. It was not through lack of knowledge of the need. It really developed because like so many other branches of this government, there is a wide discrepancy between what the department says and what it does. Our Minister of Health, in the last Legislature, published a white paper. You have heard that white paper referred to several times this last week, this great white paper which was going to clear up the whole problem. This white paper was the government's plan for services for children with mental disorders. I quote from page 5 of that white paper:

Good programmes can only be provided by properly trained staff in adequate numbers. Salaries and working conditions will be adequate to recruit and hold staff.

That is what the Minister said. It is interesting to see what he actually did.

I told you how short-staffed every hospital is throughout the province, so what about the salaries? Well, the government is not too anxious to advertise the salary level plus the requirements to go with it, but one of the supervisors at one of the hospitals, who is not too enthusiastic a supporter of this Minister of Health, supplied me with the salaries and the requirements. I am going to read them to you, Mr. Speaker, and I would suggest that at the lowest level the requirements would adequately fit any of these people to be Cabinet Ministers at least.

The lowest level is a trainee. These employees participate in the daily life of the residents and assist other staff in guiding them in a variety of activities such as dressing, personal care, ward housekeeping, sports, games, hobbies, industrial or occupational training.

Qualifications: Grade 12 in Ontario or an acceptable equivalent. Applicants with grade 10 may be accepted provided they have demonstrated competence in working with the mentally retarded or in related fields of youth work. Staff employed prior to the establishment of this class, who have demonstrated competence to work with the retarded, may be accepted in this class. It is necessary to have ability and desire to understand the problems of handicapped persons, and the capacity to establish and maintain effective relationships with them—leadership, resourcefulness, integrity, good moral character and habits, emotional maturity, good physical condition.

The salary for all these qualifications is \$4,400 rising to \$4,800 ultimately. That is what they want; that is what they are prepared to pay. There is not a man in that whole government side who fits those qualifications. Not one!

Suppose you want to be a counsellor, the next step up. Let me read what is required to be a counsellor, Mr. Speaker.

Employees and physicians allocated to this probationary training class, have completed the mental retardation certificate course and are gaining partial experience and training in an Ontario hospital school, or similar facility, pending confirmation as fully qualified counsellors. Positions in this class emphasize the skills and techniques required for the care and training of the mentally retarded within the daily living situation.

Practical training involves work on any shift, under the supervision of more qualified staff, with all aspects of residential life programme. But these employees may be temporarily assigned to other areas of residence therapy as required. In all activities, these employees substitute as parents for the handicapped residents under their care. They must assist in developing acceptable habits and manners, and assist in counselling residents concerning personal problems. These employees assist in guiding the activities of an assigned group of residents in accordance with an approved programme of activities and events, both on and off the premises.

They supervise the residents and actively participate in sports, games and hobbies. They may accompany an assigned group of residents for occupational and industrial training location and assist in the training programme. They promote habits of safety and administer first aid or bed-care. They assist the residents in personal care such as bathing, dressing and preparing for bed and assist when required with dormitory housekeeping. They adjust heating and ventilation, inspect lockers, beds and dormitory quarters.

It is required that they have successful completion of the prescribed mental retardation certificate course. They must have the ability and desire to understand the problems of handicapped persons and the capacity to establish and maintain effective relationships with them. They need leadership, resourcesfulness, integrity, good moral character and habits, emotional maturity, good physical condition. Salary is \$4,600 to \$5,000 per year.

**Mr. Gisborn:** Bring your own lunch.

**Mr. Shulman:** Less than half of what is paid to the members of this House. Let us suppose we want someone higher in the qualifications, a counselor grade II.

Employees and physicians allocated to this class, have successfully completed the prescribed mental retardation certificate course, and as qualified counselor, act as substitute parents for an assigned group of mentally retarded residents in an Ontario Hospital school or similar facility. On any shift, under the direction of a supervising counsellor, incumbent physicians in this class actively encourage and train the residents to develop acceptable standards of personal behaviour, cleanliness, dress, conduct and sportsmanship. These employees

supervise the residents on or off the premises and participate in sports, games, hobbies and other programmes related to the needs of the residents and teach them the mechanics of daily life.

The counsellor advises and encourages the residents in the areas of moral development, deportment and adjustment to the demands of contemporary society.

Interjection by an hon. member.

**Mr. Shulman:** Mr. Speaker, I am always delighted to have the help of the member for London South, because he brings out points which otherwise might have been missed. And as I pointed out yesterday, he is the best brain they have, so it is always nice to have him. It is quite correct that some of the members on this side of the House are not listening because they have all had the opportunity to hear and read this speech beforehand.

It is more disturbing, Mr. Speaker, that the government benches, whose occupants should be here to listen and learn, are empty. There is one Minister in the front bench. As a matter of fact, what have we got here? We have 17 government members in the House, Mr. Speaker.

These counsellors grade II must assist in medical treatment and chart residents' behaviour and progress. They meet with other counsellors to discuss problem cases and methods of unit programming. They provide advice and guidance to less experienced counsellors and they supervise counsellors in training, and are responsible for their practical instructions. Salary—\$5,000 rising to \$5,500.

Let us go to the top level and see what they pay for the really top people. Those are counsellors, grade III and IV.

First, the counsellor III, which is the second level, is under the direction of a senior counsellor.

Employees and physicians in this class supervise staff and residences usually housing 35 residents. They are required to work on any shift. On all shifts, they supervise at least two subordinate counsellors, and assist in the training of counsellors. They may be temporarily assigned to other areas of residents' therapy. During the presence of the counsellor in charge of the residents, they assist in the supervision and instruction of residents' staff. When the counsellor is not present, they are in charge of the residence, acting in accordance with the instructions of and

with authority delegated by the counsellors. These employees direct the board and staff on their shift, in providing day-to-day living activities for the residents, self help, socialization and other training programmes related to the needs of the residents.

They meet parents and visitors, and advise and consult with parents concerning their resident children. They organize and delegate work to the staff. They train and advise counsellors in their duty. They maintain standards of cleanliness and discipline to ensure proper moral and social training of the residents. They control the drugs, they supervise the administration of the medications, they consult with the supervising counsellors on the problems of the individual residents. They assist in supervising pin-money expenditures. They maintain all the records.

What are the qualifications required? Supervisory ability, ability to promote and maintain harmony and a working relationship amongst subordinates and other staff. Ability to deal tactfully with parents and others. Good physical condition. Salary for this boss, this supervisor is \$5,700 to \$6,300.

Well, let us suppose we rise to the top of the department. Let us suppose we go as high as we can go. Counsellors IV—what do they pay the top people?

**An hon. member:** Shorten it up, get to the Ministers.

**Mr. Shulman:** They pay the Ministers too much, and they help too little.

Interjections by hon. members.

**Mr. Shulman:** Counsellors IV—May I suggest again through you, sir, that the member for London South had better leave because now I have promised my wife I will be through by Christmas, but I do not expect I will be through much before that.

Interjections by hon. members.

**Mr. Shulman:** Counsellors IV—I will quote again from this document—

Incumbents or physicians allocated to this class are in charge of the residents in an Ontario Hospital school or similar facility for the mentally retarded, usually housing the order of 35 residents and requiring a staff of at least ten qualified counsellors to cover all shifts.

Under the direction of a senior counsellor in charge of the unit, they are

responsible for the effectiveness of the programme and the residents assigned to them, and for the wellbeing of the residents. They sit in committee with the unit programme director and the other staff involved in the administration and they are responsible for the practical training of the counsellors.

The incumbent or physician in this class normally is required to work on either the day or afternoon shift, depending on which has the greater degree of activity scheduled on the given day, and may be temporarily assigned to other areas of therapy as needed.

These employees recommend changes in policy and procedures, interpret policy to parents, visitors and staff, and consult with their supervisors and other staff and providing day-to-day living activities for the rest of the residents.

They set standards of cleanliness and discipline, ensure proper moral and social training of the residents, arrange work of subordinate staff, ensure the administration of prescribed medicines and the safe control of drugs; supervise pin-money allowances, and they may make limited purchases on behalf of residents; requisition needed supplies and equipment; maintain inventory and all other important records. Salary for a counsellor IV—\$6,672.

No wonder this document was so hard to get hold of. Just compare, Mr. Speaker, the qualifications of these men with the qualifications of the Cabinet Ministers and then compare the minute salaries of these men with the highly overpaid Cabinet Ministers who sit opposite, occasionally. It is obvious, Mr. Speaker, that with that salary scale the department is only going to recruit those dedicated persons who want to work with the mentally retarded in Ontario, regardless of the pay and regardless of the working conditions and regardless of the poor administration given by this Minister.

We should bear in mind particularly when hiring professionally trained workers for our institutions that we must compete with similar state-run institutions in neighbouring jurisdictions. If our salary range is too low, all the staff, the nurses, the psychiatrists, all the others, will gradually drift to the higher paying competitors and we will be left short-handed, and that is exactly what has happened.

I made a compilation of the salaries of the personnel in the state institutions for the men-

tally retarded in 15 states of the U.S. and we should have no pride when we compare our salaries and the qualifications. In some states the salaries are no higher, but at least there they have had the common sense to reduce the educational and other qualifications so they are at least fully staffed. The department has just not been realistic; it is too easy for our staffs to move that 100 miles across the border and raise their salaries.

Let me say at this point that everything is not bad in the field of mental retardation in this province. Fortunately, part of it does not come under this government. There is one small part which does come under the government which should be given certain credit. There are a number of places I would like to give credit to.

On the first one, in all fairness, I would like to say that since the hon. Minister of Education has supervised the programme of education for the retarded, after his department had taken this over from The Department of Health, there was tremendous progress. It is still not ideal, but there has been tremendous progress in that particular field. This, may I say, is a very small part of the care of the mentally retarded.

**Hon. J. H. White (Minister of Revenue):** Is the Children's Psychiatric Research Institute in London a good facility?

**Mr. Shulman:** Mr. Speaker, I hate to repeat those 12 pages, but I would not want the Minister of Revenue to miss anything about London. For the benefit of the Minister I will give him a capsule summary.

Interjections by hon. members.

**Mr. Shulman:** Mr. Speaker, through you to the Minister, it is a shame of course; the showplace, in truth, is in London. Of course things are run badly there, as elsewhere, and incidentally it may be of interest to you, Mr. Speaker, that the Minister of Revenue has been through the institution a number of times, I was told by the staff there. I was very pleased he had come there; I am only sorry that all the shortcomings which I pointed out here today had never had anything done about them, with the Minister having gone through so often and not having noticed them.

The second area where things are not all bad—it has nothing, of course, to do with this government—is the Metropolitan Toronto Association for Retarded Children. They have done yeomen work. A visit to their Harold Lawson residence is a heartwarming experi-

ence, but unfortunately limited to very, very few children. When I complained to their director that they were just scratching the surface, he replied, "No, we are not even tickling it." If only the care that was given to the 40 children in their residence was available to the many thousands of similar children in places like Orillia.

Thirdly, the Ontario home for mentally retarded infants in Plainfield has provided a setting for 70 retarded crib patients which is a pride to this province. Unfortunately, even this wonderful institution must fight The Department of Health rather than receive its co-operation. Because the home has been set up to look only after crib patients, it is essential that the department co-operate by transferring patients to other institutions when they become ambulatory, because there is not the staff there to handle children who can run around and who are retarded. And that means that at the age of four or five these children must be transferred out of there. Unfortunately, this does not occur.

The people in Plainfield are continually fighting with the department, begging that these transfers occur. When I visited Plainfield last month, the staff was distraught because of this difficulty. One mongoloid lad, Russell W, a seven-year-old, had become a serious problem in that he was ambulatory and he begun to eat anything made of wood. His diaper was frequently found with wood chips in it, with blood stain, and yet repeated requests for the essential transfer did not come through.

I think the whole problem in The Department of Health was well summed up by the present Minister of Health when he visited Plainfield. He did go to Plainfield on April 26, 1965, and made a speech, and perhaps unkindly, Mr. Speaker, the home reprinted that speech. I have the whole thing here but do not have the heart to read it. Even I could not do this to the Minister of Health.

I will quote one line of it because this appeals to me, just this one line. If the Minister of Revenue asks, I will read the whole thing, but this one line sort of sums up the department's problems.

There are apparently increasing numbers of these sorely needed handicapped infants in every community and none of us have been able to decide or to figure out what best should be done for them.

The speech goes on in this tenor for some pages. I am tempted to read it all because it really sums up the problem. I would be



delighted to send a copy of this speech, which has been printed and distributed in some thousands, to the Prime Minister, if he would like to read it, and after reading it perhaps then, he might realize what the problem is in this department. But I like that line, I will just read it once more, it appeals to me:

There are apparently increasing numbers of these sorely needed handicapped infants in every community and none of us have been able to decide or to figure out what best should be done for them.

Well, other people have been able to figure out what should be done for them and we are trying to tell you.

Fourthly, the Good Shepherd Manor in Orangeville works with 13 boys—only 13—aged 12 to 20, in a farm setting. They appear to be getting good results, and the staff are a pleasure to meet and visit, but they are taking only mildly retarded boys. Because of the limited enrollment available, they can have only a marginal effect on the problem. We could use 300 Good Shepherd homes in this province and that would not cover the whole problem.

And now I would like to tell you of a non-Canadian project which I visited last month in Illinois. This is perhaps the most productive and hopeful of all the projects in the field of the retarded. It is called The Lambs, and it is a six-year-old successful project to allow the mentally retarded to lead productive, happy lives.

You see, there are people not only outside of this province but in this province, who know what the problem is, the trouble is they are not in this government and they have not been hired by this government and that is why you have the horrors of Orillia and the horrors of Smiths Falls and the horrors of Brockville, but in Illinois they know what the problem is and they have done something about it.

The Lambs is a non-profit organization that was set up by two teachers, Bob Terese and Corinne Owen, to provide work for mentally retarded young adults. They now have two locations, The Lambs Pet Shop in Chicago and The Lambs Pet Park, a 48-acre farm in Libertyville.

The basic philosophy of The Lambs is that the mentally retarded can develop much faster in skills and in social graces if they are given something other than routine work to do. By giving the retarded some responsibility, by letting them meet the public and do a variety of tasks, the latent potential of

the retarded is brought forth and the personality actually is changed, you can see the change.

It was felt by the co-directors that if the young people worked with pets that needed love and care, this responsibility would help turn the retarded's attention away from his own problems and toward the problems of feeding, cleaning and caring for the animals.

A total of 65 retarded young people have worked for The Lambs. There are presently 40 mentally retarded working in either of The Lambs' two locations. Another 25 have left The Lambs and are now working full time in commercial businesses; four are working part time outside The Lambs.

Other than the basic success of helping retarded young people, The Lambs have been recognized by the President's panel on mental retardation as one of the five outstanding new projects in America and by the governor's committee for the handicapped to represent Illinois in a bulletin designed to encourage industry to hire the handicapped.

Where is the government here? The Lambs Pet Park will be the centre of large future expansion with plans for a pet cemetery, the development of a 15-acre lake for fishing and family picnics, a bakeshop, a cannery for jams and jellies, a greenhouse, a gas station and—most important—residential dormitories for the retarded to live in, should their families die, so they should not have to go to the horrible institutions such as there still are in this country and elsewhere.

On my visit to The Lambs I was delighted, amazed and excited to find young mongoloids and other defectives with IQs as low as 45 happily working with the animals, serving in the restaurant and working in the print shop. My waitress was not a mongoloid, she was simply retarded with an IQ of 46; she served, she poured the water, she brought the plates, she was happy; she was doing something productive.

The difference between this happy productive group of young people and a group with similar IQs in Orillia is like the difference between a normal child in an orphanage and that same child in its own home. The Lambs are truly doing great work.

We could do it here. I hope we are not going to await a change of government. Do it now, why should we have to wait these two years?

The philosophy and practicality of The Lambs' work have been well set out in this



letter from Mr. Terese, which he gave to me and I quote:

Corrine and I are pleased to have this opportunity to present our philosophies and goals for The Lambs Community to you. We are respectfully submitting the Lambs plans for a better life for the higher level mentally handicapped young adult who has completed his academic years and must now make his adjustment to the world of work.

We have long felt that the key to happy living is worthwhile work. We believe this is especially for the mentally handicapped, because for most of them life has little purpose. It was discovered a few years back that some of these people were capable of performing low level work chores. The enthusiasm of this discovery swung the educators' opinion from the past position that they were virtually non-productive to the position that they could be self-sufficient.

We believe both extremes are wrong. Since work is a most important cog in a normal person's life, it is true that it is equally important in a handicapped person's life. The normal person, however, balances his satisfied work life with equally satisfying social and recreational activities. Thus, we have a well rounded, productive, contented individual.

The handicapped person has only his work life to sustain him and, because he is a human being made up of parts, this is not enough. He frequently becomes discontented and frustrated, thus causing a serious erosion in the satisfaction of his work life.

If, like bread, work is one of the staffs of life and we remember that "one cannot live by bread alone", then equally important is the social development of the young person. We must plan for the entire human being if any of our plans are to be fruitful. It is this total plan of both work and social development that we are presenting to you here.

The first area of our work plan is the successful operation of the largest pet centre in the United States. We have the physical plant for it—a barn 100 feet x 100 feet, with a second floor of equal space, giving us 10,000 square feet.

Our plans call for going beyond the selling of pets and pet items and extend to the

manufacturing and packaging of many of these items ourselves. Thus, we will earn a higher profit and productively put to work more mentally handicapped. As related businesses to the pet centre, we plan to operate a kennel for boarding dogs and a pet cemetery.

We have selected pets as a work area for the mentally handicapped because, as Dr. Karl Menninger keenly pointed out, pets are a "product" that has warmth and can be related to—also they need taking care of and give a great sense of responsibility. We are combining a successful business with satisfying motivations.

Mr. Speaker, may I digress for a moment? I am sorry to read all of this but I think it is so very important that I am going to take the time of the House to read in their entire programme.

What I have said up to now about The Department of Health has been basically criticism. What I am saying now is basically suggestion. Perhaps some of this—maybe a little of it—will fall on fertile ground. I want to read it all because obviously the department is completely unaware of this type of programme.

I will continue with the quotation:

The second major part of The Lambs' work plan is the development of the kitchen, bakery and dining room. The dining room is now in successful operation, and growing popularity has already necessitated a larger facility.

I may say, Mr. Speaker, that when I went to the dining room there was a lineup of people who had come out of Chicago and driven the 40 miles to The Lambs' pet park to eat—specifically, in that restaurant—and it is like that every week-end. There is a lineup from 12 right through to 3 o'clock because this project, for the past six years, has caught the imagination of the people of Illinois. They realize the tremendous work that is being done and they, and the government, are thrilled and delighted to support it.

The people of Ontario have no possibility of supporting such projects because we do not have them. I continue the quotation:

Food, of course, is one of life's nicest pleasures, and it is enjoyable to work in areas that we warmly relate to. The baking of delicious bread and preparing of tasty foods is a natural motivation. The food experts of Sara Lee Kitchens are donating

their time in creating bakery and food products the mentally handicapped can successfully produce. They are also making teaching time available so we will have better trained personnel.

The work areas of the kitchen and bakery will include operation of a dining room, canning jams and jellies, candy making, and baking one or two products of bakery goods for resale. We hope to eventually duplicate the School of the Ozarks approach in mailing our food products throughout the United States.

A companion business to a dining room is a gift shop. This is inadequate, and we have been advised by Robert Carlson (a trustee of The Lambs who is associated with Marshall Field and Company) that the gift shop would do much better connected directly with the dining room.

Most of the young peoples' day will be taken up by a work pattern beginning at 9.00 a.m. and ending at 4.00 p.m. Recreational planning should begin in the evening to make their day complete. Planned recreational activities would centre around drama, music, arts, and crafts, organized games and swimming.

Again may I digress, Mr. Speaker. The type of thing we do not find in any of our Ontario institutions.

Our development of social and recreational periods will be new and imaginative. We intend to have few non-participation activities such as films and television. Our main—

Incidentally—again may I digress, Mr. Speaker—this is the one form of recreation that we do find in the institutions: "Show them a movie, this will keep them quiet for a few hours. Put them in front of a television set, that will keep them busy."

Of course, this is wrong and The Lambs have recognized this. Other jurisdictions have recognized this. In our institutions, because of the short staff perhaps, they have no choice—keep them busy, get something that does not require any staff, get the idiot screen, set it there and let them watch it. To continue:

Our main goal is active participation—plays, musicals, and arts and crafts. An example would be the inter-mingling of high school band members with our young people to form a Libertyville community band. Our young people could be active in the percussion area.

Once again, The Lambs' leadership of community involvement would be found. A

major accomplishment has been the placing of the mentally handicapped directly into the main stream of public activities. The most vital purpose of The Lambs is to provide a live-in community that would encompass the work and social life of our handicapped young people.

Basically, The Lambs' community is divided into two groups—the mentally handicapped, who will be holding full-time outside employment and those who, because of their more pronounced limitations, will always work within the structure of the community.

As an example, John, a young man trained in The Lambs' programme, is now gainfully employed by the United States Post Office. However, if John's parents were not here to back him up with a good home, John would be institutionalized. He cannot carry out normal, essential everyday duties, such as making change, choosing a balanced diet or suitable companions. Such a bleak alternative need not be, because John could keep his job and use The Lambs as a live-in community like a YMCA. Here he would receive shelter, food, clothing, counselling, recreation and friends. He would have a fuller work and social life; a home to come to.

Janice, a more childlike young adult, is actively producing within The Lambs' work structure. However, because of her limitations, she would not be able to hold a regular full-time job in the velocity of today's society.

I had the pleasure, Mr. Speaker, of meeting both these children, actually they are young people now and they have made a happy productive life for themselves under these circumstances. I continue the quotation:

Our homes for the mentally handicapped are to be built along the shores of our lake. The architecture of the homes will be efficient and warm. The landscaping will be pleasant and give character to the home community. Unfortunately, most previous home planning has been institutional in construction—

They must have been in Ontario, Mr. Speaker.—with little thought given to the esthetic needs of mentally handicapped.

The Lambs has socially matured and the mentally handicapped and their housing and environment must meet the needs of this more socially developed person. Each home would accommodate 15 and would enable us to form group living with per-

sonalities in harmony with each other. This cannot be done in conventional massive type construction.

Our unique work has brought us into contact with administrators and teachers of the mentally handicapped throughout the world and we have been told that the Lamb's home community as envisioned could be a model especially in the United States where little innovation has taken place.

Sincerely,  
Robert Terese, Corrine Owen,  
Directors, Lambs Incorporated.

I asked if someone had visited from Ontario and they said: "We have had visitors come here from all over the world. We have had visitors from Quebec. We have had visitors from western Canada, but no one has ever come before from Ontario."

This is the leading innovator in care of the mentally retarded in all of the world, and no one from this government, no one from this department, was willing to take that one-hour plane trip to find out what it was all about.

If only there were someone, one person, in The Department of Health who had the vision and the energy of Mr. Terese and Mrs. Owen.

I would not like you to think that the Lambs is a unique organization. This has not just been done by the Lambs in Illinois. Similar villages have been set up in England, Germany, South Africa, in Switzerland, and in New York state, modelled after a wonderful development for the retarded in Botton, England. These were described just last month in the *Wall Street Journal* of November 6, 1968. It is terribly important again and I am going to take the time of the House to read this because this is a programme which we in Ontario should have copied a long time ago. Perhaps someone over there is listening:

If three of every four adults living in this tiny village at the end of a winding Yorkshire county country lane are mentally handicapped. We have mongoloids and many people with unspecified brain damage,

says one of the normal persons who lives with the handicapped.

Botton is neither institution nor mental hospital, at least in the usual sense of the term. It is a small town representing an unusual approach to an often neglected field. Here handicapped adults live, work

and participate in their own community. The minimum entry age for Botton is 18, and one resident is 60 years old. Decision making, though often nothing more momentous than choosing a new colour for a room, is open to them. And everybody here has a job. Throughout the world much attention is given to care of handicapped children. But sponsors of the village here say relatively little concern is paid to handicapped adults.

They should come to Ontario; little concern is paid to either the children or the adults in this province.

Often these people wind up sitting aimlessly in a mental hospital, unhappy and unemployable. It is such adults that Botton is trying to help. "Our aim is not to rehabilitate the handicapped into the outside world but to give them a permanent life here," says Mrs. Joan Tallo, a staff member. As a result, Botton, and a handful of similar villages around the world, started by persons trained here, have evolved as secluded, nearly self-contained societies. They aim to be free of the competitive atmosphere that makes it difficult for the mentally handicapped to get along in the outside world.

Many handicapped have left the village, improved enough to live on the outside, but sponsors of Botton do not claim any miracle cures. Most village residents, though free to leave, would prefer not to. At least half of the 90 handicapped here now will live their lives in Botton. The village has become so popular that it now has a waiting list of 500 persons.

Botton is a pleasant place, a town that at first view seems just like any of the hundreds of other hamlets sprinkled across England. The town comes as a surprise to the visitor who has driven miles across the desolate Yorkshire moors to reach it. The road suddenly bursts into the greenery of a quiet valley. Tucked at the far end is the town.

On the hills there are farmers pasturing cattle. Lower down others tend vegetable gardens. In town the postmaster eagerly shows off new commemorative stamps while a dozen or so villagers bend over their work in the doll factory—Botton's main industry. Others grind designs in glassware, weave rugs, carve wooden toys, make candles, and operate the general store and tea shop.

Life is informal. Everyone is on a first name basis and no one gets paid for work. "The communal life works, partly because there is not the competition for the pay packet and we are prepared to live with the handicapped," Mrs. Tallo says. "They find a recognition. The isolation we have is because they need a sheltered social and work environment." There are 35 staff members—

I want you to notice that, Mr. Speaker, 35 staff members to 90 handicapped—there is a proper ratio. Compare that to what we have in our mental institutions.

There are 35 staff members with two living in each of the 17 farmhouses that are homes for the handicapped. But the staffers work hard to avoid being proctors. No walls surround Botton. This has caused problems on occasion, with nights spent searching the moors for someone who wanders off, but staff members dismiss this as the price to pay for avoiding the mental hospital atmosphere. "We try to do away with the staff-patient relationship," says the Rev. Peter Roth, who lives here directing Botton and two other similar villages in Britain. "The handicapped also are human beings," he adds, "and their dignity must be upheld."

Mr. Roth, a minister in the Church of the Christian Community, was one of a group of Austrians who worked with the handicapped in Germany but fled to Britain at the coming of Hitler. After months in an internment camp they were freed to set up a home for the handicapped in Scotland. By the early 1950s the leaders of what by then was called the Camphill Movement wanted to try the idea of a secluded village community.

In 1955 a 280-acre estate was acquired, and Mr. Roth, his wife, and 18 handicapped, of whom half still live here, moved into Botton. "There was hardly any sanitation at first," Mr. Roth recalls, "and our generator always broke down." Residents of Danby, a town a few miles away, were troubled by the new village, too.

Says Mr. Roth: "They thought we would be a kind of looney bin and our people would murder them in their beds." This fear was quickly dispelled by inviting the Danby residents to visit Botton. Botton, which receives much of its financial support from the British government, became a successful operation. Two more villages were put up in Britain and one each was

established in Germany, South Africa and Switzerland. In 1962, a Botton-trained worker organized a Hudson River city close to New York City. A village currently is planned for Norway.

Over the years life at Botton has slipped into a routine. At 7 a.m. an old convent bell near the main house clangs and awakens the residents. They work through the day and spend their evenings in discussion groups or at movies, lectures, or amateur theatricals. The Botton Players, who one staff member says are "extremely good actors, because they are not inhibited in any way," recently have performed Bernard Shaw's "St. Joan" and Shakespeare's "The Winter's Tale". When heart transplants became big news, a physician visited to lecture to the villagers on this subject.

At 11.30 each morning the workshops close and the villagers gather for lunch in their homes. One group passes through a pasture and up a path to a white clapboard farmhouse perched on a hill. A couple of the handicapped are already inside helping prepare the plain English lunch. Soon the rest gather and lounge in the red-walled living room reading mail and newspapers—English dailies and Botton's own weekly with articles by residents.

One villager excitedly tells a visitor that he had a letter today from his father in the U.S.—he is the only American at Botton—but he will not be staying for lunch to discuss it—brain damage at birth 39 years ago. He eats in his own room because he cannot stand being hemmed in at a table.

Conversation over the lunch of boiled beef, boiled cabbage and boiled potatoes, covers a wide range. There is discussion of a recent movie and the coming vacation of one villager, a tiny mongoloid, who though 20, looks only 14. Now and then she reaches out to the arm of a woman guest and affectionately pats it. At the other end of the table a ruddy-cheeked resident, both spastic and brain damaged, tells about his job delivering goods from the general store in his wheelbarrow.

There is a 39-year-old woman who tries to dominate the conversation. Quick to speak, quick to laugh, she also is quick to rage at any seeming slight. She apparently has little or no organic disability but is emotionally disturbed. Her acute paranoia would make it impossible for her to hold a job on the outside. A similar case is a 24-year-old who years ago was

dumped into a mental hospital by his parents because he was backward. He outgrew the backwardness but it was replaced by a sense of complete rejection. Two years here have cured most of this feeling and staff members think he may someday leave.

The closeness of living in Botton does cause friction but staff members think the family unit idea is important. Mrs. Tallo says: "I lose my temper sometimes, and I shout at them just like I do my own family." But a moment after saying that, she is comforting the tiny mongoloid who has burst into deep tearless sobs. The heat of the summer and the work of the morning were too much and she is packed off for an afternoon nap.

There is one married couple among the handicapped. They were married in 1963 before all the villagers. For years they wanted to get married, and for years we stalled them, but it became obvious they had every right to be married. They have a four-year-old who was backward though the parents' problems are not considered hereditary. Now the staff believes it is only because the couple could not help the baby develop properly. Since he has begun playing with children of staff members, he is quickly catching up. None of the other residents are married, but staff members say that sex has caused few problems at Botton.

I will tell you why sex has caused few problems at Botton, Mr. Speaker, and the reason is very simply that the mentally retarded, who have very short attention spans, are kept occupied, they are given something to keep their lower IQ busy. They work during the day, they act in plays, they beat on drums, they talk, they do things that are productive at night, and this is why sex is not prominent in their institutions; this is why they do not have homosexuality in Botton, there is no homosexuality in The Lambs, none.

They do not have the pregnancy problems, the concealed intercourse. When mentally retarded who have normal sexual drives are left with nothing to do, the obvious is going to happen, they are going to have sexual intercourse and we are going to have unwanted and hopeless pregnancies. This is one other reason why we must develop a programme, we cannot just put them in the rooms and let them sit there. We could do equally good work as that being done in England, or in all these other countries, if

only someone in The Department of Health would provide the leadership.

Now, there are seven things that should be done initially here in Ontario to make up for our 25 years of neglect.

First, the health committee should visit these institutions and verify the facts I brought here for themselves. I came here and I brought these facts and sure enough last night I went on a radio programme where there was a spokesman for the establishment. This gentleman immediately spoke up, he is from—I do not wish to feud with that newspaper, but he is from an organization newspaper—and his first comment was, "How do we know it is true?"

Well, all right, here is how you find out whether it is true. You get the health committee, without prior notice, to travel to these institutions and see for themselves. You do not have to worry, gentlemen, you have a nice, safe Conservative majority on that committee. If the worst comes to the worst, you will twist a few arms and they will modify their findings a little bit. Send them down, let them see.

Second attendant and professional salaries must be raised to realistic levels and requirements reduced to practical levels, because until you do this the whole thing is hopeless, you cannot get the staff that you are requesting with those ridiculous salaries. As an initial step, reduce your requirements, and you can staff the place. You cannot do anything without staff. And you must appropriate the money, because if you will not appropriate the money the whole thing is hopeless. Your priorities are cockeyed.

Third, fees paid to nursing homes for the care of defectives must be raised immediately to a minimum of \$12 a day. They cannot break even on \$8.50 a day and the result is they cut down, they cut down on staff, they cut down on food, they cut down on care, they cut down on laundry, cut down on everything. The patients are the ones who suffer. Visit some of the nursing homes, you will not believe your eyes. You must pay them more money.

Fourth—please, please, through you, Mr. Speaker, to the Minister of Health, children like I brought down here yesterday, like Susan A, must be admitted promptly to a suitable home or institution. If you have to take a crash programme and build them. Build them.

You have empty institutions that you can use. Do not close the Cornwall sanatorium. If you must do this stupid thing and take all



those TB patients out, use it. These children must not be allowed to sit for 5½ years outside. Do something!

Fifth, programmes such as Plainfield, Good Shepherd and Harold Lawson must be expanded. They must get more government support; these are private programmes which are great programmes. They are run by dedicated people—in many cases religious people, who, as a result of their religion, are giving their lives to do this. They need more support—I mean financial support—from this government.

Sixth, and most important of all the things which I have said, The Department of Health must begin a modern programme to encourage the training and integration of our mentally defectives similar to that being done in Chicago and in England, and as I have outlined here at some length. Until you are prepared to do that, you are going to have to be prepared to run institutions for people who are put away so they are out of sight and so we can forget about them. That is what we are doing now and until you are prepared to change the whole basic plan, that is what we are going to continue to do.

Seventh, earlier today, Mr. Speaker, I made a mistake. I introduced a bill which I should not have introduced. I have drawn up a model bill here to set up a birth defect institute. I am going to tell you about that, and I must confess I apologize. I wish to withdraw that bill; I am not going to ask that it have second reading. Because I am so used to jumping up, when you call bills, and proposing a bill and because I had this model bill in front of me, I automatically presented it for first reading.

Hon. Mr. Grossman: A poor try, eh?

Mr. Shulman: No, it is a wonderful bill and I am going to tell you the details of this bill right now.

Interjections by hon. members.

Mr. W. Hodgson (York North): Why is the member going to withdraw it, if it is so wonderful?

Mr. Shulman: Well, you see, Mr. Speaker, unfortunately, like the members to my right, the Conservatives also do not know the rules of the House. If they knew the rules of the House they would have recognized immediately that the bill setting up a birth defect institute is improper and should not have been submitted because, of course, it involves the expenditure of funds.

It probably would have gone through all three readings and would have been passed and this would have been very embarrassing for the government. But I am withdrawing it because I do not wish them to be embarrassed, Mr. Speaker.

Mr. Speaker, I want you to take note that we have finally had a positive contribution by a member, from the far left.

Mr. Speaker: Order! Perhaps the hon. member would leave the matter of the bill to Mr. Speaker and the officials of the House because it is not within the competence of the hon. member at this point to withdraw the bill. It will be dealt with properly if it is not in order.

Mr. Shulman: Thank you, Mr. Speaker. In any case, I will now discuss the bill.

The purpose of this bill, Mr. Speaker—

Mr. V. M. Singer (Downsview): This is out of order.

Mr. Shulman: I believe the member for Downsview is making a point of order?

Mr. Singer: Oh, no.

An hon. member: He wants to be chairman for a little while.

Mr. Shulman: This suggested legislation—I am sorry, Mr. Speaker, the member for Downsview was talking in his sleep, it was my mistake.

Mr. Singer: Right.

Mr. Shulman: This suggested legislation, Mr. Speaker, provides:

1. For establishment in an appropriate agency or institution, a birth defect institute.
2. Conducting a scientific investigation and surveys of the causes, mortality, methods of treatment, prevention and cure of birth defects.
3. Publishing the results of such investigation.
4. Carrying on programmes of education and training in the field of birth defects and allied diseases.
5. Clinical counselling services concerning birth defects.
6. Reporting of birth defects and allied diseases by physicians and hospitals on a confidential basis for use in scientific studies.

This bill, which I presented for first reading, Mr. Speaker, is closely patterned after the 1967 enactment in the state of New York



and the governor's memorandum accompanying signature of the bill, which he was kind enough to send to me, Mr. Speaker, reads as follows:

Of the approximately 28,000 children born each month in New York state, an average of 320 have defects visible or detectable at birth, such as cleft palate or mongolism and other congenital conditions which manifest themselves later, such as heart defects. The birth defect institute will pursue research into the cause, prevention and treatment of these defects.

An example of such fruitful research is the test for pku, which was mandated for all infants by this administration. Each year this test detects cases of pku and rescues children otherwise condemned to a life of mental retardation. The birth defect institute will seek similar knowledge and disseminate this knowledge through training programmes in order to save children from lives of deformity and disease.

The counselling services provided for in this bill will enable the institute to advise parents and prospective parents with family histories of congenital disorders as to the possibilities of further occurrences of defective children and can also offer advice as to treatment facilities available for children born with congenital defects.

Of course, we should have such an institute here in Ontario. The cost would be very, very low. Far less than the alcoholism and addiction research institute—far, far, less—and involving a very serious and absolutely neglected problem in this province.

May I suggest, Mr. Speaker, through you to the government, this is the type of project that the government normally looks upon favourably because this would provide a showplace institution and building and a great deal of favourable publicity for them. So I heartily recommend it to them and I hope that within the next few years they will see fit to bring in this improvement which was pioneered in New York and is now being copied by 11 other states, Mr. Speaker. It is something that we should do here.

**Mrs. M. Renwick** (Scarborough Centre): It would have made a good centennial project.

**Mr. Shulman**: Yes, it would have made a good centennial project. I thank the member for Scarborough Centre.

Mr. Speaker, I have spoken briefly about The Department of Health and although I have considerable other material here about

The Department of Health, I have recently been assigned the position by my party as critic of that department, so I shall save the remainder of that material until my initial speech on the estimates.

Actually, these were just preliminary remarks, Mr. Speaker. I am sure you realize that my main, primary love was reform institutions, and The Attorney General's Department. Before I took my democratic vote, which I explained to you earlier, as to which was the most inefficiently run department—which was won overwhelmingly by The Department of Health—I had prepared a speech; in fact I prepared three speeches—one about The Department of Health and one about The Department of Correctional Services and one about The Attorney General's Department. It is a shame to waste the speech so perhaps I should at least give you the benefit of a little of that material, Mr. Speaker.

I can see that now I am through with The Department of Health, the Minister of Health has finally returned, Mr. Speaker. He has been absent for a few days.

Perhaps I should make a few brief comments, Mr. Speaker, about The Attorney General's Department.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, may I be privileged to interject here that I have been absent while going about the business of the province, and I have been trying to find methods of controlling the air pollution which is so rife in this Chamber.

**Mr. Shulman**: Mr. Speaker, may I suggest that I hope the Minister is a little more successful outside this Chamber in controlling air pollution than he has been up to this time.

**Mrs. M. Renwick**: Is that his view on retardation?

**An hon. member**: Yes.

**Mr. Shulman**: It is rather interesting, Mr. Speaker, the member is quite right. Is that not a shame that these comments that have been made—and they were not directly for or against any political party—should be regarded as air pollution by the Minister of Health? What an indictment of the Minister of Health.

**Mrs. M. Renwick**: Shameful.

**Mr. Shulman**: With his own tongue he has indicted himself and proven his inadequacy

to hold that high office. Where is the Prime Minister? Why does he not do something about this situation?

**Mrs. M. Renwick:** What about these children?

**Mr. Shulman:** Enough of the Minister of Health. I think he has done himself in with his own tongue. Let us turn to the Attorney General (Mr. Wishart) a much kinder man.

**Mr. E. A. Winkler (Grey South):** Heal thyself.

**Mr. Shulman:** Mr. Speaker, this summer I had an experience, that is the only way of describing it, as I travelled about the province, and went to the various towns, trying to visit the mental hospitals, the jails and when it was not on weekends, the courts. Visiting the courts of our province is a very traumatic experience because our courts are not the type that we can be proud of.

I have ordered some 25 transcripts or more of various cases I heard which I intend to read in full, in this Chamber, because each and every one illustrates an outstanding abuse of the judicial process, as I understand it. They are similar to the case which was described in the *Globe and Mail* this morning and which well deserved its editorial, of the poor Indian girl who was held and then, with no charge being laid against her, walked out of court after being held in jail for no reason, and with no apology given. It is case after case like this.

I have suggestions made by a very eminent organization in another jurisdiction, who came up here and studied our courts six years ago. With great difficulty I received a copy of those suggestions. Nobody seemed to want to give them out and I will tell you why they were not given out—because none of these suggestions has been followed. Not one, Mr. Speaker, and I shall present these criticisms of our courts, which were done by a neutral governmental body in another area and which have been completely ignored, if they have been read, by the Attorney General.

I intend to read all these transcripts to show you the urgent need for immediate reformation of our courts—particularly the lower level, particularly at the magistrate court level, because that is where the injustices occur. Supreme Court or Superior Court are not so bad, because up there we have a slow-paced, measured quality, high-priced lawyers, lots of time. But down in

the magistrates court it is rush, rush; horrible surroundings; rush them in, rush them out. Often there is no duty counsel; often there is no legal aid. Bad things are happening there and we need radical changes in those courts.

You will be delighted to hear I am not going to read those transcripts today. The reason I am not reading them today is, for some reason, the magistrates courts are so jammed up that a number of the transcripts that I have ordered, and some of them some time back, have not yet arrived and I do not want to give an incomplete picture. But when the Attorney General's estimates come—if I am allowed to do so, and if not, certainly in the Budget Debate—I shall read all of these transcripts to show you what is happening in our courts.

But today, very briefly, I wish to comment about one thing which can be handled without the use of these transcripts, and this is our legal aid system. This is upsetting me mightily because two very, very bad things have happened with legal aid in the last very few weeks in this province. I am going to tell you about two cases because they have upset me a great deal.

I have here the Law Society of Upper Canada, Ontario Legal Aid Plan Annual Report 1968, and it makes great reading. Like everything else associated with this government, if you read it, it sounds great. It is only when you go and see how it works, that it does not work so well. On page 6, I quote:

Ontario has now taken a giant stride to ensure that no one shall be denied the services or advice of a lawyer because of lack of money. It is in consequence of the vision of both the government of this province and the Law Society of Upper Canada.

It sounds lovely. On page 11 I quote again:

The new plan ensures that no Ontario resident shall be denied his legal rights because he cannot afford a counsel.

Let me read that again.

The new plan ensures that no Ontario resident shall be denied his legal rights because he cannot afford a counsel.

That is what they say but that is not what they do. I want to tell you about an incredible case, in fact, I am going to tell you about two incredible cases.

The first one was that of a Mrs. Rose Szego. This is a woman who is a graduate of Auschwitz. She spent the war years in concentration camps. She was the only one of her

family to survive and she returned to Hungary where she remarried. She and her husband fled from Hungary during the 1956 revolution and emigrated to Canada. They came with nothing; no money, just with the clothing on their backs. They went to work immediately and they worked steadily, did not miss a day.

Her husband became crippled by an accident. The Compensation Act would have covered him, but he worked for one of those terrible firms, a small steel company here in this city—which would like to keep its WCB rate low. They said, "Do not report it." But he went ahead and reported it and he was off work for some four weeks with a bad back. When he came back, this was a man of 66 at this time, they said, "We told you not to report it. From now on you do not work inside any more; you work outside with a wheelbarrow." Well, he lasted one day and could not do it. He was old and he was weak and he came in and said, "Please, can I have my old job back?" and they said, "No, you can have that job out there." So he quit and he could not get another job; he is 66. So they had to depend on her salary and she went to work as a fur worker and she worked every day.

I am glad the Attorney General is here to hear this matter because it is a very serious matter, and it involves his department. She worked every day and then she gradually developed an allergy to fur. She had five different doctors who gave her certificates proving she had this allergy to fur. As a result of this allergy to fur she developed asthma. This asthma completely crippled her and it will never be cured.

The doctors, leading experts in this city, said there was no hope of curing the asthma; whether or not she stayed away from the fur had become immaterial. As a result of being in contact with this fur, she now had an incurable condition which would prevent her from ever working again. She applied for compensation some two years ago and was turned down. At that time, they were turning down a lot of cases they should not have been turning down. The situation has improved a little since then.

She then appealed. You are allowed several levels of appeal. You can appeal to the review committee which really is just a man who sits at a desk and looks the papers over. He does not see you but there are two levels of appeal where you could actually appear. One is the appeal tribunal, where you can

come and say your piece and be heard by three men who may or may not reverse the ruling of the lower board. If you fail there you can go higher to the workmen's compensation board itself.

This woman is an immigrant. She spoke poor English. She had no money. She had been out of work now for a good year. She appealed to the legal aid plan for legal aid to appear in front of this appeal tribunal. They turned her down. She then appealed to Andrew Lawson, who is the head of legal aid, and said, "How can I go there as I cannot speak English, I cannot manage? Please can I have legal aid?" Andrew Lawson sent her a nice letter dated February 26 of this year and I will quote him exactly:

I have carefully reviewed your application and I have decided yes, you are quite right, you should have legal aid. In my view this case merits the appeal procedures requested and should be appealed to the appeal tribunal, and if necessary to the workmen's compensation board itself. I therefore reverse the decision of the York county area committee and give you legal aid.

She went with her legal aid lawyer to the tribunal hearing as suggested by Andrew Lawson, and he gave her arguments, he presented all this medical evidence proving quite clearly that she should have been granted her compensation, and that this asthma she developed was from being in contact with the furs where she worked. They turned her down.

I am not suggesting that the lawyer did not do his very best; it is very difficult to win cases in front of the appeal tribunal. The appeal tribunal has very little leeway, I believe. Once you get up to the highest level, the compensation board itself, they appear to have much more leeway. They are very loathe to have this type of speech made in the House and so we find we do very much better at a higher level.

So she was turned down there, as most people are, and this should not cause great surprise. She then, as Andrew Lawson had suggested, appealed to the workmen's compensation board itself to have her case heard, and the York county legal aid then proceeded to refuse her legal aid. So she thought, "Mr. Lawson himself said I should appeal to the workmen's compensation board, so obviously they do not know; I will write to Mr. Lawson and appeal this decision." Mr. Lawson answered her. I have his letter here, and it is dated June 25, 1968. I will read it

in full because Mr. Lawson changed his views somewhat:

Dear Mrs. Szego:

The area director forwarded to me your appeal dated June 13, 1968, from the decision of the York county area committee. This committee refused to grant you a legal aid certificate to appeal to the workmen's compensation board.

This letter is to inform you that I have now thoroughly reviewed your application. It is my opinion, with respect, that a further appeal to the workmen's compensation board would not be successful. I am unable to find that the area committee erred in coming to the decision which they made.

I therefore refuse to reverse the decision of the York county area committee; a copy of form 18 setting out my decision is enclosed.

Very truly yours,

Andrew Lawson

Enclosed is a printed form saying, "Notice is hereby given your appeal has been reduced." Too bad about you.

Fortunately, Mrs. Szego had heard there is a political party in Ontario that is interested in this type of injustice, and she approached the New Democratic Party and they assigned me the job of representing her at this hearing. Frankly, having read the evidence, it was so obvious that her case was just, it was so obvious that she should never have been rejected in the first place, I thought it quite incomprehensible. First of all the compensation board had turned her down. Secondly the review committee had turned her down. Thirdly the appeal tribunal had turned her down, but most of all, how could the legal aid committee refuse legal aid to someone when it had five sworn affidavits presented to it proving that her case is clearcut and just?

I went with Mrs. Szego to the hearing and the hearing took all of seven minutes. I came in, and I believe Mr. Legge was the chairman, and I said: "Mr. Legge, I do not know what we are doing here. This woman has asthma as a result of having been in contact with fur. She has tests here that were taken by an allergist to prove this; she has five different top doctors in this city to back it up; but somehow she was refused compensation. Here are the certificates," and I handed them across to him.

Mr. Legge looked at them and he turned across to, I believe, Mr. Johnson, who was

sitting beside him, and showed them to him, and they both turned to me and said, "Very strange. We have no questions to ask Mrs. Szego. Mrs. Szego, thank you for coming down. You are the type of person we want coming to this country; you will hear from us very shortly." Two days later she got a letter. Of course she got her compensation, and she got her two years' back pay, and everybody, as far as the Szego family was concerned, was quite happy.

But what worries me about this is not the compensation foul-up—we will come to that under the compensation board—what worries me is the foul-up in the legal aid plan. How could they refuse legal aid to a person like this where the case is so clearcut? If they are refusing clearcut cases like this, how many other mistakes are they making where the area is not so clear, where the matter is a little blurred? How many people are not smart enough to come to the NDP? How many people are not lucky enough to get someone to go down for them and appeal for them and win the case? In other words, how many people are going to jail or not getting their compensation because the legal aid is run ineptly?

This was not an isolated case. But before I go on to the second case, the thing that that worries me about this case is that Mr. Lawson, in his letter to Mrs. Szego, said in his opinion this case could not be won with the aid of a legal aid lawyer, and what worries me is maybe he is right; that is the second disturbing thing.

Mr. Speaker, this is not the only case. I guess the Attorney General is not as interested as I thought, he has left the House. This is not the only case of foul up in legal aid. Within a matter of weeks another case came to my attention where again the facts were clear, where again there was no question of injustice, and where again the legal aid had turned this man down. This case came to me by accident, Mr. Speaker, and it is, I think, the most incredible case I have ever had come to my attention—incredible for a number of reasons. It has been mentioned in this House already; I have discussed it with the Attorney General; I have had questions across the floor to him; and he has shown very little interest, I am sorry to say, in this case.

The name of the man is Douglas James Woods, and just to refresh your memory, Douglas Woods is that poor man who was up in Port Severn when two provincial police officers decided to have a little lark and see

if they could persuade Mr. Woods to break into a marina. Because there has been some question as to the facts and some blurring of the facts here in this House—particularly by the Attorney General, who saw that there was no reason to take action against these officers other than to reprimand them—I have brought the facts here. I have the entire transcript here of the case and I shall not take your time by reading the entire transcript. However, I shall read the facts, the memorandum of the facts and law which was submitted to the court of appeal, which took all of ten minutes to decide this case was a disgrace and throw it out.

I am going to read you the memorandum of fact and law, and I have the actual transcript here to read the quotes if there is any doubt in anyone's mind that these are the facts:

On the 25th day of March, 1968, at or about 11.30 p.m., provincial constables Crozier and Groves, whose usual responsibilities were criminal investigation for the Bala detachment, were returning from taking a prisoner to Guelph. They were in plain clothes and were driving an unmarked black police car. They were not on duty and were not required to be making any enquiries or investigations in the Port Severn area and their superiors had no idea what they were doing:

This is from the evidence of police constable Crozier, page 106, lines 10 to 34, and page 109, lines 10 to 20.

Next, constables Crozier and Groves decided on their own initiative to check into information they had received about possible liquor offences in Port Severn, and while having something to drink at the Riverside Hotel they made enquiries of the bar tender of that establishment. These officers were not operating in their own jurisdiction and the Ontario Provincial Police for the Midland district had not requested such investigation.

Upon leaving the hotel, the officers, who had never before seen the defendant and had no reason to approach him otherwise, did approach the defendant, who was standing beside a car talking to an occupant thereof.

Let me just digress, Mr. Speaker. This was not the evidence of the accused; this is the evidence of the police constable, and if we accept it on its face—and let me say there is some doubt about some of it—it is an indictment in itself.

Twenty-four-year-old Constable Crozier, an officer of three years' experience, who had been previously used an agent provocateur, liquor investigation, represented to the appellant that he, Crozier, had been released from Kingston about six months before, and that he and his friends were from Toronto. And in carrying on conversation, the officers were using prison vernacular and acted like big-time gangsters or toughs.

The appellant had previous convictions, which occurred in Midland in 1965 for breaking and entering and theft, for which he received two months, and a further conviction in Midland, in July, 1966, of theft over \$50 and taking an automobile without consent, for which he received three months on each charge consecutive. The police evidence is that they first asked the appellant about the sale of liquor to under-aged persons at local outlets, and asked the appellant whether he knew where they could buy stolen outboard motors.

A preference was expressed for a Mercury-type motor having 50 horsepower, for which they would pay approximately \$250. They indirectly threatened the appellant that if he was just taking them on a wild goose chase, he might get hurt. An indirect threat was made. The appellant was told that he might be roughed up if he had no stolen motors, and I am quoting from police constable Crozier, page 107, lines 9 to 25, page 113, lines 18 to 34, and page 125, lines 18 to 23. This is the police constable's evidence.

The defendant's evidence was similar, but goes further. I shall not go into detail of his evidence because I am prepared to rely on the police constable's evidence alone. In any case, just briefly, some of the rest of the facts are: The two police constables went with Douglas Woods in the car—which he supposed was a stolen automobile but which was actually a police car—to the marina where Douglas Woods worked. They then waited in the car while Woods proceeded to break in and carried out a motor. Actually, he said they helped him carry it out; they say he carried it himself. Then as he carried it out, they said: "You are under arrest. We are police officers. For stealing a motor." Well, that is a pretty strange way of running the police force in this province, Mr. Speaker, but there was worse to come.

The police constables then laid charges. Douglas Woods was put in jail, appeared in court, and was found guilty by the learned magistrate, who in his comment said—and I shall quote him, page 129, lines 10 to 22: The learned magistrate stated that he believed



constable Crozier because of previous years of knowledge of this officer.

I am not a lawyer, Mr. Speaker, thank goodness, but it appears to me that when one goes to a court, the magistrate is supposed to make the decision on the facts, which he hears in front of him, and not on what he has learned from previous acquaintances or previous friendship with one of the accusers. And that is what the magistrate did in this case. In any case, the fact remains, he said you are guilty and off to jail with you. And away they took Douglas Woods; no bail.

An officer of the court came to me with this case, and he said, "This is a terrible case. Please do not use my name, but see what you can do." I ordered a transcript, but I really did not believe it. I wrote an open letter to the Attorney General saying, "What are you going to do about it?" And he informed me that the case was under appeal, which I did not know. Douglas Woods then approached the legal aid committee and asked for legal aid. Incredibly, they refused him legal aid for an appeal. Once again I say to you, Mr. Speaker, that there is something wrong with the legal aid system when a man who has been railroaded into jail is not allowed an appeal, and is not allowed the funds or legal aid which we are so proud of in this province, to have that appeal.

I have here a legal aid form refusal from the Law Society of Upper Canada, as dated November 5, 1968. He had applied for legal aid on May 24. He has been sitting in jail all that time. And that is why there had been no appeal. He had been waiting for legal aid. And this is what they said:

This is to advise you that your application for legal aid dated the 21st of May, 1968, has been refused, by reason of the area committee of Muskoka did not approve your application, on the following grounds: The area committee has carefully considered the application for legal aid, notice of appeal, transcript of evidence, opinion of applicant's counsel, and opinion of counsel to area committee, and the area committee is of the opinion that legal aid should not be granted.

That was the reason. We are refusing legal aid, because we think legal aid should not be granted. What kind of a reason is that? What is the matter with that department? That is the reason they gave.

Well, Douglas Woods' family knew he had been railroaded, and they knew he should not be in jail. They knew he was there improv-

erly; they knew he should be out on bail. They did not know what to do. So they appealed to Andrew Lawson. They wrote to the top man. His mother said, "This must be a mistake; can we get legal aid for Douglas?"

I wrote Mr. Lawson also. I wrote on November 18, 1968, and he replied very courteously to me:

Dear Dr. Shulman:

Re Douglas Woods, thank you for your letter of November 13. I just received a notice of Douglas Woods' appeal against the decision of the Muskoka district area committee, and as soon as I have reviewed all relevant material, I shall advise you and Mr. Woods of my decision.

November 25 I received a letter from Mr. Andrew Lawson, provincial director, Ontario legal aid plan. It is a very lengthy letter, and I shall not take the time of the House to read it all, but it finished off:

With respect, I am of the opinion that there is not sufficient evidence to justify an appeal to the court of appeal under legal aid. I, therefore, refuse to reverse the decision of the Muskoka area committee. A copy of form 18 setting out my decision is enclosed.

Very truly yours,

Andrew Lawson.

Too bad about you, Douglas Woods. You can stay in jail, if you have no money to appeal, too bad.

Again I say to you, this is the justice and the injustice of this province, and of The Attorney General's Department and of the legal aid plan. Again, fortunately, the people up north have wakened up. They have not as yet in eastern Ontario. They are coming. They have not as yet in western Ontario, but they are coming. But up in northern Ontario, they have wakened up, and they know the NDP.

Mr. Speaker, once again I present to you on an apolitical basis, as I always do, I am sure you agree with me, problems in the field of the legal aid, and it is a shame to find the member for Renfrew South (Mr. Yakabuski), coming in for a few moments, and being completely unwilling, not only to learn—we don't expect that of him—but at least to listen. But in any case, Mr. Speaker, what I want to say to you, and I am sure you will agree with this, is that in a clearcut case like this, where a man has been railroaded to jail—and he was railroaded—there is no question to me from the evidence. He was conned and threatened into committing a crime, then arrested by the men who conned him into it. Then he was



sentenced by a judge who knew one of the accusers and admitted in court that his judgment was partially based on his previous knowledge. Then the legal aid people come along and say: "No, you cannot have legal aid."

So if it had not been that the family were aware that there is one party in this province that is willing to fight for the people, that man would have sat in jail more months. He sat there for six whole months while the legal aid plan thought about whether they should give him legal aid. They finally, after all these months, decided: "No, we will not give you legal aid; too bad for you; too bad about you."

So, fortunately, he came to the NDP, he got to an NDP lawyer, a very fine man by the name of Eastman. Mr. Eastman went down to court and the court of appeal heard the whole matter. I sent my secretary to the court and took their judgment down in shorthand and she typed it out for me. They took all of ten minutes to throw this case out. Not only did they say, he should not have another trial, they said that the conviction was wrong. They said release this man, let him out of jail and do not give him another trial.

This is injustice. It was obvious to the court of appeal. So obvious, that even the Attorney General's representative who was there, did not argue against it. If it was so obvious, why was it not obvious to the legal aid?

I will tell you why: Because the men down there do not know their job. If they cannot see an obvious case like this and an obvious case like Rose Szego's, there is something very, very wrong.

How many marginal cases are there that we do not hear of? Where someone is sentenced unjustly, has no money for an appeal, has no family willing to scurry around outside and get in touch with us? How many of those cases are being refused by the legal aid department and who are rotting in jail because of the incompetence of this plan or of the people running this plan?

Mr. Speaker, I am very disappointed in the Attorney General. I brought these facts to his attention in both cases. I asked him two things which I thought were very reasonable. I said: "Will you first of all reimburse Douglas Woods for these six months improperly spent in jail?" The answer was a flat "No".

I would have expected better from the Attorney General. I would expect that kind

of answer from some of the other Ministers, but I would expect better from the Attorney General. He has a reputation as a kind man and I cannot understand his comments in this case. I hope he will elucidate further, on a proper occasion, why he will not give help to a man who has unjustly spent all these months in jail.

Mrs. M. Renwick: He was criticizing the establishment.

Mr. Shulman: The other thing I asked the Attorney General is of more concern than Douglas Woods. Douglas Woods is a very tragic case but it is only one case. What disturbs me is if the Attorney General does not intervene in the legal aid plan at this time, these mistakes will continue to be made. The legal aid plan must be instructed to either hire more competent lawyers so that you can tell which cases have a chance on appeal, or, if you do not wish to hire more competent lawyers, or if they are not available among the Tory party, lean over backwards if there is any question that a case can be won.

Certainly, there are obvious cases which cannot be won and which should not be given an appeal, but here are two clear-cut obvious injustices which they turned down. How many others are there? We do not know yet, but we are trying to find out.

The Attorney General must intervene to do something, otherwise there are going to be people in jail because of his lack of action.

I have only had a brief time to give to The Department of Health and to the legal aid plan. I wish to spend a few days discussing the courts but it is not the proper time now, so I will pass over that. But before I give up my department—I do not know whether the Minister of Financial and Commercial Affairs will be pleased or disappointed, but I am sorry to say that I am leaving him. My responsibilities for his department have been removed from me and I thought, before I said goodbye to him, I should make one or two brief comments about his department. I am sure he will be pleased to have me give him a few compliments as, of course, I intend to do.

I found it of great interest, when I took my poll of the departments to find out which was run most inefficiently—and which, you may recall, the Minister of Health won so overwhelmingly — that The Department of Financial and Commercial Affairs did not get one vote. In other words, everyone thought it was run quite efficiently in comparison to the other departments.

Actually they are right. It is run very efficiently and it is the most efficiently run department in the whole province and in the whole government. I am delighted to give this compliment to the Minister. There is no question whatsoever that I have never seen such efficiency in any of the other departments. Of course, the reason it is run so efficiently, Mr. Speaker, is because it is run by the insurance companies, and they are very, very efficient companies. I have to give them a great deal of credit. They have many years of experience in managing large sums of money and they have efficiency down to a "T". I must compliment the Minister on using their help in his department.

You may recall, Mr. Speaker, that last year I made some mild criticism of the department in its lack of management of health insurance and I went into great detail about two cases at that time.

One of them is a Mr. Kaczinsky and I was going to make some brief comments about that case today but unfortunately the Minister is a little slow in answering his mail and our correspondence in that case is still going on. So I will save my comments in that case, perhaps until the estimates. Perhaps, by that time, the Minister will have had a chance to answer the letter which I sent to him some time ago, requesting information on that case, so I will hold that back.

That, you will recall, is the case of where a man developed a "lilebet" of gas in his tummy and, as a result, lost his health insurance plan. He still, as yet, has not been able to collect the money owing to him by that terrible company, the Allstate Insurance Company. I am still trying to find out from the Minister, what is being done about that case. I believe the wheels are turning reasonably rapidly for that department and I trust that by-and-by, he will answer my letter and we will carry on with that case.

As a matter of fact, Mr. Speaker, I have a half a dozen other cases in the field of health insurance which you will find hard to believe. They are just as bad as the Kaczinsky case. I intended to give those today, or perhaps tonight, but I will not bother you with those now. They are quite lengthy and we only have half an hour left, so I think perhaps now will go into another field entirely.

It is in this same department which is equally well run by the insurance companies.

I think you will find this even more frustrating and annoying than the Kaczinsky case and the matter of health insurance.

The department is responsible for used cars under The Used Car Dealers Act. It says: Used Car Dealers Act, 1964, statutes of Ontario, Ontario regulations 365, 1967, and it reads very nicely. The man who drew this up is a very efficient man and knew his business. I have no criticism of that Act whatsoever. There is only one thing wrong, Mr. Speaker, the department for some reason does not follow its own Act.

I am going to tell you about one case that proves this. It is quite an incredible case.

In the regulations of the Act, which I have here in front of me, all used car dealers are requested to put up a bond. The purpose of that bond is, if some fraud occurs in relation to the public, the public will have some way of getting their money back by going to the government. The government sets up this bond and holds the bond themselves. The wording of the Act is very clear. Let me read it to you so there will be no doubt in anyone's mind where the responsibility lies. I am quoting from the regulation, section 12, subsection (b), first of all—section 12, subsection 1:

Any bond mentioned in section 4 (Section 4 is the section which sets up the bond) is forfeit and the amount thereof become due and owing by the person bound thereby. The debt to the Crown in right of Ontario, where judgment is based on a finding of fraud, has been given against a registered used car dealer, including any member of a partnership or salesman in respect of whose conduct the bond is conditioned.

I will read down a little further: Section 14—what section 12 says is if there is a fraud, the bond is forfeit to the province of Ontario.

Now section 14 says:

Where the Crown in right of Ontario becomes a creditor of a person in respect of a debt to the Crown arising from the provisions of section 12, the Registrar may take such proceedings as he sees fit under The Bankruptcy Act, The Judicature Act, The Corporations Act, or The Winding-up Act for the appointment of an interim receiver, custodian, trustee or receiver or liquidator, as the case may be, the Treasurer of Ontario may assign any bond forfeited under section 12 and transfer the collateral

security, if any, and pay over any money recovered under the bond.

What this means, Mr. Speaker, is that if there is a fraud the bond becomes defaulted to the province of Ontario, and it then becomes the duty of the Treasurer to pass this bond over to the persons against whom the fraud had been committed.

I will now tell you an incredible story which shows rather well who runs this particular department. I do not have the date, Mr. Speaker, but some three years ago one Charlie Nairn wanted to sell his car and he went to Oakclair Motors—it was approximately three years ago—he went to Oakclair Motors and the registered—

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): What was the name of the file?

**Mr. Shulman**: The name of the file, your file?

**Hon. Mr. Rowntree**: The matter—was it Nairn?

**Mr. Shulman**: Nairn—Charlie Nairn—N-A-I-R-N. Do you want the name of your file, I think I have that? Strangely enough there is no file number on your correspondence.

**Hon. Mr. Rowntree**: What is the company's name?

**Mr. Shulman**: The company's name is Oakclair Motors—O-A-K-C-L-A-I-R. Charlie Nairn went to Oakclair Motors and the registered salesman there said, "Sure we will sell your car for you. We do not have a buyer at the moment, but you leave it here with us and we will sell it for you and we will give you the proceeds less a certain percentage which is our commission."

Charlie Nairn got a receipt, and off he went and he was quite happy they were selling his car for him. Some time went by and the car did not get sold, at least he did not hear anything more about it, so back Charlie went to Oakclair Motors. They said, "We are awfully sorry but the salesman you left the car with stole your car." Charlie said, "What do you mean he stole my car?" and the salesman said, "He went off somewhere with the car and we have not seen him since. Too bad. We are not going to do anything about it."

Charlie was a little upset, because this seemed a strange way for a used car dealer to act. He went to see a lawyer and a most

incredible series of correspondence then developed between the lawyer and The Department of Financial and Commercial Affairs—which finally ended up in the courts and which has gone on for some three years. The final position of the department has been, "We are not going to pay because the insurance company tells us not to," and I am going to read this into the record. If there is an explanation, and God knows how there could be, I would like to hear it.

**Hon. Mr. Rowntree**: How long has this case been going on?

**Mr. Shulman**: I beg your pardon?

**Hon. Mr. Rowntree**: Three years?

**Mr. Shulman**: The correspondence extends from May 18, 1966. The first letter is addressed to the Attorney General's office because at that time apparently the Attorney General was responsible for the used car dealers. It says:

Attention Mr. W. K. McKinnon.

Dear Sirs:

Re: Mr. Charlie Nairn and Oakclair Motors.

We act on behalf of Charlie Nairn in connection with the above matter and as you are aware we have commenced an action against the above name for the return of our client's vehicle and for any damages caused to it by the said defendants.

We are writing to you to request that you withhold releasing the bond that you have on file for the said company until such time as our action is disposed of by the court. We would appreciate your advising us as to our request and hope to hear from you at your earliest possible convenience.

Yours very truly,

Sol Merrick.

He was the lawyer in the case.

The purpose of this letter was of course that they had to get their judgment of fraud before they could get the money out of the bond. They wanted to make sure that the used car dealer section did not release the money prematurely before poor Charlie Nairn won his case in court.

I have a letter back from The Department of the Attorney General signed by Mr. W. K. McKinnon, regional inspector, Used Car

Dealers Act, and this is dated June 11, 1966, and reads as follows:

Dear Sir:

Re: Oakclair Motors.

In reply to your letter of May 18, 1966, I am writing to advise you that in accordance with section 12 of subsection 3—

which I quoted earlier—

—of the Ontario regulation, March, 1965, the bond for Oakclair Motors Limited shall remain on deposit with our department until April 1, 1968.

Yours very truly,

W. K. McKinnon.

The next letter is dated November 18, 1966, and this goes to Mr. R. G. MacCormac, who I believe is the man who is still responsible—Mr. R. G. MacCormac, registrar, Used Car Dealers Act—and reads as follows:

Dear Sir:

Re: Nairn and Oakclair Motors.

You will recall our recent telephone conversation in connection with the above matter.

We now enclose herewith the writer's affidavit in duplicate, setting out the facts in connection with this matter.

I would be grateful if you could arrange for an appointment for me to discuss the matter with the director and yourself at the earliest possible convenience. I shall look forward to hearing from you.

Yours very truly,

Sol Merrick.

We have a letter back from Mr. MacCormac, registrar of The Used Car Dealers Act, quite promptly; it is dated November 22, 1966, and it reads as follows:

Dear Mr. Merrick:

Re: The Used Car Dealers Act.

Further to our telephone conversation of Monday, November 21, I am enclosing herewith a photo copy of the recent affidavit filed with this department by Jack Abrams, together with a copy of the consolidated edition of The Used Car Dealers Act. You can determine from clause 3 of the affidavit that Jack Abrams has agreed to discharge the liabilities indicated in the list of creditors within a period of three years, and not later than October 15, 1969. Clause 4 of the affidavit refers specifically to the claim of your client Charlie Nairn.

The terminal part of this clause indicates

that the account deemed to be owed by Abrams can be determined either by the courts following a civil action, or by the registrar after further investigation.

In other words, they say, "Okay, go to the court; get the court to determine the amount and then we will pay you off by October 15, 1969." To continue the quote:

If the matter is to be resolved by the registrar, then it will have to be considered whether the amount of \$2,500 is not excessive, for the statement made by Charlie Nairn and confirmed by the recent affidavit filed by you indicates that Mr. Nairn was willing to accept not less than \$1,700 for this vehicle. In addition to this we may have to consider—

I shall not bother to read the rest of this; it is whether he is to get \$1,700 or \$2,500, which is not too relevant because he got nothing. To continue further down in the letter:

Following the receipt of this information I will determine the amount for which Abrams should be held responsible, and would suggest in the meantime that you proceed to civil action in this matter in order to become more secure, by way of a judgment, provided that this is successfully determined.

Just think of this a moment, Mr. Speaker. He says, "Yes, you are right, we have to decide how much you have to get; yes, we will hold on to the bond; yes, Abrams owns the Oakclair Motors and agrees that he owes the money; but go ahead and get a judgment anyway just to make sure everything is tied down shipshape." Then he goes on in this letter—this is Mr. MacCormac's letter:

In the event that Abrams fails to observe the conditions disclosed in his affidavit, I will reserve the right to suspend his registration, but this will not obtain restitution for your client.

However, if the pressure of his other creditors, together with this added obligation, compel him to make a voluntary assignment in bankruptcy, then we shall proceed to forfeit the \$5,000 bond under which Oakclair Motors were previously conditioned, and which we are still holding, and following the normal period disclosed in subsection (c), of section 12 of Ontario Regulation 3(65) it may then be disbursed in accordance with subsection (c) of section 15:

What that all means, if I may translate it from the department, is: "Do not worry,

even if he does not pay up we will grab his bond and we will distribute the money." To go on with this letter:

Unless he makes an assignment in bankruptcy, the only other method by which the bond may become forfeit is in accordance with subsection (b) of section 12 of the regulations. I feel that a judgment based on the finding of fraud would be a little more difficult, but may be considered. If you obtain a civil judgment for the amount of your client's claim, you may, if unable to collect within a reasonable time, request a receiving order under The Bankruptcy Act and thereby effect a forfeiture under the aforementioned subsection (c) of section 12.

I have tried to make the issue as clear as possible for you and trust that you will proceed to act in whatever manner you feel is in the best interests of your client.

Yours very truly,  
R. G. MacCormac,  
Registrar, Used Car Dealers Act.

After receiving that letter, poor Charlie Nairn, who had now moved to England, was written a letter that said, "Do not worry, we are going to win the darn thing, but the department of the used car dealers says you have to come back because we have to sue this fellow and get a judgment. In order to sue and get a judgment you have to come to Canada, because you have to appear in court to give evidence." Charlie Nairn was so upset about them stealing his car and not giving it back to him, that Charlie Nairn flew back from England to Canada to appear in court to get his judgment. Little did he know the way The Department of Financial and Commercial Affairs operates. Little did he know how little this piece of paper on which they had written the letter was worth.

**Hon. Mr. Rowntree:** But in effect, we did not exist in May of that year.

**Mr. Shulman:** The Minister is a little embarrassed and I do not blame him. This is written—

**Hon. Mr. Rowntree:** I am not embarrassed at all.

**Mr. Shulman:** This is written on the stationery of R. G. MacCormac, registrar, Used Car Dealers Act, 1964, and it is dated November 22, 1966. Perhaps I am in error, and if I am, I would be glad if the Minister would correct me, but I believe that R. G.

MacCormac is still in that department, which is now under the Minister. Surely if you have changed the name at the top of the stationery, you are not going to try to step away from your responsibilities as laid out by R. G. MacCormac then and now, registrar of the Used Car Dealers Act.

If this is the excuse that is given by the Minister and this is what he wishes to say, I shall stop right now because nothing more can be said, but I do not think he wants to say that. No, the Minister does not want to say that. All right, so we will go on.

It existed, they can call it what they want, it existed, it was the same staff, the only difference is they changed the man that the insurance companies put up at the top, that is the only difference since then. Well, to continue: January 16, 1968, a letter now from Mr. Matlow, who is a partner of Mr. Merrick, who had come into the case.

To Mr. R. G. MacCormac,  
Registrar, Used Car Dealers Act.

Dear Sir:

Re: Nairn vs. Briggs, Oakclair et al.

Further to our recent correspondence, with respect to the above captioned action, we wish to advise that this action is still pending and that we would be grateful if you would not release any bond under which Oakclair Motors Limited is presently conditioned.

What was happening, they had gone into the courts but the courts are a little slow and they were having trouble getting the case heard and there was a little stalling from the other side so they wrote to make sure somebody in the meantime did not run off with the bond.

So, Mr. R. M. Mason—I wonder if that man still works for this department?—Mr. R. M. Mason, the chief inspector of The Used Car Dealers Act, wrote back, and this one is on the stationery of The Department of Financial and Commercial Affairs, registration and examination branch, Used Car Dealers Act, 1964. It is dated January 18, 1968. Attention Mr. B. G. Matlow, B.C., LL.D., re: Used Car Dealers Act, 1965, Nairn vs. Briggs, et al.

Dear Sirs:

In reply to your letter dated January 16, 1968, we wish to advise you that the bond under which Oakclair Motors Limited was conditioned is still in force until July 27, 1968.

In order to have a claim against this bond, a judgment must be obtained against Oakclair Limited and a claim submitted to this office prior to that date.

Yours very truly,

R. M. Mason,  
Chief Inspector.

To translate that for you, Mr. Speaker, what this means is you better hurry up because we can only hold the bond till July 27 and then the whole thing is out the window. So, the lawyer receiving this thing said, "Well, we had better hurry up, and get this judgment by July 27, it should be worth the paper it is written on and I guess then The Department of Commercial and Financial Affairs will pay us off out of the bond as long as we get the judgment."

So, they hurried Charlie Nairn back from England and they rushed the case through and they did get their judgment by July 27; in fact they got their judgment on June 14, 1968. Little did they know it was not going to help them. They could have had their judgment ten years before, because unfortunately somewhere along the line the insurance company stepped in and said, "Do not pay him that bond." But I will come to that by and by, Mr. Speaker.

We come to the judgment, and sure enough Charlie Nairn came back from England, the case was heard, the case was defended. It was not a default judgment; they actually defended the case and the good judge, His Honour Judge Ball, rendered his judgment, which I have here, and I had better read that judgment:

Judgment: In the county court of the county of York. His Honour Judge Ball, Friday, 14th day of June, 1968. Between Charlie Nairn, plaintiff, and Oakclair Motors and William Briggs, defendants.

This action coming on for trial on the 6th and 7th days of May, 1968, at the sittings of this court, holden at Toronto for the trial of action without a jury, in the presence of counsel for the plaintiff and the defendant Oakclair Motors Limited. This action having been discontinued against the defendant William Briggs. Upon hearing, read the pleadings, and hearing the evidence adduced and what was alleged by counsel aforesaid, this court was pleased to direct this action to stand over for judgment, and the same coming on this day for judgment:

1. This court doth order and adjudge that the plaintiff will recover from the defendant Oakclair Motors Limited, the sum of \$1,704.95.

2. This court doth further order and adjudge that the defendant Oakclair Motors Limited do pay to the plaintiff his cost of this action forthwith after taxation thereof.

Judgment signed this 24th day of June, 1968.

And it is indecipherable, but I presume it is Judge Ball. It says here, "Certified to be a true copy of the original thereof. Well, Charlie Nairn had his judgment, not that it did him any good, actually all it cost him was the court costs.

Well, I have the reasons for the judgment here. Because it is rather important, I shall read the reasons for the judgment. They are not too long.

In the County Court of the County of York, Charlie Nairn versus Oakclair Motors Ltd., reasons for judgment for the plaintiff P. T. Matlow, and for the defendant L. F. Crackhauer, Esq.

This is an action relative to the motorcar of the plaintiff which he allegedly left for sale with the defendant. The action was originally started against the former defendant William Briggs, also, but was discontinued against him by notice dated January 16, 1968.

William Briggs was a former employee of the defendant, and it was with him that the plaintiff had most of his dealings relative to his motorcar about which the plaintiff complained. This car was a 1964 Falcon. It was left by the plaintiff at the used car lot of the defendant in Toronto. It was left by the plaintiff after he had talked over the matter with two men who worked at the lot, and he discussed with them the possibility of a sale of his car.

I may explain, Mr. Speaker, the reason I am reading this judgment is to make it very clear it comes exactly under the terms of the Act. To continue:

They drove the car around the block, and agreed to try to sell it. The plaintiff was unable to leave the car at this time, and returned with it a few days later. At that time, he saw the former defendant Briggs who was alone and in charge of the lot. The defendant was told by Briggs that the man to whom he spoke most of the time on the first occasion was not up there. After some discussion, the plaintiff



agreed to accept \$1,700 for the car, wrote out the original of what was received as exhibit one, and this was signed by the said William Briggs.

This was a memorandum of the transaction which was the subject matter of their discussion, and pursuant to the memorandum the plaintiff was to secure \$1,700 for his car. The memorandum is in the handwriting of the plaintiff, with the exception of the signature of William Briggs. The plaintiff telephoned the defendant several times about his car subsequently thereto, to see if the car had been sold. Briggs was not always there, but whoever answered the phone appeared to know about the car.

The plaintiff returned to the defendant's lot on one or two occasions, and at one time found the car parked near the entrance on the street, unwashed and with a number of cigarette butts in evidence. The plaintiff complained about this to someone on the lot and was told that the butts were obviously those of potential customers.

A later call got the reply that the car was hard to sell with Quebec plates. This information was given by someone other than Briggs. It would be easier to sell if the plates were changed. The plaintiff went on a trip to the West Indies between July 21 and August 5, 1965, and before he left he called the lot—to whom he talked, he cannot say—and as a result of the call, he secured and affixed Ontario plates on the car, and left the car and the ownership card relating to the car at the lot of the defendant.

The plaintiff called the lot on his return, and was told that the car was "not in fact sold". After another call, the plaintiff went to the lot about his car, and cannot remember what he was told. However, it distressed him to find the car was missing, as this had not been told to him over the phone, and in two or three days he went to the police.

I can understand his distress, Mr. Speaker.

The defence called as a witness Mr. Garry Campbell, who at the time was the manager and buyer at the defendant's lot and "pretty well ran the place". This witness confirmed that Briggs was employed as a salesman and said that he—Campbell—would have to approve any sale. As a salesman, Briggs was entitled to the use of cars which were for sale, and apparently used them freely until May or June when he

took a car, and was away for a week. Thereafter, Briggs was not entitled to a car on weekends; he was considered unreliable by the corporate defendant.

This witness stated that he was aware the plaintiff had come with his car, and wanted to sell it, and then he talked to him a couple of times on the phone. On one occasion the plaintiff had told him he had seen the car parked near Spadina and Bloor Street in Toronto, and says he thinks he told the plaintiff to "get the car out". This witness also said that he told Briggs to get rid of the car on several occasions.

However, this witness admits that he was there when the plaintiff first arrived with the car. He knew the plaintiff wanted to sell it, and he drove around the block in it, and checked it. The next time he saw it, Briggs had the car, and Briggs told him it had been left to sell. The witness admitted he was suspicious, and told Briggs he did not want the car around with Quebec plates. Briggs told him he was planning on the sale of the car to a relative of his. This, the witness said, he did not believe, but despite this he admits he did not tell Briggs to return the car because Briggs was a "good salesman".

When asked if he did not care if Briggs stole the car, he said he did not think Briggs intended to steal in "the true sense of the word". This witness also said that he told the plaintiff to come and get the car, to come and take it away from Briggs, and says this is the only occasion he spoke to the plaintiff, after the plaintiff brought the car there. This is denied by the plaintiff.

In any event, Briggs disappeared with the car keys and licence, and there is no doubt he in some manner got the licence from where it was usually kept by the defendant. The car was not recovered until the summer of 1966 and was found in Detroit, abandoned on a lot in deplorable condition. It had been driven a great deal, apparently hard and long.

There was considerable difficulty experienced in getting the car to Toronto, where it was repaired and eventually sold. The expenses relative to recovery and repair amounted to \$654.95, which is broken down here. It cost \$654.95 to repair the car and they then sold the car for \$650, so the profit was rather small in that transaction. I am satisfied the price was fair. The plaintiff therefore suffered a net loss of \$4.95 plus the amount he says he agreed

to take for the car, for a total of \$1,704.95. Independent evidence which I accept places a fair value on the car at \$1,700.

The question to be decided is whether the defendant is responsible for this sum. By way of defence, the defendant pleads that in fact the salesman Briggs had no authority to deal with the plaintiff as he did, and although it is not contested that Briggs took the car, it is suggested that he was on a frolic of his own, for which the defendant is not liable.

With this, I cannot agree, even if the former defendant Briggs had no authority to make the agreement; relative to the sale and purchase of the car, he had apparent authority. He was the only one present when Exhibit One was prepared and signed, and the plaintiff acted reasonably and honestly throughout.

The good judge then quotes from some previous judgment that had been given, which reinforced his opinion, and he goes on:

Also, the car was left with the company as a bailee and the defendant has made no effort to discharge the onus in this respect. There will therefore be judgment for the plaintiff in the sum of \$1,704.95 and costs.

In closing, I would like to comment on the evidence of the plaintiff. He gave what I consider a most reliable evidence, and I accepted it throughout without any reservation whatever.

14th day of June, 1968, Judge Ball.

Mr. Speaker, that being the judgment, one would have thought that would be the end of the problem. Unfortunately, this was not so.

I see that we are almost at the hour so I will save the next chapter of the exciting experiences of Charlie Nairn for 8 o'clock.

**Mr. Speaker:** The hon. member will continue until the House rises at 6 o'clock.

**Mr. Shulman:** All right, Mr. Speaker, I will continue.

The next letter, Mr. Speaker, is from Mr. P. T. Matlow, who, of course, is the lawyer acting for Charlie Nairn. He wrote immediately after receiving the summons. Naturally he presumed that they would rush over with the money. But he thought in case the department did not know about it, he should let them know what the facts were, and so, being very polite, he immediately wrote to The Department of Financial and Commercial Affairs and he wrote a letter to Mr.

Mason. I will read you that letter, Mr. Speaker, so you can be apprised of the contents:

The Department of Financial and Commercial Affairs,  
Registration Examination Branch,  
123 Edward Street,  
Toronto 2, Ontario.  
Attention Mr. R. M. Mason.

Dear Sirs:

Re: Nairn versus Oakclair Motors Limited, I enclose herewith a certified copy of the judgment of His Honour, Judge Ball, dated the 4th day of June, 1968. I also enclose herewith our statement of claim, the reasons for judgment of Judge Ball and our bill of costs. Would you kindly take whatever steps are required to pay the proceeds of this judgment out of the existing bond?

Thank you for your co-operation.

Yours very truly,

P. T. Matlow.

As I mentioned a little earlier today, this particular department is a little slow with its correspondence, Mr. Speaker—not slow in receiving it, just slow in answering it.

Charlie Nairn had come over from England and he was sort of anxious to get his \$1,700 to go back again. He hung around for a while but nothing was forthcoming; no money, no reply, and he waited a week and nothing had occurred. Charlie became a little upset and he went down to the firm of lawyers and said, "I would like to get that money out of those guys. Would you mind writing the Minister of Financial and Commercial Affairs again and see if something cannot be done to get my money?" Mr. Matlow likes writing letters so he said, "Sure, I will write it."

I have the next letter which he wrote, Mr. Speaker, but I see we are on the hour of 6. Would you like me to begin this letter? This is dated June 20, 1968, Mr. Speaker. It is from Mr. P. T. Matlow and it reads as follows:

Department of Financial and Commercial Affairs,  
Registration and Examination Branch,  
123 Edward Street,  
Toronto 2, Ontario.  
Attention: Mr. R. M. Mason.

Dear Sirs:

Re: Nairn versus Oakclair Motors Limited, the plaintiff in this action recovered

a judgment against Oakclair Motors Limited on June 19, 1968, in the sum of \$1,704.95. The formal judgment will be signed and entered within a few days and will be forwarded to you so that a claim may be made against the bond under which Oakclair Motors Limited was conditioned.

Yours very truly,

P. T. Matlow.

Mr. Speaker, it being 6 of the hour, may I move the adjournment?

**Mr. Speaker:** The hon. member will please continue until the House rises.

It now being 6 of the clock, I do now leave the chair and we will resume at 8 p.m.

I would point out to the hon. member that the debates are not adjourned on these occasions and that the hon. member having the floor continues until Mr. Speaker rises, then resumes when the House resumes at 8 o'clock, as it will tonight.

It being 6 of the clock, p.m., the House took recess.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 12, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 12, 1968

The House resumed at 8:00 o'clock, p.m.

## THRONE DEBATE

**Mr. M. Shulman (High Park):** Mr. Speaker, when I last had the pleasure of speaking to you, I was telling the adventures of Charlie Nairn and his difficulties with The Department of Commercial and Financial Affairs. You may recall, Mr. Speaker, we had come to the point where Charlie Nairn had finally got the judgment the department had asked him to get. Earlier in this comedy they had told him not to worry, they were holding on to the \$5,000 bond and he was going to get his money, but just to nail the thing down tight they suggested he get a judgment.

So he went out to get the judgment. He got his judgment in June; before the deadline. He sent a copy of the judgment to The Department of Financial and Commercial Affairs; and to his surprise, no money came back. He sent another couple of letters and still no money.

Then finally the blow fell. On July 3, 1968, The Department of Financial and Commercial Affairs, over the signature of one E. A. Moore, registration officer, informed him it was all a mistake and they were not going to pay him after all.

I will read the letter, Mr. Speaker:

Dear Sir:

We acknowledge receipt on July 2nd of your judgment of His Honour Judge Ball dated June 14, 1968, with statement of claim, the reasons for judgment of Judge Ball and the bill of costs.

Please be advised that in our opinion the judgment by Judge Ball does not show Oakclair Motors Limited committed an offence involving fraud or theft, or conspiracy to commit an offence involving fraud or theft under the Criminal Code, and therefore does not meet the requirements to forfeit the surety bond as described in the Ontario regulations 365, forfeiture of bonds, section 12, subsection (1).

Yours very truly,  
E. A. Moore.

Well the lawyer for Charlie Nairn went into a bit of shock. Charlie Nairn was back in England at this time, and inasmuch as they had followed the directions of the department throughout he was a little upset, to put it mildly.

He contacted the department by phone, he could not understand this reasoning. Finally they found out why the bond was not being paid to poor Charlie Nairn.

On August 15, 1968, one R. G. MacCormac spilled the beans. I will read the letter to you, Mr. Speaker, because it is really very sad that this government should be run by the insurance companies.

**Mr. A. B. R. Lawrence (Carleton East):** The member said that before.

**Mr. I. Deans (Wentworth):** It is worthy of repeating.

**Mr. Shulman:** The letter to Mr. Matlow is signed by Mr. MacCormac and what it finally says is:

We have received from the Canadian Surety Company a letter signed by Mr. J. D. Marshall, branch claim superintendent for that company, stating that they were unable to conceive the reason for forfeiture.

In other words, they had gone through all the court proceedings, they had done everything they could, but the insurance company that was responsible for the bond said: "I won't pay".

And what did The Department of Financial and Commercial Affairs do at that time? They wrung their hands and said there is nothing we can do, we are terribly sorry. We suggest you sue the insurance company.

Of course the Act is worded very clearly. There is no point in suing the insurance company, because the only one that can recover the bond is the government of Ontario, as written in the Act.

So the situation is in the case of Charlie Nairn—I have the rest of the correspondence here. Ultimately the lawyer for Nairn, in desperation, threatened to get a *mandamus* against the Treasurer of Ontario, because it

is the Treasurer who is supposed to pay out the funds. In fact, the Treasurer (Mr. MacNaughton) said, well go ahead and do it.

But really, this is really a very bad situation for the government, when they set up an Act, set up regulations and advise individuals who are defrauded under those regulations what to do, that when the individual follows the instructions of the department right to the letter; goes to a great deal of expense, goes through a large court case; and then when it is all over the department says: "Gee, we are awfully sorry, but we cannot do what we said we were going to do because the insurance company says they don't like it."

Mr. Speaker, this is the problem in this department. We went through this in the Kascinsky case, where it was a clear case of fraud by the Allstate company; and to this moment the Minister has not been able to persuade Allstate they should pay that claim. And furthermore it has not been willing to hold a hearing, a public hearing, to determine: (a) was Kascinsky defrauded by Allstate; and (b) should Allstate be allowed to continue to sell insurance in this province?

Here we have another area in The Department of Financial and Commercial Affairs where this same problem has risen again, where it is "the public be damned" because the insurance companies are the ones that rule the roost.

Now this cannot be allowed to continue. This particular Minister is an intelligent man, I think he wants to improve the situation. Through you, sir, to him, I am saying he must step into these cases, he must see the Charlie Nairns and the Zeslaw Kascinskys are paid their just claims; because if he does not, first of all he is throwing disrepute on the legal system in this province and on the laws of this province. And ultimately, in fact, he is hurting the insurance companies, because as people in this province learn that bonds and insurance are not worth any more than the piece of paper they are written on, they are going to cease to buy insurance and they are going to cease to pay attention to bonds, because they do not mean anything.

Mr. Speaker, I know you are looking forward to hearing all the case which I was going to relate to you in the field of health insurance.

Mr. E. Sargent (Grey-Bruce): The member must be sick or something.

Mr. Shulman: I brought them all along but I greatly regret, I know how badly you are

going to feel about this sir, and I apologize to you in advance, but my voice has weakened so much that I am going to have to save these cases for a future date. I give you my personal apology, I know how disappointed you are; and I thank you very much for your attention.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I too have a few brief remarks. I would hope that I might condense them perhaps a little more than the previous speaker.

The substance of the material changes somewhat, sir. I would first of all like to add by best wishes and congratulations to those already conveyed to the new Lieutenant-Governor. I also wish to extend similar greetings to the member for London South (Mr. White) on his appointment as Ontario's first Minister of Revenue. The hon. member, Mr. Speaker, is well qualified for this position.

I want to speak this evening about the Malton airport, a subject that has had some discussion, and the expansion plan that is presently envisaged; and also to make a few remarks about transportation in Peel South and then briefly about regional government.

Interjections by many hon. members.

Mr. Kennedy: The Malton airport plan presents a problem to the residents of Peel South, and other areas in proximity to Malton, that is causing great concern and has been widely publicized. Along with other elected people at municipal, provincial and federal levels, I have been deluged with mail—it might in fact have exceeded some of the mail that the hon. speaker before me claims he gets—in opposition to this scheme.

It is acknowledged that international airports and all forms of air transportation are the responsibility of the federal government. However, as the Prime Minister (Mr. Robarts) has said, there are at least five provincial departments that would be involved. Namely, Municipal Affairs, Health, Highways, Transport, and Energy and Resources Management. So I think, Mr. Speaker, this subject can be quite properly discussed in this forum.

Interjections by hon. members.

Mr. Kennedy: Mr. Speaker, as a matter of fact I have not heard any discussion from that side of the House, the Opposition, in respect of this problem. There have been some brief comments from some of the members, but perhaps we could hear what the official position of the Opposition is on this matter.

**An hon. member:** What is the official position of the government?

**Mr. R. F. Nixon (Leader of the Opposition):** Tell us about the Minister of Energy and Resources Management (Mr. Simonett).

**Mr. Kennedy:** I will tell you one matter that involves Energy and Resources Management, and that is services that are provided to the airport; and not only provided to it but history will show, the record will show, that services in fact are contained within the present boundaries of the airport, such as a water-line and so on, and this involves Energy and Resources Management. So that is one point that comes under their jurisdiction.

Regardless of this expansion plan, the impact on people and on property in the vicinity of the airport is of such importance and interest that I feel all levels of government should have the opportunity to participate in discussions. In fact, this is being done, I understand, and I support it 100 per cent, because on this issue it goes beyond just the local region, it is something that involves everyone in the province and I feel everyone should be knowledgeable about it. We should reason together on this one.

There appears to be sufficient evidence that if the proposed massive expansion is carried through, it would adversely change a very large part of the Mississauga we know today. Mr. Speaker, we do not want this to happen. There have been numerous studies and one of these states that expansion is not compatible with the character and development of the surrounding area, and I think it must be agreed that this is so.

At the present time, there are some 500 flights per day at Malton according to an article in the *Toronto Telegram* of November 23, and the traffic in this current year is 4.6 million people, more than twice the estimated figure of two million that was originally projected for 1968. Further projections indicate, according to the evidence which has come to my attention, that this will rise to 2,000 flights per day, carrying about 20 million people by the year 1985. This number is equivalent to the entire present population of Canada funneling through this one terminal.

Naturally, and I can understand it, people have told me this presents some problems, and I think The Department of Transport certainly agrees and recognizes this. From correspondence it is evident that the first of these is the noise factor. Some say by The Department of Transport's own estimates the

noise generated by this development would make much of Mississauga, and adjacent areas, unsuitable for human habitation. As a matter of fact the word "decibel" is becoming a household word in Mississauga—something that was not in our terminology a few short years ago—and it seems a fact that under proposed flight paths, there will be noise in excess of 100 decibels. This, according to medical opinion, can cause psychological problems, headaches, fatigue and hearing loss.

As an illustration, a jackhammer, with which I think we are all familiar, creates 98 decibels and we are told that the airport expansion will place 160,000 people in the over-100-decibel sound range. I understand that 100 decibels means different values to different people, depending on how it is calculated. I do not propose to go into any technical discussion, but I know a jet plane going over the house at low level makes a lot of noise. I will leave for your consideration what the impact of noise, resulting from all these planes, would mean to a densely populated area.

A second major problem is the handling of traffic in and out of the airport. As I said, projections are for about 20 million people by 1985—that is only 16 or 17 years, Mr. Speaker. I simply cannot conceive this volume of people moving in any semblance of order through one location. But I can visualize congestion and traffic jams, even with an expanded terminal building or buildings. If all these people travelled in equal numbers each day over the course of the year, by my mathematics it would mean some 52,000 passengers per day.

And we all know that passenger travel is not spread out evenly throughout the year. It is difficult to see how terminal and highway facilities would handle the volume of traffic which would be generated by this movement of people. Obviously, huge highway expenditures would be required, or some other method would need to be inaugurated to move them. I wish to come back to this matter of traffic later.

Thirdly, a jet plane is said to emit into the air exhaust fumes equivalent to that given off by 10,000 cars. This is a SANA report and I have also read it elsewhere. However, the *Financial Post* edition of December 7 headlines that pollution is only as bad as 1,000 cars. There is quite a difference and why the scientists do not get together on this, or whether they are using different terms of reference, I do not know. But there

is certainly a wide margin of difference. But this article does go on to conclude, I have it here, that there is hope on the horizon because there is greater efficiency, continually, in that new and better jet engines are developed. But if the 10,000-car figure is right, without doubt, in the future, 2,000 flights a day, it would pass all tolerable limits. So I hope the latest information in this article is right.

As well as these three major factors, there are others of no small significance. Some soundproofing of schools has now been done in Etobicoke, and the Society for Aircraft Noise Abatement says it has cost \$624,600 to soundproof only three schools.

All these points, Mr. Speaker, I know are being considered by The Department of Transport, but I wish to bring them out here to lay them before the assembly, that this knowledge might be more widely disseminated.

Another factor is the cost of the airport expansion. Figures of \$300 million and \$400 million have been mentioned. The value of the current installation there, I am told, is \$70 million which is the investment to date. Added to this \$300 or \$400 million would be provincial commitments for highways and so on. Town officials have estimated this could be as much as another \$50 million for highways alone. If the development was such that the housing perhaps had to be cut back or the people relocated, financial involvement would be in excess of \$1 billion. I heard the figure of \$1.5 billion. Presumably this would be the purchase price of all the affected areas and homes that would come under this adverse influence.

So these are some of the reasons why I feel that the matter should be aired in this assembly. This of course leads to the question, is there not a more economical way to achieve what must come; progress must come. To achieve this objective, what are the alternatives?

Mr. Speaker, the people in the vicinity of Malton, Mississauga and Peel South are extremely concerned. There have been a series of protest meetings, and as I mentioned at the outset, from the opinions, literature, editorial comment in the press, the numerous articles and studies and presentations of these aforementioned meetings, it would appear the quality of life in the affected areas, as we know it today, would be destroyed in this location.

Balanced against these gloomy thoughts, we must recognize that the present airport

is an excellent facility, that it is well located and it should be maintained. I must emphasize that no one suggests it should be scaled down, phased out, or otherwise discontinued. The airport has played a major role in the development of the area and its economic importance to the district, beyond the limits of the airport, and to the whole province for that matter cannot be overestimated. The main concern that has come to my attention is the concern that new flight paths, which the people did not understand might develop, are now being projected. Anyway, Mr. Speaker, it is completely inconceivable to me that it is feasible or practicable to carry out an expansion of the magnitude proposed by the department. I don't know how it can be done without having extremely adverse effects as I mentioned.

I mentioned some of these studies and reports, and there has been a great maze of them. It comes out that The Department of Transport used figures, geographic material and topographic material based on 1960 plans and maps. These did not show nearly the residential development that presently exists. There are also the contradictions in the degree of pollution. But regardless of these puzzlements, one thing is clear—that the residents are disturbed by this and do not wish to see this proceed and adversely affect their homes.

The other conclusion that I have come to is that there has been a lamentable lack of long-term planning, or at least communication with the municipality or the government authorities or the people about the long-term plans in mind.

I reflected back, Mr. Speaker, to when I was a student. This reminded me of, and it contrasts with, Tennyson's lines from "Locksley Hall" and I quote:

For I dipt into the future, far as human  
eye could see,  
Saw the Vision of the world, and all the  
wonder that would be;  
Saw the heavens fill with commerce,  
argosies of magic sails,  
Pilots of the purple twilight, dropping  
down with costly bales;

Poet Laureate Tennyson's prophesy, made in the 19th century, is being fulfilled.

Mr. Speaker, with respect, I would commend these lines to the DOT. Although this country apparently does not have a prophet with such powers of forecasting, we are a modern society with computers and much sophisticated equipment at our disposal. Surely then, with all these resources, we



should not only be able to make a forecast but be able to plan and build accordingly, taking into account future needs such as travel and freight traffic, as well as the social and economic results of such programmes. Even this present plan is only supposed to be good until 1985.

It is my recommendation, Mr. Speaker, that a second airport be started now. Department of Transport officials point out that it takes many years to put a new airport into operation. This being so, it should add urgency to the need to get going and complete studies and start perhaps somewhere else.

Many letters have suggested a suitable site should be selected within, say 40 or 50 miles of Metro; the location should have sufficient land for many years ahead, with a buffer zone around the actual tract to be used. The buffer zone could be something along the line of that land acquired by the National Capital Commission which encompasses Ottawa. This could perhaps be a lease-back arrangement which would make unnecessary large capital outlays. Under such an arrangement, this land could continue in its present use indefinitely, and so would not be made sterile. If agricultural, or bush, no change would be needed. I mentioned earlier, traffic congestion at airport terminals.

On a recent trip to England, we landed at Gatwick Airport, Crawley, where disembarking passengers proceed down a corridor, through customs, and step into a train. Within about 45 minutes, having covered 35 miles, we were in the heart of London. My impression at that time, long before the expansion plans at Malton were known to me, was that high-speed rail was the answer for handling future airport traffic. For example, if a new installation was proceeded with at some point outside of Metro, at whatever location is deemed most suitable, rail transportation would permit a swift and easy flow of traffic and could perhaps provide custom service in transit. Also, rail would, without doubt, be more economical than large highway expenditures, with added costs associated therewith.

We must remember that there is unused rail capacity in Ontario and perhaps this could be utilized.

In New York, I understand from listening at one of these aforementioned protest meetings—very knowledgeable speakers, all the speakers were well informed on the subject. Or at least they impressed me as being so, and they were very thoughtful and constructive in dealing with this problem.

This one chap said in New York—and I think it is in effect now, or partly—that the terminal is downtown, you check in there and then you go out and get on the airplane and away you go. But the point they stressed was: Have the terminal downtown in the busy areas; put the people through customs there into the bus, or whatever the conveyance is, and you go right—as I understand it—right to the plane which is waiting on the tarmac and away you go.

So a terminal out at the location of the planes would be unnecessary. We would not have terminals there as we know them today. This thought seemed to have a lot of merit to me.

Mr. Speaker, there have been all kinds of alternative suggestions. There are many technical considerations. I do not intend to dwell further on these; it is a matter for technical and policy-making people.

Mr. Hellyer has said that the federal government is not pledged to the present plan. Mr. Speaker, I urge this government—and I understand there are studies going on—to reaffirm to federal authorities, as Mississauga has done—and I understand they are going to have an audience tomorrow with the Minister on it—willingness to co-operate with them, offering any assistance that may be deemed helpful.

I sincerely hope that the federal government will not be so unsympathetic and rigid that it will ignore the great concern expressed by the people, that has been so broadly publicized, and that it will take another look at the factors involving people of the vicinity and beyond. It involves us all in factors of compatibility, noise, pollution, public safety, and economics.

Now Mr. Speaker, I would like to continue on a little happier note. I would like to make reference to the GO transit system which passes through Peel South, and inform the House of the progress and, in this case, it is a favourable expansion.

Since its inception in May, 1967, the GO system has handled more than 6 million riders and the present position is as follows:

The average number of weekday trips in the first week of November totalled 16,322 compared to 15,012 for the same week last year.

The number of passengers handled this year since Labour Day has been 844,527, an increase of 102,258 or 14 per cent over the same period last year.

The average number of weekday passengers exiting at the Port Credit station in the first week of November this year was 1,283, an increase of 25 per cent over the same period last year. The number of passengers at the Clarkson station in the first week of November this year was 915, an increase of 40 per cent over the same period last year.

While there are no increases in the stations or parking facilities servicing the outer areas in the last year, GO Transit added 14 more cars to its fleet. Included in this is an additional train which operates just before evening rush hour and so relieves traffic when the main movement of people occurs.

This facility must indeed have relieved highway traffic and so, is beneficial to travelers and taxpayers alike. On occasion, I ride the GO system and passengers have expressed their satisfaction with the service; occasionally there is standing room only, in rush hour.

I still regret that the Lorne Park station was not continued at least with partial service, as well as providing the needed service to Clarkson.

However, the GO system is certainly fulfilling a transportation need and I believe this mode of travel has a great future.

I wish to speak now for a few moments on regional government.

In this announcement, the Minister of Municipal Affairs (Mr. McKeough) stated that Peel and Halton are right up front for regional government. We are all pleased to hear the Minister not only accept but emphasize the recommendation of the select committee and the Smith committee that local participation is to be a prominent part of this process. The Minister further stated the population of regions should be 150,000 to 200,000 minimum, and second tier government 8,000 to 10,000 population minimum. Peel would, therefore, fall into the second-tier system, and with this I agree and so does the county.

It has been indicated that studies will be continued and that perhaps Peel and Halton may be one unit. I do not believe this is a wise or feasible proposal and I would like to quote from the report of the Peel county regional government review committee. This is an excellent summary of the factors involved and the position of the county and I believe there are eight or nine other areas involved in the same situation.

I quote from the report as follows:

Consideration was given by this committee to the possible unification of the local municipalities of the corporation of the county of Halton and the corporation of the

county of Peel into one regional two-tier government.

The county of Peel covers an area of 470 square miles and county of Halton embraces 370 square miles. The unification of the two counties would contain a total area of 840 square miles, which is more than 3½ times the size of Metropolitan Toronto with its 242 square miles. The area to be serviced by the Ontario Water Resources Commission in the county of Peel covers an area of 173 square miles. The increase in population from 1957 to 1967 represents an increase of 116 per cent in Peel county and 88 per cent in Halton county with municipal assessments representing a comparable increase.

With the projected general growth patterns of each county, this committee feels that this is too large an area, diverse in its constituent parts, to flexibly and appropriately be accommodated in one regional two tier government for the two counties at this time.

Maybe the future indicates this line. They did not think so at the time and when you consider it is 3½ times the size of Metro, it has a lot to recommend it.

If a regional government was established embracing the county of Peel and it was found after a five-year or ten-year trial period that more centralization consolidation was deemed expedient, it would be reasonably easy to complete such a process.

Mr. Speaker, I go along with this recommendation. It seems to make a lot of sense to me. If both counties were included, the unit would be 3½ times the size of Metro.

We could have a population that is comparable, 3½ times the size of Metro. That would be a pretty large volume of people to be handled by even a two-tier system. So I think, at this time, at least initially, the regional government on the present county boundaries should be the objective.

Another feature I would like to comment on is the method of representation of regional council members. The Minister has come out in favour of representation by population and there can be no argument with that. He said:

They may be directly elected to the regional council, or they may be indirectly elected by becoming elected members of lower tier units and then being designated to sit on the regional council. Members will note that the present county system is a form of indirect election.

I must say, in all frankness, that we do

not know at this time which system is superior. Convincing arguments have been advanced for both forms of election. In view of this we hope to experiment with two-tier regional governments embodying both principles in order to see which form does, in fact, work better.

Of course the Lakehead is committed to the single-tier system, and it certainly will be interesting to see how this goes along.

Mr. Speaker, as one who has had some experience in municipal elections, in both ward system and over a broader area, it is a pretty difficult undertaking to go over a broad area, in campaigning for one of these posts, seeking the support of over 100,000 people. I do not believe it is practical to have a candidate to campaign over the entire regional jurisdiction, if this is the plan. It is most difficult for an individual to give the necessary time and have the financial resources to canvass over an area of say 470 square miles, if this indeed is what is proposed, with a population of a couple of hundred thousand people.

So my thought is that perhaps indirect election. Or if it is direct election, for practical reasons the jurisdiction, or the area to be represented, should be something within reason so the voters can make some communication with the candidate. Therefore I think Peel county, as a separate county, as a separate region with a two-tier system of indirect elections of council members, or elections as I just qualified, would be the best.

Mr. T. Reid (Scarborough East): Mr. Speaker, I like especially to be in the House with the member for Simcoe East (Mr. G. E. Smith), because I believe we share the same taste in clothing and vests; and I must say it is with pleasure that I see a bit of life on the other side of the House, as I stand up tonight.

Mr. Speaker, I wish to extend to you, sir, my best wishes and congratulations on the assumption of your duties in the chair, last year and this year.

Mr. Speaker, I would like to begin my remarks by saying a few words about the democratic process in our society and the democratic process in this House; the extent to which the rules of the Legislature inhibit the full democratic process from taking place in this House.

I would like first, sir, to recall to your attention and to the attention of the members, the historical significance of the loyal Opposition in a democratic system of government. I think once I have underlined

the necessity of having a loyal Opposition in our form of government, my comments about the rules of this House, rules by which we govern—by laws of this province, by criticism of those rules and sir, I regret to say, of the role of the Speaker as defined by the rules of the House—that my criticisms will be much clearer.

I would like first of all to read from a number of authorities on the role of the Opposition in a parliamentary system of government.

The first quotation is from Sir Ivor Jennings, in his little book called "The Queen's Government," and of course, sir, the references are to the government in the United Kingdom from which we find many of our own traditions emanating, Sir Ivor Jennings says this:

The government governs under criticism from the Opposition. The Opposition's functions are almost as important as those of the government. The Opposition agrees that the government must govern and the government agrees that the Opposition must criticize.

Sir Ivor Jennings goes on to say:

The real purpose of parliamentary debate is to bring home to the electorate the major conflicts of policy.

Then we find by J. A. Corry and Henry J. Abraham, in a book called "Elements of Democratic Government", the following quotation:

The good that governments do can be ascribed . . . to the people. The evil they do can be pinned on the ephemeral government of the day. The Opposition which obstructs that government maintains its prestige more easily because it is Her Majesty's loyal Opposition, It [Her Majesty's loyal Opposition] is loyal to the permanent common interest and fundamental aspirations of the . . . people, while opposed to the audacity of a temporary parliamentary majority.

When we turn to other references on the functions of the Opposition in a democratic form of government, we find a number of other interesting opinions expressed—I believe sir, very fundamental opinions—concerning the nature of government in our province.

There is a more recent book by Strathearn Gordon entitled "Our Parliament" and in this book, particularly on pages 80 and 81, there is an excellent summary of the importance of the Opposition in our democratic form of government and I would like to

quote to you, sir, and to members of the House, from this book:

Many people are apt to condemn what they call the "incessantly obstructive attitude" [of the Opposition] . . . without perhaps realizing that they are thereby striking at the whole basis of party Parliamentary government. It is as much the duty of an Opposition to criticize as it is of the government to govern.

I find the following statement very interesting, Mr. Speaker:

For once a Minister of the government has decided upon a plan, especially if it has given him a lot of trouble, and he happens to be overworked, human nature ensures that he should easily overlook its deficiencies and continue to swear—and perhaps to believe—that it is the best plan that was ever made. Party solidarity [among the government party] and the doctrine of Cabinet responsibility will also probably cause his colleagues to rally to his support in the House and in the country.

The criticism of a well-organized Opposition is exactly what is required to control this fault. It will be well informed criticism since [many members in the Opposition parties are] . . . in a position to accurately appraise the plan and its probable results: It will be responsible criticism because if it turns out to be sufficiently justified the critics will change places with their victims and themselves shoulder the government.

The Opposition have thus in normal times come to be accepted as a sort of reserve government. . . . The term "His Majesty's Opposition" was first used half jokingly by John Cam Hobhouse early in the last century. It has been said that no government can be long secure without a formidable Opposition, and it was in recognition of the value of these arrangements that the "leader of the Opposition", and therefore alternative Prime Minister, was, in 1937 in the U.K., granted an official salary of two thousand pounds a year.

Hopefully it has risen since then in the U.K.

It must be another strange experience for the foreign observers to discover that the British government pays its principal critic handsomely for his criticism. Further proof of the importance and respect accorded to the post of "leader of the Opposition" was recently given when, on the sudden and premature death of Mr. Hugh Gaitskell in January 1963, the House of

Commons created a precedent by adjourning for 24 hours after paying generous tributes to his achievements. Mr. John Strachy, writing in the *Sunday Times* on January 20, 1963, claimed that Mr. Gaitskell's work on the Opposition front bench was no less important than that of a Minister of the Crown, in the democratic process.

The quotation continues, Mr. Speaker, by saying:

It is in this clash of criticism, Opposition versus government, resulting eventually in an exchange of places, that the success of our parliamentary institution chiefly depends. Even in this country [of course the U.K.] a single party or coalition continuing for very long in office might become as hard to dislodge as a continental dictatorship.

Well, that concludes the quotation, Mr. Speaker, from the book by Mr. Gordon, underlining a couple of key points on the role of the Opposition. I would also like to give members the benefit of the opinion of Professor Ronald Butt, in his book "The Power of Government"; There are a few additional insights into the responsibilities of the Opposition in our democratic process. Parliament is primarily a forum of publicity whose real functions are those of alerting and informing the public on matters relevant to the decision on the way in which—or, in fact, whether or not—to vote.

For only an Opposition can pursue a government with sustained criticism and keep before the voters, between general elections, the options that will eventually confront them.

The author continues—

**Hon. A. Grossman** (Minister of Correctional Services): This is the kind of lecture the kids are protesting about.

**Mr. T. Reid:** Talk to the Minister of Education (Mr. Davis).

Interjections by hon. members.

**Mr. T. Reid:** I have never given a lecture at nine o'clock at night in my life.

Interjections by hon. members.

**Mr. T. Reid:** If you kids do not keep quiet, you will get a strapping.

Mr. Speaker, the author continues—I think these are very interesting quotations, I have

selected them very judiciously. I am not reading the entire book—

**Hon. Mr. Grossman:** It just sounds like it.

**Mr. T. Reid:** If the hon. Minister would listen:

However long an Opposition is obliged to remain out of office and regardless of whether it achieves power at the next election, it is of vital importance to the political health of the nation that there should, at every moment, be seen to be a credible alternative government, ready and waiting to take over.

**An hon. member:** That is us.

**Mr. T. Reid:** Another interesting quotation, Mr. Speaker, is this:

An Opposition suffers in the struggle to command the respect of the electorate, from being in Opposition, regardless of the merits or demerits of its case. It is particularly difficult for it to reconcile the need to be both critical and responsible.

Now, Mr. Speaker, I find that last quotation of particular interest because what it is saying is that if the rules of this Legislature, for example, are heavily stacked against the Opposition, it is stacking the cards against someone that is already holding a weak hand in terms of criticism.

**Hon. Mr. Grossman:** Talk to Trudeau about that.

**Mr. T. Reid:** I think we must return to that issue. And I also, of course, agree with some of the views of the government members, and with views of the member for Sudbury (Mr. Sopha) who said:

It is difficult for an Opposition party to reconcile the need to be both critical, as we are in the official Opposition, and responsible as we are in the official Opposition.

I think we have maintained the balance in that respect.

**Mr. R. F. Nixon (Leader of the Opposition):** Well said!

**Hon. C. S. MacNaughton (Provincial Treasurer):** Yes, but who said it?

**Mr. R. Gisborn (Hamilton East):** Is the hon. member just finding out what his role is?

**Mr. T. Reid:** Yes, it is very interesting to find out what one's role is in a democratic government.

Then, Mr. Speaker, the author says:

Even if a government is grossly mishandling the nation's affairs—

And in our case provincial affairs—

—an Opposition stands no chance of taking over unless it looks like an attractive alternative, and can only present that appearance (of being an attractive alternative) inside the House of Commons.

**Mr. Nixon:** Particularly when somebody else pays their bills, particularly when they get all their money from a rich uncle.

**Mr. T. Reid:** Now we often hear our critics say that the bantering that goes on in this House, the roughness of some of the debates in this House, is useless theatrical exercise. Well, some of it is. But let me point this out, according to this good professor. He says:

The crude clash of government and Opposition in Parliament expresses a kind of truth about both parties.

Of course, the author is assuming two major parties.

And it performs much the same function as the clash of counsel for the defence and for the prosecution, does in a court of law.

Of course, in our courts of law, Mr. Speaker, it is necessary that the rules of the court be objective, that they not be loaded for or against the defence counsel or for the prosecutor. In that sense, it is a valid comparison.

I am turning to another aspect which I think the government members will be pleased to know is recorded in the books of certain people. It is this: All that I have said thus far and all that I have quoted thus far, might be seen in terms of the continuous election campaign of the whole life of a Parliament. But if it is that, it is also more:

The Opposition itself participates in the process of governing because it helps to condition the contemporary climate of opinion through which the government of the day is itself influenced in the production of its policies.

A Cabinet will—

—modify its policies in the light of what it expects the Opposition case to be. If it (the Cabinet) suspects that the Opposition will have an attractive case, it will do its best, within broad limits, to make that case less attractive—or to steal and adapt the Opposition's clothes. In this broad sense, therefore, the voice of Opposition



contributes to the policy-making of government in any given Parliament and is not simply a factor in deciding what the composition of the next Parliament should be.

My comments on those quotations, Mr. Speaker, are that what these people are writing is in terms of what should happen, what should take place, in a democratic society operating this democratic institution in a party parliamentary type of government. But the point is that these are the functions of the Opposition and if the Opposition is not allowed to have the degrees of freedom necessary to actively fulfill these functions in a democratic form of government, then we have all lost something in the democratic process.

Finally I would like to quote from a person that I very rarely quote, but he has said something quite apt on the question of the Opposition's function in a democratic form of government. It was Mr. Mackenzie King.

**An hon. member:** Are you looking in your crystal ball for that one?

**Mr. T. Reid:** Well he might have been looking in his crystal ball.

**Mr. Nixon:** He lasted better than R. B. Bennett.

**Mr. T. Reid:** Well, Mr. Mackenzie King was Prime Minister for so long he saw things from the other side of the House—but he was talking about the obligations of a Prime Minister and of course in this province it is the Premier, and Mr. Mackenzie King said this—

**Hon. Mr. Grossman:** It is "Prime Minister" in this province too.

**Mr. T. Reid:** Thank you, then the quotation applies directly:

The Prime Minister is obliged to keep constantly in mind two vital objectives: The one, to seek to provide opportunity for the fullest and frankest discussion of matters of public interest; the other, to see that sufficient time is provided for the full and proper discussion of the important business of government. It is a difficult and delicate task to hold the balance between the urgent demands of the government upon the time of parliament and a proper regard for the privileges, so essential to the sound functioning of a free community, of the private members of parliament.

**Hon. A. F. Lawrence (Minister of Mines):** That was the time he introduced the 20-minute limitation on speeches.

**Mr. T. Reid:** Well that was before he did a lot of bad things.

**Hon. Mr. Grossman:** We got that on the record.

**Mr. T. Reid:** Well I have written a book review on some of them. Now the key conclusion from this, Mr. Speaker, are three-fold at least.

The first lesson to be learned and which we all in this House must constantly keep in mind, is that the Opposition's functions are almost as important as those of a government in a democratic form of government.

Secondly, Her Majesty's loyal Opposition is loyal to the permanent common interests and fundamental aspirations of the people. It is not subversive.

Thirdly, the loyal Opposition lies at the whole basis of party parliamentary government.

Well, Mr. Speaker, with these points firmly embedded in the minds of some of the members, I would like to say that, in my opinion, in this Legislature the functions of the Opposition which I have outlined, have been thwarted and perverted by the rules of this Legislature by the way in which this government, this Legislature, arrives at decisions; by the way in which the rules of government, the traditions of government in this province have made it very, very difficult for the Opposition—in this case two parties—to provide the responsible type of criticism that is necessary for good government in this province.

So I would like to point to a few recommendations which are based on the need to utterly change the ways of this Legislature, to change the functions of the Speaker, sir, and to change the rules of this Legislature.

For example, it is absolutely ridiculous in my opinion that time is taken up in this Legislature with three prayers, with formal requests for petitions, with the empty formality of the introduction of bills for first reading, on which three people in a form of ritual mumble formulistic statements. In my opinion, it is time-consuming, it is unnecessary, and it can be done away with.

**Hon. Mr. Grossman:** What about those 48 urgent questions?

**Mr. T. Reid:** I will get to the question period. Just let me build up to the question period; that is the pinnacle I want to reach.



Mr. Speaker, it is also ridiculous to prohibit Opposition members from introducing bills which will involve the expenditure of public funds.

An hon. member: There is nothing we can do about that.

Mr. Reid: This rule amounts to a basic undercutting of the responsibilities of a loyal Opposition's responsibilities in a democratic form of government. The key issues, Mr. Speaker, in this province—and indeed the Premier (Mr. Robarts) of this province has said it to the federal government—the key issues in social, political and economic policies in this province have to do with the priorities of expenditures. They have to do with expenditures. To prevent the Opposition, by rules of the Legislature, from proposing legislation which provides alternative policies to the ones currently being followed by the government, amounts to stifling of fundamental criticism.

Hon. Mr. Grossman: How do you do that after you have passed the estimates?

Mr. T. Reid: We are talking about private bills. We are talking about the rights of members such as the member for High Park (Mr. Shulman), such as members elsewhere in this House—indeed, even government members, backbenchers that is—to produce bills which involve expenditure of money. That is a ridiculous, ritualistic type of regulation.

Hon. Mr. Grossman: Teacher, may I ask a question? Would the hon. member explain to us how it would be possible after, for example, the estimates for the government have been passed, for a member of the Opposition, or anyone for that matter, to present a bill for the expenditure—which would cost, say, an expenditure of \$10 million—if it were passed by the House, where would you get the money?

Many interjections by hon. members.

Mr. T. Reid: Mr. Speaker, I would like to take note of the hon. Minister's question and table it for a reply in the future. I would suggest in all seriousness, sir, that this is exactly the type of question that should be debated fully in a legislative committee which should be instructed by this Legislature to come up with a completely revamped form of decision-making.

I would like to turn to another example of what I consider to be a completely outdated

practice and it is this. The present private members' hours make a mockery of the attempt to criticize government policies and to effectively promote alternative policies.

The allocation of an hour, or two hours a week, towards debate on resolutions or private bills on which the government imposes a condition that they will be talked out, only confirms, in my opinion, the public's opinion, that what happens in this Legislature is almost completely irrelevant to the society in which we operate.

Hon. Mr. Grossman: That phrase belongs to the NDP; "irrelevant" belongs to them.

Mr. T. Reid: I thought it was a fairly good one. I thought it up.

Mr. Speaker, another point to underline the fact that I believe this House is sadly out of date, is this. The exercise of Opposition members constructively drafting bills in consultation with citizens of the province and introducing these bills for first reading in the Legislature on the imposed understanding that they will go no further, exposes again a type of technique which prohibits the Opposition from fulfilling its function in a democratic form of government.

Surely the demands and needs of the people of Ontario require rules of the Legislature which enable the members whom they have elected to the Legislature, to make their Opposition to the government much more effective.

I think that the time is running out. The people of this province want their views made known effectively to this government between elections and not just on election day every four or five years.

The committees of the Legislature for example, Mr. Speaker, must become more than a replica of the often futile debate in this Legislature. The bills, such as the ones that I have introduced regarding universities, should be fully discussed by the education committee. Right now, they cannot even be referred by myself or any other private member to the education committee of this Legislature after first reading.

The standing committees must be made more effective and I believe, sir, that they must be staffed by persons other than departmental officials to ensure non-partisan servicing to the committees. The committees must have the power of investigation and the power of calling witnesses on the request of any member of that committee and not just, as it is at present, by the government majority on those committees.

The reason I feel quite strongly, sir, that they should be staffed by persons from the Clerk's office rather than, in the particular case of the education committee, by members of The Department of Education, is to ensure non-partisanship of the secretarial functions which should be strengthened in the proposals that I have made here.

It is not enough that the departmental official actually be non-partisan, he must give the appearance to the public and to members of the Opposition on those committees of being non-partisan. The only way to do that, sir, is to institutionalize it under the Clerk's office.

This would mean that if the responsible Minister does not come to meetings of the committee, then he should read the minutes of the meetings, properly recorded as approved by members of that committee, and not talk to his civil servants from his department who really serve as a go-between—an information link—between the functions of the committee and the Minister himself.

I would like to give the members a specific example of the problem here, the need to make these committees effective, to restore to the Opposition, a system whereby they can make their fundamental criticisms much more effective, rather than being forced increasingly to make their Opposition criticism of government policies on the front steps of the Legislature or indeed by going down to Peterborough en masse in order to have some sort of impact on public opinion.

The specific case I refer to, Mr. Speaker, is from the carbon copy, the rough draft of *Hansard* for yesterday, on pages 331-4. I asked the Minister of Education, Mr. Speaker, the following question about the second report of the Royal Commission on Bilingualism and Biculturalism. That report, of course, sir, being entirely I believe, on the question of education. I asked the Minister this, sir:

A supplementary question: Will the Minister refer the report to the education committee of the Legislature so that we might look into some of the questions that I have raised at this time?

Hon. Mr. Davis: Mr. Speaker, I am not prepared to comment whether I will refer the report to the standing committee of education. . . . I cannot say at this point where the most appropriate place will be for the discussion of that.

I submit, sir, that the right of discussion of a fundamental document, of a fundamental report on a subject such as education, which is a provincial concern primarily, should not lie in the discretionary power of a Minister of the Crown. If we are to have effective Opposition in this Legislature, that type of

arbitrary discussionary power must not lie in the hands of a Minister of the Crown. We must establish—

Mr. J. Renwick (Riverdale): Mr. Speaker, on a point of order, will the member for Scarborough East complete the reply from the Minister of Education to his question?

Mr. T. Reid: Yes, Mr. Speaker, if the member would like me to give the entire reply, I shall.

Mr. J. Renwick: Well perhaps on the point of order, Mr. Speaker, I got the impression from what the member for Scarborough East said that he was intending to leave the impression that the Minister of Education in some way was not only saying that he would not necessarily refer it to the standing committee on education, but that he might not refer it to anybody.

My recollection of what the Minister of Education said was, it may well be that the proper place for it to be dealt with was in the course of his estimates and I would not want to leave the impression the Minister of Education is being arbitrary about what he had to say.

Mr. T. Reid: Mr. Speaker, I thank the member for making his comment. I certainly did not intend—particularly with the Minister not here—to make a statement that inferred that. I will read the—

Mr. J. Renwick: It is not often I defend a Tory Minister.

Mr. T. Reid: I know, it is very funny because Stephen Lewis did the same thing yesterday. I would like to, in that case, give the entire reply because of the point the member has raised—

Mr. S. Apps (Kingston and the Islands): It is not necessary now.

Mr. T. Reid: The Minister of Education replied:

Mr. Speaker, I am not prepared to comment whether I will refer the report to the standing committee on education. Certainly I think it is a report that we can discuss either there or perhaps during the debates on the estimates of The Department of Education. I think certainly some opportunity will be given to discuss this in some detail. I cannot say at this point where the most appropriate place will be.

The point, sir, was not to condemn the Minister for saying "we would not discuss this report". The point I was making is that it should automatically go to the committee on education, the standing committee

on education of this body, so that it could be discussed.

I do not believe that that type of decision should be left up to the discretion of a Minister of the government. I would like to see reports like that go automatically to the committee on education, as well, as many other reports which the hon. member for Peterborough (Mr. Pitman) and myself have repeatedly asked the Minister to refer to the committee.

**Mr. Apps:** Mr. Speaker, on another point of order, if I may.

It seems to me that this is within the power of the standing committee on education to call for that report and discuss it without asking the Minister about it at all.

**Mr. T. Reid:** Mr. Speaker, one can get into great detail on this if one examines the politics of a committee of this Legislature. I am not sure whether this would be a fruitful thing to do or not.

Certainly a committee can request these reports and can discuss them, but the point I am trying to make here is that a report like this should, as part of the Parliamentary procedures of this body, automatically go to a standing committee such as this; whether it is the report on transportation, education, pollution, etc.

It should automatically go—a report as substantial as this should definitely go. We should not have to request a Minister of the government to refer it to a committee, to have this body refer it to the committee for study.

It should be part of the formal structure, the formal system of criticism of this government and I simply point out the hard facts of politics of these committees that, if the Conservatives are on their toes, they can of course govern what the committees do because they have a majority in each committee.

That is the way a party system works. I do not refute that. But I do think there are some things in this system of government that should not rely on a party vote in a committee or a party vote in this Legislature. I am talking about the rules of this Legislature.

Mr. Speaker, I go somewhat further in my criticisms of some of the rules of this House. I would say that I, for one, seriously question the ritual of a Throne Speech and the ritual of speeches in reply to the Speech from the Throne, including my own this evening.

The Throne Speech introduced by the government this session is a vacuous collection of words and phrases. How much better it would be to have more advanced notice of government bills and bills by members of the Opposition so that constructive and searching criticism can be made of the future laws of this province. The current Expropriation Act is an outstanding example of a bill that should have been made available to this Legislature and to the public last Spring instead of being introduced late and being jammed through without searching criticism and public scrutiny.

**An hon. member:** What about Bill 44?

**Mr. T. Reid:** Bill 44 is the same type of thing as the hon. member for Windsor West (Mr. Peacock) has pointed out. The point—

**Hon. J. Yaremko** (Minister of Social and Family Services): This is a year in advance of next year.

**Mr. T. Reid:** The point, sir, is—and if the Minister had only been in the House earlier today he would have heard the discussion—that tomorrow the relevant committee is meeting while this House is in session to discuss that bill.

I suggest, sir, that we must have the opportunity in order to be effective—to mount effective Opposition without being open to charges of obstruction by the government—that we must have more advance notice on fundamental bills like this. They must be reviewed extensively in committee, not a rushed meeting to get it through as a Christmas present.

But if we want to have effective Opposition, we must examine ourselves in this House. I suggest the time to start is now.

Mr. Speaker, I would like to turn briefly to the question period which concerns us all. I have some reservations, sir, about the system that the questions must go to you, sir, before they go to the government.

But I think that that is a subsidiary question. I think it is a safeguard that has been put in to ensure that there be more semblance of order than would otherwise be the case.

I think the government members should ask themselves as many of us as private members are asking ourselves, why the question period is so long. I don't intend to give a detailed analysis of this. I simply wish to throw out, sir, some thoughts on it. Hopefully the opinions that I have expressed today, and the opinions of other members, might become part of a searching revision of

the rules of this House, the procedures of this House, the rules that govern the conduct of yourself, sir, the rules which lay down the framework by which this government comes to decisions.

I believe that it is the whole system that has basically corrupted the question period. The system which in effect—no matter how good the opposition members are—the system as now practised in this province, has hammered the Opposition into a very tight box.

I think it is very hard to make fundamental criticisms of this government on a continuous basis, in a constructive way under the present system. And here, I have no doubt, I will be getting some heckling from the government members, but I do believe what I am about to say represents a basic problem of democracy, if you like, in this province.

The management of news is a very subtle art as practised by the present government. It is skillfully geared to media deadlines. Government statements, the tabling of controversial reports in this Legislature, all show a very sophisticated approach by the government members on the question of publicity and the news media.

The House, sir, starts at 2.30 which I think fairly significant. It might just be by tradition that it begins at 2.30 rather than 1.30. The fact is, the House sits, begins to sit at 2.30 in the afternoon and by 4.00 or 4.30, the 6.00 o'clock TV news, the radio news is basically determined. But what is said in this House between 2.30 and 4.00 or 4.15 or the latest 4.30, sir, becomes the news that is reported to the public at 6.00 o'clock, particularly over television, a very powerful media.

And so it then becomes a question of who can dominate that period between 2.30 and 4.15. The government, the House leader, can set the order for the day of course, which is quite proper; he can skillfully, with members of the government, decide which reports to bring out and lay in front of the press, such as the pollution reports, to put it right at 2.30 on the desk, and it captures the news. It is a very skillful art of trying to capture the press.

Well, leaving that aside, even though I think it is a very important issue, in a democratic society, it puts the members of the Opposition in a very difficult position. It puts me, for example, Mr. Speaker, into a position—as a member of the Opposition, who believes himself to be 90 per cent of the time fairly responsible—in the position of trying

to use the question period, sir, to make my criticism known to the public, because speaking at 9.30 at night, with the press gallery tired, and most of them gone, it is very difficult to get my views about the government across to the public.

And so, the temptation is for Opposition members and indeed, it is part of party strategy, to use that question period to criticize the government—sort of a pea-shooter technique to combat the skillfully geared government propaganda machine. In a democratic society with an alleged democratic system of government, the rules of the Legislature should be designed to allow the Opposition to mount an effective opposition within the Legislature. I suggest, sir, that we must all, and I would suspect the government members might be interested in this because at some point they will find themselves on this side of the House, look into this type of question.

Finally, sir, I would, with due respect, mention that I really do believe that the system of questions—if we are to have a question period, and I would even suggest we should question whether we ought to have a question period—I do not think that the Speaker should be placed in the impossible position, sir, of having to decide in his own conscience whether a question is urgent, or whether it is a relevant question or how that question should be worded.

I think that it is the right of the individual private member to decide on the urgency of the matter in question. It is not the right of the Speaker, sir, to make such a judgment.

It is further not the right of the Speaker to rewrite questions. I firmly believe, sir, that if we are to have a question period—I think we should seriously consider not having it and explore alternative possibilities for enabling members of the Opposition to make their criticisms when they have them in this House and in effect—that the question period be more spontaneous. We should probably try to test the mettle of the Minister by asking the questions in this House spontaneously. Obviously we will work them out beforehand, and then you, sir, will rule them out of order on behalf of the members of this House, or rule them in order. The Minister would be responsible for answering the question if he can, for tabling it for future reference or putting it on the order paper. But I think it is up to the private members to decide what is urgent; it is up to the Ministers to decide whether or not they should reply.

That would bring me to another recommendation, sir. We should consider, I think, whether or not we should have a permanent Speaker. I think there is merit in the idea. I think that a permanent Speaker would ensure the appearance of objectivity, as well as objectivity in fact. I believe that you are tough in your decisions under the rules of this House; you cannot make the rules, you interpret the rules. But I think that most of the time you are equally tough to members on both sides of the House.

This is not personal criticism, sir, but I do feel that we should seriously consider having a permanent Speaker. For example—and we went to this yesterday—when there were 31 members of the Opposition parties in this House, and 21 members of the government party in this House, we had a voice vote when it was obvious by anyone sitting up there at least that there were more Opposition members, then I think the Speaker ought to have said that there were more “nays” than “ayes” on the vote. If we have a permanent Speaker, then I think objectivity would be reinforced. I think a permanent Speaker could protect the rights of the Opposition members, could protect their function to criticize the government much more effectively than can a temporary Speaker who has many close friends, sir, as many members of the House, but particularly with the government side. It is a difficult job, and I do not mean this in a personal sense.

The final suggestion I would like to throw out to a standing committee—hopefully the other side of the Legislature would look into revising rules—to bring this Legislature into the 21st century, would be that some Ministers, not all of them of course, and this is a personal opinion, might well have a parliamentary secretary. Take the Minister of Education who is also the Minister of University Affairs, sir. This is a man who has tremendous responsibilities. He is responsible for I believe up to 45 or 50 per cent of the operating expenditures of this government. There are many changes taking place in education and he should be knowledgeable, he should lead the way. And so when he comes to this House, he knows he is leaving a desk full of work; he is generally in a good humour, but I can see in his face, you know: “I have to come into this House, to answer these questions by the member for Peterborough, by the member for Scarborough East, the Opposition critics and other members, and I will try to answer their questions as fairly as I can.” But he is plainly pained, I believe, at having

to come here, not because he does not believe in the democratic process but because of the amount of work he has. Now if that Minister had a parliamentary secretary, such as the former chairman of the education committee last year, he would be able to answer many of our questions; he would be able to get into the guts of the civil service and The Department of Education and University Affairs and dig up the answers and be here all the time to answer questions from the Opposition on a department which is so essential to the government of this province.

I have two more points on the question of the House. Since I went into one of them, or tried to go into one of them during the question period yesterday on a point of privilege, which I agree was not the time to do it but which I felt I had to do to try to bring the abuse of our parliamentary system to the attention of the members opposite, to the Minister in particular, and to the press and the public, was the fact of the power of the senior civil servants in this province. As a politician with friends in the civil service in Ontario and in Ottawa, at senior levels, I appreciate many of the problems in the work they are trying to do. But as I tried to say on a point of personal privilege yesterday, sir, I feel that statements of major public policy ought to be made by the Ministers in this House either in response to questions or on their own initiative by statements. I do not think, sir, that it is part of our system of government to have a Deputy Minister or assistant Deputy Minister making major political speeches.

And I use “political” in the best sense of the word—statements about fundamental policy in this province either down in the United States or this province, or to reporters. Of course, the case I referred to yesterday on the basis of a news report—which may well have been incorrect in fact and the Minister corrected me on this—was the question of the Deputy Minister of Education commenting to reporters, according to the news report, about the second report of the Royal Commission on Bilingualism and Biculturalism.

But that was just one example, a current example, and was by no means the only example, sir. I shall, over the next few months, go through the newspapers for the last couple of years to find further examples of senior civil servants making public policy statements to audiences in California, to audiences in New York city, in the case of The Department of Trade and Development; and to the Minister of Education’s own department,



where he has a very talkative Deputy Minister who tends to make policy statements.

I say, sir, that if the government, if the decision-making of the laws of this province goes over to that big building over there in its corridors, then we have lost something in the democratic process.

I would like to support this fear I have about the senior civil servants in this government pre-empting the rights of members of this House, the rights of party politics, the rights of the Opposition members, by quoting indeed, from the Minister of Education himself. This is a quotation in the *Toronto Daily Star*, Wednesday, December 11, and it is entitled: "Watch Bureaucrats, Davis Warns Trustees". The statement was made in Brampton. The quotation is as follows:

Education Minister William Davis last night warned school trustees in the new, larger school boards that take office Jan. 1 that they should guard against bureaucracy.

There mustn't be too many supervisors, administrators or surplus fat in the system, Davis said at the inaugural meeting of the Peel County Board of Education last night.

Well, I think what he is talking about is the power of the members of the boards of education over the school trustees. And I suggest, sir, that the Minister himself and other Ministers must make sure that their Deputy Ministers remain responsible to them and that they not make public policy statements because it infringes upon the ability, the opportunity of members of the Opposition to criticize government policy.

It takes government out of here and into the big building over there. And if this government allows that to happen, then this government must be prepared for members of Her Majesty's loyal Opposition, both parties, to take their case directly to the people; to leave this Legislature at times if they judge it to be necessary, to go into the community and make their case directly to the people of the province, or to make their case directly on the steps of the legislative building, instead of in this Chamber.

And finally, sir, on this subject, I would like to say that I think the Premier's remarks about the possibility of television being introduced into this chamber is an excellent idea. I think television would expose the archaic procedures and practices and rules of this House. I think that when the public saw it, they just would not stand for it. It would

be a fantastic waste of money and they would not like it.

Now, I think too, sir, speaking a bit critically here of some members of my own party perhaps, and the NDP, and indeed members of the government party who make long statements, that the exposing of what happens in this Legislature to the people of Ontario through television would bring responsible criticism back to this Legislature.

I think we would all still have parliamentary privilege in what we say, which means to say that we cannot be taken to court for what we say in this Chamber or in the committees, that it would nevertheless create an atmosphere because members would not be identified with stupid, irresponsible statements which they are not now prepared to make on television, but which they do make in this House.

Mr. Speaker, I would like to turn to another area and it has to do with community development and the policies or lack of policies of the present government. It is about getting the poor, the disadvantaged in our society, involved in the decision-making process, particularly in those decisions which affect them directly.

Now, I think I would be right in saying, sir, that everyone agrees that people should participate more in government, the advising on policy, and assisting in the administration of government programmes. Participation is most needed where it now happens least, from low income and disadvantaged groups who are directly affected by poverty and social welfare programmes of this government.

In one such field, sir—urban renewal planning—the Ontario government has already taken a step forward, however halting, by requiring resident participation in the detailed preparation of renewal plans. Experience in areas like Toronto's Kensington and Don Vale, suggests that residents can make an important contribution in insuring that government programmes are administered more efficiently, more effectively, and to better achieve their goals of benefitting people than when government administrators are forced to operate on their own.

Much of the same kind of participation, offering people a real say in how policies are arrived at and administered, could exist elsewhere, in welfare, in public housing, legal aid, workmen's compensation and so on.

Citizen planning and "watchdog groups" whose members are people immediately affected by these programmes, could perform



valuable functions, initially in concerning themselves with how they are being administered. And they would probably move themselves to produce detailed proposals for how they could be formally involved in administration and policy development. This would provide them with an opportunity to make use of their special advantage, sir, not shared by administrators, not shared by politicians or outsiders. And that special advantage, sir, is of knowing how government programmes are administered in practice.

The uniqueness of the few instances like Don Vale and Kensington where this kind of participation is now happening raises the crucial question: "How can this kind of activity be positively encouraged?"

Evidently, exhortation on its own is not enough. People have been talking about participation in the urban renewal context for several years. But, sir, there is still not one single example of what residents themselves and outsiders, not the administrators, would describe as a project completed with real resident participation from beginning to end.

The problem is even more difficult when, as is usually the case, there is very little background of political and voluntary association experience of any kind among the people whose participation is most desired.

However, the Kensington and Don Vale experience, sir, suggests what might be the key factor in creating successful examples of participation. Both resident groups have had available to them the skills of professionals in relevant fields who were prepared to devote considerable amounts of time to work for the area associations.

These include lawyers, planners and social scientists. They have not been volunteers doing what little they could manage in odd moments of spare time; they have been people who happened to live in the areas affected; who have devoted a major amount of time to the groups concerned.

There is good reason to think, sir, that in the present circumstances skilled professional help is the critical factor. When it is available in sufficient quantity and is employed by a group of citizens who have been elected by a democratically structured organization, things begin to happen.

If—and I repeat this—if the Ontario government wants citizen participation in government and in government work, the best, cheapest, most effective thing it could do, is to make this critical factor of skilled professional help available to citizen groups.

This would have to be done by providing these organizations with the funds they would need to hire their own staff; their own advocates; their own experts. And, sir, I submit it could be done simply. Provide \$15,000 a year for staff expenses and office space to eligible organizations, enough to set up one well qualified full-time employee.

Requirements for the groups themselves would have to be simple and just restrictive enough to rule out people who do not need this kind of assistance; they should have say, at least, 200 members after six months; have a written constitution and democratic procedures and be made up mostly of people directly affected by the social welfare policy matters which would be the group's main concern.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): The member's urban Toronto members do not seem to think much of that idea.

**Mr. T. Reid:** I am glad the Minister is here.

**An hon. member:** They approve.

**Mr. M. Gaunt** (Huron-Bruce): They read the speech this morning.

**Hon. Mr. Stewart:** That is why they stayed away, they didn't want to hear it.

**An hon. member:** Good speech.

**Mr. T. Reid:** I would suggest to the hon. Minister of Agriculture and Food that there are many rural communities and farmers' groups that could do with this type of help to protect themselves from your policies.

**Hon. Mr. Stewart:** The only people in the member's party listening to him are the rural members of his party's caucus.

**An hon. member:** We always listen.

**Mr. T. Reid:** To ensure that no one felt that this was a way of making these organizations the tools of the government, as the hon. Minister of Agriculture and Food would like, no doubt, the programme could be administered by an independent corporation; a majority of whose members would be elected by the association themselves. To give the programme a fair trial run with sufficient guarantees of support, the government could make an initial grant to the corporation of \$2 million. A small amount in terms of the

huge sums spent on government programmes involved but enough to support 65 to 70 such groups for two years.

A measure of this kind, sir, would probably succeed in getting citizen participation well off the ground. It would make clear the fact that the government means business when it talks about getting people involved. It would provide the opportunity for people who are not being heard now, to get their messages across to their government.

I would like to quote, at this point, Lionel Trilling, from his book, "The Liberal Imagination", and I think we should all bear this quotation in mind:

Some paradox of our nature leads us, when once we have made our fellow men the objects of our enlightened interest, to go on to make them with objects of our pity, then of our wisdom and ultimately of our coercion.

I firmly believe, sir, that the type of citizen participation that I have recommended, as an instrument of public policy in this province, would forestall the ultimate steps.

It is easy to go through those three steps of interest, pity and wisdom to coercion—to coercing the poor into a type of welfare programme that seals them further into the box. I suggest, sir, that we must make sure our government programmes do not take that final step. One measure of preventing that from occurring is to involve the poor themselves in the decisions that affect their lives.

And just to throw some more immediate light on to this question of involving the poor in the administrative structures and programmes that affect them, I would like to let you know about some of the conversations I have had with members in the Ontario Housing Corporation and to citizens groups, particularly, those in which Ontario Housing is involved.

For example, I would like the government members to know, because some of them might not know, that under the Canada Assistance Plan there is a clause which allows funds to be made available to community development programmes designed to help people in need. The interpretation placed on that clause by The Department of Health and Welfare in Ottawa includes any person living in public housing or any group of people who are residents of public housing and that, of course, includes the Ontario Housing Corporation residents.

Now if these people are in need—and they are in need by definition by a very generous

definition by the federal government—then the federal government will provide 50 per cent of the funds towards community development programmes.

Sir, The Ontario Department of Social and Family Services has not used these funds at all, to my knowledge. The relevant department of the government of Manitoba has taken the federal government up on this type of offer for community development projects in the poorer areas of Winnipeg.

There are several of these programmes in the city of Winnipeg, under the administration of their Social and Family Services Department; they are paying first class salaries to community development workers. That is the same thing I was proposing; that in order to strengthen the hands of the poor to fight against the government, one must provide them with middle class professional skills.

I have wondered why, in Scarborough, including my own riding, it has not been possible for the resident tenant associations out there to get their hands on some of this federal money, a matching grant to provincial money.

My understanding is that the Ontario Department of Social and Family Services has not used these funds. I do not even know if they have considered using these funds. If the Minister has any comments to make on this specific question I would appreciate knowing what his comments are.

So there are funds available for the type of programme I was talking about and this government has not used them. I would propose either these funds be used—the federal offer be taken up—or that a new initiative be taken to involve the poor and the disadvantaged in community programmes that affect them.

To expect that a tenant relations officer of the Ontario Housing Corporation can provide these highly professional community development skills, skills which are often in the wardchest of a social animator, a skilled community development worker, is very much wishful thinking. The tenant relations officers who are responsible now, I understand, for any community programmes, and recreational programmes of Ontario Housing Corporation tenants, are not skilled enough. They do not have the skills, they are not hired to do that type of work. As a result, when a community development programme—when tenants of the Ontario Housing want a community development programme to take off—they just do not have the resources available.

The problem is fairly complicated, because the tenant relations officers report to the regional supervisors who, in turn, report to the director of operations of Ontario Housing. You cannot expect a skilled community development worker to report to a management supervisor, a person concerned with the operation of the programme. A tenant relations officer, if he or she is to be helpful to community development, both in the Ontario Housing complexes and also in the community around the Ontario Housing complexes, must be able to fight for the views of the local tenants' association or the local ratepayers' association. He must not, in my opinion, be dependent on the direct supervision of a regional supervisor, whose job is to ensure efficiency; whose job it is to ensure that the funds are well administered.

So I am not, I believe, sir, talking about some mythical type of generality of simply getting the poor involved in programmes that affect them, simply because I think it is a good principle on democratic grounds. I firmly believe that if you get people involved, no matter whether they are the poor or even members of this Legislature, you can create great opportunities for the poor people to take part in the decisions that affect their lives. You can make those programmes more relative to their needs. You can cut out the waste. You can cut out the bureaucracy. You can counteract the vested interests of the social workers in many cases, and in that way provide better programmes at much less cost.

Mr. Speaker, I would like to turn to the question of housing, specifically. I would like to offer to the government some ideas that I have developed over the last three or four months on the question of housing. I think there might be some new ideas in my remarks.

I believe, sir, that fundamental changes in the municipal structure are long overdue and no amount of tinkering with the existing system will solve current or future problems in the fast-growing urban centres in Ontario. The present municipal structure has imposed all kinds of restrictions and artificial economic conditions on housing which have little to do with housing or with the provision of essential shelter for our people. The municipalities, particularly at the fringe of the metropolis, are actively resisting housing development or imposing impossible criteria on that development by reason of this outmoded structure. They are attempting to adjust to these conditions, they are attempting to ad-

just to the financial strait-jacket they find themselves in by applying these restrictions.

Present housing requirements and the cost of housing in the larger centres of Ontario have made further adjustments to the system, ludicrous. I suggest that the housing crisis in this province, particularly in Metropolitan Toronto, revolves around the following factors: (a) The cost of land and municipal services; (b) The cost of schools and education; (c) The cost and supply of mortgage money and financing; (d) Subsidized and public housing; (e) The cost of construction; (f) Transportation and regional development.

I shall intentionally discuss transportation and industrial development apart from other municipal services, because I feel these must be given special treatment and considered in the direct context of regional planning and development and growth in the Ontario economy, and indeed, of course, in the national economy.

I would like to deal with those six areas in that order. First of all, the cost of land and municipal services: It becomes apparent even to the casual observer that there is no shortage of land for housing even in a city area like Metropolitan Toronto. The cost of land, however, has risen so sharply in recent years that a modest home is no longer possible. While speculation accounts for some of the price hike, it seems that this was made possible by reason of a shortage of serviced land available for development. Municipalities have found it difficult to finance the cost of services such as sewer and water mains. They have also resisted too rapid a growth in housing until sufficient industrial development was attained to offset the cost of future services such as education.

The solution, sir, must be to reduce land costs by making adequate land available for housing and by removing some of the causes which have prompted municipal governments to impose artificial criteria on housing development. To this end I propose the following measures:

1. Change the present practice of assessing land at approximately 20 per cent of the value of a residential property and 80 per cent on the dwelling, to a 50-50 basis. A similar adjustment could be extended to land used for other purposes, scaled according to zoning use. Such a policy would, I believe, achieve the following goals:

- (a) It would induce speculators to develop already serviced land because taxes would be relatively higher than under the present formula.

(b) It would result in higher assessments in an undeveloped zone, thereby providing more revenue for the provision of sewer and water services; the assessment could be reduced or scaled according to zones, thereby ensuring orderly development at the option of the municipality or regional government in those areas where immediate development would be undesirable.

(c) If the present agricultural purposes assessment and tax rate remains intact—perhaps at the option of the owner—a recapture provision should be applied by the municipality when the land is sold for non-agricultural use. The recapture could go back three to five years on the tax concessions granted. A similar scheme is now in operation, as many of the Ministers know, for golf courses in this province.

(d) The policy would also provide incentives for redevelopment and would discourage slum tenements and substandard housing. Land would become too valuable, in the assessors' eyes, to be used in this way. A homeowner would also be more inclined to improve his property if he were not so thoroughly discouraged to do so by present assessment practices.

The second proposal I have in this area would also encourage municipalities or the regional governments to act as developers on their own land by land acquisition:

2. The government of Ontario should discuss with the federal government the granting of federal loans by CMHC for this at favourable interest rates, on condition that the serviced lots were leased or turned over at cost after the services had been installed.

One bottleneck is the attitude of the present Conservative government. The present HOME programme is much too concerned with maintaining present real estate values rather than being used as an agency to drive land costs down. Also, the experience in Scarborough with the Malvern project, which is in the riding I represent, would not suggest that involving the provincial government leads to quick solutions. The government of Ontario must change this negative attitude before this second proposal would have much chance of becoming operative.

3. The Ontario government can make more land attractive for housing by providing rapid transit to the perimeter of the city and to satellite communities. The law of supply and demand should be used to drive land costs down.

The second area, sir, has to do with the costs of schools and education. In the opinion

of my leader and myself, probably the most restricting single factor in the present housing crisis is the cost of education and its method of financing in this province.

The municipalities are imposing any number of restricting criteria to housing development because of the present financial structure assessment requirements, which have made a low-cost home impossible. In fact, Scarborough now requires a \$30,000 home; that this home be built so that the taxes generated from assessment will sustain future costs of education and other services.

A two-car garage, sir, is no longer simply a status symbol in Scarborough; it has become mandatory even if you live on the GO line or subway line.

Similarly, industrial assessment is a prerequisite to housing development in the neighbouring township of Pickering. These criteria have little to do with providing homes for people. These criteria are rather the product of an antiquated municipal structure badly in need of overhaul and financial reform. This resistance and the causes for its existence must be removed if we are to provide sufficient housing and land to contain the present speculative market.

I, therefore, recommend as my leader has, that the present practice of financing up to 65 per cent of suburban school costs by real estate levies be changed. We believe that an 80 per cent/20 per cent formula, with the province assuming the major share, is much more realistic, equitable and indeed, necessary.

To finance the costs at the provincial level, Mr. Treasurer, the present government might even consider abandoning its ill-begotten basic shelter exemption in favour of such a change—the balance to be collected by corporation and personal income.

**Mr. Nixon:** And the rest of your ridiculous municipal grant structure has got to be made over.

**Hon. T. Wells (Minister without Portfolio):** Including the basic shelter exemption grant?

**Mr. T. Reid:** The basic shelter exemption has already been discounted for by the tenant, by rent increases and in fact, it appears to have been a contributing factor in the recent upward trend in rents in the city.

Many, many tenants, sir, including university students, are on a month-to-month lease basis and the problem of ensuring the grant to the proper recipient is an extremely difficult one.

**Hon. Mr. Wells:** Is the member saying all the people in Scarborough East are opposed to the grant.

**Mr. T. Reid:** The next time the Minister comes down to Scarborough East—

**Mr. I. Deans (Wentworth):** They are in favour of rent control.

**Mr. T. Reid:** Mr. Speaker, I would also like to reiterate, at this time, the position that my leader has stated concerning the federal-provincial negotiations.

I just briefly draw this to the Treasurer's memory that my leader has said that, with the readjusting of open-end programmes, with the shifting of some of these programmes to the province, that by 1970-1971, Ontario might well be receiving back 50 per cent of the total amount of the personal income tax collected.

That, sir, gives this province—gives this government—the right to negotiate the income tax base, and to have a say in what is included in that tax base. And my leader will be coming out, I know, in the—

**Hon. Mr. MacNaughton:** Nothing very new about that.

**Mr. T. Reid:** Well, my understanding, sir, is that this government has not tried to negotiate a restructuring of the income tax base—not a separate income tax base, but a base that would be applicable to the taxes collected provincially and also federally.

**Mr. F. Young (Yorkview):** Send him down to Ottawa.

**An hon. member:** The member has them worried there.

**Mr. M. Makarchuk (Brantford):** What about that social development?

**Mr. T. Reid:** Mr. Speaker, as my leader has stated on occasion, he has made it quite clear that in his opinion the two per cent additional tax imposed by the federal government, called a social development tax, I believe, ought to be shared with the province.

Mr. Speaker, the cost and supply of mortgage money and financing is the next area which I think is key in any examination, sir, any responsible examination of the housing crisis in this province. It is not a responsible position of criticism to say ban the

speculators, tax the mining companies out of existence and that will solve the housing crisis. The problem, sir, is complex and I wish to give my analysis to the members of this House.

In order to achieve the necessary increase in new housing across Canada, from the levels of 180,000 in 1968 to 220,000 by 1970, in accordance with the needs as projected by the Economic Council of Canada, we will require an additional \$1 billion each year in residential mortgage funds.

The needs of the people of Ontario take up the greatest share of the Canadian total. Substantial new sums of money will also be required for public housing; to assist families with low and moderate incomes; for the retired and students. Therefore, much of the additional funds for residential mortgages will have to come from the private sector.

Here are some of the ways by which these funds could be generated. I daresay, sir, that these ways are within the traditions of the Liberal Party as opposed to the traditions of Conservatism or the traditions of the New Democratic Party, though I had hoped there would be some overlapping.

I would like to deal first of all with the private sector funds. Under this heading are the trust and loan companies.

Trust and loan companies could supply a substantially larger volume of funds to finance housing than they do at present if the regulating legislation were amended to permit them to borrow for terms exceeding the present limit of five years.

The present requirement of borrowing for periods of five years or less renders these lending institutions vulnerable—under certain market conditions—to loss of deposits in rising costs of money while they have been made or should be in the position to make long-term commitments on mortgages at fixed rates.

Borrowing short term and lending long term puts these lenders at the disadvantage. Further, the chartered banks, under recent changes in The Bank Act, are permitted to borrow in the capital market or subordinated long-term debentures.

I would propose that the trust and loan companies be placed in the same position as the chartered banks who have, as a result, begun to expand their supply of money into residential mortgages. This would require amending legislation at the provincial government level for those companies incorporated under Ontario statutes and, of course, at the federal level in other cases.



Another proposal for the trust and loan companies is this, sir. All trust and loan companies registered under the federal deposit insurance plan, individual depositors insured against loss of the first \$20,000, should be permitted to increase their borrowing ratio from the present level of fifteen times paid up capital and reserves to 20 times those reserves.

This would represent an increase in borrowing capacity in the deposit market by 33 per cent and enable them to significantly increase lending on residential mortgages. And I believe, sir, the province of Ontario should pressure the federal government in this area.

Under the trust and loan companies still, sir—the Ontario government should suggest to the federal government and firmly suggest, that study be given to the possibility of further adjusting the debt-to-equity ratio of such companies by relating the proposition of the NHA-insured mortgages held to the total investment portfolio. Such a step would not only strengthen the quality of portfolios as debt-to-equity—

Mr. Speaker, I would like to thank the hon. Minister of Correctional Services for his courteous gesture just now of passing me an apple. I shall probably get to him later on. I refuse to be intimidated by a rosy apple.

An hon. member: Bribing the hon. member, eh?

Mr. T. Reid: If it is, I will have it now. My voice is giving out. I will have to watch the razor blades.

Mr. Speaker, to recapitulate before I was so pleasantly interrupted, the Ontario government should suggest to the federal government that study be given to the possibility of further adjusting the debt-to-equity ratio of such companies by relating the proportion of NHA mortgages held to the total investment portfolio. Such a step would not only strengthen the quality of portfolios as debt-to-equity ratios increased, but would also encourage an increased flow of funds to NHA-insured mortgages.

These three measures, sir, should result in increasing the capability of trust and loan companies to supply mortgage funds for housing by at least 25 per cent, quite in keeping with the 25 per cent increase required in the annual level of new housing over the next decade. These steps can be undertaken almost immediately, and entirely within sound financial considerations. Because of their high and established credit rating, their acknowledged

skills in originating and administering mortgage portfolios, and their extensive branch system established throughout the country, these trust and loan companies could compete successfully in the capital market for long-term funds and play a much larger role in placing and administering housing mortgages.

They could also attract long-term foreign capital, I believe, to increase their mortgage operations in Ontario. I, sir, would have absolutely no objection to American capital coming into this country if it is in the form of a debt type of capital, instead of an ownership type of capital, and particularly if it would increase the private mortgage funds available in Canada to finance new housing.

The second aspect of the measures in the private sector to generate more private sector funds has to do, of course, with the pension and superannuation funds. I am very pleased, sir, that the hon. Provincial Treasurer is here this evening to listen to some of these suggestions and I appreciate the courtesy, although he is probably here for other reasons.

Hon. Mr. MacNaughton: I am beginning to doubt it.

Mr. T. Reid: Pension funds are the most rapidly growing form of savings flow in Canada and have the greatest potential to contribute to the financing of new housing. With few exceptions they have not participated in any significant way in the residential mortgage market. For example, in 1967, as the Treasurer knows, only nine per cent of \$8 billion in trusted pension funds was in mortgages. I believe that pension funds could increase by at least fourfold the proportion of their assets invested in residential mortgages, and even then they would only equal the mortgage proportion in the portfolios of many life insurance companies.

If there are technical reasons why pension funds hold such few mortgages I would urge immediate correction of such defects. There may, for example, be certain public or private funds which operate under rigid and often archaic legislative requirements, and they deem themselves unable to purchase NHA-insured mortgages on grounds that such mortgages are not guaranteed by the government of Canada as is a government bond.

I urge study and removal of all technical and legislative impediments by action at the provincial and the federal levels, and I would draw to the attention of Ministers who are here tonight, sir, that they have a direct responsibility at the provincial level. It is an



area of shared concern with the federal government. I also urge a promotional programme by this government and the federal government among pension fund managers, to encourage mortgage investment.

Thirdly, sir, still in the area of private sector funds, I would like to say a few words about the secondary mortgage market. This, of course, is a difficult area because we are getting into a very fuzzy area as to what is the provincial responsibility and what is the federal responsibility. I suggest, sir, and I know many of the Ministers agree and many members of this House agree, that when it comes to housing we must try to cut out the red tape, we must try to work together with all levels of government to solve this housing crisis, and therefore I would like to talk about the secondary mortgage market.

A trading market is important in expanding and stabilizing the total flows of mortgage financing, by enabling some holders to adjust their portfolios from time to time in accordance with investment opportunities. Some investors may wish to dispose of mortgages that are approaching maturity to others who wish to hold short-term mortgage investments, while others may trade mortgages to diversify their portfolios. Limited marketability has undoubtedly been a factor in limiting mortgage investment.

Sir, when you have a thin market, you have an uncertain market, you have an increase in uncertainty, and that actually limits the amount of funds pouring into that market. It will continue to be a limiting factor as managers of investment funds and pension funds aggressively seek maximum performance, which depends to some extent on the availability to trade securities as investment opportunities occur.

The beginnings of a secondary market in NHA now exists because of the promotional efforts of CMHC over the past five years, and I believe this is what the hon. member for Windsor West was referring to, Mr. Speaker. Mortgage auctions have been held on at least 13 occasions during which competitive bids were solicited for blocks of mortgages held by the corporation. Although these auctions have been discontinued during the past two years, a number of new investors were introduced to mortgages by way of this trading activity, which was simply a way of educating potential investors into the opportunities of a market which had up to that time been a very thin market, sir.

I believe that new efforts should be made to reactivate this market and I believe the Ontario government has a responsibility to

press for these changes. It is unlikely that a secondary market of adequate dimensions would develop unless CMHC was prepared to enter the market as a buyer as well as a seller. I therefore recommend that CMHC be authorized to purchase mortgages in the secondary market and that it adopt a policy of doing so within reasonable guidelines. I do not expect CMHC to guarantee the purchase of blocks of mortgages in the market in the absence of other buyers, any more than the Bank of Canada is obliged to support the Canada bond market under all conditions. I do, however, recommend a developmental approach on the part of CMHC which would require it to demonstrate a willingness to act as a seller or buyer in the interest of stabilizing prices. This is a traditional concept, sir. In the Bank of Canada operation, it becomes seller or buyer in a last resort to stabilize a given market.

This would encourage the holding of larger mortgage portfolios by both small private investors and institutional investors concerned with liquidity. A secondary market would also tend to justify even further the recommendation to amend provincial, and of course federal, legislation to permit trust and loan companies to extend borrowing in order to lend more on NHA-insured mortgages. And it would tend to encourage pension funds to accelerate their entry into the mortgage market.

So I believe that we can do a great deal more, through incentive and through legislation—not necessarily fundamental legislation, but adjusting legislation—to get more private money into the mortgage market. I think that we should do this through the incentive system, through a penalty type of system, through making it more possible for private investors to get into the mortgage market. I think this is the area where we can move ahead quickly, through the market system, to ensure that more money enters the housing and shelter market.

I would like to turn to the fourth aspect of the programme, having to deal with solutions to the housing crisis, and this is of course in the subsidized and public housing field. In the previous section I made several proposals to increase the flow of private funds into the housing field. I would like now to comment on the needs and the volume of funds for public housing for families with low and moderate incomes. And I would like to emphasize at this point, Mr. Speaker, that although the constitutional responsibilities through public housing lie largely with the

provincial government, on the whole they have failed to respond adequately to the present housing crisis.

In 1967, Ontario Housing Corporation provided 2,025 units in Metro. But it had a waiting list of at least 10,000 and although it has been argued by this government that the growth of public housing in Ontario is greater than in U.S. cities, it should be pointed out, Mr. Speaker, that urbanization in this province is proceeding at a 50 per cent faster rate than in the U.S. and our relative problem is much more acute.

Furthermore, judging by what is happening in the major U.S. cities of late, I do not judge this as a suitable yardstick in any case.

Now, I am aware that the federal government supplies the bulk of the capital funds for public housing up to 90 per cent; and for land assembly up to 75 per cent; and 50 per cent of the funds through subsidized rents in accordance to some of the incomes. The province of Ontario must create a really active housing authority to make utilization of these programmes.

Moreover, since housing developments must be co-ordinated with rapid transit, inter-city transit, urban services, pollution control and reasonable planning, it is imperative that the provincial government take a strong lead in planning, in creating the proper conditions, so that, with the support of federal resources, we are able to meet the needs of our urban population.

I stress the role of the provincial authorities for financial as well as constitutional reasons. The provinces collectively draw down annually from the Canada Pension Plan some \$600 million. In Ontario it is difficult to escape the conclusion that the government has not carried its weight in supplying funds for new housing in relation to pension funds available, and in response to the present housing crisis in this province. In Ontario, in 1968, Mr. Speaker, the province will provide approximately \$60 million out of the \$400 million to be spent on Ontario housing, by Ontario Housing Corporation. I believe Ontario could utilize the Canada Pension Fund to a much greater extent to alleviate the present housing shortage in this province.

**Hon. Mr. MacNaughton:** Mr. Speaker, I wonder if the hon. member would permit a question? Is he aware or is he not, that the Canada Pension Funds are fully employed in loans to school boards for capital construction of the schools of this province? And to universities, through the University Capital Aid Corporation, for their construction pro-

gramme? The fund is fully utilized for this purpose. If we take it away from there, for housing—

**Mr. T. Reid:** Mr. Speaker, with due respect to the Minister's remarks I would like to have a detailed answer from the Minister on the actual use of the pension funds available. I would like to have a detailed breakdown on where it is going, the repayment rates from the universities—this type of thing. Now, that fund is generating returns through the operating grants from The Department of University Affairs, so it is not a fund that is just used up each year. It is a fund you know that through a trick of the hand—because of other government grants—refurbishes itself.

I think it is a question of fact that I am debating with the Minister, Mr. Speaker, I would like to see a much more detailed statement of the use of those funds than I have thus far been able to get from this government.

**Hon. Mr. MacNaughton:** Now or later?

**Mr. T. Reid:** The sooner the better. On the question of fact, Mr. Speaker, I think we must have the same documents to refer to, and perhaps later on in the budget debate, the Minister and I can discuss this. But I am not satisfied that the inflow of funds, and repayments to the operating grants to the university, would not allow a substantial amount of funds to be reallocated from this. It is impossible to discuss this until one has the facts.

I would also recommend to the government, foreign borrowing in the U.S. and in Europe, to supplement Canadian funds in view of the urgent and exceptional demand for capital funds for housing in the next five to ten years. The Canadian and Ontario capital markets are already under heavy pressures from corporations, and may be unable to respond.

The quantity of public housing units immediately required is a paramount concern. We must be careful not to overlook the human aspect of this problem. I discussed some of these in my earlier remarks.

If we continue to create apartment ghettos through the so-called province of opportunity; without providing recreational facilities; or the skills necessary to mount a proper community development programme; or an appropriate dispersion throughout the somewhat mixed social, economic neighbourhood; or if we continue to treat public housing tenants as second-class citizens, subject to

harassment, or in some cases without the basic right to form associations to air their grievances; we can expect to find in a few years' time that this great expenditure of public funds would have created serious social problems which will have a high cost equivalent.

I simply refer to the current series of articles in the *Toronto Daily Star*, on Regent Park South, which to me represents the forecast of what is going to happen to many congested Ontario housing projects throughout this city, and indeed throughout other cities. I speak with knowledge, sir. I believe that in the borough of Scarborough, there is a high concentration of Ontario Housing Corporation tenants who lack the resources to provide for themselves or to help themselves in the area of community development.

I therefore urge that the human and social aspect of public housing be given much greater consideration by this government. In particular, I recommend the following six steps:

First, more single family, and semi-detached units with fewer apartments. Second, adequate recreation and park facilities, particularly in the highly congested areas. And I would add, as I have in my earlier remarks, the need for a whole new approach to social animation or community development in these projects. The need is for these people to have access to professional skills in order to mount their own self-help programme.

Third, it has been discussed by members of this party and by members of the New Democratic Party, revision of the tenants' lease forms, to provide a basic bill of rights for tenants.

Fourth, and this is a complex area; the establishment of a down payment incentive plan. This would provide the tenant with a rising income, the option of applying part of his increasing rent to a fund to be used in purchasing his own home or shelter.

Fifth, in Metropolitan Toronto, 20,000 out of the 32,600 OHC tenants are children, and 32 per cent are single parent families: mostly single parent families, with a female at its head.

In this party we feel that at this point the most serious need is for day care centres in public housing complexes.

I was delighted to find out when I was discussing with an Ontario Housing official this morning, that in one of the new buildings they are actually building-in facilities for day care centres. I would hope that this

would become part of a standard policy and that funds would be made available.

**Mr. H. Peacock** (Windsor West): Mr. Speaker, does the hon. member know why that occurred? I wonder if the hon. member knows that the former—

**Mr. Speaker:** If the member wishes to ask a question of the member who has the floor he is entitled to do so but not to make a speech of his own.

**Mr. Peacock:** No, I was just indicating a question to the hon. member, if he would be kind enough to permit me to ask it.

**Mr. T. Reid:** Well, Mr. Speaker, I just say to the hon. member who knows much more than I do about various aspects of public housing, that in this case the Edgely village complex south of York university has provisions for day care centres in it.

I have the feeling, Mr. Speaker, it has a lot to do with Irving Grossman who is designing it.

Finally, sir, the sixth point on public housing is that there must be, and I underline this, there must be effective tenant participation in the local administration of Ontario Housing Corporation units in order to create a sense of community.

Now the question of limited dividend housing is a thorny one. I would say this, that while limited dividend housing has been subject to severe criticism and not the least, in Scarborough particularly, east of Markham Road, I suggest that this programme given a sufficient supply of funds could generate a major expansion fairly quickly. Not the least consideration is a fact that though publicly assisted, this housing is self sustaining and particularly geared for families of moderate income as opposed to lower incomes.

I would, therefore, urge the close study of the many abuses of limited dividend housing be made and that measures be taken to correct such things as the poor quality of maintenance, the resistance to families with children in order to decrease wear and tear, the cost of maintenance and the quality of construction.

Of course, there is a built-in incentive, sir, under present regulations pertaining to limited dividend housing which encourages the owner to let the area run down, which encourages the owner to do everything he can to make sure that the maintenance costs are lower. Of course, one way of doing this is to kick the kids out.

I would like to elaborate, sir, with your blessing, on this point that I raised about the establishment of a down payment incentive plan through legislation of this body.

I think it is important to realize the following fact about Ontario Housing Corporation tenants and what happens to them. The question I would pose, sir, is this. What happens to a married man with three children living in Ontario Housing premises in Metro who increases his annual income by \$100 from, say, \$4,900?

The picture is this. A married man living with his wife in Ontario Housing with three children is earning \$4,900. That man goes out and earns another \$100. Okay, what happens? \$50 of the \$100 increase is taken away from him by the Ontario Housing Corporation in accelerating rent increases and, to a much smaller degree, by income tax increases. He is, in effect, sir, being taxed at a marginal rate of 50 per cent.

So, I would suggest that it is nonsense to think that only the rich in our society get hit by, what amounts to, high marginal tax rates.

The increase—about \$38 of that \$50—is taken away by Ontario Housing in accelerated rent increases. I agree with the hon. member that a man with that low income should not have to pay any personal income tax.

It seems to me, sir, that the policy of the Ontario Housing Corporation must be designed to offer encouragement to tenants; to seek advancement in their jobs and greater family income in order to be able to save and to buy their own homes.

This would mean, sir, the establishment of some type of down payment incentive plan which would provide the tenant, who had the opportunity of earning a greater income, the option of applying part of his increase in rent to a fund to be used in purchasing a home.

I think that is a very important provision because when you take away \$50 out of an additional increase in a man's salary, at that low level in family income, you really knock all the incentive out of him.

The fifth aspect of the housing crisis lies, of course, in the cost of construction. While several attempts have been made and the objective is still being actively pursued, the lack of standardization of all building codes must remain as an important source of delay and red tape which amounts to added costs of housing.

The present building codes are too rigid and restrictive, particularly in their response to new technology. I urge the province and CMHC to take a much stronger lead in standardizing regulations in the province.

Perhaps, sir, the best course of action for the province of Ontario is to work out an agreement with the federal government, that CMHC be empowered to set up research and testing facilities. Failing this, sir, the provincial government should proceed on its own.

There are three proposals in this. To encourage the use of new and cheaper materials and to promote their acceptance by local authorities and building codes, we could do a number of things. To use one example, I point out that plastic piping, although successfully used for several years, has not found ready acceptance in many jurisdictions in this province.

Secondly, I think the re-vamped CMHC, or the separate policies of the provincial government, should be used to promote provincial standards in dimensioning such as windows, doors and cupboards.

Thirdly, function would be to test and to promote the use of prefabricated modular units such as bathrooms, kitchen units and complete homes. Although some attempts have been made by private industry such as Alcan, local building codes and resistance have prevented any major utilization. I note that the National House Builders Association is constructing an experimental home in Kitchener. I would suggest that CHMC could play a major role in winning acceptance of adequate testing products of this kind. For if CMHC would not do this, sir, I think the provincial government has a direct responsibility to do so. Local authorities do not have the facilities to undertake testing nor should this be their function. I believe the building industry would welcome such an initiative by government.

The final area has to do, sir, with transportation and regional development.

I think that this area is perhaps the most important. It requires very specific policies and a great deal of planning—forward planning and active implementation.

Rapid transit could play a major role in making additional land and satellite communities attractive for low-cost housing and private low-cost housing. Adequate land for housing, with convenient access to the city would tend to stabilize prices, rents and excessive speculation.

**Mr. Nixon:** The next extension about 1970, does the Treasurer figure?

**Hon. Mr. MacNaughton:** Oh, do not be concerned about that.

**Mr. Reid:** I would suggest, sir, to the government that I believe that federal grants for rapid transit construction would be a continuation on the part of the federal government of a long tradition of involvement in transportation. For those who would argue that these grants would be of special benefit to a few major centres in Canada, and Ontario, I would point out that they would be as defensible on economic grounds as the Pine Point railway, fishing wharves in Newfoundland or an airport in some isolated northern community and certainly no more parochial or of sectional benefit.

I believe, sir, and suggest to the hon. Treasurer, that subway and commuter rail services can no longer be considered of sectional interest.

**Mr. Young:** Tell that to the hon. member for Grey-Bruce.

**Mr. T. Reid:** The present practice of putting subsidized or public housing at the periphery of the city for underprivileged families is largely self-defeating when they are immediately faced with added transportation costs and great inconvenience. It is no wonder that urban renewal schemes are so difficult to get off the ground when the displaced families are expected in most cases to accept these burdens as a private burden.

It is obvious, sir, that rapid transit facilities must be built around regional planning in the use and development of land for housing. It is not likely that municipal governments would ever achieve the degree of co-operation needed to undertake rapid transit beyond their own boundaries and into satellite communities. Therefore I believe that the planning and establishment of the necessary transportation facilities will have to be undertaken by a more senior level of government, presumably the provincial government or its regional planning authority. With the removal of the causes of municipal resistance to housing, this regional planning should be politically much less difficult than at present.

Effective regional development policies, formulated and pursued vigorously by the province of Ontario, would result in more effective land use, pollution control, transportation facilities and location of industry throughout the entire province, especially the

northern part of this great province. This could result in a significant decrease in the rate of housing demand within Metro, as services are extended to the outlying areas, and this would tend to stabilize prices and rents. I also believe that increased province-wide industrial growth would result, with better efficiency and productivity, if growth were dispersed a few miles out from the largest cities. The cost—in manhours in travelling on congested streets, in the provision of expressways, in damage to health by air pollution, and in the present housing crisis itself—can be roughly assessed, and it is a terrible cost.

Uncontrolled development is not inevitable in this province, it is not economically desirable and not socially desirable. In fact, if allowed by default, it could well perpetuate the present housing crisis in Metro as well as create serious social and health problems. Corrective action is necessary and overdue, and I urge the government of the province of Ontario to control development and land use, to provide transportation facilities and combat pollution, and to meet the housing needs of our people.

I would like to reiterate, sir, as my leader has stated, that we believe the crisis is so bad in certain urban areas in this province, in Ottawa, in this city, and in Scarborough, that this government should allow any municipality which requests it, the power to impose a rent control review board as a short-term measure. We are absolutely convinced that there are too many people who have been victims of the freely fluctuating prices in a market that is not really a free market, and rent control by municipalities that request it is definitely in order.

Mr. Speaker, I have a number of other issues I would like to discuss at this time and my next remarks have to do with education. I have a number of things to discuss within the area of education, sir. I would like to discuss the question of student and pupil rights; I would like to discuss the question of teacher training in this province; I would like to discuss the question of the superannuation of superannuated teachers; I would like to make comments on student protest and dissent, comments on the press, comments by a former Premier of this province about students in the society; I would like to say a number of things about the student award system in this province, and I would like to discuss two private bills that I have submitted. If the House leader would like me to continue—



**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): I think we should go on until 11 o'clock; that was our intention.

**Mr. T. Reid:** Mr. Speaker, I would like to begin my remarks on the theme of the civil rights of captive teenagers in the Ontario school system. And I would like to discuss three abuses. One has to do with student records. The second has to do with corporal punishment in the schools. The third has to do with the state getting involved in the bedrooms of this province, that is to say, how children dress before they go to school and how they comb their hair. And the fourth has to do with the basic fact that by the Minister of Education in this province taking effective action in these areas there would not be any necessary undercutting of the authority of the teachers in the classrooms of this province, which has often been alleged to be the case.

The first thing then, sir, in this area, has to do with student records. I would like to put it into a broad context. I think we can start by setting the framework, by looking at the Ontario Human Rights Code. This code, which is a statute of this Legislature, states that one of its two aims is to make secure in law the inalienable rights of every citizen. We all know that the Premier of this province likes that statements very much and quotes it very often. However, the statements in this House of his Attorney General (Mr. Wishart), and of his Minister of Education (Mr. Davis) concerning school records and the use of those records, must make the Premier realize how empty his fine words are of any real meaning.

The human rights code, Mr. Speaker, also states:

Recognition of the inherent dignity and equal and inalienable rights of all members of the human family is the foundation of human freedom, justice and peace.

I believe, Mr. Speaker, that the Attorney General and the Minister of Education of this province, through lack of leadership and policy, and lack of knowledge of what is meant by "the inherent dignity and the equal and inalienable rights of individuals," have not only allowed a fundamental right of individual teenagers in this province to be transgressed, but have refused to take decisive action to prevent their rights from being transgressed in the future.

I maintain, sir, that the spirit of the code of human rights in Ontario has been transgressed in the matter of school records—if not in the letter of the code, certainly in the spirit. I state this in an absolute sense, as well as in the relative sense that the pupils of our schools have been discriminated against on the basis of age and station. What reasons do I have for saying this, sir? Well, the teenagers in our schools are captive within the school system. Their actions and behaviour are observed and recorded. Unlike their elders they are compelled by law to be captive; they cannot protect themselves from such systematic scrutiny.

The lack of action in the statements by the Attorney General and the Minister of Education concerning school records in this House is to be condemned. Philosophically, and as a Liberal, I condemn them absolutely for putting a system over the rights of the individual. I urge the Prime Minister of this province to acknowledge that Ontario should lead the way in the national acceptance of a Canadian charter of human rights as part of a revised Canadian constitution, so that individuals, such as our young people in school, can have their inalienable rights, including the right to privacy and liberty, protected under our Constitution, as opposed to being dependent on the whim of any particular government, controlled at any particular time by a particular political party. A constitutionally entrenched bill of rights, sir, would guarantee the fundamental freedom of the individual from government interference, federal or provincial.

**Hon. Mr. Rowntree:** I wonder if the hon. member would move the adjournment of the debate?

**Mr. T. Reid** moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Tomorrow, Mr. Speaker, I understand the Whips have arranged a private members' hour from 12 to 1 o'clock.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.00 o'clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, December 13, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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FRIDAY, DECEMBER 13, 1968

The House met at 10.00 o'clock a.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery, from Emery Junior High School, Weston; and in the west gallery now and later students from Etobicoke Collegiate Institute, Etobicoke; from Woodbine Junior High School, Don Mills, and Prince of Wales School, Barrie.

Petitions.

Presenting reports.

Mr. Henderson from the standing orders and printing committee presented the committee's second report which was read as follows and adopted:

Your committee has carefully examined the following petition and finds the notices, as published sufficient:

Of the Board of Education of the city of Windsor praying that an Act may pass approving completion and equipment of Centennial Secondary School and authorizing the issue of the necessary debentures by the city of Windsor.

Your committee further recommends that the unanimous consent of the House be given to waive Rule 78 (a) so that the bill may appear before the private bills committee without the necessity of five days' clear notice of the sitting of the private bills committee.

Motion agreed to.

**Mr. Speaker:** Motions.

Introduction of bills.

## CITY OF WINDSOR

**Mr. H. Peacock** (Windsor West) moves first reading of a bill intituled, An Act respecting the city of Windsor.

Motion agreed to; first reading of the bill.

**Mr. Speaker:** The hon. Minister of Municipal Affairs has a statement.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, on Monday, December 2 I announced that a review of regional government for the Sudbury area would be undertaken. At that time I also had the pleasure of informing this House that the chairman of The Ontario Municipal Board, Mr. J. A. Kennedy, QC, would direct this study and report his findings to me in from six to eight months. I am now in a position to read to the hon. members the terms of reference under which the Sudbury regional government study will be made.

Acting under section 10 of The Department of Municipal Affairs Act, the chairman of the Ontario Municipal Board, Mr. J. A. Kennedy, QC, is requested to inquire into and to report to the Minister of Municipal Affairs upon:

(a) The structure, organization and method of operation of the municipalities of: the city of Sudbury; the towns of Capreol; Chelmsford; Coniston; Copper Cliff; Levack; and Lively; the townships of Balfour; Blezard; Capreol and Hanmer; Casimir, Jennings and Appleby; Cosby, Mason and Maitland; Dowling; Drury, Denison and Graham; Falconbridge; Hagar; Neelon and Garson; Ratter and Dunnet; Rayside; and Waters; and the improvement district of Onaping; and of the local boards of all said municipalities;

(b) The possible structure, organization and method of operation for local government purposes in the geographic townships of: Allen; Attlee; Awry; Bevin; Bigwood; Bowell; Broder; Burwash; Caen; Cartier; Cascaden; Cherriman; Cleland; Cox; Creighton; Davis; Delamere; Dieppe; Dill; Dryden; Eden; Fairbank; Foy; Goschen; Haddo; Halifax; Harty; Hawley; Hendrie; Henry; Hess; Hoskin; Janes; Kelly; Kilpatrick; Laura; Levack; Lorne; Lougaurin; Louise; Lumsden; Maclellan; McNish; Morgan; Norman; Rathbun; Roosevelt; Sale; Servos; Scadding; Scolard; Secord; Snider; Stalin; Street; Struthers; Tilton; Travers; Trill; Truman; Waldie; Wisner;

(c) All aspects of the functions and responsibilities of local government institutions within the said area, with particular reference

to planning and the future development thereof;

(d) The re-organization or revision of the existing system of local government in the area required by the anticipated future development of the area;

(e) The effect of policies and operations of the national and provincial governments upon the responsibilities and resources of local government therein;

(f) Any other related matters, including an examination of boundaries, affecting the local government structure within the area.

By way of explanation, Mr. Speaker, I should note that the initial area we propose for study runs east from Sudbury to the Sudbury-Nipissing district border, north from Sudbury for three tiers of geographic townships, south from Sudbury to the Sudbury-Manitoulin, Sudbury-Parry Sound district border, and west from Sudbury for four sets of these townships. This is a larger area than that covered by the recent Nickel Basin planning study, since our examination of this study and other material has convinced us that the Sudbury sphere of immediate interest is probably considerably wider. This definition of the regional government study area is, of course, open to amendment as Mr. Kennedy's work progresses.

Mr. Speaker, one of the most serious questions posed in any regional government study is the financial base of local government. In this case I am referring particularly to the issue of assessment and taxation of mining properties and the related subject of mining revenue payments to designated municipalities.

This has been the subject of considerable study over the last few years. Hon. members will recall that a special committee study on mining revenue payments led to a substantial increase in these two years ago, although this was viewed purely as an interim measure. Subsequently, the Ontario committee on taxation recommended wide-ranging changes in revenue payments and the method of taxing mining companies.

The recent select committee also proposed a revised scheme coupling the assessment and taxation of certain mining properties and a reformed mining revenue grant. I may say, Mr. Speaker, that I have received more views, advice, briefs and representations on this subject than on any other comparable topic since assuming this portfolio.

In order to clarify the picture for the study of regional government in Sudbury and

area, I wish to state our intention of broadening the tax base in the study area. To this end I will, in the near future, introduce an amendment to The Assessment Act to provide that the processing assets of mining companies will be assessable in 1969 for taxation in 1970.

During 1969 the existing mining revenue payment system will continue. After processing assets of mining companies become taxable, changes will be necessary in our mining revenue payment formula. Before these changes are made we will, of course, re-examine the entire concept of mining revenue payments including those changes proposed by the select committee, the Association of Mining Municipalities of Northern Ontario, and others.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, on a matter of clarification only. I wonder if the Minister would tell the House if the appointment of Mr. Kennedy will curtail his responsibilities at the municipal board?

**Hon. Mr. McKeough:** No.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question of the Minister.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, the question of the Minister of Municipal Affairs is as follows:

Can the Minister inform the House as to the date when regional government is scheduled to be implemented in the Windsor and Essex county areas?

**Hon. Mr. McKeough:** Mr. Speaker, as I stated in the House last week, our regional government system will be implemented on a staged priority basis. The city of Windsor was recently expanded to include large areas of suburban and potential urban development. Digesting the effects of this will occupy the city for some time to come. In addition, the county of Essex continues to be a prosperous and financially viable county.

Of course, Mr. Speaker, regional government will come to the Windsor-Essex area but we are now concentrating our attentions in regions where the problems are greater. However, if the hon. member has views on regional government in his area or if he is aware of any moves in this direction I would be glad to discuss the subject with him at any time.

**Mr. B. Newman:** Mr. Speaker, may I specifically ask the Minister for a date so that he can mention some day as to when the area



can expect regional government to be implemented by his department.

**Hon. Mr. McKeough:** If the hon. member would refer to Design for Development, phase two, he would find that there is no date and I cannot give him one.

**Mr. B. Newman:** Well, Mr. Speaker, if I may again. This just carries on indefinitely—

**Mr. Speaker:** Order. The hon. member is entitled to ask questions but not to comment on answers. He has a question of the Minister of Transport.

**Mr. B. Newman:** Yes, Mr. Speaker, I have and it is this: does the Minister intend to amend The Highway Traffic Act governing the use of flashing lights in speed zones under 35-miles-an-hour? This was brought about as a result of a recent death in the Harwich township area around Chatham.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, proposals for amendments to The Highway Traffic Act are now being considered.

The wide ranging report on school bus construction, equipment and operation prepared for and approved in principle by our recent Ministers conference, is now being considered by the officials in the various provinces with a view to obtaining as much uniformity as possible in our school bus laws.

**Mr. Speaker:** The hon. member for Sudbury East has a question of the Minister of Mines.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Minister.

Having had an opportunity to read the Ontario Water Resources Commission analysis of the Fecunis Mill drinking water problem, will the Minister advise the House what action he will take to ensure that the recommendations contained in the report are carried out?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I have read, with interest, the letter dated December 6 addressed to the hon. member which he was good enough to send over to me, relating to some samples submitted to the water resources commission by him and we have been in contact with the commission, both before and since the receipt of that letter and the raising of the matter in the House.

The commission has informed us, as they have informed the member, that the district

staff of the commission is doing an inspection tour and they will be inspecting the water in the mill at that time and they will be providing us, and presumably also providing the hon. member, with the results of that inspection and that analysis. At that time, we will assess what pressures we have to bring on the water resources commission or others as a result of that inspection and that analysis.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I had a question for the Prime Minister, I wonder if I might redirect it to the Attorney General?

**Mr. Speaker:** If the hon. member wishes to redirect it to the Attorney General, he may do so through Mr. Speaker's office.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable the Lieutenant Governor at the opening of the session.

#### THRONE DEBATE

**Mr. T. Reid (Scarborough East):** Mr. Speaker, there are two things that I would like to note before continuing with my remarks about the theme of civil rights of captive teenagers in the Ontario school system. The first has to do with the lengthy remarks I made yesterday concerning the need for reform of the procedures of this House.

I simply state that this House is vastly different from the federal House. I think that in the federal House, the Opposition parties have too long dominated the debate whereas in this House, the exact opposite is true. So I think we must be careful in trying to draw analogies between the federal House and reform there and this House.

The second question, sir, has to do with a matter of much more urgent importance. It has to do with high school students; it has to do with the arbitrary decision of the Minister of Education to extend the examination dates of the high school students in this province. This has to do with the theme of civil rights and decision making and I would like to deal with it directly now.

The vast majority of the high school students in Metro are beginning to squirm. They are agitated; they are up-tight by an

arbitrary decision to extend to school year in the current year. The students are in anger.

The provincial Department of Education announced earlier this week that high school examinations next June will not start until June 16, compared with June 3 in the past. Students maintain that the extension will damage their chances of getting summer jobs and this, of course, Mr. Speaker, will damage their opportunities of going to university because of the present Ontario student awards programme which demands summer earnings from students going on to post-secondary education in this province.

Some students, sir, have started to gather petitions; other student leaders urge that letters protesting the badly planned change be sent to the Minister of Education (Mr. Davis); and there have been rumours of high school strikes to protest the plan going into effect in the current year.

For example sir, Douglas Bonesteel, a 17-year-old student council president at Royal York Collegiate in Etobicoke says that while his council has not authorized to strike, but as he put it, "things might soon be popping".

Paul McCourt 16, a student at Winston Churchill Collegiate in Scarborough says he already has 904 signatures on a petition, as of this morning, and in North York the president of the intercollegiate student council, William Michie, 17, says he hopes that the education Minister will soon face 5,000 envelopes on his desk, protesting both against the arbitrary nature of the decision and its badly planned implementation for this year.

The study of this particular decision by the Minister throws light on a number of aspects of The Department of Education and I would like to deal with those now.

The first—I hope the Minister will be able to reply to these—were the senior officials of the boards of education across Ontario consulted as to the timing of such notification? Were they canvassed as to their opinions?

I think, sir, that an extension in the school year must come. There is no question of that but the point is, how that decision is made, how it is implemented and whether co-ordinated steps in other areas such as the Ontario student awards programme—OSAP—are adjusted with this particular decision.

There is also the cost factor involved. This is very important, sir. The Department of Education and the local boards of education across this province have invested millions of dollars, millions of the taxpayers' dollars in very sophisticated data processing operations

and it is my understanding that one of the prime usages of the computers is to produce the report cards. Furthermore, it is my understanding that with the increased school term, in the current year, being announced at such a late date, the report cards will not be able to be done on the computers. This, sir, is just plain lousy planning—high cost planning.

Another point concerning this case study, if you like, is that we all know that last summer, the lack of job opportunities for secondary school students was of an extreme concern. Now because of the timing involved with the announcement of the extension of the school term, by the Minister of Education, students who have positions waiting for them are concerned that these positions will be filled by students from the universities and from the CAATS, a sort of student "scabbing" if you like created by the decision of The Department of Education.

One way that fair play can be granted in this instance is to bring about an immediate change in the OSAP provisions that require a student to have summer earnings, particularly students graduating out of Grade 13 looking for places in our post secondary institutions.

Another point, sir, in this regard is that The Department of Education should certainly realize that the curriculum in the high schools across this province is set up at the beginning of the year and spread equally into the school year. Now with the proposed change coming in mid year this will cause tremendous problems of rescheduling by the staffs of secondary schools throughout the province. This, sir, is not only expensive, it lowers the quality of education in our schools—if this particular decision is put into effect in the current school year.

Another aspect of the problem, sir, is this. It would certainly be interesting to know from the Minister of Education how the local school administrators will be able to cope with the problem of students in Grade 13 who are aware that they have earned entrance into university by June 10—give or take a few days. In other words, on June 10, a great many Grade 13 students will be made aware that they are successful in making their year and that they have been accepted by a university in this province. Then they would be obliged by this extension which applies to the current year to remain in school for another approximately two weeks, and this I suggest would cause problems far beyond any expectations that the Minister's mandarins might have had.

It is another example of the unco-ordinated non-planning that the Minister's department engages in. It would appear once again that the administration of the local school board and the senior staff were not consulted prior to The Department of Education releasing the memo extending the school year. I shall try to get in touch with the Minister to ask him whether or not it will be possible for myself and the critic from the New Democratic Party, the member for Peterborough (Mr. Pitman), to receive copies of briefs that we understand are being presented to the Minister from local student councils and principals' associations throughout the province, after they have been presented to the Minister.

To underline the key points at issue, sir, I would like to state that this type of decision making, where all of a sudden some bright guy has an idea to extend the school year—the lack of planning, lack of an examination of the implications, the ramifications of that particular decision on the people involved by the decision—is a type of government decision making which I hoped had long gone out of date in the type of government that we practice in this province and in this country. If decisions are to be made, the people affected must be consulted, their views must be canvassed and in that way government decisions can be better decisions, can be more meaningful to the people that are affected by them, and perhaps equally important, such decisions will be much less costly.

The question I brought up about the use of computers is a basic question. That will necessitate additional costs in the school boards' expenditures this year if the Minister's arbitrary decision to extend the school year goes into effect this year. I would like to underline, sir, that I am not saying that the school year should not be extended; but I am saying that it requires examination, it requires consultation with school trustees, with the directors of the boards, and perhaps, indeed, with the students, to canvass their ideas.

We may well be getting to the point in our educational system where we will have to go to a full year's system. But to try to implement a decision like that in the way in which the Minister has tried to implement his decision to extend the school year this year, is to fly in the face of reality and the modern planning that is demanded by modern government.

I would like to continue my remarks concerning the civil rights of captive teenagers in the Ontario school system. Last night when I

introduced this subject I noted that the Ontario Human Rights Code, in my opinion, had been infringed upon by the actions of this government, in spirit, if not in the letter of the law. I noted that the Premier of this province likes to talk about the Ontario Human Rights Code and feels it is a very good measure. But then I will point out that the Minister of Education of this province and, indeed, the Attorney General (Mr. Wishart), probably because of a lack of awareness of what is meant by human rights, have infringed upon that code, or rather certainly on the spirit of that code.

This question of the rights of certain groups in our society—in this case teenagers, who are required by law to be in the school system—must be seen as part and parcel of the whole question of human rights and civil rights in our country. Therefore, I, as my leader has done, urge the Premier (Mr. Robarts) of this province to acknowledge that Ontario should lead the way in the national acceptance of a Canadian charter of human rights as part of a revised Canadian constitution. So that individuals, such as our young people in schools, can have their inalienable rights, including the right to privacy and liberty, protected under our constitution, as opposed to being dependent on the whim of any particular government, controlled at any particular time by any particular political party. A constitutionally entrenched bill of rights would guarantee the fundamental freedom of the individual from government interference—federal or provincial.

Individual rights ought not to be submitted to a vote. They ought not to depend on the outcome of elections.

In the proposal for a Canadian charter of human rights, prepared by the then Justice Minister, Pierre Elliott Trudeau, the following statement is included, and I quote directly:

Everyone has the right to freedom of expression. The exercise of this freedom, since it carries with it duties and responsibilities, may be subject to conditions and restrictions as are prescribed by law and are necessary in a democratic society for the protection of the reputation or rights of others or

and I underline this, Mr. Speaker,

for preventing the disclosure of information received in confidence.

In the specific context of individual rights and pupils' records, what I have quoted can be put this way. Teachers, school officials and Department of Education officials have access

to pupils in school. They write down information and views about these young people and build up a file on each individual. This information is both of an academic nature, which is much more objective, and also other types of information that is also highly subjective. A great deal of this information is collected without, of course, the consent of the individual pupil. They are required by law to be in the school, they have given no one the consent to record their opinion on their personal behaviour.

I can think of no better example in our society today of information received in confidence. Where are the laws of the Conservative government of Ontario preventing the disclosure, outside of the educational field, of this information received in confidence? Instead, here is the policy of the Conservative government, as expressed by the Attorney General of June 28, 1968, in this Legislature:

There is no privilege accorded for this type of information.

The Minister was referring to the pupils' accumulative school files. He continues:

I can think of situations where it would be most cogent and most valuable as evidence.

The Minister of Education, sir, commented in this House on July 4, 1968:

The question of information and the law is a very complicated one.

And listen to this, Mr. Speaker, the Minister of Education of this province said:

—and I do not think I am qualified to get into that aspect of the question of school records.

What does this amount to? It amounts to this, in my opinion. The education Minister of this province says he is inept in giving leadership in this area. The Attorney General comes very close to saying that there should be no privilege accorded for this type of information; and the Prime Minister of this province has the sheer gall to go around saying that our laws, the laws of this province, the laws of the Conservative government over the past 25 years and the statutes of this province, should make secure the inalienable rights of every citizen.

Sir, that is nonsense! If the disclosure of information, received in confidence on pupils in our schools, is not a transgression of the young persons' inalienable rights to privacy, then I would like to know a better example.

I wonder if the Attorney General and the Minister of Education have read a recent publication entitled "Living and Learning". It is the report prepared at the request of the government. On page 170 of this report in a chapter entitled "Fundamental Issues in Education":

An important issue emerges in connection with new methods of data processing and information retrieval. Facts about a pupil, measurements of his performance, and even judgments regarding his character and potentialities may be recorded and stored. Such records should be treated as confidential, so that private information is not released or used without consent of the individual concerned. The possibility that information about a person may prove damaging is not to be treated lightly.

I submit that both the Attorney General and the Minister of Education of this province have treated this matter very lightly indeed.

The Hall-Dennis report also deals with the broader question, sir, of what can be called the access of the law courts to this information—that is, access to student records outside of the school system. The Hall-Dennis report states:

Who knows what category of people might be segregated for special attention in an unforeseeable future, merely on the basis of the cards spewed out by an electronic sorter.

Sir, I feel very strongly on this issue, as many members know. The official Opposition—and indeed my leader—have repeatedly brought to the attention of this government a fundamental issue on which the government of this province must have a clearcut stand and policy. Where is that policy?

I would remind the citizens of this province, sir, that what this government does or does not do is in the name of each and every citizen of this province. The questions that must be answered with regard to student records are complex questions; they demand complex responses and complex regulations. I will not go into all the questions, sir, but some of the questions are these: What type of information should not be recorded on the student's record at all? For example, should there be recorded on the student's record that the student dresses in a way that is unbecoming to a business man, to mention a recent example? Or should that type of information not be allowed to be accumulated on the student history over a period of 11 or 12 or 13 years in the school system?

Secondly, who should make these judgments about the students? Should it be an 18-year-old or a 17-year-old in her first year of teaching in a primary school, who sits down and writes about a ten-year-old or nine-year-old in her class that little Johnny is uncouth, little Johnny does not co-operate in class and it really looks as though little Johnny is a rather useless citizen. Should that person have the right to write down on a pupil's record—on a young person's record, a person who is captive within an observation system—this type of comment, sir? That is the second fundamental question.

The third type of question: Who should have access to the total pupil file? Should it be any teacher in the school? Should it be all the school trustees? Should it be the local MPP, the local MP, the police, the juvenile court, the welfare agency? Who should not have the right to look at that information? Who decides on what type of information is available to whom—the principal, the guidance teacher, the vice-principal, or who is it? Is it the trustee? Who makes this type of decision, and what type of person ought to, and what regulations must we have to prevent the information that is accumulated on a young person in a very formative stage of his life from being recorded?

And finally, sir, the question which arises in addition, because of the computerization of this type of information, is: What safeguards should be taken concerning the storage of the computerized information, information which is both academic and information, which is highly subjective, and is often made by people who are untrained in any sense except that they are teachers? They are not trained psychologists, they are not trained psychiatrists at all.

So if you have a computer, and if each of the boards of education in this province has a computer—each of the new boards of education, the bigger boards of education, has this type of information stored on computers, perhaps stored on the Minister's regional computer centres, which are mentioned in the university presidents' report—who should have access to those computer files and what safeguards must be set up to make sure that only the people legally entitled to have access to that information can actually see that information?

The fundamental problem here—and I predict this before leaving the subject of school records and teenagers' civil rights—is this: It is much easier to protect this type of what I call privileged information if the

institution has its own computer and no other person or no other organization uses that computer. The problem of protecting privileged information becomes acute when you have a regional computer centre where universities, businesses, research centres and other community agencies have access to that computer, because you get into a problem of people being able to get at information that they might not be legally entitled to get at. It becomes very easy; it is a question of propinquity, if you like.

These are the fundamental questions we must look at. I suggest, sir, that they are urgent questions. The leader of the Opposition and myself, and I am sure the education critic for the New Democratic Party, believe that this is a fundamental issue the Minister of Education must live up to and face very squarely.

The second aspect of what I call the civil liberties and civil rights of teenagers captive in our education system has to do, sir, with corporal punishment. We have had in this House questions and responses concerning corporal punishment in the school system, and to some extent the position of the government has been clarified.

But I would like to deal with this question to judge whether or not the Minister has adequately responded to this issue, to judge, sir, indirectly, as I noted last night, whether the question period, whether the system of debate and discussion in this House, and in the committees of this House, is sufficient to enable the Opposition to make its voice known effectively to the government and to the people of this province.

I do not want to call it a strapping debate because it was not a debate I could participate in, except through questions and interruptions which were quite outside the rules of this House. It was not a debate because the Opposition is perverted in a sense, in that it is forced to use pea-shooters on fundamental issues, and the government has all the cards, all the mass media, it can manage the news, and manage the order of business of this House.

Let me go through the case history of strapping because it brings to light both the issue and the other side of the question of civil liberties of teenagers captive in our education system, and it also brings to light, I think, the very interesting question of the extent to which we in the Opposition cannot, by the rules of this House, perform the function that we are supposed to perform in a democratic system. I would like to take



the members back to the question I asked the Minister on December 2, in this House, page 269 of *Hansard*. I asked the Minister at that time, Mr. Speaker, this: "How many straps have been purchased by Ontario schools so far in 1968?" The hon. Minister replied:

Mr. Speaker, I guess I will not provoke any sort of discussion, I will just say to the hon. member that this information is not available to the department. Our grant regulations do not incorporate within the operating or capital grant structure any amount for the purchase of straps within the school system. We do not know.

My comment on that, sir, is this, and this is the only chance I have to debate with the Minister on his statements because I cannot get up and debate with him in the question period. So I am carrying on a debate with him now.

I find it an incredible reason for not having information about the school system. Think of what the Minister replied. He said:

I do not know about this aspect of education in Ontario because we do not make specific grants in that particular area.

Sir, that, as a principle of administration of education in this province, is utterly unbelievable.

Then I asked the Minister—which has a much wider application to all aspects—in other words, does the Minister mean that I should not ask him questions? I should not try to get him into a debate on an aspect of education in this province, unless the Minister has a specific grant tied to that aspect of education, for the material goods?

Mr. M. Shulman (High Park): That is what the estimates are for.

Mr. T. Reid: I will carry on my debate today, if you do not mind.

Mr. Shulman: Go ahead, debate with yourself.

Mr. T. Reid: I think that is a question, sir, that must be faced up to. I suppose, to answer the hon. member for High Park, and I ask him to think about this seriously, that if I did, in the estimates, try to bring up a question, as a number of us in the Opposition benches did, questions that did not relate to expenditures in that budget, we would be ruled out of order.

An hon. member: That is right!

Mr. Shulman: And it would be out of order.

Mr. T. Reid: So this is the only time that one has an opportunity of discussing questions that do not relate to direct expenditures by this government. I would point out to the member for High Park—I only wish he had been here for the first 20 minutes of my remarks last night—how I feel. The Opposition in this party cannot perform its valid functions because of the rules and regulations of this Legislature.

I would suggest to the hon. member, Mr. Speaker—I know he was very tired after his own monumental effort—that he read *Hansard* for last night and perhaps we could have lunch and discuss it.

So I suggest that the principle the education Minister evoked for not having information in this regard is an invalid principle of administration.

Then I asked the Minister, as a supplementary question, does the Minister believe in corporal punishment?

Well, the Minister did not want to get into this, but he did reply. This is on page 269, so every member has a chance to read the entire text. I cannot quote it entirely. The Minister said: "Obviously it cannot be answered".

And I said:

Do I understand correctly from the Minister's remarks that he accepts no responsibility for schools of Ontario purchasing straps?

Then the Minister said:

Sir—Mr. Speaker, I would make it abundantly clear that the department does not provide finances whereby straps may or may not be purchased by the schools. I thought that even for the hon. member my answer was relatively clear and I have said nothing more or nothing less.

Well let me come to the next day—page 305 in *Hansard*, December 3. I had submitted to you, sir, a number of questions relating to corporal punishment in the schools. Then the Minister, as is his right under the present rules of this House, stood up and made a statement—which again was not outside the rules of this House—relating directly to the questions of corporal punishment in the schools. I will not get into the issue I raised on a point of personal privilege later on.

Let me just take the issues that the Minister discussed. The Minister began his statement with the following remarks. He acknowledges sir:

Corporal punishment was condoned under section 40, subsection 1(b) of Ontario Regulation 339-66.

What this means, sir, is that the Minister of Education has condoned corporal punish-



ment ever since he became Minister of Education in this province.

And then he has the sheer gall to think that because he simply re-interprets this subsection and recommends, to use the Minister's own term; "that principals and teachers refrain from its—that is, corporal punishment—use" that henceforth and evermore his wishes will be carried out by the principals and teachers in our schools.

Beside being another example of the Minister's gall, it reflects the way the Minister believes the system of education ought to work, should work in this province. That theory is that the Minister need only speak—there is no need to make any laws and everyone falls in line throughout the education system in this province.

Now this may, of course, be a completely unfair interpretation. The real interpretation may be that the principals and teachers of Ontario do not give a damn what the Minister says unless, of course, he changes the laws and regulations.

If this is the correct interpretation, then the Minister of Education is just kidding, not only himself, but us and the news media, when he issues recommendations. If the Minister is really serious in wanting corporal punishment removed from the schools of this province, then all he has to do is re-write section 40, subsection 1(b) of Ontario Regulation 339-66 to read perhaps, "a pupil shall submit to discipline other than corporal punishment".

But he does not provide such leadership, apparently on the grounds that his grant regulations do not incorporate any allowance for the purchase of straps within the school system. I cannot understand the Minister's logic. I cannot understand how the Minister can switch his position from day to day in this very inconsistent way.

To state the Minister's position in the fairest way I can, I believe he personally does not believe in corporal punishment. I certainly accept that, sir. I am not questioning that and that he is trying to do something about it. He is recommending to the principals and teachers that corporal punishment is not a valid way of disciplining students in our school system.

The point, and just leave this in your mind, sir, is this; one can place two interpretations on this. A ministerial recommendation means either one or two things.

One, it means that the Minister thinks he can make these recommendations and every-

one will fall in line throughout the whole education system in this province.

If that interpretation is correct, sir, then I again suggest it is an invalid principle of administration of The Department of Education in this province.

The other interpretation is that what the Minister says and what the Minister recommends—what the Minister says in public speeches and what the Minister makes a law—are two different things.

In any case, sir, in terms of corporal punishment in the schools, either of those two positions is completely out of touch with the way our system of education ought to operate.

Let me continue this case study. December 3 again, on page 306, after the Minister made a statement, I got my questions in. The second question I asked him on that day was:

How many strappings were administered in the 1967-68 school year to children attending schools which receive financial assistance from the Minister's department? How many children received these strappings? How many were girls? How many of these children received medical treatment as a consequence of such strappings?

Again, the Minister replied, sir:

Mr. Speaker, The Department of Education does require a substantial amount of information from the local school boards relating to their day-to-day operations. Their economic problems, questions of quality—I will return to that—etc. I must say to the hon. member that we do not require from each school in the province of Ontario, the number of young people who have been disciplined by a particular teacher; how many of them happen to be young men or young ladies and quite frankly, I am just not in a position to give that information to the hon. member. We do not have it.

I submit, sir, that surely on an issue such as corporal punishment, a policy by the Minister that amounts to "see no evil, hear no evil" is unbelievable.

To put it in an extreme form, he probably knows how many pencils there are in the school system, but he does not know how many beatings have been recorded in the log books of the schools of this province.

And I suggest, sir, that the schools do keep log books. I suggest they do, because the Minister requires them to keep log books on corporal punishment in the school. And I suggest that he ought to be able to get this information. He cannot hide his head in the sand.

For that reason, I placed that question on the order paper. I asked the Minister:

Does the Minister of Education of Ontario agree with city of Toronto schools trustee William T.

Ross, that corporal punishment in the city schools smacks of class distinction? That is that the incidence of strapping is higher for children from low-income homes than for children from higher-income homes.

The Minister replied:

I think, with great respect, that for the hon. member to ask me whether I agree or disagree with a trustee of the Toronto school board who may, or may not, have facts that are not available to me, really is asking a great deal. I just do not have the information upon which trustee Ross based his opinion. So obviously I am in not in a position to give one of my own.

Mr. Speaker, that is a fair question, but it raises to my mind the question about the ability of the Minister's officials to supply him with relevant documents from the various schools boards, from the various educational groups in this province.

Surely, when a report commissioned by the school board of the city of Toronto comes out, the Minister's executive assistant, if he is an active assistant, should get the Minister a copy and write a summary of the copy for him.

And this, sir, was a report that came out a good four days before I asked the Minister that particular question. It was a report, sir, that said last year in Toronto the total strappings recorded in the log books of the schools were 2,155. I suggest that if the Minister does not know about these reports four days after they have come out, there is something wrong in the administration of his department in keeping the Minister of Education of this province informed. Mr. Speaker, we are quite willing to accept the question, and form a clarification.

Interjection by an hon. member.

Mr. T. Reid: I would like to hear them, because the member makes very valuable comments on the odd occasion.

Mr. E. Dunlop (York-Forest Hill): Mr. Speaker, I simply said that his question referred to the opinion of the Minister referring to a question of class distinction, not numbers of strappings.

Mr. T. Reid: Mr. Speaker, the hon. member is correct, and perhaps I have had tried to make too much out of my case on insufficient evidence. It seems to be the habit of some people in this House, and I am honoured that the member took the trouble to correct me.

But I would like to say that I did ask the Minister about the number of strappings in Ontario, if not specifically in the city of

Toronto. The Minister said he did not know, and that he could not get this information.

I would make the general point on this particular example, sir, that the Minister should have these reports. Perhaps he did have that report and I would have appreciated in his answer a statement that he had read the summary of it, or was aware of the report, or perhaps had seen just the newspaper report of it, and that he was considering it.

The final aspect of this type of debate, sir, that I am forced into as member of the Opposition, brings me to refer the hon. member to my remarks last night. I do not wish to worry those members with us last night, concerning the way the Opposition is muzzled by the rules and regulations of this House.

An hon. member: How many hours is it now?

Mr. T. Reid: This is why I have to talk. I do not want to talk, Mr. Speaker, I really do not want to have to stand up here and talk for six hours.

An hon. member: Why is he doing it?

Mr. T. Reid: Because there are so few opportunities of being able to speak in this House, being able to carry on effective debate. I am trying to make you people believe this, because you are going to sit over here four years from now.

Mr. Speaker, I would like to repeat the concept that I have about democracy in this House for the hon. member who is very much concerned with these problems, I know. I simply think this: The official Opposition is just as important to the operation of government as a government party. I quote at length on this subject. I would assume, of course, the member for High Park would not know much about it.

The point simply is that the Opposition has functions to fulfill in a democratic society, a society which has a democratic form of party parliamentary government, and unless the Opposition is provided with meaningful opportunities to debate as opposed to standing up and making monologues, like the one I am making, like Ministers make, then the quality of government in this province suffers. I just state that, in terms of the wisdom of the people I read last night, including Ivor Jennings and J. Corry, who is a man for whom I have great respect.

So I would just like to reply that I do not like this technique of making my views

known. I think it is a very bad method of debating; it is not a debate at all but we in the Opposition party are forced into this. And, therefore, when the opportunity comes, I intend to make my views known and to record it for what it is worth in answering.

To continue with the question of corporal punishment, of strapping teenagers in the school system, I would like to refer to page 388 of *Hansard* for Dec. 5. I asked the Minister:

Would the Minister consider establishing specifications concerning the length, width, thickness, weight, substance and flexibility of straps that are currently being purchased by schools. If so, would the Minister consider varying such specifications depending on the sex, age and size of the children who expect to be strapped?

Sir, I would not have asked this question if the Minister had rewritten section 40, subsection 1b, of Ontario Regulation 339-66, instead of speaking or shouting pious statements. But the sad fact is that school straps are still being sold by the company that produces them. And they are being sold to school principals and the Minister has no regulation apparently, on the basis of his answer to my question, concerning the size of these straps.

I will not bother recording these answers here, short of saying that he ended up with words to the effect that obviously I believe in corporal punishment in the schools. I wish to clarify the records, sir, because I had no opportunity at that time to debate with the Minister; I just sat here and listened to his answer. The only way I could debate with him was in a perverted form of supplementary question:

No I do not think there is any need; I think the matter has been stated very clearly, Mr. Speaker.

If I do not have an opportunity in a perverted question period to debate the Minister on an issue like this, an issue that I think is important as an elected representative of some people in this province, then I must take an opportunity like this to debate with what the Minister said. If I do not, then the record stands incorrect.

It is not a question of privilege, it is a question of debate, it is a question of clarifying the issue, a question of showing this government that some of its laws and regulations are out of date and that they should be changed. I suggest, sir, that that question was fundamental—I have placed that question on the order paper—because if this Minister, if this Department of Education, does not have regulations concerning the width, the length, the weight, the size, the flexibility of

straps, then it means the principal can go and buy what amounts to a bull whip and really whack a kid.

If there are regulations, why did the Minister not reply and say, "Mr. Speaker, I object to the question because I have made my moral position on this question known to the people of the province that I do not condone corporal punishment in schools, but nevertheless the member is right, the straps are still being purchased by school principals and because they are still being purchased, because we have not changed that regulation, we must have regulations concerning size and length, and so forth, of those straps." I suggest, sir, that the Minister did not face up to the reality of what is happening in this province concerning corporal punishment and teenagers.

I shall leave the question of corporal punishment and teenagers' rights, sir, with the statement that I firmly believe—and I know there are many people, professional people in the secondary-primary school systems, who believe—that you cannot make people reasonable by beating them; that in our education system that just does not work. The point is that the abolition of corporal punishment in our schools by a law, by regulation, would not in my opinion undercut the ability of a teacher to teach within the school system.

A number of people have phoned me, saying, "If you take the last resort of strapping away from us we cannot maintain control over our classes." I submit, sir, that the problem of a real learning class situation has very little to do with the question of corporal punishment. The problem of a teacher being able to participate in the learning process of pupils in the school system has to do with things such as the quality of the teacher, the ability of the teacher to teach, to draw the students out, to involve them in the learning process, the size of the classroom, the structure of the classroom and the extent to which teachers are overworked.

To argue that corporal punishment is necessary as a measure of last resort to ensure that discipline is maintained in the classroom situation, is to attack the problem of what is happening in our education system from the wrong point of view.

To conclude that I would like to quote from a letter to the editor in the *Toronto Daily Star*, December 10, 1968. This is a letter by Eleanor Silver, Heathview Avenue, in Toronto:

When an educator stands over a child with a strap he only teaches the child

that he, the teacher, is bigger and stronger. That is hardly the way to gain a child's respect. Children must be able to explore, investigate and discover for themselves the wondrous world around them. Only then can learning in school be a joyous experience. Undoubtedly, their frustrations because of the archaic educational system typifies the response by another person, about the devilish pupil behaviour that this other person had experienced.

Well, sir, I just conclude, if the Minister really does want corporal punishment abolished from the school system, he must not assume that just because he speaks everyone will fall into line and all the straps will be burned in a big bonfire and no new straps will be purchased. If he really wants to do something, he will bring in the regulation, he will offer the leadership this province requires in education, and will cut out corporal punishment.

The third aspect of the theme here of civil rights and captive teenagers in the Ontario school system has to do with their personal dress and personal behaviour. Of course, this is related to student records and indeed even to strapping.

I would like to point out that I think students' records and strapping are of an entirely different magnitude from personal dress. I think for schools to be involved with personal dress is a perversion of the education system, by the people who make this type of decision, but I do not feel that it is as harmful to the learning process in our schools as the abuse open to student records, or as the abuse open to corporal punishment in our schools.

I say, sir, that the question of student records, which really amounts to saying to students: "Do not rebel against the school system; do not try to get changes in the school system because it will ruin your school record", is a type of intimidation that should not be allowed, and it is being used to intimidate students. It is being used as a method of maintaining discipline in the schools at the expense of quality of learning in schools. The same argument applies to strapping.

To a much, much lesser extent, the same argument applies to personal dress in the schools. So I say the state has no business in the bedrooms of the province, where students dress and comb their hair. On December 11, I asked the Minister a question pertaining to this. It was a long question and I will not repeat it in full but it was basically this:

Can a young Canadian, living in Ontario, who is required by the laws of the provincial government of Ontario to register and attend school, be denied access to a school which receives financial support from the provincial government? Can this person be denied access by the principal of that school on the grounds that that young person does not dress in a manner that would be acceptable to most businesses? For example, a male student wearing brightly coloured clothing, or a female student wearing a miniskirt.

For the record I would like to refer to two cases specifically in this regard. One is referred to in the *Globe and Mail* on Wednesday, December 11, on the front page. The story was entitled "Clothes called gaudy, school sends boy home" and the story reads as follows:

A student was sent home from Martingrove collegiate institute in Etobicoke yesterday because of his brightly coloured clothing. Vice-principal John Young said that 17-year-old David Budgell's clothing, although clean, was too loud and distracting.

and then the *Globe* gives the quotation:

The boy is a troublemaker and an exhibitionist. He is just trying to attract attention to himself.

Can you see that on the school records, sir? Those are my comments about those remarks of the principal, going in the boy's school record, to be regurgitated up to some business corporation at a later date.

The *Globe* quoted the vice-principal:

He is immature and has been dressing this way for quite a while. We expect our students to dress in a manner that would be acceptable to most businesses.

The story continues in the *Globe*:

Mr. Young said that the boy had been in no serious trouble this year and that his dress was the only reason for him being sent home. David is angry but will return to class today in different dress. He says "My marks are not all that good, and I regret missing even one day".

Well then we find out in the photograph, that David Budgell is back, this time in black, and the caption under the photograph says this:

High school student, David Budgell, 17, sent home from Etobicoke's Martingrove collegiate yesterday by Vice-principal, John Young, because his striped, bell-bottom

trousers and ascot were too gaudy, went back to classes today in sombre, more respectable black pants.

Well I suggest that is the state getting in the bedrooms of the nation.

Let me refer to the question of miniskirts, because it represents an attitude, on the part of some of our educators, towards education, that I had hoped would be completely out of date in this province in this day and age. This is a report concerning the Sutton District high school and it is reported in the Toronto *Daily Star* dated October 10, 1968. The article is entitled: "Hair Cut, Longer Skirt Edict Stirs Up Students at Sutton." The story reads:

Shorten your hair, lengthen your skirts, or get out. That is the edict from Sutton district high school principal McQuarrie and the students have mixed reactions to it. Some of them complied outright, others have refused outright and have found themselves right out of school. None of the male students have carried McQuarrie's short hair order to the other extreme and cleanly shaved their head, but several girls reacted to the rule requiring longer skirts and last Friday lowered their hemlines right to the ankle. McQuarrie issued the regulation requiring skirts to be no shorter than two inches above the knees on Thursday over the school's public address system. "This is too much", 16-year-old Karen Dickey said yesterday, "first the boys are made to get their long hair cut off and shave their beards and sideburns, now this." A few students are predicting a protest over the principal's strict disciplinary measures, but the efforts in a sit-in last year—

Many hon. members will recall this.

—but their efforts in the sit-in last year, over what they claimed was the school's discrimination against an Indian student, produced little success.

The story continues:

The Education Department investigated the situation at Sutton high school but students said yesterday that McQuarrie still hands out suspensions regularly. Wayne Court, 16, the Indian who was suspended for two weeks last year, after fighting with a white student, is again out on the outside. He was suspended again last Friday and faces permanent expulsion following a fracas at a school dance. Robert Rafferty, 17, said he quit high school last year after

he had had enough of McQuarrie's childish punishments. When he realized he could not get a job with only Grade 9 behind him, he returned ready to buckle down. Then McQuarrie spotted the one-time drop-out's long hair and suspend Rafferty for three days.

Rafferty was given another three-day ousting when caught sneaking back into the school with his hair still reaching down to his shoulders. Rafferty had his hair trimmed twice before it met McQuarrie's approval and now he is back in class.

Student council president, Rick Narr, 17, said of McQuarrie's reign at Sutton High and the grumbling among students, "It is mainly the new kids from the lower grades who are complaining, they are just getting their first taste of Mr. McQuarrie's regulations and discipline".

Well, sir, I think this is significant mainly because there is a long and involved history at Sutton district high school involving this particular principal and I for one am not satisfied the Minister has done enough to sort out that learning process.

But with regard to this type of attitude on the part of some principals and some teachers, I simply say this, there is an old cliché now among the teenagers "a principal who is concerned with the length of your hair cannot be very concerned with what is in your head", and they feel this way and there you have it.

I suggest, sir, that this is not of the order and magnitude of school records and corporal punishment, but it does reflect an attitude in our school system, an attitude that shows, I think, that something has become grossly wrong within our education system.

The Minister, of course, replied that the regulations of the department make it clear that this type of responsibility is strictly in the hands of the principal. He also noted that it is possible for students and their parents to appeal and I believe he said they can appeal to the local school board. So I submit, sir, that in my opinion something must be wrong with the teacher education in this province when the type of people we are getting as principals and so forth must resort to this type of childish, very childish action.

The only case where I can see a principal being concerned with dress and hair is when it actually would result or create potential danger for that student, for example, long hair in a shop, loose clothing in a shop, and this type of thing. In that case, of course, the principal would have the responsibility



to take action, but to do it simply because—to use it in effect as a disciplinary measure for students whom the principal thinks are trouble-makers, is, I suggest, sir, trying to beat reasonableness into people on a question of taste and you cannot do that.

Mr. Speaker, I would like to leave the discussion of education and move into another type of case history which I think is important. This has to do with the economic planning and the economic policies of this government, it has to do with the efficiency of this government, its ability to cope with the complex economic issues in Ontario.

I would like to say right at the beginning of my remarks on this particular case history, that the subject of my remarks is relevant to economic planning in this province. I will use the subject of these remarks and the statistics behind them to try to make a case that this government is not able to cope with the type of economic forecasting, the type of economic planning, the type of contingency planning for future economic events that may take place, to adequately provide for the needs of members of the labour force and their families in this province.

So, in turning to this economic issue, I would like to start by quoting the Economic Council of Canada. The Economic Council of Canada says in its 1967 annual review that:

The buoyancy of economic conditions in the United States has been the most important single factor contributing to the strength and duration of the Canadian expansion.

This statement is within the context of the expansion of the Canadian economy which, of course, sir, includes the Ontario economy for the 1960's and 1970's.

Over the last three years a main feature of the economic growth in the United States has been in the area of armaments and particularly in the U.S. war effort in Vietnam. The growth in the United States government demand for war goods and of course associated goods is having a direct impact on the economy of Ontario, especially through exports of war goods to the United States. To a much, much lesser extent, of course, Mr. Speaker, defence expenditures in Ontario by foreign countries other than the U.S. have been growing as well.

In addition to this foreign demand for war goods and associated goods produced in Ontario, there is the Canadian federal government expenditures, which are substantial sums, expenditures on war and defence goods.

An important difference, however, between Canada's war expenditures and similar expenditures by the U.S. and other foreign governments in the last few years is that the foreign expenditures are escalating while the Canadian expenditures are flattening out.

Now, the total impact of war and defence expenditures and output of employment in a particular industry in Ontario or in a particular community, involves not only the direct effect of defence contracts going to firms in that industry, but also the many indirect repercussions of subcontracts, orders from subcontractors, orders from those supplying subcontractors and so forth.

There are a number of industries, Mr. Speaker, such as smelting, refining, mining and logging, where there are no direct defence expenditures but in which the indirect defence content is substantial. In others, such as agriculture, crude petroleum, paper products, primary iron and steel and non-ferrous metal products, the direct defence content is much smaller than the indirect.

The point, sir, is this: the total of direct and indirect defence output is largest in transportation equipment and electrical apparatus industries in Ontario and in transportation, trade and storage. These industrial classifications are followed by iron and steel and their products, petroleum and coal and their products, construction, and of course, the service industries.

It has been estimated by Professor Gideon Rosenbluth, in his recent book "The Canadian Economy and Disarmament" that domestic and foreign defence expenditures in Canada are in excess of \$2 billion—the 1966 figure—which is more than 4 per cent of the total Canadian GNP and meant, in 1966, almost 300,000 jobs.

I have here a table which I have taken from Professor Rosenbluth's book which I would like to attach as an appendix to the relevant *Hansard* [See Appendix A, p. 681].

The table sir shows the estimated domestic and foreign defence expenditures in Canada, it is expressed in millions of Canadian dollars. The years involved are 1962, '63, '64, '65 and '66 and the following information is necessary in order to understand the critique of government economic policy that I am making.

In 1965, defence expenditures—this is total for Canada, by the Canadian government was \$1,562,000,000. U.S. military expenditures in Canada were \$421 million and overseas defence expenditures in Canada were \$70 million. That sir amounted to a total of over \$2 billion.



In 1966, we find the Canadian defence expenditures increased to \$1,713,000,000, U.S. military expenditures in Canada increased to \$505 million, that is a 12 per cent increase over 1965, and overseas defence expenditures increased by about \$5 million. Bringing the total for 1966 to approximately \$2.3 billion, a substantial increase over the previous year.

Our rough estimates for 1967, Mr. Speaker, indicate a continuing growth rate especially for U.S. military expenditures in Canada.

It is important to note that Mr. Rosenbluth says that in the latter part of 1966 the rising U.S. demand resulting from the war in Vietnam was being reflected, to a considerable extent, in Canadian war goods export to the U.S.

Mr. Speaker, with this general setting of the impact of defence or war expenditures on the Canadian economy, and before examining the loss of demand for Ontario goods and services that would have to be replaced in the event of peace in Vietnam and in the event of general disarmament, in order to avoid higher unemployment rates across Ontario, I want to make quite clear the essential purpose in discussing this issue at this time. The two questions I am concerned with in this section of my remarks are the following:

First, does the present government of Ontario know the extent to which the Ontario economy is geared to present defence expenditures in general and to the U.S. war effort in particular? I doubt it very very much, but I shall attempt to fill in this gap for the government's economic policy advisers. I shall do this by documenting certain key sectors of the Ontario economy in certain communities in Ontario which are greatly affected by defence expenditures.

The second question, sir, is united to the first. That is, has the present government of Ontario done any studies on the impact on the Ontario economy of comprehensive world disarmament in general, and of more immediate importance, the impact of de-escalation in a subsequent negotiated peace in Vietnam which could have a profound effect on the U.S. government's expenditures on war goods and defence? And if this government has done such studies, which are essential surely to any projections of economic development growth and economic activity in Ontario, why have they not been made public?

I am certain, sir, that I speak for all members of this Legislature in stating that both the end of hostilities in Vietnam and general

world disarmament are goals which ought to be sought. As Professor Rosenbluth states:

The economic problems of disarmament must be studied because disarmament is definitely on the agenda.

A substantial reduction in armament expenditures represents to many people, an unknown condition and a potential threat to their livelihood. Investigation and discussion of the economic problems will allay fears based on misconceptions regarding the nature and dimensions of these problems.

Such research should also lead to planning and preparation, and thus render all fears groundless. In these ways, obstacles to the achievement of disarmament are removed.

Mr. Speaker, many economists in the United States are very concerned with the impact on the U.S. economy of de-escalation and peace in Vietnam. Some of the best minds in the U.S. are being applied to the problem of what is called a post-Vietnam economy in the U.S. The concern is with the tremendous capital investment which has taken place and which is still taking place in the war sectors of the U.S. economy, and what will happen to these sectors in terms of output and unemployment when the hostilities in Vietnam cease.

Let me quote from one U.S. expert, Walter Heller, who was recently in Toronto and who is the former chairman of the Council of Economic advisors under Presidents Kennedy and Johnson. Walter Heller says:

To be realistic we should expect a post-Vietnam interlude of difficult and delicate economic decisions. Policies may be required to expand demand, production and jobs, yet they may be inhibited by price crawl and cost push, which are largely in legacy of Vietnam pressures. We will need to be on guard against the policy trap of the late 1950s when the battle against inflation was pressed at heavy cost in income, employment and growth.

It has been estimated, for example, that large parts of Texas and California will be hit so hard by cessation of American involvement in the Vietnam war that the unemployment rates will go well beyond 15 per cent in those areas.

Let me give some idea of the extent to which the Ontario economy is dependent on production of war goods and associated goods. Professor Rosenbluth's statistics relate to the fiscal year of 1962-63—that is, before the escalation of the U.S. war effort. This means

that they give an inadequate description of the degree to which Canada and Ontario are dependent on defence contracts. So the statistics under-estimate the case rather than over-estimate the case I am making.

It should also be noted that the statistics do not give complete information since the limited information available outside government sources is limited. This means that the full impact of general disarmament, and particularly of the de-escalation of the U.S. involvement in Vietnam, would be greater than indicated by the available statistics.

Mr. Speaker, the figures relate to direct expenditures in the following industries: aircraft, electronics, shipbuilding, fleet shipbuilding, construction, products of petroleum and coal, other miscellaneous industries, and of course, pay and allowances of employees of defence departments including members of the armed services.

The following statistics, sir, pinpoint the economic problems that a number of Ontario communities will face when war and defence expenditures by the Canadian federal government and by foreign governments are reduced.

I would like also to attach to *Hansard*, for the members' perusal, a second table which I will not read, of course, but which I would like to have attached to *Hansard*. This second table is entitled "Estimated Geographic Distribution of Major Defence Expenditures, 1962-63". This is the instance of defence expenditures among the various regions of Ontario. [See Appendix B, p. 681].

Sir, the total for Ontario was \$443.1 million, which was about one third of total defence expenditures in Canada. This is the normal type of distribution, and Ontario usually has one third to one half of the manufacturing sector, and so forth. In this case, the defence expenditures are roughly one third of the total defence expenditures in Canada.

A better idea of the significance of these expenditures can be seen by dividing total expenditures in a given area by the number of members of the labour force in that area. This is a measure of the incidence of the impact of defence expenditures. For Ontario alone, sir, \$199 was spent for a member of the Ontario labour force, and I believe this referred to both the unemployed and employed labour force in 1962-63. This figure for Ontario of \$199 compares to \$190 in the province of Quebec; \$94 in Newfoundland; \$87 in Saskatchewan and \$153 in British

Columbia. The average for Canada was \$205, so Ontario is just slightly below the average.

But the important question for provincial economic policy formation and planning is with the expenditure per member of the labour force in various specific areas of Ontario. For example, while the figure for Ontario as a whole is \$199 per member of the labour force in 1962-63, in Huron county it is \$1,045 per member of the labour force. This means that Huron county could be hit very, very severely by the de-escalation of Canadian defence expenditures, consequent on the dramatic downward shift in the U.S. demand for war goods generally, and particularly in any general worldwide disarmament.

Mr. M. Gaunt (Huron-Bruce): We are an ingenious lot, we could find other things to do.

Mr. T. Reid: I am sure that the hon. member for Huron county would do his best to offset this drastic reduction in employment. He would do much better, of course, probably if he was a Minister of the government in a Liberal administration. Other communities in Ontario—

Mr. Shulman: Anyone would be an improvement on the present Minister.

Mr. T. Reid: Other communities in Ontario that could be severely hit by disarmament are Kingston, which has the dollar figure of \$859 per member of the labour force; Renfrew county, which has a figure of \$787 per member of the labour force; Simcoe county at \$729; Hastings county at \$655; and Nipissing county at \$471. Ottawa itself, of course, would be hit severely with a figure of \$647.

The conclusion for Ontario economic policy formulators on this type of analysis, is that, while the greatest difficulty in reducing defence expenditures may be experienced in the Maritimes as a whole, certain communities in Ontario would be hit ever harder. For example, the Nova Scotia figure is only \$520 compared to Huron county in Ontario, which is double the Nova Scotia figure. Mr. Rosenbluth asks the following question:

What are the major economic problems that would arise in the event of disarmament?

He answers the question himself by saying:

They are of two kinds. The first are problems of aggregate demand; defence expenditures are part of the economy's total demand for goods and services and

when the expenditures are reduced, demand falls unless compensating measures are taken by the governments involved. A fall in aggregate demand leads to reduction and output on employment, compensating measures to prevent such reduction cause an expansion of public demand for goods and services in the non-military sphere.

So the first question has to do with the cost of traditional analysis of economic theory. If aggregate demand falls and you want to maintain aggregate demand, the government must have offsetting policies, or compensating policies to generate more funds into the area.

I suggest, sir, that while the primary responsibility in the particular area lies with the federal government, the provincial government has a direct responsibility to vary some of its expenditures according to a defence expenditure type of cycle.

Secondly, says Professor Rosenbluth:

There are problems of mobility. Even if compensating measures are taken at the aggregate level, the industries, regions and occupational groups that will suffer a decline in demand due to disarmament are not the same as those that could experience an expansion of demand by well-planned compensating measures at the aggregate demand level.

It is this last point, sir, that is essential to Ontario government planning of compensating measures.

There are three key questions the present government of Ontario must consider now. We are, I hope and I think realistically, perhaps, reaching a point of de-escalation of U.S. involvement in Vietnam and these questions must be considered now before certain communities in Ontario are adversely affected by a fall in demand for those war goods and associated goods. These three questions are:

First, what compensatory public policies should be considered?

Secondly, to what extent can compensatory measures be designed to reduce to a minimum the need for mobility?

Thirdly, what about cases in certain areas of Ontario where adequate regional and occupational mobility cannot be achieved? I refer particularly, sir, to Huron county, Kingston, Renfrew county, Simcoe county and Hastings county.

I have dealt at length with this issue to focus attention of the myth that the present government of Ontario is a government of foresight. It is not.

This case study is specific evidence that this government is a government of afterthought. The present Treasurer of Ontario (Mr. MacNaughton) had the sheer audacity, sir, to say in his budget last year, that his budget reflected "an economic as well as a financial plan of action for the province".

Nonsense. The present Treasurer also stated last year: "I bring to the members of this Legislature a preview of the profound changes which lie ahead of us in the Ontario of tomorrow". Nonsense, sir.

The present Treasurer often refers now to policy planning and that too, sir, is nonsense.

The present Treasurer stated that the first part of his budget last year contained "a comprehensive review of economic developments in 1967 and the prospects for '68" and he called this one-year preview comprehensive policy planning. He should send his mandarins back to school.

Mr. Speaker, I would like to close this section of my remarks by saying that disarmament is a desirable goal and although we in this province, in this Legislature, cannot have a disarmament policy, we should examine the consequences of a disarmament policy becoming effective—the economic consequences on various communities in this province.

So I believe that this government has a responsibility to design policies, to remove the fear that some people have in this province, that disarmament threatens their industries and their jobs. I believe that this government has a responsibility to plan ahead, to avoid adverse economic effects of such measures.

Mr. Speaker, I found it easier to build up a case study on a question like disarmament because there is a very good book on the question by Professor Rosenbluth. But the same type of approach is one that we, in the official Opposition, are taking to many issues.

We shall try to isolate certain areas of policy formation. We shall take a look at what the government has done in the past; we shall see if anything has been done on some of these issues. We shall provide this government with, what we consider to be, informed criticism of areas where they have not acted. We should try to back it up with hard facts instead of vague generalizations or subjective evaluations, and we hope that the government might listen to some of these things.

We are delighted when the government accepts some of our recommendations that improve the laws of this province. But if

the government does not accept these recommendations, we will continue to press for them. We will continue to try to make the people of the province realize that there is a responsible and effective Opposition ready to take over from this government at the next election.

Mr. Speaker, I would like to turn to another aspect of public policy and it is related to the remarks I made last night concerning the participation of the poor in programmes that affect them directly in areas of welfare and so forth.

In other words, if you get people involved in the decisions that affect their lives, I think you not only have better programmes, but you have a better type of society. You have people who see this society as something more than just their family. Their family is very important, but as someone once said, if people feel they are forced back to the family as the only area of stability, that nothing else around them—the neighbourhood or the community—matters, then that is when you get revolvers coming into homes and people are fearful of their neighbours.

So, in the same sort of theme, sir, about the involvement of people in our social process, about the socialization, if you like, of people in their own society, I would like to draw to the members' attention that I recently polled members of the Liberal association of Scarborough East and other interested citizens, for their views on a number of issues.

I would like to let the members of the House know what these views are. I feel that this is one of the jobs of a private member—that he has a responsibility to represent the views of his constituents to the government through his own caucus, whether or not he agrees with all those views. He should represent those views to the government, tell the government what the people in his riding feel about certain public issues, and then, of course, offer to dissent from the majority view of the people he has polled in his own riding.

So I would like to take this opportunity of reporting to this Legislature, sir, on behalf of the people who replied to this poll on certain key issues that relate to a number of government departments. Seventy-six people replied to the 116 detailed questionnaires that were sent out. Generally speaking, the respondents came out in favour of individual liberties and freedoms. The questionnaire covered four topics—education, law reform, housing and youth—and here are some of the significant results.

The majority vote was for more student freedom from prying eyes, and greater emphasis on early admission to school. Those who answered the questionnaire voted against the teachers committing confidential information, about a student's attitude, to a file card, and the majority voted against such information being transferred to computer storage.

Respondents said that the only people who should be allowed to see a student's file are the school principal—who ran second to the school guidance officer—and the school nurse or doctor. I find that quite interesting because these people, who represented all age groups—they were not a disproportionately young, or disproportionately old, group—felt that the person who had more of an obligation or right to look at the student's detailed record, was the guidance officer, rather than the principal. I think the Minister of Education should consider that thought of the majority of the people who replied.

The questionnaire was overwhelmingly against allowing such information to fall into the hands of a credit bureau, chartered bank, finance company, magistrate, police detective, or probation officer.

Of the 76 people who answered the questionnaire, 57 were in favour of changing the law—that is to make a student's file privileged information. They agreed with the Hall-Dennis report on that question, and by privileged information, of course, here we mean the information can only be given to personnel outside of the high school education system or the primary education system, only with the consent of the individual student.

More than half of the people who answered the questionnaire were in favour of a head-start programme of early childhood education for all children, but on a voluntary basis. Head-start programmes, as you know, sir, are programmes usually designed before kindergarten, before children, who have not had the advantages of learning classroom English, for example, before they get into the school system. It is usually the type of programme applied for culturally disadvantaged children. Well, the people out in my area, more than half of them, feel this type of programme is necessary, but it should not be made compulsory. It should be made on a voluntary basis.

They also noted that tremendous effort must be made to make this type of programme known to the parents, or the single family parent who really should know about this type of programme, and try to convince that parent to let her children, in most cases

at the age of four, attend such an operation head-start, or boot-strap education programme.

Mr. Speaker, the majority of the respondents in my constituency also said they did not feel children were active enough in school situations, nor were they involved enough in the learning process by the teacher. That is an interesting observation to make. Somehow they feel that there is something fundamentally wrong in the educational system as they see it, either as pupils themselves or as parents of pupils; that somehow we must create a new type of learning experience, also along the lines of the Hall-Dennis report, to really create the interest to make the students active in the learning process as opposed to the type of monologue from the teacher to the student.

More people were in favour of individual liberty, regarding it as more important than peace and quiet. They were willing to take a chance on some rabble-rousing, rather than see the stifling of individual liberties. I suspect that one of the reasons for that heavy preference was because a lot of the people who answered were members of the local Liberal association.

But the thing that I must report to the members is the following view about the Christian church. I will report their views as they expressed them, although I dissent from some of the views myself. This is what they said about the Christian church and other places of worship. The Christian church took a beating, with the majority saying they did not think the church still spoke for most Ontario residents in religious teaching or attitude to life. They voted to tax all churches and places of worship but leave charitable institutions tax free.

Hon. A. Grossman (Minister of Correctional Services): They are all Liberals then?

Mr. T. Reid: I am reporting, as is my obligation, the views of my constituents. The questionnaire results stated no landlord should be free to choose his tenant without facing charges of discrimination under the human rights legislation and no employer should enjoy similar freedom in hiring. This would be of interest to some of the Ministers opposite. Slightly more than half were in favour of wire tapping with controls—the Supreme Court judge being the favourite choice of control. A wider law, compensating from the public purse, all victims of crime, was approved, as an entrenched Bill of Rights in a new Canadian constitution, and a provincial Tenants' Bill of Rights.

In closing this section of my remarks, before returning to education in more detail, I would offer the opinion that it is about time this government listened to the ordinary people of this province even though it might not listen to the ordinary members of the Opposition very much.

Mr. Speaker: Perhaps at an appropriate time the hon. member would adjourn the debate.

Mr. T. Reid moves the adjournment of the debate.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): In this private members' hour we will deal with and call Resolution No. 11, standing in the name of Mr. Hodgson (York North).

#### NOTICE OF MOTION

Clerk of the House: Notice of Resolution No. 11 by Mr. Hodgson (York North).

RESOLUTION: That the Government of Ontario GO Transit commuter service be expanded to serve communities north of Metropolitan Toronto.

Mr. W. Hodgson (York North): Mr. Speaker, I move Resolution No. 11 standing in my name, seconded by the hon. member for Simcoe Centre (Mr. Evans).

Mr. Speaker, be it hereby resolved that the government GO Transit commuter service be expanded to serve communities north of Metropolitan Toronto. And before I continue, I would like to take a minute and extend my thanks and appreciation to a committee, in my riding, to the members of the GO North committee, the chairman of which is Mr. Robert Sillocks.

In support of this resolution, I would like to explain to the members some of the facts and backgrounds why this GO service should be expanded to the north of Metro Toronto. In doing so I will discuss four main topics. Namely: The area that could be served; the public support to this project; the feasibility and cost of the project; and the benefits. I intend to deal with the area first of all, Mr. Speaker, that takes in north-central Metro Toronto, generally bordered by Keele Street and Dufferin Street, and York county, north of Metro. Besides Metro Toronto, this area includes the townships of Vaughan, Markham, the villages of Woodbridge, Thornhill, Markham, Kleinburg, Maple, Richmond Hill,



Stouffville, Nobleton, King City, Oak Ridges, Schomberg, Aurora, Ballantrae, Newmarket, Bradford, Holland Landing and Mount Albert.

This area that I have spelled out harbours 140,000 people; and that's excluding Metro Toronto. With Metro, the population figure jumps to about 250,000 people. In fact, one-third of the total population in this area north of Metro resides in the three towns of Newmarket, Aurora and Richmond Hill—including Maple—as shown in the York county planning office population statistics for 1967.

No question about it, Mr. Speaker, that is a lot of people—people who are crying out for some sort of commuter service into the city of Toronto.

To go on, the amount of zoned, industrial land in York county north of Metro Toronto, partially serviced and still available for occupancy, is 5,716 acres. The amount of unoccupied serviced land remaining in the towns of Newmarket, Aurora, and Richmond Hill, and Maple is 1,407 acres, as described in the correspondence from the York county planning office dated November 25, 1968.

There is in existence a rail line which serves this area between Toronto and Newmarket. It is commonly known as the CNR Newmarket subdivision and serves the following points: Union Station and therefore the Yonge Street subway, Canadian National Exhibition and North Parkdale station; Bloor Street subway at Lansdowne station, University of Toronto connection; St. Clair Avenue station; Eglinton Avenue west at Caledonia Road; Yorkdale shopping area; Downsview Airport and area; York University—with obvious advantages of a rail connection with the Bloor subway and the University of Toronto; Concord—the CN railyards and Vaughan acres industry; Maple and Richmond Hill is two miles east by a good road; King City, including Oak Ridges and Nobleton and Bolton is close by; Aurora; Newmarket including Holland Landing, Schomberg and Bradford.

In 1964, the Metropolitan Toronto and Region Transportation Study completed a report which clearly shows there is a definite household travel potential to the central part of the city of Toronto, as well as “trip desire lines” to the centre from the north of Metro on a line stretching from Barrie to Toronto city hall.

These trends are graphically illustrated in figures 49 to 51 of the report. The 1964 graphs clearly show the demand for trans-

portation facilities to handle the north-south travel demands of the public. Now—a full four years later—this demand has become more acute.

The ease and low cost of implementing a full rail commuter service to the north of Metro to service this demand for good transportation is well documented in the Metropolitan Toronto and Region Transportation Study entitled, “Study of Existing Railway Lines”. This report was completed in 1963 by one of the world's best railway consultant firms, De Leuw, Cather and Company, for the Metropolitan Toronto and Region Transportation Study.

The report consists of 39 pages, plus seven maps and charts as well as two appendices. The first appendix contains 98 pages. I shall now draw your attention to that part of the report which deals with the CNR Newmarket subdivision, which says:

This line serves Concord, Maple, King, Aurora and Newmarket. It has been determined that an improved limited commuter service providing four trains in the peak direction—during peak periods—could be operated without additional facilities. It is considered this service would meet the need of communities north of Steeles Avenue for some considerable time. Requirements were not being investigated for service beyond that which can be provided by four trains operated in the peak direction during peak periods. This service could handle a maximum of 4,000 passengers in each direction.

To put it in very simple and plain terms, Mr. Speaker, the only financial outlay required is the money that would have to be spent to purchase railway commuter cars—the railroad is already there. And indications were at that time, as a result of the study, that as many as 8,000 people would use the commuter service during peak periods. That is peak periods—and does not include the remainder of the day and evening when there would be a lesser load on the lines.

I would say that these two reasons alone—the economics and speculated usage—warrant immediate introduction of the commuter service to areas north of Metro Toronto.

However, there is more—and that is the land and concentrated public support for extension of GO rail commuter service to the north of Metro. Every elected municipal council north of Metropolitan Toronto has voiced its views in favour of this project. So strong is their support that numerous coun-



cils have passed official resolutions to this effect. Those councils are: the county of York, Vaughan township, Markham township, King township, East Gwillimbury township, the city of Barrie, the town of Bradford, the town of Newmarket, the town of Aurora, and the town of Richmond Hill.

Typical of the resolutions passed is the following by York county council, which reads in part as follows:

Therefore, be it resolved by the council of the corporation of the county of York that this council does hereby agree, support and endorse the efforts and principles of the GO-north committee, regarding its endeavour to obtain a rail commuter service for the area north of Metropolitan Toronto.

Public interest has become so strong that one petition has in excess of 5,000 supporters, including even the automobile dealers association of my district whose dealers could suffer losses in sales.

I have a list of 16 which I am not going to read, I am just going to read a couple—Brad Walker Motors, Newmarket; Slessor Motors, Newmarket; Leslie Motors, King City; International Harvester Co., Newmarket.

During recent months, most members have probably been aware of editorial support for GO-north in the Toronto press. One editorial appearing in the May 24 edition of the *Globe and Mail* closes by saying:

Highways Minister George Gomme should continue to press for an early start on GO-ing north.

Other editorials appearing in the March 7 and 16 editions of the *Toronto Daily Star* read in part as follows:

The CNR line between Union Station and Newmarket is an obvious choice as a commuter route.

And

The government should know by now that the enthusiastic response of the public to the present line is the best index of its success. Why does it remain reluctant, therefore, to extent GO service northward where the need is at least as great as along the lakeshore?

Perhaps one of the most startling newspaper reports in this respect is printed in the *Aurora Banner*, December 4.

This report is headlined: "Hellyer Promises Aid for GO." It deals with a so-called lengthy

brief presented to the Hon. Paul Hellyer, Transport Minister, by federal members of Parliament John Roberts of York Simcoe and Barnett Danson of York North. The brief dealt with commuter rail service north of Metro Toronto.

The Transportation Minister, upon receiving the report, advised the two members:

Equipment and train crews of the Canadian National Railways will be made available for the project as soon as Queen's Park announces its willingness to provide GO service.

Even Ottawa, Mr. Speaker—yes, even Ottawa—has promised federal co-operation, recognizing the obvious pressing need for this commuter service. But Ottawa will not act until we, the government of Ontario, announce our willingness to go ahead.

These, Mr. Speaker, are the arguments in favour of establishing a GO Transit commuter system to the north of Metropolitan Toronto—and I could find no sensible or reasonable argument against.

It is a logical move, and a great many benefits will be derived from this unbelievably economical project.

First, it will provide economical transportation for the people served; ease traffic congestion on the present north-south roads; safety of rail transportation, especially during bad winter driving conditions; lower amount of air pollution from auto traffic; rail service is economical for students using York University and University of Toronto and encourages them to live at home—this service would also be economical for most as compared to automobile transportation; the encouragement of an orderly planned growth of population centres near GO commuter stations rather than uneconomic patchwork growth which has caused much of the present spiral in taxes; Newmarket, Aurora, King City, Maple line services most people's needs living north of Metro Toronto and at the present time parking is available at the unused stations.

This is a rapidly growing area, Mr. Speaker—and an area crying out for this service—an area that gives universal public support. When coupled with the great benefits to be gained and the unprecedented low cost of implementation possibilities, I can see no alternative but to ask for a unanimous endorsement and support of this resolution to expand the government of Ontario GO Transit commuter service to north of Metropolitan Toronto.

Mr. D. M. Deacon (York Centre): Regarding the resolution presented by the hon. member for York North, that the government of Ontario commuter service be expanded to serve the commuters north of Toronto has my full support.

For the past year I have listened with some interest to the various reasons given by not only the hon. Minister of Highways but also his advisors on the whole situation regarding the provision of commuter service to this area, Mr. Speaker, and I believe that no matter what is said, the reluctance of the Minister to proceed is based upon three main fears that he has at the present time.

First of all, he sees the losses in the present system and he does not like to see further budget losses having to be provided for. The second thing he sees is the problem of servicing the northern areas with water and sewers, that the building of GO north and extending which service there, will encourage development in that area that the province sees difficulty in servicing with water and sewers. And the third point that I think he sees is the problem in the present capacity of the Union station itself and the rail lines that go through that area of the city.

I have studied this matter in co-operation with a group that has been advising me and includes people who are working with the railroads and with the TTC and with planning authorities, and I am convinced that not one of these reasons is a good one, one that we cannot deal with adequately.

The first one is in connection with the present losses of the system. Last year I took the opportunity to present to the House the situation with regard to the provision of commuter service in the Chicago area. I mentioned that in that area the cost of the commuter fare works out to about  $3\frac{1}{4}$  cents per passenger mile. We pay about  $3\frac{1}{2}$  cents a passenger mile. It is a privately owned operation, the one I mentioned last year, the Chicago and Northwestern. I noted it made a good profit after taxes and after depreciation on rolling stock as well as maintenance of the rail line. Another railway operating and servicing the Chicago area is the Chicago-Burlington and Quincy railroad, which had a profit before taxes last year of \$1.3 million. The taxes on that line are such that they actually showed a loss after taxes on the service. But taxes are something that we in the Toronto area do not have to pay.

Take the Montreal area, which is served by CNR and CPR commuter, where they provide the rail cars as well, and there is no

subsidy paid by the province. Why does the CNR insist on this province paying an amount in the operating agreement which results in our having to cover a deficit? I am sure that the hon. Minister in his negotiations with the CNR could bring these points home forcibly and if we cannot get a proper agreement by straight negotiation with them then we should go right to Ottawa and get as good a deal for Toronto as Montreal is getting.

The second matter is that of development to the north of the city and the problem of encouraging development in the north, to say nothing of the problem faced by the people now living there. The 140,000 that the hon. member for York North has pointed out living north of Metro now have to face congested highways and cause pollution by the use of private automobiles to reach their destination.

The fact of the matter is that the MTARTS study, which has been so loudly hailed as a great document in transportation study is really a study in provision of water and sewage services. You will read on page 50 of the MTARTS study entitled "Choices for a Growing Region," that the area north of Toronto was delegated as No. 3 in the order of priority for this reason:

Goals Plan No. 3 has not been elaborated to the detail of the first two plans because it is apparent, even at this generalized level, that it raises certain difficulties which make it as a concept highly problematic. The first difficulty arises out of the fact that the greater part of this system of the city is beyond the presently planned lake centred sewage disposal system.

In other words, the province is considering a transportation study on the basis of where they are going to put sewage disposal systems and they are providing according to the basis of this plan for the development of the province entirely on the lake. What about the city of London? What about the cities of Kitchener-Waterloo? What about other cities that are not on the lake? Do you mean to say we have to restrict the development in these areas because they are not on Lake Ontario? Surely to goodness we have the knowledge in our Ontario Water Resources Commission to find means of providing adequate pollution control without having to have a plant right on the lake.

We have plenty of up-to-date knowledge that shows that water can be piped at very low cost and in the case of London it cost

16 cents or 16½ cents a thousand gallons to move the water from Lake Huron, 45 miles to the city of London, beautiful pumping, beautiful filtration and that is the cost. Within a matter of 16 miles north of Lake Ontario, services would open up tremendous areas of land suitable for residential development and not necessarily, in many cases, prime agricultural land. The reason it needs to be opened up, Mr. Speaker, is that in the past ten years in this Metro Toronto area, between 42 and 43 per cent of all the development has been in the northern sector.

The figure is about 22 per cent to the east and about 30-some-odd per cent to the west but 42 to 43 per cent has occurred in the north sector and what we are doing is—by adopting and approving this type of policy and having it carried through to our transportation plans, we are restricting almost half the area that is open and available for residential growth and we are further aggravating the shortage that already exists. The terrible shortage, the criminal shortage of building lots that we have in the Metro Toronto and greater Toronto region.

What are the economies of it all? I point out to you that it costs about \$500 a lot to provide the basic sewage treatment plans and we have sewage treatment upstream plants in this province that are putting out an effluent—that is, for all intents and purposes, better and purer than the water that went into the mains to begin with. There is no reason for us not to continue this if we put it under the control of a water resources commission determined to provide adequate pollution control.

If it even costs 25 per cent more for a treatment plant or an upstream plant to take extra precautions against the pollution of streams in which the effluent would flow, that would only mean an extra \$125 per lot.

Compare that with the \$15,000 per lot we are paying for land because of this shortage we are now facing in this area around Toronto. It is a straight case of speculation, caused by a shortage that we, as a government here in Ontario, are permitting to continue. It is time we got busy on this and recognized the need to bring supply in excess of demand.

By implementing GO transit, we can bring within a 50-minute commuting ride of Toronto, tens of thousands of acres of land. And we can do it quickly. We cannot do it in a more economic way than making use of these rail lines and rail facilities that have been described, that are already there and waiting to be used.

The third point is Union Station and its capacity. If you go down to Union Station at 8 o'clock in the morning and watch the train coming in from Scarborough, you will find that the train has standing-room-only.

It takes those people an average of eight to nine minutes to get off the train and the platform. This restricts the number of trains they can put through that platform. The reason it takes so long is because of the narrow passageways the people are forced to go through to get out of the station.

If the station is modified by the construction of platforms at either end so that you can get direct access to Front Street, you can greatly increase the capacity. Remember that it takes about 15 seconds for a TTC subway train to unload because it is level loading. Remember that it takes a very short time for them to clear their platform because they have ample width of passageways.

Union Station was not designed for commuter service, but with some relatively moderate structural changes, we can make it so it can handle a much greater capacity very soon.

**Mr. Speaker:** I would not like to curtail the hon. member's speech, but the time allocated to him has expired and there are several other speakers.

**Mr. Deacon:** Perhaps, just to finish, Mr. Speaker, on the subject of the rail lines in the centre of the city: the reason for the difficulty in putting on more trains is, according to my friends in the road, that they are using longer and longer freights which are harder to fit in between the existing GO transit trains.

We can handle a great many more trains on those tracks if shorter freight trains are used, and this can actually provide better service to the rail customers.

So there is no reason for delay in implementing GO north service. We can alleviate the shortage of housing; we can operate our trains I am sure, at a profit, and I am sure we can do it with a very minimum of capital expense.

**Mr. I. Deans (Wentworth):** Mr. Speaker, it again seems a shame that one must rise in this House to bring to the government's attention something which is so obvious.

The presentation of the member who introduced the resolution laid out, quite clearly, many of the statistical reasons why it is not only desirable but necessary to extend GO

transit to northern parts of Toronto and those portions beyond.

In the planning of public transportation it is very necessary to take into consideration the economic growth of the area. And before anyone could begin to determine whether or not any particular phase of GO transit ought to go in any particular area, I would have hoped that the government would have made clear its policy on which of the three recommendations of the MTARTS study, it was prepared to implement.

It is necessary that we understand, as members of the Opposition—and I am sure it will be of benefit for the Minister of Highways to understand too—exactly what is expected and what the government intends to do in relationship to the MTARTS proposals.

I would like, for a bit of comic relief, to read a little article that appeared in the *Toronto Daily Star* earlier in the year. It says: "Must Go wait for Gomme?" and it goes as follows:

The Highways Minister, George Gomme of Ontario, is a man who has moved this week, with the dazzling speed of a tortoise. The Minister was visited by a delegation from areas immediately north of Metro which urged that the GO commuter system be extended to their communities.

Mr. Gomme replied, apparently in all seriousness, that the government is conducting a study of the present GO train operations along the Lakeshore and that it may be three years before it knows whether a northbound extension is warranted.

I suggest to the member who introduced the resolution that the choice of three years is not one just plucked out of the air. It has a very clear meaning to anyone who looks at it, because three years from that time would be on the eve of another election.

Now if we, in Ontario had elections on a yearly basis of course, we would be deriving benefits from an excellent transportation system.

Because each year on the eve of an election, it is announced by the government that we are going to expand or improve or in some way, facilitate the need for public transportation. So, I suggest to the member, that if he hopes for anything before the three-year period, I doubt very much if his hopes will be realized.

If we are going to increase—and we, in this party, believe we ought to—the role of public transportation in Ontario, it must be done

with the understanding of what types of community development have been recommended. In terms of a satellite city, in terms of development on the Lakeshore, or development on a sporadic basis, this part of southern Ontario must come first.

I would ask the Minister if he would take into consideration the fact that the present system that exists between Barrie and Hamilton does not yet adequately meet the needs, because what is available in the city of Hamilton is absolutely useless.

There is very little point in putting two trains on at times in the day when people do not need them and that is exactly what we have. The two members of this party who represent the northern regions of the city believe that it is necessary to extend public transportation to points north of Toronto.

We are in accord with what has been said. We urge the government to take whatever action is necessary to do so, but we urge it upon them now—not in a few years' time. We urge that they do it in conjunction with the study that was completed; a study that indicates quite clearly the need for economic planning. We urge them to pay heed to their own members and to take this action.

Mr. D. A. Evans (Simcoe Centre): Mr. Speaker, in speaking in support of the resolution proposed by the member for York North, I would like to add to the remarks of my colleague, about the great interest taken by the Liberal members in the federal House, Mr. Roberts, from York Simcoe, and the member for York North, Mr. Danson, also the remarks of Transport Minister, Hon. Paul Hellyer, in last week's weekly paper in my area.

I quote from the *Bradford Witness*, from an article headlined "A good try, Mr. Roberts".

York Simcoe Member of Parliament John Roberts along with benchmate Barney Danson of York North, made a valiant attempt this week to encourage the federal government to get involved with the GO north campaign for rail commuter service north of Metro.

They presented a detailed brief to Paul Hellyer, Minister of Transport, outlining the needs and costs of such a service.

Alas, Mr. Hellyer deftly whacked the ball into the court of the provincial government by stating that the present GO system is operated by the province and that it was really up to them to make the decision.

The Minister added that the federal government was willing to co-operate at any time with the province in launching the new commuter service.

Nicely stroked, Paul! But it really isn't good enough.

The province is just completing a detailed study of the GO-north proposal and in conjunction an examination of the existing GO commuter service operating on the Lakeshore.

The provincial Cabinet will examine all the pros and cons probably sometime in January and it is expected that a decision will be reached early in the new year.

But the federal government could take a more dramatic step now by offering money, equipment and services.

Mr. Speaker, I have been told by reliable sources that, to this day, GO train in Metro Toronto has received no support from the federal government and neither will any extension north to the city of Barrie.

Could it be that the Liberal MP has information from The Department of Highways which Mr. Hodgson and I don't have? It seems to me that Mr. Roberts and Mr. Hellyer are playing politics, because in a situation like this, there is no way they are going to lose. If The Department of Highways and the government of the province of Ontario decide to go ahead with the GO train north to the city of Barrie, they will say the results of the announcement we made and the support we gave it is the reason why the people are getting it. If the government decides not to run the GO train north to Barrie, they will blame it on the provincial government.

I would like to point out also that at no time did Mr. Hellyer mention in his remarks that a GO train to Barrie would help to relieve the housing shortage in Metro Toronto. And this is a point that he should have given a great deal of consideration.

I believe, with good planning, a GO train service to Barrie with extensions planned in the future, is a must. It would encourage relocation and settlement of our people along the route.

Mr. Speaker, I have a young gentleman in my area, a Mr. Jack Lennox, who has done a lot of research on the feasibility of extending GO transit north to the city of Barrie. Over 2,000 people have signed a petition that they will use the service.

The council of the city of Barrie, the Chamber of Commerce, the council of the township of Innisfil, the town of Bradford, and many of the smaller municipalities in the area have endorsed and are supporting the resolution presented that GO transit be extended to the city of Barrie.

Mr. Lennox wrote to Mr. Hellyer this October 22, in answer to a letter he had received from him, and I quote:

Dear Sir:

In reply to your letter of October 16, 1968, we know that the CNR would prefer if we got lost, but as long as the CNR and the Canadian Transport Commission continue to provide the best of commuter service to the Montreal area, we feel justified in requesting that a commuter service be started between Barrie and Toronto, till the GO trains could be ready to take over this service.

The Prime Minister, Mr. Trudeau, has stated any group or area is to be treated equal. Surely some action can be started without having to bother him.

We in central Ontario have watched over the years hundreds of millions of dollars spent in the Montreal area by the CNR and the Canadian Transport Commission for everything from hotels, hump yards, airports, commuter service trains, plus the best of freight service, and so on.

With the CNR holding a monopoly on this Barrie area, how long must we sit back and watch this discrimination be allowed to continue by The Department of Transport in Ottawa?

The people here have seen one train after another, both passenger and freight, cut off, rail lines growing up in weeds and in so bad a need of repair. Service is cut off and business is lost because of poor service and delays. Then the CNR will say these lines are not paying and ask if they cannot be closed.

Mr. Speaker, earlier in my remarks, I mentioned good planning, and we need good planning to avoid having the financial burden fall too heavily on the community served by the proposed service. We must overhaul the tax structure to accommodate those residential areas that would be affected by a commuter service.

This could be done with a regional government proposal for the area. There are several ways which we could propose to keep lots at a minimum price so that the average worker would be able to own his own home

—like putting on a capital gains tax on land developers, or if the federal government dropped the 11 per cent tax on building supplies, or if the high cost of education was taken off property tax. I believe that everything should be done to make it possible for people to own their own homes.

Mr. Speaker, old railway lines, whose service is discontinued, should not fall into private hands. They could be used in my area to transport people to Wasaga Beach, Georgian Bay, Lake Simcoe, to enjoy a summer holiday or a winter holiday. We have the largest fresh water beach in the world at Wasaga Beach, but no adequate highway to get the people in or out of Metro Toronto to enjoy the Huronia vacationland.

Mr. Speaker, GO transit service to the city of Barrie and to the rest of Simcoe county would relieve the pressure on our north-south highways—Highway 27, Highway 400 and Highway 11.

Mr. Speaker, I recommend to the government that they prepare to make an extension of GO transit as far as the city of Barrie, at the present time.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. J. B. Trotter (Parkdale): Mr. Speaker—

Mr. Speaker: Does the hon. member for Grey-Bruce yield, because I do not have the hon. member for Parkdale on my list.

Mr. Trotter: Oh, all right, if that is the list, okay.

Mr. E. Sargent (Grey-Bruce): Well I should bow to my friend from Parkdale, but Owen Sound is the key to this situation.

We have heard the dimension of east-west all the time and now the north-south dimension has come into the picture. I want to say, Mr. Speaker, that in our area, the CPR train has been cut off to run three days a week now. We have been a designated area, and we have cut off the lines of communication. So I think it is time that "Go-Go-Gomme" there got into the act and started to run this very important side of our lives in this province—transportation.

I think that you should have the power to tell the CPR that they have to service these outlying parts of the province in a better way than they are doing. The CPR, Mr. Speaker, have the power to cut off a whole part of the province because a line is not profitable. The fact of life is that the CPR—this great corporation across this nation—over the years

has assumed and controlled great tracts of land that cost them nothing and they are in turn, now selling that land at millions of dollars—land that cost them nothing.

They owe it to the people of Ontario, in outlying parts like Owen Sound, to give the transportation we should have to look after our people. And so they have cut the service down to three days a week and they have doubled the fare and no one knows when the damn trains are running. This is a serious thing for the people of our part of the province.

I think it is time the Minister got into the act and said to these people: "We must have a network of rail lines, to use these lines we have, to service the outlying parts of the province."

Now the people of all Ontario have been paying the freight for GO Transit. In truth, the cost, Mr. Speaker, should not be shared by all the people of Ontario—these charges of \$50 million we have now unmasked in GO Transit, capital costs and loss and subsidy. It has cost the outlying parts of this province \$50 million to service downtown Toronto real estate. In truth, this is the end result.

Hon. W. A. Stewart (Minister of Agriculture and Food): No wonder the member for Parkdale wanted to speak first.

Mr. Sargent: Well this is the key point of this thing. In other jurisdictions across America—where we have rapid transit and go transit servicing the metropolitan real estate, the charges of the capital cost and losses are assumed by the real estate it serves. You take—

Hon. A. Grossman (Minister of Correctional Services): Where is this?

Mr. Sargent: In every area, Mr. Speaker, where there is a rapid transit system—San Francisco, Boston, right across the whole board.

In truth we have the 70-storey Toronto-Dominion Bank building which is vertical transportation. The bank pays for the elevators in there. The bank pays for the elevators going up, but the people of Ontario pay for the horizontal transportation, bringing the people down there.

Mr. W. Newman (Ontario South): Who pays for the elevators going down?

Mr. Sargent: I never thought of that one.

But in truth we have a great inequality in that the outlying parts of the province are



paying this freight for GO Transit and I think it is time that the Minister of Highways take on another dimension in his department. These rail lines not being used should be taken into the total picture to give us the service we need.

A case in point last week. A person on the train to Owen Sound from Toronto got talking to the conductor and found out that the three-hour run could be cut down to two hours by speeding up. The conductor told this person, who is a very responsible person, that this was a matter of fact; that they could make the run in two hours. This person wrote a letter to Mr. Hellyer and told what she had found out from the conductor. The conductor was fired from the job by CPR because he had spoken out of turn to a responsible person.

Now this is the situation today with the CPR—

**Hon. Mr. Grossman:** What did Mr. Hellyer say? That is what we want to know.

**Mr. Sargent:** Well we have not developed this whole thing yet. You may have had some letters regarding this or you will be hearing about it.

Interjections by hon. members.

**Mr. Sargent:** It is alright. You will be hearing more about this but this is the power the CPR have. They want to discourage people travelling on these lines. They want to get rid of it. I think that the Minister should realize that we are important up there too. We are paying the freight for you down here on GO Transit. Let us have some equality and put the equal opportunity—

**Mr. W. Newman:** Mr. Speaker, in rising to speak on this resolution before us, I sometimes wonder, as I hear some of the people talk, whether we are going to talk about the CN or CP. I think we are talking about GO railway and its extension today.

**Mr. T. P. Reid (Rainy River):** Let us talk about the Ontario government too—

**Mr. W. Newman:** Let me just say one thing, while I am on my feet, about you fine gentlemen over there on the other side. When the government of Ontario brought this system in to this province and introduced it, it was the first of its kind in Canada. Nobody over there ever talked about it before we brought it in, you hoped it would not work so you could run it down.

Interjections by hon. members.

**Mr. Trotter:** On a point of order, Mr. Speaker, that is completely misleading. We were told in this House by Mr. Leslie Frost, that it was utterly impossible to have a GO train, so do not hand us that nonsense.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. W. Newman:** Mr. Speaker, obviously I touched on a soft spot over there and I hope it hurts where it should.

Interjections by hon. members.

**Mr. W. Newman:** Well I am glad we touched on that soft spot because—

**Mr. Trotter:** You are the soft spot.

**Mr. W. Newman:** Well let me tell you this, the government of Ontario, because of its thinking and planning, has done it, and I am sure they are planning further extensions in other areas. I am here to speak on the resolution this morning about the GO train not going north, but going farther east.

Mr. Speaker, while my remarks on the hon. member's resolution are in support of that resolution, I wish to speak on the expansion of GO Transit to an area other than the north. In that respect I wish to confine my remarks to the eastern corridor of the GO Transit system—and particularly concentrate on the very extreme portion of that corridor.

It is interesting to note, Mr. Speaker, that total figures for the GO Transit system show that 8,000 people, on the average, use the system to travel into Toronto each working day. However, what is more interesting is that more than 1,000 of these people use the Pickering station. In other words, one of every eight persons using the GO Transit originate at the Pickering station. We believe in GO out there and we use it.

What is even more interesting is that this figure is increasing. For example, there has been an increase of 41 per cent in the number of persons using Pickering station this past October as compared to October 1967. In fact, both Pickering and nearby Rouge Hill have increased their patronage by over 40 per cent during the 12 months from October 1967 to October 1968.

This is indeed a remarkable increase, for the overall system increase—that is the increase for the entire GO Transit system—has barely managed to reach the 15 per cent mark for that very same period.

There are no up-to-date figures available for the number of Ajax, Whitby and Oshawa

residents who travel to Pickering to use GO Transit. However, a survey carried out during a one-week period in 1967 showed that of 440 people who exited at Pickering, 50 lived in Ajax, 30 in Whitby and another 50 in Oshawa.

It is logical to deduct that the 40 per cent increase over the past year would add to those totals, to make 70 from Ajax, 42 from Whitby and at least 70 from Oshawa.

It is also reasonable to assume, Mr. Speaker, that if the GO Transit system was to be extended to Whitby that the number of persons using the GO Transit would increase considerably, if not double, because of the convenience and the economy factors alone.

It is for these reasons that I urge this government to extend the services into Ajax and Whitby and farther. After all, what better way to extend services than in the direction which shows a great need, and one which has proven successful?

Mr. Speaker: On the list which was furnished, the next speaker is the hon. member for Simcoe East (Mr. G. E. Smith); we have the hon. member for Parkdale (Mr. Trotter) and the hon. member for Scarborough Centre (Mrs. M. Renwick) who have both indicated a desire to speak so perhaps it can be arranged that all three speakers will have time between now and twelve. The hon. member for Simcoe East has the floor.

Mr. G. E. Smith (Simcoe East): Mr. Speaker, I rise to support the resolution introduced by the member for York North. I will make my remarks brief in order to give time to the other hon. members who wish to speak concerning this important item.

I would like to mention here that the hon. member for Scarborough East and myself are again today leading the way and setting the pattern for what the well-dressed member should be wearing at this Christmas season.

In supporting the resolution, may I, Mr. Speaker, draw several points to the hon. members' attention through you. The town of Orillia is served by the main line of the Canadian National Railways, and consequently the passenger trains coming from western Canada and from northern Ontario—from North Bay and Sudbury—travel through our town.

If and when the GO-north plan is implemented, as I know it will be, the GO-north plan will use these same tracks. Consequently rail traffic at the divisional point at Washago will be diverted north of Orillia and will use

what is known as the Bala grid, routing the trains through Beaverton to Toronto, down the east side of Lake Simcoe. Consequently, Orillia will be isolated from rail passenger traffic, and the many people in our area who depend on this service will be deprived of it. I would like to suggest at this point that Orillia should be considered as a terminal for the GO-transit system.

Orillia will become a city on January 1, 1969. It will be the first city in Simcoe East, a city of 25,000 people in a thriving industrial and tourist centre. Consequently, it is most necessary that the GO-north study include the city of Orillia in order that we will receive the necessary service for people not only working in the area who might wish to commute to Barrie or Toronto, but also for many people in the southern part of the province who might wish to come to Orillia, either to work or to enjoy a holiday.

The hon. member for Simcoe Centre pointed out the great asset it would be to the motoring public if they could come north on the GO transit. May I point out that this would be a real asset on weekends, when the highway traffic is so severe and congested, not only during the summer months but during the winter months when so many come north to enjoy the winter sports.

I would just like to pass comment concerning the comment of the member for Wentworth when he indicated that the hon. Minister of Highways was perhaps deferring the study for three years to use it for political advantage. May I say that our socialist friends across the way seemingly are always considering things of a political advantage. Every decision they make perhaps should be considered for what it will do for them; whereas we, on this side of the House, are only thinking about the good of the people and what we can do to benefit them.

Mr. Speaker, in conclusion may I recommend to this government that they give every consideration to extending the GO-transit system the additional 23 miles north of Barrie to the city of Orillia as of January 1.

Mr. Speaker: The hon. member for Parkdale.

Mr. Trotter: Mr. Speaker, if you have ever had the opportunity of being on the top floor of the Toronto-Dominion Bank in this city and you look down on the hard core of the city of Toronto, it looks as if it has been bombed out. One of the reasons is that so many buildings have been torn down and the land has been used for parking lots. By

the time you figure the cost of paying for parking a car and the cost of the land, the average cost of parking a car per year in Toronto—what it costs the community as a whole and including what it costs an individual—is about \$1,000, and the main reason for that is a lack of planning.

The way our roads have been planned or the lack of planning, and the manner in which they are being planned has really caused a major transportation crisis in the province of Ontario, and particularly in southern Ontario. The situation that bothers us in Toronto is not unusual. There are about 76 cities in the world that have got approximately the same problem, and the International Conference on Transportation held in Vienna in 1963 learned one thing—that the private automobile is not going to solve the transportation problem. In many ways, and it is unfortunate to have to say it, in our modern society the automobile has become the vulture and we have to see to it that when we plan our communities, we plan not for more cars, but for more people.

The only possible answer for that, or one of the main answers, Mr. Speaker, is that we have rapid transit. I certainly support the resolution that is before the House. The only criticism I might make of the resolution is that it does not go far enough. We literally have to plan for Ontario as a whole, and I would certainly support the speaker who said that rapid transit should not only just affect the northern part of Metropolitan Toronto, but it should go east and west.

We in southern Ontario are far more fortunate than those in many of the large cities of the world, because we have the land and the possibility to expand. Our own Department of Highways has learned that the people move east and west, and the pressure is from the lake going north, and it has acted on this to a certain extent. And so Highway 401 was built up in the northern part of what is now Metropolitan Toronto. Ontario Hydro has moved up in that area, and the railways as well.

I would suggest that there is a natural area, Mr. Speaker, where rapid transit can be built literally across the top of the Metropolitan Toronto area, through to Niagara Falls, and going to the east toward Peterborough. I don't have the time to go into details of what could be done, but we have the facilities and the ability to do it. Our new towns or satellite towns, or whatever you call them, are going to be dependent on transportation. So we have to plan our transit

lines first before we can plan our communities. What is so disturbing is that this administration has delayed and delayed in coming out with an overall plan.

If you want to get the best experts—I mentioned Vienna back in 1963—there are well-informed people not only in Canada, and right here in this city, but throughout the world who can help us in this very important situation, and I repeat: you cannot solve your housing problem or your living problem, or your pollution problem until you set out ahead of time, your transit areas. But, I say in conclusion, Mr. Speaker, that the rate the present administration is going I have one slogan I can use on this problem during the next election, that is: "GO won't go until Gomme is gone."

Mrs. M. Renwick (Scarborough Centre): Speaking in support of the resolution, Mr. Speaker, I would like to make two short observations before referring to one of a series of articles that appeared in the *Toronto Daily Star*.

First, speaking for the eastern section of the riding of Scarborough Centre, the service in this area is 50 cents a day to the downtown Union Station. After this, the people are required to spend 20 cents to get to their destination, be it a block, or be it anywhere else in the city.

I submit, Mr. Speaker, that the only people who are using GO transit from the area that I represent are the people who can afford it, and only those people. At \$1.40 a day, this subsidized service is too expensive for great numbers of people in the riding of Scarborough Centre.

If they had an interchange of service, from GO to the TTC there would be many more people using the service from my own particular riding.

The alternative that these people have, Mr. Speaker, is come to downtown Toronto on a two-fare system. This they are able to do for 80 cents a day; they would be able to pay one dollar a day; they cannot pay, Mr. Speaker, \$1.40 a day which is \$30 a month for transportation to and from their work.

Secondly, speaking of the beginning of the GO service in this province, one might well wonder why the service did not include the service to the north right from the beginning, because the report that was made showed very clearly how easily these services could have been extended to the north. Instead we have a government who put the service from

Hamilton into Toronto, removing service from the Hamilton people who are now left on two trains a day where they used to have five and six. There is no service to Hamilton now by train on holidays—Christmas, and so on, because of this. In fact that service has gone backwards, not forward, Mr. Speaker.

In the commuting areas of Clarkson, Port Credit and Oakville, this is renowned commuting territory, there is no mystery about providing a service from this territory. In the forties it was a packed train service the need of which has grown, not diminished. The mystery was in the north and usually in the New Democratic Party, Mr. Speaker, we bring voice to this House from people who cannot speak for themselves but it would appear it must be brought for those who are able to speak for themselves.

Mr. Robert Silcox, a downtown investment man, along with Mrs. Samuels, the wife of an architect, Sidney Samuels of King, Ontario, pioneered enough information to move this government from telling them that a study would take three years. The Highways Minister, Mr. Gomme, said that it would take a three-year study to determine whether expansion was possible to the north. The lady took it into her own hands, Mr. Speaker, put notices in the newspapers and learned the following four facts which I would like to have recorded in the House:

1. That from Newmarket, 450 persons in the area working at de Havilland Aircraft could ride the train right to the plant.

One gentleman said after driving 60 miles a day for ten years that this would be a pleasure. They learned that 700 Barrie residents travel back and forth to work in Toronto each day by car and bus and another 500 come to within five miles of the city itself. And, as he says for no reason known, 400 people travel from Toronto the other way each day.

Now, with this kind of information, one would wonder that it took four years to put in such a service—half of which is over an area that is already recognized as a commuting area of our province.

I would like to record this particular article, Mr. Speaker. It is one of a series in the *Toronto Daily Star*, August 20, 1968.

After the action of these people, the Minister then provided them with information by the end of the year. The consulting firm who did the original study for GO laid out very clearly how easy it would be to have services go into the northern areas of this province.

**Hon. Mr. Rowntree:** Mr. Speaker, on Monday we will continue with the Throne Debate and I would remind the hon. members that, as has been indicated, there will be a night session on Monday evening.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

APPENDIX A  
(See page 664)

**Estimated Domestic and Foreign Defence Expenditures in Canada**

(millions of Canadian dollars)

<i>Year</i>	<i>Canadian Defence Expenditure</i>	<i>U.S. Military Expenditure in Canada</i>	<i>Overseas Defence Expenditure in Canada</i>	<i>Total</i>
1962	\$1,680	\$580	\$45	\$2,305
1962	1,572	458	55	2,185
1964	1,584	513	60	2,157
1965	1,562	421	70	2,053
1966	1,713	505	75	2,293

APPENDIX B  
(See page 666)

**Estimated Geographical Distribution of Major Defence Expenditures, 1962-63**

<i>Area</i>	<i>Total Expenditure (millions of dollars)</i>	<i>Total Expenditure per Member of Labour Force (dollars)</i>	<i>Rank</i>
Toronto	\$152.4	\$193	(9)
Ottawa	108.7	647	(6)
London	19.2	260	(8)
Hamilton	6.3	42	(11)
Kitchener	3.4	53	(10)
Windsor	2.1	31	(12)
Kingston	21.0	859	(2)
Hastings County	19.9	655	(5)
Simcoe County	31.1	729	(4)
Nipissing County	7.9	371	(7)
Renfrew County	21.7	787	(3)
Huron County	13.7	1,045	(1)
Total Ontario	\$443.1	\$199	











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 16, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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MONDAY, DECEMBER 16, 1968

The House met at 2.30 o'clock, p.m.

Prayers

**Mr. Speaker:** Our guests today in the west gallery are students from Downsview Secondary School in Downsview, and in both galleries from the Dr. Williams Secondary School, Aurora. And in the Speaker's gallery we have members of the student council of Woburn Collegiate Institute, Scarborough.

Petitions.

Presenting reports.

Motions.

**Mr. M. Shulman** (High Park) moves that the order of the day for second reading of Bill 37, An Act to establish an Institute for the Prevention and Cure of Birth Defects, be discharged and the bill withdrawn.

Motion agreed to.

Introduction of bills.

## CERTIFICATION OF PERSONS FITTING AND SELLING HEARING AIDS

**Mr. Shulman** moves first reading of bill intituled, An Act to provide for the certification of dealers and persons engaged in the fitting and selling of hearing aids.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to require the licensing and permit the examination of those persons engaged in the sale or fitting of hearing aids.

**Mr. Speaker:** The Minister of Education has a statement.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, prior to the orders of the day, this really relates to a question that has been asked with respect to the school year. Because there has been some slight confusion with respect to it and in that there are some students present here today who, perhaps, will have some more than passing interest in it, it should be understood that the present school year has not, in fact, been lengthened;

but at 194 days is, in fact, four days shorter than the school year of 1967-68, which was 198 days.

The final day of the school year 1968-69 will be June 27, 1969, while last year it was June 28, 1968. Students in elementary school will continue to attend classes until that date, as has been the case in other years. Certain changes in the attendance pattern of secondary school students have occurred during the last several years as the examination system has evolved.

During the period 1962-67, the last grade 13 departmental examinations fell on the following dates: In 1962, June 29; 1963, June 21; 1964, June 26; 1965, June 29; 1966, June 24, and in 1967, the last year of the departmental examinations, June 23.

As the members will recall, departmental examinations were compulsory for all grade 13 students with a student taking an average programme finishing about June 16 to June 18. In June, 1968, the first year the departmental examinations were eliminated and exemptions permitted for students with an average of 60 per cent in a given subject, many students were released from school on June 3. This, in effect, reduced the school year to nine months for secondary schools, leaving 179 days for instruction, compared to 198 days for elementary students.

As last year was the first time that there were no departmental examinations, the time necessary to complete marking and administration was not known in advance. However, some schools were able to complete all promotion meetings and mail reports to students by June 18.

On the basis of this experience, it was determined that two weeks was a reasonable length of time to allow for administration and marking, keeping in mind, and this is important, that many students are exempt from writing final examinations.

The announcement regarding June, 1969, indicated that regular classes in secondary schools should continue until June 13 after which students not required to write examinations can be excused attendance. This will provide 184 days for regular classes in the

current school year. The change represents, in fact, an increase of five days from last year.

It might be noted that the committee on aims and objectives of education in the schools of Ontario recommends that the school year be prescribed as 200 days.

It should be noted that the elimination of departmental examinations was not for the purpose of decreasing the length of the school year. Rather it was for the purpose of improving the quality of education through the provision of greater opportunity for individual study and for examination of topics of interest in depth.

There are additional factors, Mr. Speaker, which should be kept in mind. Schools this year are closed two full weeks at Christmas; one week during the winter—March 15 to 23—and two days at Easter. Last year, I think it is fair to state, the students of this province, and fortunately so, were out of actual classroom situations on educational tours, etc., more than at any time in our educational history. It should also be kept in mind, Mr. Speaker, that the cost to the public for secondary schools alone, in this province, is \$2.5 million for each legal school day, and this cost is borne whether the schools are open or closed. Teachers, for example, are paid for ten months' teaching whether or not the students are present.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I am glad to welcome the Premier back, and feeling better, I trust.

I would like to ask him if Judge Little has been investigating collective bargaining procedures on behalf of the Canadian Union of Public Employees at the Don Jail with the government of Ontario?

**Mr. I. Deans (Wentworth):** Mr. Speaker, I wonder if I might place a question similar to that, which I asked Friday?

**Mr. Speaker:** Yes.

**Mr. Deans:** Mr. Speaker, to the Prime Minister.

What is the termination date of the memorandum of agreement between the government and the Canadian Union of Public Employees, Locals 79 and 878, representing employees of the Don Jail and Metro Toronto courts?

Two, will the government extend the memorandum of agreement and all the terms and conditions contained therein until such time as Judge Little's report regarding col-

lective bargaining for civil servants has been received and given full consideration?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, first in answer to the question of the leader of the Opposition:

Judge Little has been investigating and his investigation is much broader than just the situation at the Don Jail. It involves the whole question of collective bargaining between the government and its employees. So it goes beyond the situation at the Don Jail, but they would be included in it, undoubtedly.

**Mr. Nixon:** This was specifically a term of reference.

**Hon. Mr. Robarts:** No, this was not—

**Mr. Nixon:** Not as a general term, but specifically.

**Hon. Mr. Robarts:** It was not given as a specific term of reference to Judge Little, but as I point out, his terms of reference are broad enough that I would think it inevitably would be covered in what he is doing.

**Mr. Nixon:** This is hardly the understanding of the Don Jail employees.

**Hon. Mr. Robarts:** Well, I can only tell the member what his terms of reference are.

Then, in regard to the other question, there were, of course, no specific time limits in the agreement entered into between the government and the particular CUPE local, except this matter of check-off which was to cease as of the end of this year. The letter which prompted this question came into my office this morning and I would have to look at the proposition they are putting. Certainly, all the elements in that agreement were not tied to any specific date or dates.

As a matter of fact the elements in the agreement do not lend themselves to being tied to a specific date, but at the time we did not really know when Judge Little's report would be brought down. Frankly, at this moment in time, I cannot tell you when it will be available, either. So I will have to check into it and answer this letter, which, as I say, I received only this morning. I will have to see what the government's position would be.

As I point out, I do not think the date for the elimination of the check-off being December 31, 1968, bore any relation to Judge Little's report. This was a date in the agreement. The government said that it would continue the check-off for the union up until



that date. However, in view of the fact that Judge Little's report is not yet down, and I think one might have expected it would be before this, I will go into the matter and see what we can do about it.

**Mr. Nixon:** Mr. Speaker, a supplementary question if the Prime Minister will permit. He no doubt recalls reading in the letter this morning and perhaps in accompanying news releases that the guards at the Don Jail are considering strike action—unilateral action—if in fact they are not given opportunity to bargain with the government without coming to the civil service commission. Has the Premier got any comment on that sort of a threat?

**Hon. Mr. Robarts:** What this amounts to, really, is a reopening of all the matters settled by the agreement of last year, because—

**Mr. Nixon:** One of the terms of settlement was this investigation, which was supposed to have been completed.

**Hon. Mr. Robarts:** One of the terms of settlement was that investigation would take place, and it is presently taking place, but the point I make is the date that was set beyond which the government would no longer check off the union dues, was not really related to Judge Little's report. As it has now turned out, we have now reached this date, or we are coming up to it, and as I say I do not really know when Judge Little's report will be available. It might be out before December 31 for all I know, but these are the things I will have to find out as a result of receiving this letter.

**Mr. Nixon:** Mr. Speaker, I have a question for the Attorney General, actually a couple of them.

Has the Attorney General undertaken any further investigation leading to the elimination of the hate messages being disseminated by telephone, as raised by the hon. member for Downsview (Mr. Singer) on Friday, December 6?

Does the Attorney General now feel that these messages are in violation of the Ontario Human Rights Code?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, it was just a few days ago—not very long ago—that the hon. member for Downsview asked a question on this matter to which I replied, having listened at that time to a message using the telephone number which he was good enough to state in his

question. I referred the matter to officials in my department, as I said I would, and it has been brought to the attention of the police authorities. I have not had a report back. I would think that we might be permitted to study the pattern of these messages.

The one that I listened to—and I have only heard the one—was not, in my view, one that gave right to a course of action, or to an action against them, or to prosecution. But I think we need a little more time just to examine the situation.

**Mr. Nixon:** Might I ask the Attorney General if, in fact—it is hypothetical—if, in fact, action could be taken, would it be only under the human rights code, or would there be other regulations covering this?

**Hon. Mr. Wishart:** It has been suggested that there can be no prosecution. No action of a criminal nature can be taken over this—the slander, or this type of thing, of an ethnic group of people. I am not sure whether there is a right of action under the human rights code. There may be, but one would have to examine the statements which are made very carefully to see how far they go.

The one which I heard—I do not want to recite it again—was, perhaps, scurrilous. It was something to which none of us, I am sure, subscribes. But it was nothing which, in my view, and in the view of officials in my department, gave a right of prosecution or of action against the people who were putting out this statement.

**Mr. Nixon:** I have a further question for the Attorney General on another matter.

In view of the charges laid against Diane McIntosh and Michael Manelli, will the Attorney General now undertake investigation, or prosecution, under the section of The Child Welfare Act requiring medical doctors to report evidence of mistreatment of infants?

**Hon. Mr. Wishart:** Mr. Speaker, I think the question said, "Will the Attorney General undertake investigation or prosecution?"

Section 41, to which the hon. member refers, does not make it an offence not to report. It does say the medical practitioner "shall report." There is no offence created there; there is a duty. Then the section goes on—I think the intent of the section was to make it clear that the medical practitioner cannot refuse or give as a reason for not reporting what was a question of privilege heretofore.

The Act is administered by the Minister in The Department of Social and Family Services and I would be glad to review the matter with him and to investigate it. The Attorney General's Department does not primarily administer this Act, but I think it is clear there is no offence created here. Possibly with a broad interpretation of some sections of the penal code, you might bring the failure to perform the duty within the grounds of a broad section, making it an offence, but there is nothing in this Act which creates that. I do not think that was the primary intention of that section. I should be glad to review it with my colleagues and with the Minister of The Child Welfare Act to see what may be done.

**Mr. Nixon:** If I might ask a supplementary question. Perhaps I should have directed the original question to the Minister of Social and Family Services (Mr. Yaremko), because a similar question asked when the case first came before the public was answered by the Minister. He said that since there was an inquest in process the whole thing was *sub judice*. But these charges were laid during the inquest, which indicates surely that the Minister had the duty at that time to make a decision.

Interjection by an hon. member.

**Mr. Nixon:** Then I would ask the hon. Attorney General to read it as a matter of clarification—that when the Act says that the practitioner must report information that comes to him of child beating, it is not an offence if he does not report such information.

**Hon. Mr. Wishart:** This Act did not create any offence. Section 41 says:

Every person having information of the abandonment, desertion, physical ill treatment or need of protection of a child shall report the information to the Children's Aid Society or Crown attorney.

Then the second subsection goes on to make it clear that a medical practitioner cannot rely on his privilege to fail to report. There is nothing in the Act—and I have looked at it very carefully—which makes it an offence not to do this. There is nothing—I say again—in this Act which makes it an offence not to do it. I said in my earlier remarks, in reply, that possibly we could find in the code a broad section which would make failure to carry out the provisions of an Act, an area in which you might set up a prosecution.

But again, I come back to my answer—that I would like to review this with the Minister of Social and Family Services and The Department of Social and Family Services to see what might be done. This is my answer—that I feel I would like the view of the Minister who has to administer this Act.

**Mr. Nixon:** Let us pursue this a bit further. Is the Attorney General saying he does not know whether or not there are teeth for the law in The Criminal Code?

**Hon. Mr. Wishart:** I say, there are not. As the hon. member is putting it on that basis, I should say I got his question about ten minutes ago. I have not read these sections of the code. I had another question from him. I do know, in my general knowledge, that there are sections in the code which, by their language, may be wide enough to make it an offence. However, a duty, as prescribed in an Act, may be wide enough to admit some action.

That is all I can say at the moment. Having got the question a few moments ago, I want to review it with the Minister who administers the Act, to see what may be done. I cannot answer any more than that at this moment.

**Mr. Speaker:** Perhaps the hon. member for Scarborough East would allow me to discuss with the leader of the Opposition whether question 296 of the Premier, dated December 10, in connection with French education, is to be asked—

**Mr. Nixon:** Mr. Speaker, I was just looking on my desk for that. I may have taken it downstairs. If one of the pages would give that to me, please.

This was as a result of the second report, the volume of the bilingualism commission report. Was the Premier, at the time of the impending—and I guess that still applies—provincial-federal conference intending to press for the recent recommendation of the Royal commission on bilingualism and biculturalism, that the federal government finance the extra costs involved in providing primary and secondary school education in French for French-speaking Canadian children who are residents of Ontario?

**Hon. Mr. Robarts:** Mr. Speaker, let me make several comments in reply to this question.

In the first place, the whole question of bilingualism is being considered by a sub-committee of the continuing committee of

officials appointed at the conference—and I find it difficult to keep track of all the various methods that have been set up to study the questions raised—but at the conference last February an official language subcommittee was established. That is a committee of officials dealing with this matter; it is an official-level committee and discussions are, at this stage, confidential. They will be made known to the governments concerned.

However, I might say in a general way the whole question of language rights and instruction in all aspects is being considered right across the country. I am a little leery of shared-cost programmes with the federal government at the present moment. I might really prefer that if they are going to get into the question of financing any form of education in this province, we might simply go back to the time-honoured and hallowed method of Quebec and ask for a fiscal equivalent. Then we will deal with the French-speaking Ontarians as we see fit in this Legislature, by this government. I think this point of view has to be given some very serious consideration.

After all, the recommendation in the B and B commission report is nothing other than a recommendation by a commission. No doubt it will be the subject of a good deal of debate and points of view put not only by this province but by other provinces before any final arrangements are made.

But it is a little worrying to see another recommendation for a financial intrusion into the constitutional rights of this province, or indeed any province, when we are presently in such a mess because of the exercise of these powers by previous governments. So I can assure you this government will be looking at it very carefully indeed.

**Mr. Nixon:** But we can assume the government would accept the ten per cent addition to the transfers from the federal government if they were in fact not directly aimed at a specific programme?

**Hon. Mr. Robarts:** Mr. Speaker, I would have to see what terms and conditions would be attached to them, because nothing comes without terms and conditions and various strings attached to it, and I can only assure you that we will look at it very, very carefully indeed. I think we already have a programme under way in this province which will be of benefit and will recognize the position of our French-speaking children. We are quite anxious for any financial assistance we can get from the federal government, but

the member can understand we may be just a little bit leery about shared-cost programmes at the present moment.

**Mr. Speaker:** The hon. member for Scarborough East has a point of privilege.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, my point of privilege is that in the Toronto *Daily Star* today, Monday, December 16, on page 45, there is an article entitled "Metro Students Call Off Mass Walkout over Longer School Year" and the following is in the second-last paragraph:

Woburn Collegiate students have enlisted aid from Tim Reid, NDP Scarborough East, in their fight against extension.

**Mr. Deans:** We should be rising on the point of order.

**Hon. A. Grossman (Minister of Correctional Services):** That is because it sounds like something the NDP would do.

**Mr. T. Reid:** Mr. Speaker, my point of privilege is—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. T. Reid:** Mr. Speaker, if I could get my voice over the ruckus that is being raised, I would like to say that I am not a member of the NDP, never have been and never want to be.

**Mr. D. C. MacDonald (York South):** I can assure you, Mr. Speaker, the assurance was unnecessary.

I have a series of questions, Mr. Speaker, the first two to the Prime Minister held over from last week.

When does the Prime Minister expect a report on the investigations instituted by himself nearly two years ago into the conflict of interest problem at the municipal level as illustrated by the Collins case in London?

**Hon. Mr. Robarts:** Mr. Speaker, I make no apologies for the time that this has taken. It has proven to be a very complex problem. I think the hon. member is aware of this. It has been debated in one form on another—

**Mr. MacDonald:** It is being compounded, though.

**Hon. Mr. Robarts:** We enlarged the scope of it at the request of the hon. member for Riverdale, as I recall, to take into account

the positions, for instance, of boards of governors of universities. The whole question of conflict of interest is one that is very, very difficult to deal with.

The Collins case in London was a case in question. There is another case in the city of London concerning a man by the name of Bradford which poses some additional difficulties, and we hope that we will be able to find what will be a reasonable solution to this problem. This committee has been working very hard, and the length of time they have taken is a measure of the difficulties that they have encountered.

I would hope that they would have a report in our hands within the next few weeks and I sincerely hope that we will be able to put some legislation before this House before this session ends late next spring, hopefully. So I will just assure the hon. member that we are very interested in this problem. We know what it is doing in the municipalities. We know what it does in terms of getting people to run for office. It is very difficult if one is going to be accused of all sorts of things which may not in fact be so, or if one must appear to be pure, regardless of what one may or may not in fact be.

I mean there are some real problems, and I hope that we will have something to put before the House. But I would caution the members not to look for any simple solution, because frankly there is not one.

**Mr. E. W. Martel (Sudbury East):** The hon. Minister of Revenue (Mr. White) is the expert on interest, they should let him handle it.

**Mr. MacDonald:** Mr. Speaker, my second question to the Prime Minister from last week—

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, I did not hear that interjection, but if the hon. member has something to say concerning me, I should be glad if he would repeat it.

**Mr. MacDonald:** Well the Minister is interrupting then.

Interjections by hon. members

**Mr. MacDonald:** I have the floor, do I not, Mr. Speaker? I would hate to think of the interruptions if he did hear the interjections.

**Hon. Mr. White:** If the hon. member has got something to say about me let him speak up.

**Mr. Speaker:** Order, order. The hon. member for York South has the floor. Perhaps we could—

**Mr. MacDonald:** Mr. Speaker, to the Prime Minister.

Will the Ontario government make representations on behalf of the residents and businessmen of this province to the Canadian Transportation Commission in forthcoming hearings on Bell Canada's application to raise its permissible level of earnings from 6.6 per cent to 8 per cent, and for authority to increase basic telephone rates approximately 10 per cent?

**Hon. Mr. Robarts:** Mr. Speaker, this government is making arrangements to be represented at those hearings. We have copies of the representations being made by Bell Canada. They are presently being analyzed by The Department of the Treasury and Economics and by the Attorney General in order that we may prepare a position that we think would be in the best interest of the people of this province. We will be represented at the hearings.

**Mr. MacDonald:** Mr. Speaker, to the Prime Minister again, a new question this time.

In view of the controversy over the unrepresentative nature of the committee which was responsible for the choice of art in the Ontario government office complex, as detailed in the Toronto *Daily Star* December 14, will the government consider the appointment of a committee from the Ontario Council of Arts and the Art Gallery of Ontario to act as a continuing body for the selection of art for public buildings?

**Hon. Mr. Robarts:** Mr. Speaker, yes, I would be quite happy to consider that. I can only tell you that we will never satisfy these two groups—the avant-garde on one hand and the traditionalists on the other.

**Mr. MacDonald:** Bring them both into the picture.

**Hon. Mr. Robarts:** As Minister of Education, I was in between the two of them for a good many years, and whatever one does, the other disagrees with. It takes more—

**Mr. S. Lewis (Scarborough West):** Turn it over to the press gallery.

**Hon. Mr. Robarts:** It takes more than a mere mortal to solve this particular problem. We knew the alternative to a row over this was no art—I mean, literally, that is about the

size of it. We recognize the difficulties in trying to reconcile the irreconcilable points of view that these artistic people have. Naturally, we will do everything in our power to see that the decisions are made with a minimum of friction.

But once again, from experience, I would say it is not going to be an easy task. For instance, I opened an art show, Mr. Speaker, a week or so ago at the Art Gallery of Ontario and there was certainly public money put into the prizes awarded. It was a different type of jury that chose the art, and you should really go and look at it and make up your own minds, if this is what you would like to have over in the new complex. I do not often give opinions one way or the other, but I have seen both and you will see what wide gulfs there are between the representational artist and the traditional artist. It is all very interesting, but do not expect peace between these groups because you will never achieve it. However, we will use the arts council to go as far as we can in attempting to satisfy everyone.

As I say, the alternative is no art at all.

**Mr. MacDonald:** No, Mr. Speaker, by way of a supplementary question, may I ask the Prime Minister whether it is not possible that the gulf might be bridged if you had a committee that is representative of both sides?

**Hon. Mr. Grossman:** Lots of luck!

**Hon. Mr. Robarts:** Mr. Speaker, there is virtue in what the member says and I would be delighted to use the good offices of the arts council to get it off my back. I would just be delighted.

**Mr. MacDonald:** Mr. Speaker, I have a question of the Minister of Agriculture and Food.

Since some chain stores are selling pre-packaged grapes without indicating the country of origin, will the Minister explain why regulation 141, section 3, subsection (e) under The Farm Products Grades and Sales Act is not being enforced?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, it has been departmental policy to apply the regulations of the grades and sales Act to those commodities which enter into active competition with domestic produce, or those commodities for which definite grades have been established. In The Farm Products Grades and Sales Act there are a number of named commodities for

which these provisions do apply, and one of these commodities is grapes, Mr. Speaker.

However, the inspectors of the inspection service branch of our department as well as the federal inspectors work together. In some areas the federal inspectors do the inspecting under our regulations and in other areas we do the inspecting under their regulations. There is an interchange of inspection responsibilities not only for the same commodities involved in various areas of the province, but we work together very closely to avoid duplication.

Our inspectors have applied the regulations only to the Lebrusca type of grape, which is a type produced in Ontario and in the areas enjoying the same climatic conditions that our grape producing areas have in this province. The Vinifera type of grape is produced in the warmer climates such as California and other places, and is not considered to be in active competition with our produce in this province. As such, there has never been a very strong set of grades applied to it.

With regard to the matter which the hon. member raises concerning the sale of these products not having been identified, I am not disputing at all that this is not the case, but I think, generally speaking—certainly in the chain stores or in food stores or fruit stores where I have seen these grapes sold in the past—they have been sold from boxes that clearly state the country of origin, and generally speaking they are a very high quality. In some chain stores, where the product has not been identified on the box it has been taken from, a sign has been established there saying, "Produce of the United States of America."

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question, if the Minister would permit. In the first place, 41 of the 61 Dominion stores in this city, on Saturday, gave no indication at all of origin; you could not see the box, so you had no idea where they came from. The regulation is very specific:

No person shall pack, transport, ship, advertise, sell or offer for sale any produce—

That is the lead-off in section 3. Then subsection (e) is:

—that has been transported into Ontario and that has been packaged for sale in Ontario, unless the package containing the produce is marked to indicate the country or province of origin and the other provisions of this regulation have been complied with respecting the produce.



My question to the Minister is: By what right has anybody, including the inspectors of the Minister's department, the choice of putting his own interpretation on a regulation which is explicit—that all produce brought in and packaged must indicate where it came from?

**Hon. Mr. Stewart:** Mr. Speaker, obviously there has been some breach of the regulations in this particular regard—

**Mr. MacDonald:** Hear, hear!

**Hon. Mr. Stewart:** —in this particular regard, if what my hon. friend has said is correct, and I am certainly not disputing this—I was not in those chain stores, I do not know. I am simply saying that I am sure the member will appreciate that in the past there has not been any great problem as far as quality complaints are concerned, because this product is really not conflicting with any produce that is produced in Ontario. The general policy of the department has been that where a product was not conflicting with Ontario produce and not adversely affecting Ontario producers, there was no real problem. It may be that certain procedures have been implemented recently that circumscribe the regulations, as the hon. member has pointed out.

**Mr. MacDonald:** Mr. Speaker, can the Minister assure us that the regulations, as they now stand and until they are changed, will be lived up to?

**Hon. Mr. Stewart:** All I can say is that we will look into the matter, Mr. Speaker.

**Mr. MacDonald:** That is a strange way for those who are guardians of their own laws and regulations—

**Mr. Speaker:** Order, order! The hon. member will go on with his questions.

**Mr. MacDonald:** My question is to the Minister of University Affairs.

Has the government discarded, as suggested by the Committee of University Presidents, the proposed commission to study post-secondary education, terms of reference for which were announced by the Minister in the Legislature on June 5, 1967?

Secondly, if the government has discarded this proposed commission, what alternative methods are being resorted to for a systematic study of post-secondary education in Ontario—other than the national commission on the relations between universities and government, established in the summer of 1968 by

the Association of Universities and Colleges of Canada and the Canadian Association of University Teachers?

**Hon. Mr. Davis:** Mr. Speaker, I believe I answered a similar question presented by the member for Peterborough (Mr. Pitman) and the member for Scarborough East on December 3, as quoted in *Hansard*. I think this is substantially the same, but I will just repeat very briefly the observations I made on that occasion. That is to say the government has not abandoned the idea of a study of the needs of post-secondary education in the province, projecting it ahead over the next decade or so. But because of the study that is going on at the national level, we are suggesting a reorientation of the study to a certain degree.

I have communicated this thought to the Committee of Presidents, the Ontario Confederation of Faculty Associations, and the council of regents of the Colleges of Applied Arts and Technology with some suggestions, and we are in the process of receiving some response to it. I think it is fair to state, Mr. Speaker, that while we are very hopeful that the work of the committee on university-government relationships, which was established by the Association of Universities and Colleges of Canada in conjunction with the Canadian Association of University Teachers and the Canadian Union of Students, certainly will be helpful to us in any of this discussion or the decision-making process, we still feel there are certain issues that are related directly to the province of Ontario which require consideration of this kind. I have communicated these ideas to those three organizations with an expected response, I hope, very shortly from them.

**Mr. Speaker:** The hon. member for Parkdale has a question of the Prime Minister from last week.

**Mr. J. B. Trotter (Parkdale):** Yes, Mr. Speaker, my question to the Premier of Ontario is as follows:

As a result of the advice received from the Attorney General, would the Premier inform the House as to the legal position of the provincial government in regard to the raceway on Lakeshore Boulevard West in Toronto?

Secondly, if the government is of the opinion that no action is required of it to legalize the raceway as planned, will it initiate legislation, or take other political action, in order to stop the proposed abuse of a major roadway in Metropolitan Toronto?



**Hon. Mr. Robarts:** Mr. Speaker, I understand that the metropolitan council has asked two departments for opinions on this matter. They are being prepared by the Attorney General and as soon as we have those in a form to send to the council, I will put them before the House. I would think that would be within the next day or so.

**Mr. Trotter:** Mr. Speaker, just to clarify this. I understood the Attorney General had sent some type of answer to the Premier's office. I have had different questions before the House and I am trying to get an answer.

**Hon. Mr. Robarts:** I can assure you that I will have an answer for you, probably within 24 hours. But it is being correlated between two departments.

**Mr. Trotter:** So we may expect to hear from you tomorrow? Very well.

**Mr. Speaker:** The hon. member for High Park has two questions of the Prime Minister.

**Mr. Shulman:** I have one question for the Prime Minister, Mr. Speaker.

**Mr. Speaker:** One has been transferred; that is correct.

**Mr. Shulman:** Is it the policy of the government to allow members of this Legislature to visit public institutions without prior notice?

**Hon. Mr. Robarts:** Mr. Speaker, there is no policy as broad as that set out in the question. We have institutions in which the primary concern must always be the health and position of the inmates and therefore it would be impossible to have a completely open policy.

On the other hand, we have not really anything to hide in the conduct of these institutions and they are available, within what might be termed reasonable limits, for members of the Legislature to visit. I think this has been the case over the many years and I have noticed members of this House visiting various institutions we have.

**Mr. Shulman:** Will the Prime Minister accept a supplementary question?

**Hon. Mr. Robarts:** Yes.

**Mr. Shulman:** Is the Prime Minister aware that the Minister of The Department of Health has issued instructions that MPP's are not to be allowed in the public institutions under that department unless prior notice has

been arranged so that a conducted tour can be managed?

**Hon. Mr. Robarts:** Mr. Speaker, I am not aware of this. But I have no doubt that whatever regulations govern visits have been laid down, as I point out, in the interests of the patients in the institutions.

**Mr. Shulman:** Will the Prime Minister agree with me that it is very bad public relations—

**Mr. Speaker:** Order! The hon. member will enquire if the Prime Minister will accept a supplementary question.

**Mr. Shulman:** Will the Prime Minister accept a further supplementary question?

**Hon. Mr. Robarts:** Oh yes.

**Mr. Shulman:** Thank you, Mr. Prime Minister. Will the Prime Minister agree with me that it gives a very bad impression, both to the MPP's and the public, if they are not allowed into these institutions by blanket order, except if prior notice is given?

**Hon. Mr. Robarts:** Mr. Speaker, I answered the question. I can only say this, that over the years I have detected a certain desire for mischief-making in some of the visits that have been made. This is the position—of those who are charged with the responsibility of operating these institutions and looking after those poor unfortunates who happen to be there, they must first discharge their responsibility to them. I think that if there are rules and regulations laid down, I can only repeat that they are laid down in order to ensure that the people who are in these institutions being treated are not disturbed.

**Mr. Speaker:** The hon. member for Sudbury East has a further question.

**Mr. Martel:** A question of the Prime Minister.

Has the Premier received a telegram from the Sudbury Union of Mine, Mill and Smelter Workers demanding immediate action to stop local pollution of air, water, and vegetation?

Secondly, what steps does the Premier intend to take in this situation?

**Hon. Mr. Robarts:** Mr. Speaker, I have received this telegram. The government is proceeding on the steps we have initiated to ensure that the matter of pollution in this particular area is cleaned up as quickly and as efficaciously as possible.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question for the Prime Minister.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Premier. Is the government developing a summer employment programme for students in 1969, because of the inability of a large number of students to obtain employment during the summer of 1968?

**Hon. Mr. Robarts:** Mr. Speaker, the hon. member for—

**Mr. Speaker:** Windsor-Walkerville.

**Hon. Mr. Robarts:** Oh, I know. But there is another question, Mr. Speaker, which was on exactly the same subject.

**Mr. Speaker:** Of the Minister of Education, yes.

**Hon. Mr. Robarts:** Is there another one here? Well, in any event, Mr. Speaker, in the first place, we are very aware of the fact that we have more young people staying in school. This, of course, means that there are more young people looking for summer employment. As we said last spring, when this matter was discussed, it is impossible for this government to assume the responsibility of providing employment for all students in this province. As our student population increases, both at the post-secondary and at the secondary level, I think we may look for this problem to increase.

We have gone over our own departments to ensure that we can and do employ the largest number of young people that we can. On the other hand, we cannot accept the responsibility for making and creating government jobs for students in the summer time.

We are also working with the federal government because theirs is the ultimate responsibility. They have the machinery established all across Canada in their Canada Manpower offices to provide all the employment that is possible, and to organize the employment available for young people.

In addition, we are encouraging industry to take on young people in the summer time. No doubt between now and the time this situation arises again, which will be when classes are complete in the spring, I would hope that we would have a co-ordinated programme with the federal government. But I would have to come back to my original point, and that is the government cannot assume the responsibility of providing a job for every secondary school student or

every student in the post-secondary institutions because we are heading into a real problem here as our school population increases.

**Mr. Nixon:** The government will have to do much more.

**Mr. Speaker:** There are two questions. The questions the hon. Prime Minister was referring to were placed with the Minister of Education, one by the hon. member who has just questioned the Premier, and the other by the member for Peterborough. Perhaps we could dispose of them at this time also while this matter is under discussion.

**Mr. G. Ben (Humber):** Mr. Speaker, I wish to rise on a point of order. I forgive you for your confusion in this matter with the overdue absence of the Prime Minister. By the way, I wish to express my sincere joy in seeing the Prime Minister here again, although in a typical Tory fullness-of-time fashion, he did take 72 hours to get over a 24-hour illness—

**Mr. Speaker:** The hon. member will be given the opportunity to place his question shortly. Will he please—

**Mr. Ben:** I suggest that perhaps the question was in a such vein that the Prime Minister has just answered it.

**Mr. Speaker:** The hon. member's question was answered?

**Mr. Ben:** All right, I will put my question when the time comes and he can answer it again, Mr. Speaker.

**Mr. Speaker:** If the hon. member will just resume his seat for a moment or two, I think we can get this sorted out. We are trying to get these questions answered in a reasonable way. The hon. member for Windsor-Walkerville placed the same question of the Prime Minister as he did of the Minister of Education and therefore I think that that should be disposed of. And the hon. member for Peterborough placed a very similar question of the Minister of Education. And then it had been my intention to have the hon. member for Humber place his question immediately following to clear it up and then go on with the rest of his questions that he has placed for today.

So perhaps the hon. member for Peterborough would place his question.

**Mr. W. G. Pitman (Peterborough):** Thank you, Mr. Speaker. As you are aware, the

question was placed some days ago and in the meantime in the Throne Speech debate the member for Scarborough East has commented rather extensively on this, but I think perhaps the Minister might like to answer this question.

Is the Minister aware of the increased difficulty for Grade 13 students who wish to secure jobs to pay for their university expenses created as a result of the Minister's extension of the school year for all secondary school grades?

**Hon. Mr. Davis:** Mr. Speaker, there was a second part to the question.

**Mr. Pitman:** Actually the next question is on a different topic altogether.

**Hon. Mr. Davis:** Mr. Speaker, I think this will answer the first part of the question: we are quite aware that some students will have, perhaps, some greater difficulty in finding employment because of the extension. At the same time it should be kept in mind that for those students who will be passed on the basis of their year's marks, and so on—those with 60 per cent the same time factor will apply. This, of course, covers a goodly percentage of the students who will be going on to post-secondary experience. And because this applies right across the board, the position of the students, because of the five additional school days, will be relatively the same as it is this year. It will apply to all students who are seeking summer employment.

So the relative position, I suggest, will be almost exactly the same and, because of the substantial percentage of students who will move ahead, because of their 60 per cent recommended mark, the total number affected perhaps will not be as great as some of the students anticipated when they first heard this announcement.

**Mr. Pitman:** Might I ask a supplementary question—perhaps in two parts?

First, I was wondering if the Minister might consider a completely different timetable for grade 13 students, in view of the special difficulties they might have in competition with students in lower grades in the high school system.

Second, I am wondering whether the Minister has heard from the principals and teachers in regard to this extension. Has he had any indication of concern that they may have difficulty in marking exams, entering marks, holding meetings, and so on, in the days that are left in June? Will they be able

to carry out their duties effectively during that period?

**Hon. Mr. Davis:** Mr. Speaker, I am not sure that I have had any official word from the headmasters or from the teachers' federation. There are obviously some who are not enthusiastic.

I would only say this. The experience from last year in several schools that were taken as, shall we say, guidelines, indicated that in the two-week period that was available it was possible for the professional staff to meet the situation in the time that was available to them. We have moved to a date which still leaves roughly two weeks to have the results available by the end of June.

We do not see any major problem as far as administration is concerned. It will mean some adjustment, of course. It will mean that the schools will have to, to a degree, adjust their procedures. But at the same time, Mr. Speaker, it must be noted that the function of the school is to provide an educational experience. We have a very real responsibility and, as I pointed out in my statement before the orders of the day, the taxpayers of this province have \$2.5 million per school day invested in the secondary school programme. So I think we should be making every effort to see that we can have as long an educational experience available for these young people as possible.

**Mr. Speaker:** The hon. member for Scarborough East should place his question.

**Mr. T. Reid:** If I could, because they are related quite integrally with the question of the member for Peterborough. Perhaps the Minister would like me to place them both, they are on the same subject.

In view of the Minister's recent decision to extend the high school school-year, which reduces the length of time available to a grade 13 student to earn money between leaving high school and going to an institution of post-secondary education, will the Minister immediately revise the present Ontario Student Awards Programme condition pertaining to the amount of money a grade 13 student is assumed to have saved from summer employment?

**Hon. Mr. Davis:** Mr. Speaker, the current expectation of summer savings for students entering into the first year of any post-secondary institution is relatively limited in amount because we want it to have as general an application as it can. In other words, taking into account the various dates that a

student may leave the secondary system, the amount of expected summer savings for these students in their first year is \$250, which amounts to \$125 per month, assuming that July and August are the most productive months.

Quite obviously, if a student, for reasons beyond his control, is not able to earn or save that amount of money, as the hon. member well knows, through the appeal procedure, we are prepared to alter this rule. We are quite prepared within The Department of University Affairs to analyse what the amount in dollars would be in the five additional days in school and relate this to these student award programmes to see that no student is prejudiced.

I must say, once again, Mr. Speaker, we must be very concerned about the investment we have in the secondary school programme and we must endeavour—and I think the leader of the Opposition made some observations on this himself not too many years ago—to see that there is a valid use of the school plant for as long a period of time as educationally feasible.

**Mr. Speaker:** I do not believe a supplementary would be in order and I do not believe the other one should be asked at the moment.

The hon. member for Humber has the floor—a supplementary?

**Mr. T. Reid:** Do I understand from the Minister's remarks that the \$250 might well be reduced by some fraction as the consequence of the increased time grade 13 students have to be in school?

**Hon. Mr. Davis:** Mr. Speaker, as I said, we are quite prepared, within The Department of University Affairs, to analyse what would be the total economic effect, related to the \$250, of the additional five or six days a student may have to stay in school.

**Mr. Speaker:** The hon. member for Humber has the floor. If he feels the Prime Minister can enlarge upon the answers given to the questions about the school year for students he might ask question 325. If not, he can proceed with the other questions he has.

**Mr. Ben:** It is not a question, it is a point of privilege, Mr. Speaker.

I resent, extremely, being gagged by you and when you would insolently suggest to me that if I feel the Prime Minister has an answer to the question—

Interjections by hon. members.

**Mr. Ben:** I am on a point of order—

**Mr. Speaker:** Order! Would the hon. member please use much more moderate language in this House. While we all understand his feelings and the fact that they do occasionally come out the way they have done just now, I think it would be appreciated if he made his point without extravagant vocabulary.

**Mr. Ben:** I will continue the way I was. If there are any words you find unparliamentary in "May's", I will be very happy to apologize, but I do not think you are yet a God that I cannot use ordinary English language in this House when it applies to you.

The fact remains that the question was put in on December 11. I have been patiently sitting to ask this question and, when I rise on a point of privilege, you cut me off when the point of privilege is in order.

Now, if you are going to have two rules here, okay, that is fine, say so and I will abide by the rules, but do not be insolent about it.

Interjections by hon. members.

**Mr. Ben:** I believe everybody is entitled to his day here and have equal treatment. It is simply because I use language that may offend the Speaker's sensitivities. As long as it is not vulgar language, I am entitled to use it.

**Mr. Lewis:** Better use vulgar language.

**Mr. Ben:** The question that I put on the 11th for which we have been waiting to get an answer and which should have been asked at the same time as the member for Windsor-Walkerville asked his question—perhaps I should ask Mr. Speaker if he has it in front of him, just to check up how good his system is here—is this:

In order to prevent student unrest in the lack of summer work that existed this year, what action has been taken by the government to date to ensure that all secondary students who are able to work and who wish to work will have summer employment in 1969?

Mr. Prime Minister, I regret that in the Speaker's opinion—

**Mr. Speaker:** Order. The hon. member has asked his question, he will return to his seat and await an answer.

**Hon. Mr. Robarts:** Well, Mr. Speaker, I can assure the hon. member that I have the

question and I believe I have answered it. I do not think he would like me to go through that again.

I think my answer to the hon. member for Windsor-Walkerville would suffice as an answer to this question. Furthermore, my voice is gradually disappearing and I would not get to the end of it, anyway.

**Mr. Speaker:** The hon. member for Peterborough. Would he ask that other question of the Minister of Education—the second part of the question?

**Mr. Pitman:** Yes, Mr. Speaker.

Has the Minister agreed to co-operate with the universities in passing on to them, in an organized way, the standing of students completing their Grade 13 year in Ontario secondary schools?

**Hon. Mr. Davis:** Mr. Speaker, one might have a very interesting discussion on what the member's definition of an organized way may be, but certainly we are quite prepared, as we did in the past. The Grade 13 marks were collected and tapes and print-outs were made available to the universities last year and we fully intend to carry on with this procedure.

**Mr. Speaker:** The hon. member for Port Arthur has questions.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Speaker. I have a question for the hon. Minister of Municipal Affairs.

Will the Minister inform the House if the legislation concerning the incorporation of the new Lakehead city will be introduced prior to the Christmas recess?

**Hon. Mr. McKeough:** Mr. Speaker, I would refer the hon. member to page 281 of *Hansard* at which point I said:

Prior to the introduction of this legislation I shall go to the Lakehead in January—

**Mr. Knight:** Mr. Speaker, I have a question for the Minister of Agriculture and Food.

First, will the Minister name the crop insurance agent in the Thunder Bay area and give the date he began the promotion of crop insurance in the rural Port Arthur-Fort William area?

Second question: Since it appears most farmers for Fort William-Port Arthur were not properly acquainted with the crop insurance programme in time to apply its benefits to last season's critical crop losses, will the Minister reconsider their urgent requests for departmental assistance?

**Hon. Mr. Stewart:** Mr. Speaker, I have to confess that I cannot name the crop insurance agent nor can I name the date that he began his promotional campaign because he was never appointed. This is of great concern and regret to me.

The crop insurance commission, when this question was asked, informed me that they have tried to find an agent in the area. They had been unsuccessful. I was of the opinion, when I reported last week to the House on crop insurance work in other areas of northern Ontario, that all areas had crop insurance agents. I was greatly surprised and more than a little disappointed to learn that this was not the case.

However, we do have an agricultural representative within the Lakehead area, the Thunder Bay area. Mr. N. W. Harrison retired and a new man came in this last summer. He had been forwarded all of the information pertaining to crop insurance availability in the north and to the rates of premium, the amounts of coverage that would be available to any farmer in the area. I suppose it could be debated whether or not he did enough promotional work on his own; whether or not the promotional work that was done by radio and television and in the newspaper advertising reached the farmers. This may be the case. My hon. friend, the member for Port Arthur has, I believe, a very wide listening audience to his own radio programme and I am sure he could very easily have brought to the attention of the people of that area this—

**Mr. T. P. Reid (Rainy River):** Who is running that department?

**Hon. Mr. Stewart:** Am I not able to give the hon. member credit for something he could have done and probably did do?

**An hon. member:** It was part of the member's job.

**Hon. Mr. Stewart:** Is there anything wrong with that?

Mr. Speaker, surely there is nothing wrong with me suggesting that with the promotional programme that is now being planned in our department I would hope that the services of the hon. member for Port Arthur could be enlisted in this, if he has not already done so. I say this quite sincerely with no reflection whatever on whether he has or has not. It may well be that he has. I do not know. But I think that we have to recognize all of these things.



**Mr. T. P. Reid:** Does the Minister not know what is going on in northwestern Ontario at all?

**Hon. Mr. Stewart:** I will say this, Mr. Speaker, that I know a great deal more about what is going on in northwestern Ontario than the hon. member for Rainy River. For instance, he didn't know about the Stratton cattle sale. He never had anything to do with it; he did not even think enough of the co-operative cattlemen's sale to come out to see it.

Interjections by hon. members.

**Hon. Mr. Stewart:** Then he sits here and says we do not know anything about what is going on.

**Mr. Speaker:** Order! The hon. Minister will please confine himself to answering the question which he was asked.

**Hon. Mr. Stewart:** Mr. Speaker, I will do that exactly, but I would like to enlist your very considerable influence in this House, in seeing that the member for Rainy River abides by your rules.

Interjection by an hon. member.

**Hon. Mr. Stewart:** Not at all. I am greatly concerned because I speak as a farmer in this province who knows what it is to lose his crop, believe me.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Hon. Mr. Stewart:** Mr. Speaker, I am greatly concerned—

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** I am greatly concerned, Mr. Speaker, that all farmers of this province have not availed themselves of the opportunity to purchase crop insurance. I do not know—it is probably—

**Mr. Nixon:** Five per cent?

**Hon. Mr. Stewart:** It probably is something like that. I do not know how one persuades them to do this because, frankly, there are a great many of us who really do not buy crop insurance. I cannot say why; I suppose it is because we have always carried our own insurance. It is very difficult to change that policy and I would suggest that many people who—

**Mr. V. M. Singer:** It is hard to buy it if there are not any salesmen around.

**Hon. Mr. Stewart:** There are salesmen around. The agricultural representative would have sold the crop insurance to every farmer in the area, every farmer; he had the application forms there.

The truth of the matter is there was not one single enquiry in the whole area. Now why? I do not know.

This is the problem. I do not know how we can persuade farmers to buy something they do not want to buy.

**Mr. Speaker:** The hon. member for Oshawa—sorry.

**Mr. Martel:** Buy advertising!

**Mr. Knight:** Mr. Speaker, I wonder if the hon. Minister will answer my second question.

He answered the first part of the question but he has not answered the second part which is whether he will reconsider the request of farmers up there for special need because, in effect, they just did not know about crop insurance.

**Hon. Mr. Stewart:** Mr. Speaker, I cannot say whether they knew about it or not, and neither can he. I would say this—

**Mr. Knight:** They did not know about it.

**Hon. Mr. Stewart:** I would say this—

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Mr. Speaker, let me say this. As far as we are concerned, I have to go back to the question that I replied to when the leader of the Opposition (Mr. Nixon) asked me this question at the introduction of crop insurance. He said, "Will adverse weather assistance be continued after the introduction of crop insurance"?

I said, "no". I live by that decision and I have to maintain that policy.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, a question to the Treasurer.

In view of the select committee on taxation's recommendation that passenger vehicles be charged a flat rate of \$25 as a licence fee, why did the government increase licence fees to \$35?

**Hon. C. S. MacNaughton (Treasurer):** Mr. Speaker, the change in passenger vehicle licence fees was announced in the Budget statement last March 12, prior to the establishment of the select committee on taxation. I would refer the hon. member to page 18 of the 1968 Budget statement for further particulars. I should also advise the hon.



member that the increase was not to \$35 across the board; it involved an increase to \$20 for four-cylinder cars; \$27.50 for six-cylinder cars and \$35 for eight-cylinder cars, particulars of which are also shown on page 18 of the Budget statement.

**Mr. MacDonald:** So your revenue is now about 110 per cent of expenditures.

**Mr. Speaker:** The hon. Minister is not in his seat. The member will have to wait till he returns.

The hon. member for Beaches-Woodbine has a question.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, I have a question in three parts to the Minister of Correctional Services.

Has the Minister been advised that a girl in the Grandview training school tried to hang herself in the last few days?

If so, is the Minister aware that representations were made prior to the girl being committed to Galt, advising the authorities that this child, who is not a juvenile delinquent, was severely disturbed and should be placed in an institution where treatment is available?

Will the Minister now arrange for the girl to be transferred to an institution equipped to deal with emotionally-disturbed children?

**Hon. Mr. Grossman:** Mr. Speaker, the answer to the first part of the question is "no". Therefore, the other two parts of the question do not apply.

**Mr. Speaker:** The hon. member for Scarborough East may now place his question to the Minister of Education.

**Mr. T. Reid:** Mr. Speaker, I have a question left over from last week; do I ask that one first?

To the Minister of Education:

Will the Minister table correspondence with Mr. Piekoszewski regarding the non-provision of schooling for his retarded daughter?

Two, when did the Metro Board of Education take over this responsibility in Toronto from The Department of Education? Is the department still responsible in the other areas of the province?

Three, how many children are in a similar position throughout Ontario?

**Hon. Mr. Davis:** Mr. Speaker, the answer to the first question is no. This, I think, is consistent with the hon. member's point of

view with respect to personal records and student involvement on records. I am sure that to do this would be contrary to his own view.

Second, when did the Metro Board of Education take over this responsibility from the department? I really do not know quite what the hon. member is suggesting.

The education of trainable retarded children in Toronto does not officially come under the jurisdiction of the Metropolitan Toronto School Board until January 1, 1969. It has been under the jurisdiction of the Metro Toronto retarded children's authority for some years.

With respect to the third question. It cannot be answered because it is based on question number one, which assumed that the child was not attending school.

**Mr. T. Reid:** Mr. Speaker, to return to that debate. Another question, in three parts:

How many millions of dollars have The Department of Education of the province of Ontario and local boards of education spent on computers and data processing operations in the past four years?

Second, is one of the prime usages of this data processing equipment the rapid production of high school student report cards at the end of the school year?

Third, does the Minister's recent decision to extend the current school year by — my understanding is two school weeks — mean that the report cards of Grade 13 students will not be able to be processed by the computers in time for the current deadline for application for admission to universities in Ontario, without: (a) rewriting the computer programmes; and/or (b) additional expenditures of public money to mount a crash effort to process the data in the more limited time available?

**Hon. Mr. Davis:** Mr. Speaker, with respect to the first part of the question, I can give the hon. member a figure for 1968-1969 which is \$1.7 million. This is substantially higher than 1967-1968, because during that period of time the computer operations at the Ontario Institute were merged with those of EDC. In other words, they were sharing the same facilities.

That is the figure for the education data centre. I am sorry, 1966-1967 was \$550,000, 1965-1966 was \$200,000 and 1967-1968 was \$726,000.

With respect to the equipment of the boards, Mr. Speaker, it is really impossible to

give any specific breakdown of cost, because their cost for computer time and data processing is built into their administrative programmes. Some boards have some computer time and some hardware related to curriculum and instruction, but for the majority it is built into their total administrative cost. It is impossible for us to look at the boards' total administrative costs, and determine what portion of that is related to computer time—and data processing.

With respect to question No. 2, we have an experimental programme for this purpose in co-operation with three boards only, but I do not think we would describe this as a prime use at this point.

The third question, of course, does not relate to the department's data centre. I am not sure whether the hon. member has any specific board in mind, or any specific case. If he has, I would be delighted to look into it for him. I might say that there were schools last year which mailed out their final report cards by June 18, as I said in my earlier statement. There were a number of boards that were able to do this, and that was two weeks after the students' release date of June 3. And as I said in my statement, it would appear from the experience in several board areas of last year the two weeks mean work, there is no question about this, but it does provide sufficient time for proper administration.

**Mr. T. Reid:** Would the Minister accept a supplementary, Mr. Speaker?

Has the Minister not received a brief from at least one board of education concerning the specific problem that I posed in subsection 3 of my question—that is, that the school boards might actually have to rewrite their computer programming? The changeover cost, of course, would be very high, so they would have to make other financial adjustments.

**Hon. Mr. Davis:** Mr. Speaker, I am not sure that we have received this specific brief on this point, but I will look into it. As I say, they may have to rewrite some programmes, although once again, at this stage I cannot give the hon. member the exact figures, we hope to have them within four or five weeks. Once again a substantial percentage of the students were recommended—that is they did not go through this procedure—and this will still pertain, so that it will not be the total number of Grade 13 students that will be involved in any administrative change.

**Mr. T. Reid:** My final question to the Minister is this:

With regard to members of existing school boards, who have been asked to continue on for the next six months: (a) Will these people be receiving any pay, and if so, by whom; (b) If members of the 1968 school boards have been elected to municipal councils, will they be eligible to continue on in this service?

**Hon. Mr. Davis:** Mr. Speaker, members of existing boards may be requested by the corresponding new board to serve on a committee; this is the way it will be structured. They may be paid an honorarium not exceeding the rate they have been paid, and which applied to the former board effective December 31, 1968. They will serve in this capacity on the committee, and they may be paid an honorarium comparable to that which they have been receiving for committee work.

With respect to the second part of the question, I think, Mr. Speaker, this obviously involves something of a legal opinion, and perhaps if the hon. member has been approached on this, he might suggest to the board or the municipal council that it take a look at it.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Is the Ontario Northland Railway considering replacing the passenger trains between Porquis Junction and Timmins with buses? If so, why?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, the answer to the question is no, not at the present time.

**Mr. Ferrier:** I have another question, Mr. Speaker, of the same Minister:

How many carloads each of copper, zinc and other mineral concentrates were shipped by the ONR from the Hoyle Concentrator by Ecstall Mining during the month of September? What was the destination of these shipments?

**Hon. Mr. Simonett:** Mr. Speaker, the number of carloads shipped in the month of September was 812. Lead and zinc concentrates were shipped to the following places: Quebec City, 440 cars; Little Current, nine cars; Port Maitland, 28 cars; U.S. points, 181 cars. Copper concentrates: Noranda, Que., 154 cars. That gives a total of 812 carloads.

**Mr. Speaker:** The hon. member for Nipissing.

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I have a question for the Minister of Education.

First, will the Minister advise us as to whether or not he has received the petition from a large majority of residents of the township of Chisholm, which is mainly bilingual, requesting transference of their area from the Parry Sound board of education to the Nipissing board of education?

Secondly, why was this township placed in the east Parry Sound board of education area, as opposed to the general rule, and the seminary was placed in the combined Nipissing district separate school board area?

Thirdly, will the Minister present during this session, a bill to provide for the required changes? If not, will the Minister assure the people concerned that their children will have bilingual education provided for them by the Parry Sound board of education, as is now available to them in the North Bay secondary school system?

**Hon. Mr. Davis:** Mr. Speaker, the answer to the first question of course is yes.

The answer to the second question relates to the area which was designated as the East Parry Sound School Division, and it contains only two separate school zones within his boundaries, as perhaps the hon. member knows. One of them is in the township of Chisholm, and one at Kearney. There is no district combined separate school zone with boundaries co-terminus to the East Parry Sound School Division. The separate school zone at Kearney is unaffected by the legislation because of its remoteness from other separate school zones, and the separate school zone at Chisholm township was attached to the Nipissing district school zone because of its proximity to that unit. A portion of the township of Chisholm was already included in the Powassan High School District which formed part of the East Parry Sound Division.

With respect to the third part of the question. I will get a copy of the section to the hon. member. Section 68 of The Secondary Schools and Boards of Education Act already provides the right for a student to attend a secondary school in another district to take a course of study that includes French for French-speaking pupils, if it is not available in his own secondary school district. This is already in the statute.

**Mr. R. S. Smith:** Mr. Speaker, perhaps he could clarify the answer to the second question because he answered the question by saying why the separate school areas were placed where they are. But he did not answer the question of why the Chisholm area was not placed in the public school or the board of education area of Nipissing, instead of Parry Sound.

**Hon. Mr. Davis:** Mr. Speaker, I think, really, I did. The hon. member may not have understood it, but I thought that I indicated that it was because of geography and proximity to the other centres. This is why the decision was made to include it in this fashion.

**Mr. Speaker:** The hon. member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question of the Minister of Education. When will the balance of this year's legislative grants be paid to local boards of education?

**Hon. Mr. Davis:** Mr. Speaker, most boards will receive cheques in payment of the 1968 grants by the end of this week, in time for Christmas, hopefully. Most of them have already received them. This does not apply to the Metro boards because the necessary data are not yet available to permit a final calculation, but the rest of the boards should have it before Christmas.

**Mr. Worton:** May I ask a supplementary? Why the delay from November 30? Are there new types of bookkeeping being set up?

**Hon. Mr. Davis:** No, I do not think there is any new bookkeeping, Mr. Speaker, but the task is becoming a shade more involved and will be for another year. Hopefully perhaps not a year from now, but two years from now, with the larger units of administration where we are only dealing with 150 or 200 boards—the task will be somewhat simpler.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, I have a question for the Minister of Lands and Forests.

Has his department produced a communications map of this province showing various means of communication used by the Ontario Provincial Police, Ontario Hydro, the Emergency Measures Organization, and the Forest Protection Service?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for High Park, on the first part of the question the answer is no.

With reference to the second part, the Ontario Research Foundation has done work on this project as part of the study of this department's air service and communications system.

On number 3, until the report and the map have been received, I—

**Mr. Shulman:** Mr. Speaker, I am sorry I have not placed the other question. They would all depend on the answer to the first one. May I place those before he answers them, please?

The second question was: Has the Ontario Research Foundation done some work on this project? The third was: Does this map show a massive duplication of services and will the department supply me with a copy of the map?

**Hon. Mr. Brunelle:** Mr. Speaker, as I mentioned in the second part of my answer, the Ontario Research Foundation has done work on this project as part of our department's work in conjunction with the air service and communications system.

3. Until the report is finalized we are not in a position to comment.

4. As soon as the map is available we will be pleased to send the member a copy of it.

**Mr. Shulman:** Mr. Speaker, I have a question for the Minister of Financial and Commercial Affairs.

Will the Minister intervene to give Charles Nairn the \$1,700 owed to him in the form of a bond held by the department?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Yes, I am currently looking into this matter and I will take the question as notice.

**Mr. Ben:** Mr. Speaker, on December 12, as recorded on page 580 of *Hansard*, you advised the House that the Minister of Trade and Development (Mr. Randall) had an answer to a question that had been placed by the member for Humber. You then asked the leader of the Opposition if he was content that the answer be given. The leader of the Opposition is recorded as having answered "yes". The Minister then proceeded to give an answer.

I would point out, first of all, that I did not put the question, but submitted it through

the usual channels to you for approval. I feel it is proper for the leader of the Opposition to state that an answer is required, but I suggest that it is wrong to say that a question has been put.

Secondly, if the Speaker permits a Minister to answer a question in the absence of the person who puts the question, I think proper procedure would at least require the Minister to read the question which was being answered so that posterity, if posterity ever gets around to reading *Hansard*, would at least know which question the Minister was answering.

On page 581, Mr. Speaker, you are recorded as having made this statement:

The hon. Minister of Health has answers to two questions, one from the member for Humber and the other from the member for Grey-Bruce. Would it be in order to have those answers or would you wait?

In this particular instance, Mr. Speaker did not have even the courtesy to ask whether the leader of the Opposition wants the answers put. You simply directed the statement to—

**Mr. Speaker:** Order! I would point out to the hon. member that that observation of Mr. Speaker was addressed to the leader of the Opposition. An answer was given and the—

**Hon. Mr. White:** Sit down when Mr. Speaker is talking.

**Mr. Speaker:** The question was therefore answered.

**Mr. Ben:** At any rate I would record it at least here, Mr. Speaker—

**Mr. Speaker:** If the hon. member had been in his seat at that time he would have known what was said by the Speaker. The Speaker is now pointing out to him what was said and how it was said and the proceedings which took place.

I have no objections to dealing with the questions before the orders of the day in the best interests of the House. I would point out to the hon. member for Humber that it is my desire to have the two Opposition parties share equally in the question period; I do my best to see that they do that. I do my best to see that the members who get my eye have the opportunity of asking their questions.

When it seems best to Mr. Speaker that questions should be asked in a certain order because they run that way, it is my responsibility, and I try to accept it, to have them asked that way. I admit that no one can

satisfy everyone. I would be pleased to change or deal with them in the manner which suits the great majority of the members here, because this is, presumably, a democracy and the majority rules. The hon. member has the floor.

**Mr. Ben:** Thank you, Mr. Speaker. I draw to your attention that you are, in essence, chastising me for quoting *Hansard*, and you say that I should have been here to hear what you said. I only presume, therefore, that *Hansard* has properly recorded you.

**Mr. Speaker:** The hon. member is placing words in Mr. Speaker's mouth. Mr. Speaker did not say that the hon. member should have been here. I said that if the hon. member had been here, he would have heard what Mr. Speaker said.

**Mr. Ben:** Then I presume I am not reading correctly what you are recorded as having said, Mr. Speaker, because I read from *Hansard* on page 581.

**Mr. Speaker:** And I pointed out to the hon. member that what I said was addressed to the leader of the Opposition. The hon. member was not here so he does not know to whom it was addressed.

**Mr. Lewis:** The hon. member for Humber is verging on insolence.

**Mr. Ben:** My point, Mr. Speaker, is this. If it is expected that the Ministers answer questions, I think that the questioners should put the questions in the absence of the Ministers, and then the Minister can answer in the absence of the questioner. That is, if the member who has a question desires an answer, even in his own absence, of the Minister, he should put the question in the absence of the Minister. Then the Minister can answer. But if the member does not put the question in the absence of the Minister, then I suggest that the Minister cannot answer a question which was not put.

Now my position is this: I have two questions of different Ministers here, Mr. Speaker—

**Mr. Speaker:** There will be no questions placed in the absence of a Minister. Questions which have been placed by a member, and which a Minister is ready to answer, will be answered in the absence of a member if the leader of the party to which that member belongs wishes that information to be given at once.

That is a ruling which I made some time ago. It has turned out very well and, unless

I am otherwise directed by the House, that is the ruling of the chair.

**Mr. Ben:** I take it that once a question is submitted to you, Mr. Speaker, that question must be asked and it cannot be withdrawn without your leave. Is that the position?

**Mr. Speaker:** The question can always be withdrawn by the member asking it, so far as Mr. Speaker is concerned.

**Mr. Ben:** I should say that if a question is put to you, once it is put to you, it is deemed to have been asked; because it was not asked in the House, so it must be deemed to be asked once it is submitted to you.

**Mr. Nixon:** Mr. Speaker, if I might comment on the point of order. About two weeks ago, you mentioned that you were going to have an informal meeting of party leaders to discuss some of these problems as they arise. I would urge that you convene that meeting in the near future.

**Mr. Ben:** Excuse me, Mr. Speaker, may I have an answer for my guidance? I asked you, is it to be presumed that once a question is put to your office, it is presumed to have been asked and should the member drop dead, that Minister will answer that question even though it was never asked?

**Mr. Speaker:** I have already answered the hon. member's question by saying that it had been presumed to have been asked, that it was merely submitted to the Speaker's office.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. T. Reid (Scarborough East):** Mr. Speaker, it is with delight that I continue my remarks from last week. I hope to make them fairly brief at this time. However, over the weekend a number of issues have been drawn to my attention and I would like to begin my remarks today by drawing your attention, and the attention of the hon. members to these two problems.

The member for Peterborough (Mr. Pitman) and I have placed a number of questions to the Minister of Education (Mr.



Davis) concerning the extension of the school year and how this might have certain adverse effects on students and teachers and education unless compensating policies are taken to offset some of these bad effects.

I would like to start my remarks, sir, by welcoming the members of the student council from Woburn Collegiate who are in your gallery, and to say that I am pleased that they have gone to the trouble of preparing a brief for the Minister of Education concerning this specific issue.

Too often we hear that students are irresponsible, that they are not willing to put in the hard work necessary for making changes in policy. I am delighted, sir, that these students have put the effort into the preparation of this brief and have presented it to the Minister of Education, at least to his secretary, with 1,200 signatures of fellow students at Woburn Collegiate.

As their member in this House, I would like to report on their brief. I believe that this is one way of making the voice of ordinary people, especially perhaps the younger people in our province, felt in the halls of this Legislature. So I would like to read their brief. I do this not because I necessarily agree with everything that is in their brief, but because I believe they have a right to be heard, and to be heard loudly, particularly when they act in a responsible way. I would like to make their views known to you, sir, and to my colleagues in this House.

In response to the recent regulation put forth by The Department of Education concerning the extension from May 30 to June 13 of the present school year, we, the students of Woburn Collegiate Institute, present this brief stating our objections to the said regulation.

Our first objection is to the short notice given to the students, teachers and to the employers of the students who, in order to be financially able to attend post-secondary educational institutions, must work during the summer. In previous years, university and community college students have had a three-week jump on all available summer employment but now they will have at least a five-week head start. Graduating secondary school students are in the same position as university students in that both must earn money for the following year's tuition. It is totally unfair that the university and community college students are in a better position to earn this money.

Also, we think that if we must attend school until June 13 it is necessary to change the current OSAP requirements which assume that a student will have saved \$250 from summer earnings in order to qualify for a student award. Employers, in many cases, will not hire a student unless he is available to work for a full three months beginning June 1. It is very difficult for a student to save the required amount of \$250, if he does not have a full-time job. It must also be noted that good paying part-time jobs are very hard to come by.

Our second objection is on behalf of the teachers and students together. Mr. Ward McAdam, vice-president of the Ontario secondary school teachers federation, has been quoted as saying, "It makes accurate year-end evaluation almost impossible." He is referring to the promotion committees that are set up in every school to determine whether the borderline students should be passed, be set back or be transferred into a different course. With the extension of the school year the time allotted for the meetings of the promotion committees would be cut in half, thus a fair and valid evaluation for each student is less likely to be made.

Also, because of the shortage of time for the teachers, the examinations are not apt to be marked so carefully.

Are we, as students, entitled to a reason for this late action? To this point, no valid or substantial reason has been given for the two-week extension. By the news media, we can only conclude that the purpose of this regulation is to enable or force the students to learn more. If this is the only reason, then this regulation will not serve its purpose. It is our feeling that a student will not learn that much more by wasting his energies, and the teachers', in a hot classroom for an extra ten school days.

We, as students, know that the most prevalent attitude among the students would be flippant and languid towards school.

At this point, we could elaborate on the faults and short-comings of the classroom system but we are sure that every one is fully aware of all the pertinent criticisms. We ask that Education Minister Davis give us a sound and well-grounded argument, which has so far been lacking for this regulation. We definitely feel that we are entitled to it.

Mrs. A. M. Clark, Scarborough board of education chairman, says, "Students will



have to accommodate to the change," which she feels is just a step towards creating a 12-month school year. This quote appeared in an article in the *Toronto Telegram* last week.

Also Mr. Barry Lowes, chairman of the Metro board of education, has stated that this law is a step to a gradual changeover to an 11-month school year. Here again we feel that it is our right to know the grounds on which these statements are based.

In this brief, we have stated our main objections to this regulation and to the apparent lack of communication between The Department of Education and the students concerning this regulation. We, the students of Woburn Collegiate, ask that Education Minister Davis withdraw this regulation for this year, and that the regulation not be reinstated until such time that substantial arguments can be presented to support such a change.

Mr. Speaker, that is the end of the brief from the students of Woburn Collegiate. In my opinion, it is a very succinct brief. It is well informed and it is short and articulate. And I, sir, am proud to present it to this House at this time.

My more detailed remarks on the hon. Minister's decision are contained in *Hansard* for Friday. I will not repeat those remarks at this time but will simply refer the Minister of Education and other interested members to those remarks.

However, I would like also to put on record a letter addressed to the member for Port Arthur (Mr. Knight), which is from a teacher. I think it is interesting to note the views of this teacher. The letter is dated December 12, addressed to the member for Port Arthur, and it reads as follows:

Would you please attempt to ascertain from the Minister of Education the exact reasons for his putting back the last day of classes in high schools to June 13, and hence the first day of exams to June 16? This dictum from on high means that it is virtually impossible to complete marking and all his departmental rigmarole before the end of the first week of July. Perhaps he has forgotten these things, plus the fact that many students and teachers must attend summer school, plus the fact that many students are thus being deprived of at least part of their earning capacity over the summer months.

On the other hand, it may be a case of falling into some form of pressure and he is using his assistant deputy minister to pass it along to us civil servants. I, for one, am reasonably happy to put in eleven months of my year working a nine-to-five day and at least five-evenings-a-week routine. But let someone start chewing away very much of the free time still remaining to me, then I won't be a teacher in this province much longer.

In conclusion, may I repeat my request that you attempt to determine the rationale behind this latest dictatorial action. Nowhere else can I think of, that the employer—the government at that—can arbitrarily take a week of a person's own time without recompense.

Yours sincerely,

—and so on.

An hon. member: Did he sign it?

Mr. T. Reid: Yes, he did sign it, Mr. Speaker.

The point of these two briefs, I think—the basic point—is the way in which the decision was made and not so much the decision itself. It was done—by the number of letters I have here from students and other teachers, sir—in an arbitrary way and I think it represents the way in which this government conducts too many of its programmes.

I would point out that I am pleased that the teachers of this province, and the students of this province or many of them, are willing to voice their opinion directly to the Minister of Education. I might add, sir, that I am very pleased that the Minister of Education sometimes does respond to this type of pressure and does clarify his decisions, such as the decision that we heard today for the first time. That the \$250 which was required from every student graduating from Grade 13 going on to university, was required in the determination of the student award, may be reduced—will be reduced, I think if we read *Hansard*, we will find—will be reduced, on a *pro rata* basis.

It is that type of decision that we have to get this Minister to take. He must be involved in the type of integrated decision-making and realize the effect of one decision in the area of education on other areas of education.

I would like next, sir, to turn to a question I know many members feel strongly about. That is the report of the committee appointed to inquire into and report upon the pollution of air, soil and water in the townships of

Dunn, Moulton and Sherbrooke in Haldimand county.

I have read this report carefully, trying to come to an evaluation of its contents in as objective a manner as possible, to try to determine how one should treat this report. Is it a whitewash of the government? Or is it not? Is it a substantial report that can be useful for guidelines in the future?

I would like to say that in my reading of this report, in my interpretation of this report, I do not find it to be a whitewash of the government policy. I find it to be a condemnation of the government's policy in the area of air and water pollution, particularly its effect on human beings and other living organisms.

I would like at this time, sir, to record some of these statements made in this report which do condemn the government's policies over the past—I will not say 25 years, sir—but since 1957, in this area of air and water pollution. I think that by a fair selection of condemning statements — I stress that; I attempted to be fair in my selection of these statements — it will be clear that in an absolute sense the policies of this government have been abysmal. It all depends on what standards one uses to judge their behaviour. But I shall make the following quotations directly from the report in order to let the report speak for itself.

The first quotation, sir, is found on page 238. It is a neat and direct quotation; I am not interpreting at this time:

That there has been fluorosis in some of the cattle on several of the farms in the townships of Dunn, Moulton, and Sherbrooke and the county of Haldimand is unquestionable. There certainly has been some loss of cattle from the ingestion of above-normal amounts of fluoride over a long period of time. There has been severe lameness in some cattle. There has been evidence of dental fluorosis in some cattle. There has been, in some cases, substantiation from fluoride analyses of urine and fodder.

My comment on that particular quotation, sir, is that the findings of that report were condemning. They found fluorosis in the cattle, and that is the absolute statement. If they go on to compare it with some figures showing how many cattle have died, then the substance of their remarks is diminished. But if you leave comparisons out of it, and out of some other statements that might have been made about the cattle, the fact is that that

statement stands by itself, and condemns the air and water pollution policies of this government.

On page 295 of the report, again this is a direct quotation, the report states, there has been "some damage to vegetation in the Port Maitland area, and this was evident in 1962." So there was damage back in 1962, damage to vegetation. That fact stands by itself. The report notes however:

No complaints of damage to farm animals were made until the summer of 1965. The limed candle readings made in the area showed a dramatic increase in fluoride concentrations, and at some stations, ten-fold increases were noted. The committee concludes that there was a definite relationship between the sharp increase in fluoride emission from ERCO and the increase in vegetation damage and crippling effects on some farm animals after 1965.

There is no questioning that result. There is no questioning the conclusion that there has been damage to vegetation in that area as a result of air pollution. And when we examine the appendices, and look in the detail at those appendices, we find that there certainly was a sharp increase. Here I refer to the appendix of table 6, on page 61. The story is this, Mr. Speaker—the annual mean levels of fluoride in the atmosphere within defined areas, increased from 80 micrograms fluoride per one hundred square centimetres in station A in 1964, to 3,642 in 1965. That was for station A. This is the index of air pollution. For station B the increase is from 66 in 1964 to 987 in 1965. And for station C, 82 in 1964 to 1,064 in 1965.

Those are the facts that this committee has come up with. And damning facts, sir. Not only that, the committee notes on page 59 that a "safe" level for this particular index is under 100. To underline this, look at the increases. Look at the absolute amount, in 1964, at these three stations. For station A, for which 80 is still safety, and how it has risen to 3,642 in one year. And the safe level is 100 units. In station B the increase was from 66, still a safe level presumably, to 987 in one year—away over the safe limit of 100. In station C, 82 in 1964 was still under the safe limit, but it rose to 1,064 in 1965, sir. I submit that the committee is damning this government for lack of action in that area. I hardly call that a whitewash.

Turning to what the report says about teeth and the effect of water with the pollu-

tant fluoride in it, the report notes on pages 73 and 74 that disfiguring dental fluorosis:

Will be evident in the teeth of many children in this area, if fluoride intake since 1964 has exceeded the 1957-64 level by 50 to 100 per cent. For this reason, it is recommended that children in the Port Maitland vicinity be re-examined for mottling defects in early 1970.

That, sir, is 13 months away. Why do not we re-examine them now to find out those effects? Why use children as an index to find out whether there is a poisonous substance in the drinking water in the area? That, sir, is putting the cart before the horse; it is saying the only way to find out what is really happening is to wait till the damage is done to these people, and then you have some sort of evidence. I submit, sir, that again this is a damning indictment of this government's policy. What a way to find out if there is danger.

Keeping on with this mottling process on the teeth as a result of excessive fluoride in the water, which of course comes from a number of sources, I would like to offer this argument to you, sir. The report states that:

The mottling frequencies for children living within two miles of Port Maitland indicates that their maximum fluoride intake during 1957-64 was equivalent to that derived from drinking water containing 1.5 to 1.9 ppm fluoride.

So what the report says is that when they examined the teeth of these children, they found that mottling occurred to a number of these children. And they categorize the degree of mottling on an index, to find out quite rigidly in terms of normal, very mild, mild, moderate and severe. So "moderate" is right beside severity. It is in the fourth category, if you like, where, if anyone has moderate mottling of the teeth, they are in a danger area.

The U.S. public health report states that mottling, moderate mottling—which is just before severe mottling—begins at the level of 1.8 ppm.

When we look to find out what this committee meant by moderate mottling, that is the fourth stage, because you have got normal, very mild, mild and then moderate before you've got severe—I think we should put this in the records of this House, because it is the definition that is important in this category.

To me, a moderate is someone who is not very extreme nor severe. But the definition

of moderate, in terms of the mottling of the teeth of children, is a very interesting one because in my opinion the definition of moderate in this report, even though it might be based on the U.S. public health reports, is a very damning definition.

It is a very extreme definition. On page 323 the committee uses the following definition of moderate mottling of the teeth. I will read it directly with no comments.

Tooth form is normal, but opaque; white enamel generally covers all tooth surfaces. Minute pitting is often present, generally on the labial and buccal surfaces. Brown stain of the enamel is a frequent, disfiguring complication but one which is apparently related to some secondary factor in the water. The pitting is frequent and is generally observed on all tooth surfaces. In extreme cases (again in terms of the moderate mottling), the pits are confluent and so extensive as to affect the tooth form. Stains are widespread and range in colour from chocolate brown to almost black in some cases.

I suggest that a moderate mottling is a very severe type of mottling. It is interesting to note that the report did not find any example of severe mottling, unless I misinterpret, but they said in the appendix, there is no definition for severe mottling.

One thing in this might be that they have left out a word. Some of those quotations I have made may be referring to severe mottling, and they left it out. In other words, through the shoddy editing job on the book.

The point is you can get moderate mottling at a level of 1.8 ppm, and they did find cases of this when they examined the children's teeth. Let me recall what the report says.

The report says that a 50 per cent to 100 per cent increase in the fluoride level in the water could result in "disfiguring dental fluorosis." That 50 per cent figure would be when the level in the water, in terms of the index used, ranged between 2.3 and 2.9 ppm fluoride, then we would see many more cases of moderate type of mottling of the teeth.

I suggest that the limed candle reading which increased so fantastically for air pollution between 1964 and 1965—increasing in one case from 80 to 3,642 at station "A"—will be condemning.

With the type of increase in the air pollution—which I would assume would be related

to the water pollution—the same type of pollutant outflow—one going into the air, one going into the water—that will result in damning cases of severe mottling of children's teeth whenever there is another cross-check done in that area. The report makes it very clear, these are the delayed effects here; that the high, the fantastically increased levels of pollution in that area, particularly around Maitland—between 1964 and 1965—will show up in 1970. This is the delayed effect.

I would like to find out, sir, I would like to know this government is concerned with that, and is going to look into it.

There is another aspect on the teeth question. It is this—this report contradicts itself in my opinion. On the one hand, it says that disfiguring dental fluorosis will take place in children's teeth, if the levels of fluoride in the waters increase by 50 to 100 per cent. But then, in another part of the report, on page 73, it says: "The lifelong intake of three or four times this concentration would not impair general health or cause symptoms of skeletal fluorosis."

I am not too sure whether this report is saying, on the one hand—it uses the figure of 8 ppm fluoride, and says that's a safe level. On another hand it says that if the present level of pollution increases by 50 to 100 per cent they would be in for disfiguring dental fluorosis.

I am a layman in this. I didn't understand the details of the science, but I suggest that logically this report has condemned the government on its minimal statement, and, if we ever used its maximum statement, it would say this government is completely irresponsible in this area.

I would like still to continue from the report, sir, which might be helpful. The report condemns the government further on page 311. I paraphrase the first part, and finish it up by quoting directly. The report states, sir, that the study of the committee on pollution in the townships of Dunn, Moulton, and Sherbrooke and the county of Haldimand, "reveals a potential human health problem, and was especially significant to the medical and dental professions."

There we come out with the conclusions. This report acknowledges the fact that they see a potential health problem in this area. I don't know what the newspaper people have been doing, but to me, that is a damning statement. They have done their analysis; they have done their research—I think they've

done minimum research on this—and yet they still come out with the statement that their study "reveals a potential human"—forget the cows, forget the vegetation—"reveals a potential human health problem, and was especially significant to the medical and dental professions."

Those are some of the quotations from the report which, I feel, certainly do not white-wash the behaviour, the lack of policies, of this government over the past 25 years, particularly in this area, and this geographic area, since 1959.

I would like to talk about the case of Ted Boorsma, which is mentioned, of course, in the report, the 35-year-old farmer. And I would like to throw the following information out on the floor of this House. It is not spectacular, it is just interesting. I think it must be looked into further by this government. The question is: Does Ted Boorsma have fluorosis or does he not? The report says he does not, and quotes from medical reports. The report also states that he seems to have a disease called hyper-parathyroidism, and the parathyroid is a small gland lying close to the thyroid gland which controls the calcium metabolism in the body.

My understanding, sir, is that Mr. Boorsma was out of the hospital, but is now back in the Toronto General for an operation on the parathyroid.

My understanding is—and I will be very pleased if the Minister responsible would say that my information is incorrect, because it would clear the air in something that may be coming up in the next month or so. My understanding, based on talking to several people, is there seems to be some medical evidence that there could be a relationship between fluoride intake and changes in the parathyroid glands.

For example, I would love the government to check this statement out. J. M. Faccini, of the University of London, has, I understand, concluded that by feeding sheep with NaFe produces changes in the parathyroid. That is to say, feeding sheep with doses of fluoride has induced changes in their parathyroid glands. The article is, I understand, found in the September, 1965, issue of *Nature*—volume 207, page 399.

In other words the intake of fluoride may do other things than produce fluorosis. Now I would like to have that checked out by the responsible Ministers, and I would like to know that that is being checked out very thoroughly, because there may be evidence

coming up in the next month or so that there is a relationship between the intake of fluoride and damage to the parathyroid gland. So I think we have far from finished with an examination of the medical effects of this type of air and water pollution.

The other piece of information which is not new, sir, but which I think must be continually drawn to the attention of this government, has to do with the findings of Dr. George Waldbott.

Now in the brief there is the question of Dr. George Waldbott. It is discussed in full on page 347, but there is nothing on page 347 which indicates—Let me read the final paragraph of it. It says:

Dr. Martin submitted a complete review and report of Dr. Waldbott's brief, which has been studied by the committee. The committee rejects many of the statements made by Dr. Waldbott in his brief and accepts the testimony of the physicians and other scientists received in evidence and referred to or quoted in the committee's report.

So what I would like to see, sir, is a copy of Dr. Martin's report—"complete review" as it says in the report on Dr. Waldbott's brief. Particularly I would like to see the section in that report which pertains to Dr. Waldbott's statement, which was as follows.

Dr. Waldbott stated in a release, which I have here. It is dated November 1, 1968. He states this:

As late as July 8, 1968, urine tests on four Port Maitland persons residing near the plant showed fluoride levels ranging from 7.04 to 12.6 mg.

Normal is about one half to one and a half mg. Muscle tissue removed from one patient showed 116.4 ppm, and a prostate gland sample showed 92.2 ppm. (The normal is less than 1 ppm.)

Now this is the key point, Mr. Speaker.

Tissue analyses were done by one of Europe's most outstanding experts on fluoride analysis, Dr. W. Oelschlager, in Hohenheim, Germany.

And this, sir, is the Stuttgart Hohenheim Agricultural Institute, which has done extensive research in fluoride in Europe and has had many publications, probably in German.

The thing I would like to see, sir, before we leave this report by the committee on the pollution around the Maitland area, is a statement that says something to the effect that either Dr. Waldbott's statement, as I have

recorded it in *Hansard*, is not true. That it could be not true, in that sense that we did not have analyses done by these outstanding experts in Germany. It could be an untrue statement, in the sense that there is no record of this analysis having taken place in the Stuttgart Hohenheim Agricultural Institute by this particular Dr. W. Oelschlager.

I would like to know for sure whether or not this statement is true or false. If it is true, sir, then it casts a questionable light on the underplaying of this type of evidence in the committee's report.

If it is not true, then I think that this government must state clearly that it is not true. But as long as this statement by Dr. Waldbott, which I have now recorded in *Hansard*, remains uncontested by this government, then I think that we in the province of Ontario have the right to say that this may well have been a cooked report, in the sense that it underplays the actual human health hazard that has already been experienced in that particular area.

So I challenge this government, sir, to either say that this statement is a lie, and it is incorrect, that it is an exaggeration. Until they do so, sir, I must say that I have to conclude that this report has underplayed tremendously the human health problem of air and water pollution in that area.

The final aspect on this report which I would like to deal with is what it has to say about the organisation of government in response to a very complex question of air and water pollution. The quotations are quite detailed, but I would first give the concluding comments at this point.

Mr. Speaker, the report states, on page 239, the following:

If blame there has to be, we would say that it was a combination of inadequate organization to handle such a problem; lack of knowledge on the part of many persons—even when such knowledge was available—an appalling lack of communication; an early unawareness of the potential seriousness of the problem; delays and procrastinations; lack of effective co-ordination at the right stage; and confusion involving multiple legislative and jurisdictional authority.

The report notes, on page 275, that the case study that they were involved in, or they call that *ad hoc* research, is—

—an excellent example of overlapping jurisdictions on what is essentially a single environmental problem. Air pollution, water



pollution from a particular industry from a particular area—

—and this is a reference, of course, to the water pollution of ERCO, which is the responsibility of the OWRC, whereas air pollution by ERCO is the responsibility of The Department of Health.

Then, of course, you get into vegetation pollution and so forth, which all lie under different types of jurisdictions.

The final aspect which leads me to believe that this condemns the government more than whitewashing them is the committee's statement on page 275 which is:

The Ontario Water Resources Commission has been far more tolerant in its dealing with the Electric Reduction Company than perhaps was warranted.

Well, Mr. Speaker, the main reason I brought this up was to give further background to this question of air and water pollution in this province—in the way in which a case study shows that this government has not been able to cope with it in any effective way.

The report concludes, in paragraphs 789 and 790—the last two paragraphs in this report. On pages 313 and 314 are the following comments. I think the government must really have these comments driven home to them as I conclude my remarks on this subject:

It is with some reluctance that the committee, at this stage in its report, does not list or discuss some specific proposals relative to the control of pollution and the effects on humans, livestock, vegetation, wildlife, etc. May we point out that the problems of organization, of policy, of terms of reference, of teaching or research, of laboratories, of people, of responsibilities, of communications, of jurisdictions, are very complex. The study of such matters, urgent as they are, was not one of the tasks assigned to this committee of inquiry. It would be unwarranted and perhaps prejudicial to a thorough review of these considerations if we were to present here what, of necessity, would be superficial comments. We have learned a lot about part of the problem; the other parts deserve equal study.

—and I underline that. In the final paragraph, 790, on page 314, the committee concludes:

Pollution is a natural and ingrained fact of life. Pollution control is yet in its infancy. We suggest that the government

adopt an even greater sense of urgency in developing "anti-pollution" policies and in establishing the organization to implement them.

We feel that a study of this extremely complex problem is of the utmost importance in the immediate future. Any changes which might be made in organization, in order that pollution control may be more effective, should be welcomed, even if recommendations emanating from such a study include the establishment of a department of environmental health or a department of pollution control.

Well, the problem has not been brushed under the carpet. What we should do with this report is to remind the government that they must really move in this area and that they have a responsibility to move quickly on a very serious issue.

I would like to remind the government of what our policy is on this by quoting from the remarks of my leader. I think this should be underlined to all members of this House. My leader stated on December 11 outside of the House—and I would like to put it on the House record—the following:

If Ontario's critical pollution problem is ever to be conquered, it must be assaulted with a greater urgency and determination than the government has shown so far.

My leader has stated that the government, instead of initiating a strong policy in the matter has "allowed a fragmentation of the responsibility through six departments, besides the Ontario Water Resources Commission, to slow down effective control through red tape."

My leader said that "the government must take decisive action in setting up a powerful agency to join with industry in its war on pollution."

And my leader noted that getting industry to become less complacent about the problem is secondary. What "is of primary importance is that the agency has the power to get the results." I suggest, sir, that that would be an excellent guideline to this problem, to the present government as it moves forward, if at all, to this area.

Mr. Speaker, I would like to conclude my remarks on the Throne Debate with some comments about education in this province and this pertains directly to my leader's amendment to the Throne Debate.

I would like to say a few things to start with about the Ontario College of Education. On Wednesday morning, November 28, I



went to the Ontario College of Education on the invitation of a student to speak to 50 student-teachers on the question of "criticism in education today." Afterwards I had coffee with some of the student-teachers in the "pit", which is the basement or so-called coffee shop at OCE. It was certainly a very interesting way to get first-hand information about what is happening in the area of teacher education, in secondary school education in this province.

What I would like to do now is again, in a sense, to represent the views of the student-teachers to this House and to the government by quoting directly from some notes I took at that time. I must say that I can agree completely with the seven comments made to me by student-teachers who took the trouble to have a coffee with me.

Here is what some of these students said about OCE. The first comment is this: There is a complete lack of public policy on the question of the preparation of teachers in Ontario. Everyone says that the preparation of teachers is important yet OCE takes anybody who has a BA. There is virtually no admission policy other than this. For example, a university graduate who had two courses in English and had passed these two courses with only 50 per cent, can become a teacher of English in the high schools of our province. This is no way to get good teachers, say some of these student-teachers.

The second comment was this: University graduates with mental disabilities are admitted to OCE and can become teachers of young people in this province. While quite a few of these unstable people drop out of OCE, this is an inefficient way of screening them out of the teaching profession.

It is also a very expensive way, sir, of screening them out of the profession.

The third comment was that there is absolutely no "sensitivity training" at OCE. Surely, if we are going to institutionalize the preparation of teachers, there should be much more emphasis placed in formal "sensitivity instruction".

The fourth comment was that there is no sense of community here. You are here for a year; it is a means towards an end only.

The fifth comment was, there should be a hard look at the compulsory courses; what is the purpose of these compulsory courses? It is certainly not core education. Take the history of philosophy course. In one class it is almost pure history; in another class it is almost pure philosophy. This would not be too bad, Mr. Speaker, if students could

choose between the two classes or sections of the history and philosophy course, but they cannot. Student-teachers simply get allocated to the classes in the course.

The sixth comment was this: It is terribly significant in the bungling in the administration of education in this province. They said: Why is it so difficult for students at OCE, the future teachers of Ontario, to get an unexpurgated copy of the Hall-Dennis report which is so important to education in Ontario today? The teachers here keep throwing the Hall-Dennis report at us in class but we cannot get copies. Apparently there is a summary available somewhere but we cannot even get it. Surely students should not work from summaries? After all, we are university graduates.

And their final comment was: We are university graduates and being at OCE is just like being back in Grade 10, and when they were in Grade 10, of course, education was very much like what Lloyd Dennis said it was today still.

I would like to remind the members of this House what Lloyd Dennis has said about education in this province just with a short quote. He said:

The school system in Canada and specifically Toronto is based on the needs of a bygone society for control, authority and obedience; in it, the student was told what to learn and when to learn it and who will teach it and when they will teach it.

What these students at OCE are saying is that being at OCE today is just like being in Grade 10. That is no way to train teachers.

What is the Minister of Education in this province doing to try and improve the quality of teacher education at the secondary school level? In his September, 1968, report entitled "September report of the Minister of Education," 1968, Ontario Department of Education on page 10, the Minister said this:

A Minister's committee representing a variety of educational organizations has been meeting since June, 1968, to examine existing concepts, standards, methods and facilities for training secondary school teachers. The committee's report will make suggestions for new teacher training programmes as alternatives to summer courses as well as additional programmes to meet the demand of more extensive training beginning in 1969.

I read that and I said, 'Gee whiz, you know, the Minister is really going to do something. He is going to find out why there is

so much rot at places like OCE. He is going to really step in and make changes and as a result improve teacher education at the secondary school level.'

Then I thought I would give the Minister the opportunity of making a statement on this very significant statement in his September, 1968, report. So on Nov. 21, 1968, page 43 of *Hansard*, I asked the Minister the following question:

Who are the members of the Minister of Education's committee which has been meeting since June, 1968, to examine existing concepts, standards, methods and facilities for training secondary school teachers? And when will the committee's report be tabled in the Legislature?

Sir, I was using the exact wording of the Minister's own report on page 10. I thought for a question of information, he would probably reply to it in a very simple way and say, 'we will have a good report; there are good people on the committee and they will bring it in'. Instead, Mr. Speaker, the Minister of Education informed me as follows; on page 44:

This committee really arose out of the decision to discontinue the summer courses at the OCE, and is composed of a group of individuals who are recommending to us ways and means of keeping a flow of teachers into the secondary schools at the same time as we discontinue the summer school programme.

That bears absolutely no relationship to what the Minister said in his September, 1968, report, less than six weeks before, when he outlined the purposes of the committee—to really look into "concepts and standards and methods" and so forth.

The Minister comes in this House and he obviously has not read his own report prepared by his Deputy Minister. That is the only conclusion I can come to, because then he lists the members of the committee and there is not one full-time classroom teacher on that committee.

There are about 14 or 15 people; people from The Department of Education; from headmasters' associations and The Departments of Education at various colleges across this province and so forth. But there is not one full-time classroom teacher there.

No wonder the Minister had to go back once he appointed these members and rewrite the terms of reference of this committee. Because if he appoints a committee like this to look into an educational problem, to look into an examination of existing concepts, standards and methods for teaching—secondary school teachers—obviously he has to appoint a much different type of person to it.

What I am saying is simply this: two points—the Minister has rewritten the terms of reference of this committee drastically. He has made it into a technical committee instead of an education committee. He has put technocrats on the committee; there is not one full-time classroom teacher on it. I suppose that we in the Opposition should be thankful that this committee of administrators and technicians is not being asked, as the Minister originally thought, to really look into concepts of teacher training.

It is a technical committee concerned with flows; the flow of teachers into the system and not the quality of teachers or their education.

I submit, Mr. Speaker, that a Minister of Education of this province who does not even read his own report (or appears not to read his own report) or changes the terms of reference within six weeks of that very report on what the committee ought to be doing, should not be the Minister of Education of this province.

I can only conclude by this that the Minister of Education does not think there is a crisis in the training of secondary school teachers in this province because he has set up, as recorded on page 44 of *Hansard*, a technical committee instead of an educational committee.

The next item I would like to turn to is one that I hope the Minister will act on, because it has to do with the superannuated teachers in this province and the dire state many of them are in.

On January 1, 1966, The Teachers' Superannuation Act of Ontario and the Canada Pension Fund were integrated. At that time an amendment was made to The Teachers' Superannuation Act, whereby teachers' pensions would be calculated on the basis of the best seven years of salary, instead of ten. That is a good benefit. The same benefit was not, however, extended to teachers already on pension, although it is customary in Ontario and other provinces to extend all new benefits to those then on pensions.

Three brief comments on this. It is an injustice, I just point this out to the Minister. I asked him a detailed question last year on the order paper. There are many retired teachers living below the poverty line as defined by the Ontario Federation of Labour—many, many retired people in this province.

The incidence of poverty among retired teachers is highest for those over 70 years

of age. Furthermore, retired women teachers are hardest hit by these poverty pensions of the Minister of Education.

The question that the Minister must face up to is a very simple one because obviously the argument is that we have not got enough money. We have to tighten up and so forth.

The question he must ask himself is what would have been the increased outflow of funds from the Ontario teachers' superannuation fund in 1967, for example, if the January 1, 1966, amendment to The Teachers' Superannuation Act, whereby teachers' pensions were henceforth calculated on the basis of the best seven years of salary, had also applied to teachers already on pension?

I submit it would be a drop in the bucket, but it makes a big difference to a lot of these old people, particularly women over 70 who are living in the ghettos of this city.

I believe firmly that a wealthy province and a wealthy nation can well afford to have its retired teachers live in dignity.

In case this government does not realize it, or in case they want to instruct one of their so-called research people to look into the matter a bit further, I suggest that they look at the plans of the governments of British Columbia and Saskatchewan with regard to the inclusion of additional pension benefits to teachers already retired at the time the amendment was made. I will tell the government what the answer is; in British Columbia, under Mr. Bennett, they can afford to include additional benefits for the retired teachers. Why can the Premier of Ontario (Mr. Robarts) not do the same thing?

Mr. Speaker, I have some remarks to make about student rebellion. I think it is very important to try to think what it is we are talking about when we talk about the revolt of students. Some people call them "revolting students"—particularly a guy called George Drew.

Now I would like to confine my remarks on on the student radicals to three areas.

First of all, what is the nature of student protest?

Secondly, a case study of the press writing about a particular incident of student protest, and the way and problems attached to that type of coverage.

Thirdly, what I consider to be the malicious, vicious slander of student protest leaders and their right to dissent in our society, by a former Premier of this province in an address to the Canadian Club.

I would like to discuss student protest, which I consider to be a very healthy thing, in those three terms.

As you may remember, on Wednesday, November 20, there was a march on Queen's Park by students from the University of Toronto, York and Ryerson, concerning their views about education. They approached me, as they did the members of the New Democratic Party and even members of the government, with their brief. Their brief was entitled "The Ontario Student Award Programme—immediate problems and long range proposals". It is a four-page brief put out by the student administrative council of the U of T, over their letterhead, but it is a joint proposal by York, Ryerson and the U of T.

I think it is only fair that someone took the trouble to read this brief into the record of this House and to let the members know and you, sir, what the brief was all about. After the demonstration took place there was a complete misrepresentation of what took place and what their brief was about by the press of this city. Later on, sir, you had a completely irresponsible speech, in my opinion, by the former Premier of this province, Mr. George Drew.

I would like to let you know that I thought this was a very responsible brief. But I would like to let you have it in its proper context and I shall return to a discussion of it. The brief says this:

In a democratic society it has been maintained that all citizens have the right to be educated to the full extent of their ability. In Canada, however, this theory has not been matched by adequate programmes to make this possible. Education at the present time is a privilege of the upper middle classes, even though lower income groups are taxed heavily for this education.

Education benefits not only the individual but also the society of which he is a part. The government has already implicitly admitted this fact in their present support for education. Since employment in an advanced technological society is based on educational requirements, and since education serves to keep people out of the labour market, educated people necessarily serve the present economic system.

Students from the several Toronto educational institutions—U of T, York and Ryerson—together with labour leaders, have gathered today to protest the inequities of

the present programme and the inadequacies of planning for increased accessibility to education.

Then they divide their brief into two parts, sir; you can call it the short-run issue and the long-run issue.

For your information and for my remarks shortly, I would like to read the long-run aspects of their brief first. It comes at the end of the brief after they deal with the Ontario Student Awards Programme, but I would like to read it first. The brief continues as follows near the bottom of page 3:

To return to the long-range problem of changing the social composition of post-secondary education, we stress that a more equitable system of student aid will not adequately solve this problem. We do not, at this point, demand free education as an immediate goal, since we realize that it alone will do little to significantly affect the social composition of post-secondary institutions of the province.

Neither is it sufficient for the government to finance the comprehensive study of student aid systems, mobility and the presence of various income groups at different levels of the educational system. The question of democratic access to post-secondary education cannot be solved in isolation by The Department of University Affairs. It must be worked out with The Department of Education, the Ontario government as a whole, and the federal government.

The present composition of post-secondary institutions is maintained and reinforced by the structure and direction of the primary and secondary educational systems. The rigid structure of the streaming system establishes geographical and social barriers between various groups. The system limits and determines the future education of many students. Reform throughout the educational system is only part of what is required. Until the whole question of poverty is tackled by the comprehensive government policy, poverty will continue to perpetuate itself. Slum housing, low motivation, and inadequate medical services for the poor all contribute to the inability of all but the exceptional child to benefit from what we hope will be an improved educational system.

This is why the question of access to post-secondary education must be solved by more than improved student aid in

education policies. The role of the federal government in these questions of student aid, educational reform, and accessibility to post-secondary education, is seldom recognized. Many of the present problems, such as the requirements of parental support and summer savings, are the result of decisions made by provincial Ministers of Education in conjunction with the federal government. The Ontario government must work with its colleagues in the federal government and the other provinces to see that the changes we call for are implemented.

Our understanding of the problem faced would be greater if such discussions were conducted in open session. We intend to transmit these ideas to the federal government. We call on the Ontario government to implement changes in OSAP this year to eliminate the problems we have outlined. We further urge the government to begin work immediately on the questions of poverty, motivation and accessibility to post-secondary institutions.

Sir, the point I wish to make here is simply that here is a brief prepared and presented to the Minister of Education, to myself as the official Opposition critic of education and university affairs, and to the NDP spokesman. The brief was divided into two parts—one part dealt with the OSAP programme, the inequities and the need for more money for students now in university—but a great deal of the brief, sir, the part that I have read out this afternoon, talked about the deeper problems, the social barriers to education—the interrelationship between poverty and the slum clearance programmes in the city and those who get to university; between the chances of a kid born into poverty to fight his way up through the middle-class educational system.

They were concerned, sir, with more than their own selfish interests. Yet, if you look at the newspaper reports of that brief, I suggest, sir, that the newspaper reporters did not even bother reading that brief. When you listen to what the Minister of Education said on those steps where he tried to label these students as irresponsible because they were demanding more money and that he did not deal with the wider problems of accessibility, these students had their case badly mangled up by the Minister of Education and, indeed, by the press of this province.

Let me deal with the press first and I will let the Minister speak for himself later on.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): I think the member must have written the brief.

**Mr. T. Reid:** I do not know how to respond to that because some of the articles I wrote three or four years ago are very much like that brief. I did not write that brief, but there is a common knowledge on how you deal with poverty and accessibility to higher education, and I think the Minister for perhaps acknowledging the fact that some of the articles I wrote three or four years ago may have resulted in that type of view by some university students.

But returning to the interpretation of the press, sir. Here is the *Globe and Mail* for Thursday, November 21, 1968. There is a photograph and under the photograph here is the caption:

Part of a group of 1,000 students set out from the U of T campus yesterday for Queen's Park to demand more money for student loans, but University Affairs Minister William Davis told them there would be no more money.

That is the caption of the photograph. What is the heading over the story? The heading, in nice big black type, is this: "No More Money for Student Aid This Year, Davis Tells 1,000 Marchers at Queen's Park." Then you take a look at the *Star* for Thursday, November 21. Again a nice photograph and under the photograph the following:

It was a busy day for protest parades and petition presentations yesterday at Queen's Park. At left, University Affairs Minister William Davis holds bagels he was given by 700 good-natured student demonstrators from University of Toronto who paraded demanding more student aid loans. Davis told them there were no more funds.

And what is the caption over the story in nice big black type? "Student Leader Hopes for Loan Action." Let me make this point clear, sir, that in the small print in the stories the reporters who were on the scene, while not doing what I would consider to be a balanced job, did mention the fact that these students were concerned with the kids who did not have a chance to get to university; that the student brief was concerned with the problems of deeper social accessibility and poverty in our society; that they were not just out for more bucks for themselves; that they were protesting for the silent poor of this province. I do not think it was a balanced job but I think they at least acknowledged the fact that the brief was not a selfish document.

So what happens to these reports when they get down to the city editor? He says, "Oh, students looking for more money. Well, you know students are irresponsible, I guess they are just out for more bucks, so we will get a photograph showing students, we will put a caption under the photograph saying, 'After more bucks, a bunch of selfish kids, you know, just out for a lark, fun-raising kids.'" You know, this type of thing. And the headline on the story gets the same thing —not a word about the deeper problems these students are concerned with.

Sir, my view of that brief was this, and I stated it at that time and I would like to record this again. I said at that time:

Any citizen of Ontario who has the opportunity and who takes the time to read the entire brief of the University of Toronto Students' Administrative Council on OSAP and education in Ontario, will find this brief a most responsible critique of many aspects of education in Ontario today.

Newspapers across Ontario should carry the brief in full. It is short and concise. Reporters and editorial writers have a responsibility to give the public a balanced view of what it is the students are saying.

I noted that the students at York and at the U of T and at Ryerson are involved in community action programmes, particularly in the disadvantaged areas of this province, and many of these same students are the leaders of student demonstrations. They are concerned as is evident in these programmes that they have, in these seminars they have, and in which I have participated over the past three years. These programmes are designed to open up our society and especially our educational institutions to many young people who have thus far been too often denied accessibility to higher education. That, sir, was what the brief was all about, and I concluded my remarks on that by saying:

Sure these students want the present inequities and the administrative red tape of the present OSAP programme removed, but their brief is even more about the inaccessibility of higher education to far too many children now in primary school. For the Minister to dismiss what these young people are saying by issuing press releases that the total amount of money budgeted for in student awards is increased, is an example of what the political process ought not to be about.

I am simply saying, that the student radicals are a very diverse group. You have extreme



student radicals; you have destructive student radicals, but you also have the constructive student radicals—students who would submit a brief here today on what they feel about the extension of the school year. They take the trouble to try to be responsible. Students who would write a brief about inaccessibility in this province in education who take the trouble to organize a march, come down to the steps of Queen's Park and state their views.

But to have those views, which are concerned with the essence of democracy in our society, dismissed by an irresponsible Minister of University Affairs as simply being out for another buck, is an infringement upon their good intentions. And to have the press—not necessarily the reporters who reported it—but to have the headline writers and the people who write the captions for photographs down at the *Globe*, the *Star* and the *Telegram*, try to condemn these students as simply being irresponsible because they are out for more bucks, to me, sir, it is a great injustice to the students who are properly concerned with the welfare of their fellow man in our society.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, would it be in order to ask the member a question?

**Mr. Speaker:** If the hon. member is agreeable, yes. He has the floor and it is his option.

**Mr. Makarchuk:** In view of the fact that the hon. member has presented one view of the student radical, I would like to read to him the view that was presented of the student radical by the hon. member for Port Arthur.

**Mr. Speaker:** The hon. member is not asking a question.

**Mr. Makarchuk:** This is my question. He could perhaps clarify his party's stand on the student radical.

**Mr. T. Reid:** I would rather finish my remarks.

**Mr. Speaker:** The hon. member declines to answer questions.

**Mr. T. Reid:** Mr. Speaker, I would like to just say a few words about a report of a speech given recently by a very distinguished Canadian. This is a report carried in the *Globe and Mail* on Friday, Nov. 29, 1968,

and it is entitled, "University protests attack by Drew". It starts as follows:

George Drew, former Ontario Premier and former leader of the national Progressive Conservative Party, told an applauding audience at the Empire Club of Canada yesterday that Canadians should no longer ignore organized hooliganism threatening the country's educational structure. Mr. Drew, 74, is a governor of the University of Toronto and chancellor of the University of Guelph. The strength of his feelings repeatedly carried him away from his 14-page text. He said that the protests at the universities in Paris, Berlin, Tokyo, Bonn, Toronto and other centres were strangely similar.

Then there is a quotation attributed to Mr. Drew:

I do believe that Canadians should no longer ignore the organized attempts to destroy the educational structure upon which the strength of our country so largely depends, and in that way weaken the authority of the state and the unity of our people.

The report goes on, sir:

Mr. Drew said, after the speech, he had been in Paris last May, as well as in Berlin and Tokyo when student riots developed, and he heard phrases like "destroy capitalism" and "weaken the power of the establishment," repeated again and again in those places, as well as in Toronto.

The report continues:

He would not endorse the charge of a Communist conspiracy but said there were Communists involved in all the protests. The similarity of approach was striking in each riot, he said.

He stressed the need for self-discipline, decency and cooperation in such threatening times and launched into his denunciation of student protest to more applause. The luncheon atmosphere exuded Ontario politics circa mid-40s. To Mr. Drew's left sat Mr. Frost—

And so forth. In the Toronto *Daily Star* for Nov. 29, there is a similar story which says:

Drew, Premier of Ontario from 1943-1949 and former National Progressive Conservative leader, lumped protests at Canadian universities with those of Paris, Berlin, Tokyo, as being strangely similar to attempts to weaken the authority of the



state and unity of her people. Drew said phrases such as "destroy capitalism" and "weaken the power of the establishment," which he overheard in student riots in Berlin, Paris, Tokyo indicate Communists were involved.

The quote ends there.

**Mr. G. A. Kerr** (Halton West): What is the big headline on that one?

**Mr. T. Reid:** I will not deal with this at length, although I certainly will when we get to the estimates of The Department of University Affairs. But I would like to contrast those reported views of Mr. Drew's with some remarks of other business men. I would like to quote from John D. Rockefeller 3rd, who is chairman of the Rockefeller Foundation. Here is a very interesting article in the Dec. 14, 1968, edition of the *Saturday Review* and he says this:

Every generation has had its gap, and it seems unmistakably clear to me that we are experiencing something much more than the age-old rebelliousness of youth. The ferment of today is deep and intense, although the activists are a minority of young people, it is a larger and more vocal minority than ever before. The youth revolt is a world-wide phenomenon appearing not only in the United States but in a dozen other countries, such as France, Mexico, Japan and Czechoslovakia.

So he and Mr. Drew apparently agree that it is an international revolt of some sort. But John D. Rockefeller 3rd, continues as follows:

They (referring to the students) feel that time is running out on the great problems—war, racial injustice, and poverty. They dislike the impersonalization of large organizations and rapid technological change.

Then Mr. Rockefeller continues:

I submit that we have let ourselves be distracted by the colourful fringes to the point where we miss the central meaning of today's youth protest.

Then he goes on, Mr. Speaker, to outline the three areas that he thinks are most important. He says this:

Many young people are preparing for long-term efforts to change society. For example, the law students of today are concerned less about trust in the estates and corporate law, and more about how just the laws are; how poor people and black people can get a better break before

the law. They have learned from experience that it is necessary to be loud and demonstrative to get results. It is this behaviour that compels attention and strikes fear for the very stability of American society.

Then Mr. Rockefeller says:

The nature of our response is critical, for it has everything to do with whether there will continue to be violence, and whether violence will pay. We must understand that social protest has an honourable history and has a rightful place in any enlightened society—

Including the society of George Drew. Mr. Rockefeller continues as follows:

Change can be very difficult and threatening, especially when pressures come from the young. The temptation is to tune them out—it takes much more courage to listen.

The problem lies in ourselves as people; the crucial issue is not the revolt of youth but with the nature of our response to it.

Then he talks about three possible responses. The first response, which is possible, is "apathy or muted hostility". And he says that if that type of response from us, from legislators, from older people in society is allowed to continue we will find ourselves "constantly pushed towards the brink of backlash". He continues:

The greater tragedy will be the opportunity we will have lost. For we know all too well that the time is running out on the great problems the world faces. It seems to me—

a republican businessman

—that we have a choice. By suppression or apathy, we can make the youth revolution yet another problem, in which case the burden can become crushing. Or we can respond in positive ways so the energy and idealism of youth can be a constructive force in helping to solve the world's great problems.

Instead of worrying how to suppress the youth revolution we, of the older generation, should be worrying about how to sustain it. The problems of our cities, of our environment, racial injustice, of irrelevant and outmoded teaching, of overpopulation, of poverty and war—

are the key issues of the day.

To achieve such action we, of the older generation, must re-examine our attitudes,

our assumptions and our goals. We do not like to have them threatened.

He adds:

We must revitalize our existing institutions whether they be in education, government, religion, business or politics. They must be made more relevant to today's problem and have a greater sense of mission. At the same time, in support of the initiative of the young, new programmes and institutions must be developed which can be effective in areas of pressing social need.

And he concludes his excellent little article, sir:

The antidote to despair is to be involved, to be imbued with the same spirit that fires the imagination in the efforts of the young.

There is a VISTA slogan—that is Volunteers in Service to America slogan—which captures this spirit: "If you are not part of the solution you are part of the problem." The Company of Young Canadians has a slogan, sir, which is very much along the same line: "Better worlds just don't happen, they're made."

I suggest that we listen to this Republican businessman in the U.S., that we read his well-thought-out views. He acknowledges the fact that there is an international revolt of young people and, he said, it is a healthy thing. He says the challenge is directly to the older people.

I, sir, would like to have Mr. Rockefeller come up and speak to the Canadian Club about youth, rather than have someone like Mr. Drew pull out a 1935 speech.

But Canadians are responding, and businessmen in this province are responding, to the challenge of youth. I would point out to the hon. members, sir, that Mr. C. Norman Simpson, president of Acres Limited, a Toronto based holding and management company, has come out with a very imaginative programme of challenging the creative energy of young people into research and into progress. He says he has:

—got a programme within Canadian industry [this is a businessman] and instead of trying to mould them [these young people] into your own image, ask them what their ideas are and let them do their own thinking.

And he talks about a research and development plan which he has set aside in his company:

Acres plans to bring into the company five or six really exciting young people,

from next spring's university graduates to help plan a research project related to the mid-Canada development.

Mr. Simpson wants to get the ideas of the young people in this area, and he says:

We are confident that working in a stimulating and unrestricted milieu they will generate significant new ideas which might otherwise be lost.

And the reporter asked him, "Why is Acres concerned about what young people do and think?" Mr. Simpson responded: "Because we want to be alive in ten years' time—enlightened self interest, I guess."

I submit that there are businessmen—they are good businessmen—who realize that dissent and protest by the young people in our society is healthy and, in fact, can be a vital factor in the regeneration of their own businesses.

Well, sir, I think I will conclude my remarks on the youth radicals. I firmly believe they are a positive force in our society. They are like any group of people. They have extremes. They have the anarchists and they have good, hard-nosed reformers who believe in thinking things out—who believe in rational solutions.

I think that one of the best examples of the attitude which I think predominates in the student radical movement in our universities, in our CAATs, and in our high schools—indeed, sir, it is getting down in the lower grades—is very well brought out in the issue of *Pro Tem*, which is the student newspaper of Glendon college of York University. It is really the Christmas issue and on the front cover it has the disarmament symbol, which most of us know about. And it says, "Let your dreams become your reality."

How optimistic can you get? I think, you know, these people believe in the possibility of dreams becoming reality.

Then they print, in their student newspaper for December 12, an old statement found in Old St. Paul's Church, Baltimore, dated 1692. And I, sir, would like to say that this to me is something—written in 1692, in the Christian church, and the radicals—as most of the newspapers tend to be edited and written by students who are radicals—chose this statement. It is a statement which reflects their beliefs today. I would like to read it out. It says:

Go placidly amid the noise and haste and remember what peace there may be in silence. As far as possible, without surrender, be on good terms with all persons.

Speak your truth quietly and clearly and listen to others, even the dull and ignorant. They, too, have their story. Avoid loud and aggressive persons, they are vexations to the spirit.

If you compare yourself with others, you may become vain and bitter, for always there will be greater and lesser persons than yourself. Enjoy your achievements as well as your plans. Keep interested in your own career, however humble; it is a real possession in the changing fortunes of time.

Exercise caution in your business affairs, for the world is full of trickery. But let this not blind you to what virtue is. Many persons strive for high ideals and everywhere life is full of heroism. Be yourself; especially do not feign affection. Neither be cynical about love, for in the face of all aridity and disenchantment, it is perennial as the grass.

Take kindly the counsel of the years, gracefully surrendering the things of youth. Nurture strength of spirit to shield you in such misfortunes, but do not distress yourself with imaginings. Many fears are born of fatigue and loneliness.

Beyond a wholesome discipline be gentle with yourself. You are a child of the universe no less than the trees and the stars; you have a right to be there and whether or not it is clear to you no doubt the universe is unfolding as it should.

Therefore, be at peace with God, whatever you conceive Him to be and whatever your labours and aspirations in the noisy confusion of life keep peace with your soul. With all its sham, drudgery and broken dreams it is still a beautiful world. Be careful. Strive to be happy.

I say, sir, that the student radicals are basically optimistic people. They are basically idealistic people. They are not to be condemned as part of a communist international conspiracy of this province.

Finally, I would like to turn to the question of the student aid programme in this province.

**Mr. W. Newman (Ontario South):** Is the member reading from his own notes? It sounds like a newspaper.

**Mr. T. Reid:** Oh no, these are my own notes.

**An hon. member:** Did you not notice something nice about them?

**Mr. H. Peacock (Windsor West):** That is an old poem from his undergraduate days.

**Mr. T. Reid:** Well, sir, turning to the more detailed problem of the Ontario student award programme in this province. I think the following statement ought to be made.

It is simply this, that hundreds of students are being forced to become Christmas drop-outs because of the unfair conditions of the present student award system in Ontario. The Department of University Affairs of this province has made it clear to the university awards officers at our universities, that, despite the admittedly harsh and in many cases unrealistic demand regard the parental contribution table, a lack of or a reduction in the funds expected from a student's family will not be accepted as basis for appeal in the OSA programme.

I would recommend firmly to the Minister of University Affairs and Education, Mr. Speaker, that he look at this question. I think it is of vital importance that students have the right to appeal if their parents simply turn around and say, "Sorry, the government says we should give \$900 for education but we are not giving you anything." And parents are turning around and saying this to students who are, of course, 20 or 21 years of age. I would like this government to grant, as grounds for appeal, this type of problem in the OSA programme.

I would like to bring to the attention of the members of this House four cases that have been brought to my attention, because they throw a light on the inequities of the student awards programme in this province.

I acknowledge the fact that the average award is higher this year than it was last year, but that is not any reason for saying it is still an inequitable system.

Well let us look at case "A", a female student in third year university. Last year she received \$1,640 from the Ontario Student Awards Programme. This year she received \$510 less. Her mother earns approximately \$5,000 per year and the student's summer savings were used to help the family recover from the financial hardships imposed by the mother's return to higher education in 1967.

The case there is simply this. Last year she got \$1,640, this year she got \$510 less. Nothing changed in the family's circumstances at all. The mother is not well off and the student is probably going to become a Christmas drop-out because she cannot get the money.

Case "B" is a second year male student whose widowed mother earned practically

\$9,000 per annum. Now \$9,000 a year sounds like a lot of money to a lot of people, but let me give you the particulars, sir.

There are three dependent children in the family, and yet the widowed mother is expected to contribute \$1,042—and that is 11 per cent of her gross income—in order to help support this student through one year of university. I submit, sir, that that is unjust.

The third case is a female student who received \$1,430 in 1967 from OSAP and this year was assessed as needing only \$380.

The family circumstances have not changed. Her father is earning approximately \$7,900 per year, and is himself attending university on a part-time basis. The contribution expected from this man is \$726 to support just one of the three children attending university. The total contribution for the three children would amount to a quarter of his gross income—25 per cent. It is unbelievable.

Case "D", the eldest of a family of four children, the children being ages 19, 16, 13 and 9. This is her first year in university and she had been led to believe by the resounding statements of the Minister of Education, and The Department of University Affairs, that she would receive enough help from the Ontario Student Award Programme to make her university education possible. Her father earns roughly \$9,500, and was expected by The Department of University Affairs to contribute \$1,067 to supplement the \$190 the student received from OSAP. This contribution amounts to 11 per cent of the family's gross income.

The Deputy Minister of University Affairs claims, according to a letter addressed to me, that the criteria taken into consideration in the "need assessment" process were introduced as a result of a study carried out by the federal authorities, and approved by the provinces participating in the Canada Student Loan Plan.

While it is true that the principle of providing aid only to students in need was agreed upon by the federal-provincial governments, the federal Department of Finance did not draw up the family contribution table, or means test table used by The Department of University Affairs.

The Deputy Minister also stated to me that \$544 of the \$1,067 in case D was the amount "that is considered necessary to maintain a child of 18 years old at home if she were attending secondary school." What the Deputy Minister failed to make clear is that in many cases the parents could and would be receiving a contribution to the student if he

were part of the labour force. If a student attends university, the parents sometimes suffer doubly because of the unfair assessment procedures of the province of Ontario student award programme.

Sir, the provincial government Department of Family and Social Services occasionally classifies a 19-year-old as independent in order for him to receive a disability pension. Why cannot The Department of University Affairs do the same thing? Some students are independent by any criterion imaginable except by those of The Department of University Affairs. And I would like the Minister of Family and Social Services to let the Minister of Education know that his department does classify, in my understanding, on occasion, 19-year-olds as being independent for—

**Hon. J. Yaremko** (Minister of Social and Family Services): Not a dependent in a family with an income of \$9,500, which is more than 99 per cent of my constituents earn?

**Mr. T. Reid:** How about the two average cases—\$6,000, \$8,500?

**Hon. Mr. Yaremko:** Those people earn more than what 80 per cent of my constituents earn, sir.

**Mr. T. Reid:** Do not let us get side-tracked on it, Mr. Speaker, I point out that the Minister of Family and Social Services (Mr. Yaremko) has accepted the principle that under certain conditions, well-looked into, that a 19-year-old can be classified as independent of his parents for certain of his programmes.

I simply suggest that, without getting into discussion on whether it is \$9,000 or \$5,000. But he has accepted that principle, whereas his colleagues and the Minister of University Affairs have not accepted that principle. I would like the two of them to get together.

Finally, on the student awards, sir. The student awards officers at the various universities and colleges across Ontario are generally fairly capable people. Certainly some students did abuse the system as it stood last year; there is no question about that. If some students took advantage of the regulation in 1967, surely this is an argument to put greater resources in the hands of the universities so they might hire more people to realistically assess the students' real needs.

I offer the government an alternative way of administering this type of programme. I acknowledge the fact that abuses must be

looked into; they must be kept to zero, if at all possible. But I suggest the way to do it is to strengthen the hands, the resources, available to the universities and to the CAATS, to talk to students to find out their real family circumstances and to cut out any abuses that occur. To say most students abuse the student awards programme and therefore you have to tighten it up, I think, is an injustice to too many of the students.

Mr. Speaker, I would like to conclude my remarks on a high level. It has to do with the difficulties of an Opposition member, to return to a previous issue, in making his criticisms of this government and being forced into making long, long monologue speeches instead of participating in a real debate with his counterparts in the government, in my case the Minister of Education and University Affairs. I think this is a point which was brought to light in a question I asked—

Hon. Mr. Rowntree: This has been a good speech so far, do not spoil it.

Mr. T. Reid: This extremely high-level discussion which I am about to engage in for two minutes is this, that on December 5, 1968—it is recorded on page 388 of *Hansard*—I asked the Minister of Education the following question:

Would the Minister consider establishing specifications—

No, the question I asked him, the one I want to relate to here is this: this is page 389:

Hon. A. F. Lawrence (Minister of Mines): No advance lecture preparation!

Mr. T. Reid: I do not believe in lectures.

Hon. A. Grossman (Minister of Correctional Services): The students have another class to go to.

Mr. T. Reid: I need another apple, Mr. Speaker. The question was this:

What educational justification is there for the Minister's decision that the foundation levels of the Ontario foundation tax plan should be increased by \$20 for secondary vocational school pupils and only \$15 for secondary academic pupils?

The Minister replied, according to the rough copy of *Hansard* of the day before, along the following lines:

I am sure, Mr. Speaker, that the hon. member in researching this question probably ascertained the costs relating to the vocational and academic are approximately \$450 and \$580. This was increased by \$15—

And so on. I asked a supplementary question, which said:

Would I be correct in deducing from the Minister's remarks that the cost of vocational education

is substantially higher than the cost for secondary academic education per pupil?

And the Minister replied:

I thought that was rather self-evident—

I submit, sir, that what the Minister did to me there was a beautiful piece of one-upmanship because in the carbon copy of *Hansard*, he replied in terms of a parallel response:

That the hon. member, in researching his question, probably ascertained that the costs relating to the vocational and academic are approximately \$450 and \$580.

I assumed that the \$450 applied to the vocational and the \$580 applied to the academic in terms of parallel construction. And then I asked a supplementary question because there seemed to be some confusion here on the \$450. I thought he said the \$450 went to the vocational and the \$580 figure went to the academic.

What happened, Mr. Speaker? The height of insult to me is that the Minister realized his mistaken answer and changed *Hansard* around to read correctly:

The hon. member, in researching this question, probably ascertained the costs relating to the academic and to the vocational are approximately \$450 and \$580.

I think this is the sort of thing that makes my supplementary question look very silly, but it really was not.

Thank you, Mr. Speaker.

Interjections by hon. members.

Mr. C. G. Pilkey (Oshawa): I congratulate the new Minister of Revenue, (Mr. White). I did have the privilege this summer to participate with him on the select committee on taxation, and I want to congratulate him on the basis of the job that he did on that committee. I think it was outstanding.

I do not think that I really contributed as much, but I did, in my own inimitable way, make some effort.

But along with the chairman, I was also impressed with our senior counsel, Mr. Macaulay, and I can very well understand why he vacated the government benches. You know, he is one of those fellows, in my opinion, that does not believe in perpetuating the *status quo* and I think that Bob left because of that. I want to congratulate him as well.

I want to also, Mr. Speaker, point out an incident that happened in my municipality just that other evening. We had had some debate in this House in regard to those people that are less fortunate than ourselves,



and particularly those children that are in the mental institutions in this province.

I evidenced what I classed as really a miracle that happened this Christmas when one of the residents of the city of Oshawa, a Mr. Adrian Van Lith, a 42-year-old General Motors worker, took on a toy project in that city and provided hundreds of bicycles and tricycles and cars. You name it and he provided them. There was just a magnificent display in the Kinsman Hall. He presented these toys to Dr. Frank, director of the Smiths Falls hospital and Dr. Billington, director of the Orillia hospital.

I cannot recollect in my time a more worthy project and a gentleman that did a more worthy job in providing these toys that will make it just a little happier for these children when they wake up Christmas morning.

I want to suggest to this government that I am prepared to provide his name so that they can send a letter of commendation and congratulation to Mr. Van Lith for that magnificent effort on his behalf. I want to say also that a number of organizations did participate in terms of providing the resources, and this is the second year that Mr. Van Lith has worked on such a project.

I know that he even got permission from the board of control in Oshawa to go to the dump and pick up articles there and and renovate and rehabilitate them, so that these children, as I said, would enjoy a better Christmas than they ever did in the past.

Now I also would, just for a moment, like to talk about the question of leadership, both within the framework of my party and, as I see it, in the government. An article appeared in the *Globe and Mail* on September 25. It said that last Friday the Provincial Treasurer (Mr. MacNaughton) announced severe cuts in the spending programme.

One interpretation is that the Premier (Mr. Robarts) is tackling the tough political jobs and is preparing to retire, leaving his successor a soft spot. Speculation about his retirement has gone on for months, but a senior party official recently put it this way: "If we go into the 1971 election with Robarts, there will be another reduced majority. Perhaps a minority government. Someone like Bill Davis could win us 90 seats," he says. "Mr. Davis could win us 90 seats."

I want to point out to the government that the provincial leadership of this country is taking on a very drastic new look. If we checked over the representatives that are

going to preside at the next constitutional conference called by the federal government, the roll call will show new leaders from Alberta, where Mr. Manning has retired, from Manitoba, Quebec, Nova Scotia, Prince Edward Island and British Columbia. I am sure that Mr. Bennett is going, and Mr. Ross Thatcher, I am convinced, has got one foot on a banana peel and he is going too.

**An hon. member:** Who is going to replace—

**Mr. Pilkey:** I do not know what the Minister of Revenue (Mr. White) would do as a leader. Joey Smallwood is a sort of lame duck Premier now, so that my guess is that the Premiers in this country hold a very precarious position. I want to say to the government that the speculation is about the Provincial Secretary (Mr. Welch) and they talk about the Provincial Treasurer taking over the leadership—

**Mr. R. F. Nixon (Leader of the Opposition):** The Minister of Financial and Commercial Affairs (Mr. Rowntree), do not forget him.

**Mr. Pilkey:** Well, yes, but I want to say in this leadership speculation that really there is one dark horse that is coming up on the inside, on the rails, and I want to say that it is the Minister of Trade and Development (Mr. Randall).

**Hon. S. J. Randall (Minister of Trade and Development):** Never believe my own publicity.

**Mr. Pilkey:** I think he will be an inevitable entry in any event. My colleague says he cannot look after the housing, but let me tell you what he is doing.

**An hon. member:** Well, we know that.

**Mr. Pilkey:** He is providing great sums of money to the industrialists across this province in forgiveness loans, and he is building up a considerable amount of support from that free enterprise section of our economy that could stand him very well in a leadership race.

**Hon. J. H. White (Minister of Revenue):** What we want to know is who is the real leader of the NDP?

**Mr. Pilkey:** We are going to get to that. We are going to get to that tonight.

Interjections by hon. members.

**Mr. Pilkey:** On the other side of the coin you find that really he is not doing too much



in that section of his portfolio which refers to the Ontario Housing Corporation because there is not going to be too much support for his election to the leadership from that section. So he is not going to concentrate too much on providing the needed housing in this province.

I am sure that there is going to be a leadership contest before 1971, even though the Prime Minister has said that this is not going to happen and many of his colleagues indicate that he is going to continue. I am convinced that not only is there going to be a leadership convention but there is going to

be a sort of revolution or an evolution within the ranks of the party itself.

**Mrs. M. Renwick** (Scarborough Centre): A knock down, drag him out fight!

**Mr. Pilkey:** That is right. As a matter of fact at least one of the Ministers in the government does have a tremendous amount of insight, make no mistake about that.

Interjection by an hon. member.

**Mr. Pilkey:** I will say that. I will say that.

It being 6.00 of the clock, p.m., the House took recess.

### ERRATUM

Wednesday, December 4, 1968

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
349	2	31	Change to read: on them, but I am not prepared to say we will









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, December 16, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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## LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 16, 1968

The House resumed at 8.00 o'clock, p.m.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, when I concluded at 6.00 o'clock I did indicate that there was really one enlightened Minister in the government Cabinet, and I drew those conclusions from a statement that he made. He said that his party, meaning the Conservative Party, was dead from the eyeballs both ways as far as organization is concerned, and really I thought that he was being rather kind, you know, just bringing in the question of organization.

**Hon. A. Grossman (Minister of Correctional Services):** Imagine how much better we would do with organization.

**Mr. Pilkey:** The editorial in the *Globe and Mail* stated that these may be rather harsh words. Possibly they are; still if they are exaggerated it was an exaggeration in a good cause. There are ominous signs there for those who care to look at them. It goes on to say, "Consider for example the fact that the Conservatives won every single by-election in Ontario during the years 1943 to 1961, 21 of them altogether, but only four of the last 11 by-elections called since then.

"Remember also that the Conservatives, who once held almost every Toronto seat, are now without a single representative in the federal House and that provincially Metro's Conservative strength in the Legislature was cut down from 21 to 12 seats in the election of October, 1967."

It goes on to say that there is evidence of substantial concurrence with the party that it stands in need of reform. Alan Eagleson recently campaigned for the presidency of the Ontario association of the party on a platform of change to improve rapport with the people and to restore confidence in the party and he was elected.

Well, I want to say, Mr. Speaker, that after 25 years I am convinced that this government has become so deeply entrenched that they have become callous, indifferent and arrogant.

To illustrate that last point—I asked a question in this House recently of the Min-

ister of Family and Social Services (Mr. Yaremko) after he had indicated that the government were doing a review in the whole province of Ontario in regard to homes for the aged. I asked when would the government complete this review, and his reply was "in due course".

Now, it appears to me that this Minister, and other Ministers in this government, should be able to make some reply to questions that at least enlightens the members to the extent that he has some knowledge, rather than answer "in due course". This is an example of the arrogance and the attitude of a deeply entrenched government.

**Hon. Mr. Grossman:** Oh, we are deeply entrenched now, are we?

**Mr. Pilkey:** Not for too long.

At the start of the Throne Debate, the member for Fort William (Mr. Jessiman) went into a lot of statistics, as I recall, outlining that the New Democratic Party, or its leader, did not have the support of the party and said that something like 31 per cent had voted against him. I wonder if the member for Fort William really did an analysis on his election; if my memory serves me correctly, he got about 33 per cent and was elected.

**Mr. J. Jessiman (Fort William):** It is the only place in Ontario where an NDP fell and a Conservative got back in, and do not forget it.

**Mr. J. E. Stokes (Thunder Bay):** How many Conservatives fell in the meantime?

**Mr. D. C. MacDonald (York South):** You are here on borrowed time.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Pilkey:** Mr. Speaker, I want to take a moment to make an observation in regard to the leadership conference, the convention, that was held in the city of Kitchener, that my friend from Fort William talks about. And I remind him that the New Democratic Party is the only Canadian political party which has constitutional requirements for a

regular review of its leadership at the provincial level, and this, my friends of the government, and the official Opposition, is the very essence of democracy, something the Conservatives and Liberals fail to understand.

I want to quote from the Woodstock *Sentinel Review* of October 30, just to read some comment from that paper in regard to that leadership convention, and I am talking about the support that was given to my leader. It said:

Out of the 17 delegates from the Oxford county area, not one was openly declaring he would vote for Renwick. A few are keeping open minds until they have a chance to hear both contenders speak, and the great majority are staunch MacDonald supporters. There is an old paradox, however—even the most vociferous MacDonald fans claim that, despite the challenge, a leadership convention is a good thing for the party. At least it forces issues out in the open.

"It becomes a way to clarify policy, and is making all New Democrats, whether they are delegates or not, do a little re-thinking and re-examining," says Innerkip delegate, Mrs. Stan Down, "and we are not afraid of that."

Hon. Mr. Grossman: Stop. You are killing us.

Mr. Pilkey: It goes on to say that MacDonald has worked quietly as a party leader, and because he works effortlessly, his work—

Mr. R. F. Nixon (Leader of the Opposition): Not too quietly.

Mr. Pilkey: —his work sometimes goes unnoticed.

Interjections by hon. members.

Mr. Pilkey: The report goes on, still quoting Mrs. Down:

One thing remains certain. Few Oxford delegates will walk away disenchanted with their party if James Renwick does win the leadership. Both men are intelligent, capable people and I feel the New Democratic Party will continue to grow no matter who gets in.

But it indicates the potential that this party has in terms of leadership.

Also, from the Toronto *Daily Star* of November 18, I want to quote another statement by my leader and he said—

Mr. MacDonald: That was the day after.

Mr. Pilkey: I want to quote another statement by my leader and he said: "Let us not get too worried when it is suggested that the New Democratic Party is becoming respectable—"

An hon. member: It has a long way to go.

Mr. Pilkey: "That means that we are winning the trust of the people who must eventually give us the power of government."

Interjections by hon. members.

Mr. Pilkey: It would be hard to express the essentials of democratic policy more clearly—a party where the radical, conservative or the middle of the road candidate can win majority support only by convincing the voters that he is responsible and effective. And that is what this party is all about; and that is why our leader, Donald MacDonald, will be the next premier of Ontario, come the next election.

Interjections by hon. members.

An hon. member: You are pulling them in.

An hon. member: That is right.

Mr. M. Shulman (High Park): We are going to miss you boys.

Mr. L. M. Reilly (Eglinton): The new voice of optimism, 1967-1997.

Mr. I. Deans (Wentworth): You recognize it is inevitable—

Mr. Pilkey: I also wanted to quote from *Hansard*, from a speech made by the hon. Prime Minister, speaking about two of the members on the select committee. I want to quote exactly what he said:

However, I understand there are certain members of it who found their freedom of action sort of cut off in the latter days. After examination was made and the conclusions were reached, all of a sudden the hand of the hierarchy reached up and said, "Thou shalt not do it that way in this committee; thou shalt do it this way according to the dictates of the caucus and the socialist experts who advised it."

Well, I want to say, Mr. Speaker, that as a member of that committee I appreciated the consultation that I had with not only the leaders of my party—

Hon. Mr. Grossman: Careful. The leaders? How many have you got?

Mr. Jessiman: Which one?

Mr. Pilkey: —but also the research expert that we have in our caucus. But I wonder

what really happened to the Conservative members of that committee as the heavy hand came down?

**Hon. J. H. White (Minister of Revenue):** Is that a question?

**Mr. MacDonald:** When are you going to enter the Throne Debate?

**Hon. Mr. White:** Mr. Speaker, the question having been asked, the eight Conservative members on the committee had absolutely no direction from our caucus, from the Cabinet or from our party leader. Absolutely none.

**Mr. Deans:** No direction whatsoever.

**Hon. Mr. White:** None.

**Mr. Pilkey:** Well, I suppose they did not have any directive at the time but they sure got it later. This is a document underlined by the hon. Minister of Revenue, and this is a speech by the hon. Prime Minister when he said:

We do not think as a government that taxing of places of worship and extending the sales tax on food and children's clothing are good recommendations as far as the people of Ontario are concerned.

He went on to say a little more, too.

**Hon. Mr. Grossman:** What kind of directive was that to the committee?

**Mr. Pilkey:** This was the directive afterwards, as a matter of fact—

**Mr. MacDonald:** This is the dictate—

Interjections by hon. members.

**Mr. Pilkey:** The Prime Minister went on:

While, as I have said, the two reports unquestionably contain a great deal of extremely well-considered material upon which the government will take action, and which it will implement as quickly as necessary, administrative arrangements can be devised. We have come to the conclusion that on the matter of food and children's clothing and realty taxes on places of worship, economic and academic logic cannot prevail. While reconsidering the theoretical basis of the recommendations I cannot accept their practicality for the province and the people of Ontario.

As I point out, we may have had our consultations prior to the recommendations, but the heavy hand sure came down on that committee following the recommendations.

Interjections by hon. members.

**Mr. Pilkey:** Mr. Speaker, the hon. Minister of Municipal Affairs (Mr. McKeough) told this Legislature last Tuesday that the inclusion of Pickering township in an Oshawa-centred urban region makes sense. Just for a moment,

I would like to make a case for Pickering township to be included in Metro, or at the very least to study the feasibility of Pickering township being included in Metro. The study may very well indicate that Pickering township's interests lie in the Oshawa regional area, but it should be there on a calculated basis, not an arbitrary one.

The Pickering township council have, by formal motion, stressed their desire to be in the Metro Toronto region, and this would in my opinion be an expression of the desires of the majority of the people in a township. The Smith committee suggested five criteria for regional government. One was a community criterion. Surely at this point a sense of community already exists, and shows promise of further development with Metro Toronto.

**Mr. MacDonald:** Eighty per cent of them work in Metro.

**Mr. Pilkey:** That is true.

Second was a balanced criterion. Obviously the inclusion of Pickering township into Metro Toronto will not disturb any balance that may now exist. Third was a financial criterion. This could very well be the most important point, inasmuch as every region should possess an adequate tax base, thus simplifying the provincial task of evening out local fiscal disparities. Pickering township's inclusion in a more densely populated and affluent area would simplify this obvious problem. Fourth was a functional criterion. In a greater region, wide benefits could be conferred on Pickering township as a part of Metro Toronto, through specialization and the application of modern technology. Fifth was a co-operation criterion. Responsibility for co-operative discharge of various municipal functions should not create a difficulty within the present framework of Metro Toronto.

What I am saying, Mr. Speaker, is that the hon. Minister of Municipal Affairs ought to give some credence to the request of the Pickering township council. I am suggesting that at least, as I said earlier, a study should take place. It may very well mean that Pickering's interest lies in the Oshawa region, but I think they ought to be afforded some study to make that determination on a calculated basis.

**Mr. W. Newman (Ontario South):** That is exactly what he is doing.

**Mr. Pilkey:** He said on Tuesday that it makes sense that they go into the Oshawa region.

**Mr. MacDonald:** They act now and study later; that is the way the government operates.

**Mr. Pilkey:** Right.

Mr. Speaker, not so long ago—on October 17 to be exact—the Minister of Labour announced a 30-per-cent increase in the minimum wage for general industry in Ontario effective January 1, 1969. I might point out that he did say it was a 30-per-cent increase, and I do not know who he was really fooling in that regard. I mean, a 30-per-cent wage increase is rather substantial, but when you add it on \$1, it is not very much. I think he was really trying to fool some of the people of this province when he used the 30 per cent. He could very well have said a 30-cent increase—not 30 per cent! The Minister went on to say in his news release that the new rates will restore the Ontario minimum to the relationship it held with the cost of living and wages when it was first established in 1963.

**Mr. MacDonald:** As usual, just catching up.

**Mr. Pilkey:** Well I want to say, Mr. Speaker, that it does not even catch up. The 30 cents will not bring those people to the level that they had in 1963 because of the increase in the cost of living and I say that because it is our estimate that 0.6 in the index represents one cent.

I am not too sure that 0.6 really covers the one cent, that it ought not to be more, if we translate the 0.6 into the cost of living from 1963 to 1968, to the effective date of this minimum wage, we will find that the cost of living went up something like 45 to 48 cents.

If we were just meeting the cost of living, this should have been the increase in the minimum wage.

Now I know that the *Toronto Daily Star* and the *Globe and Mail*—who are really not noted for being in the vanguard of progress in this province—have indicated in their editorials some time ago, September 26 in the *Star* and September 30 in the *Globe and Mail*, that the minimum wage should be at least \$1.50 and therefore this government is even behind those two papers and their editorials. They are behind them by 20 cents an hour.

The fact is that the minimum wage, as far as a great number of employees in the hotel, tourist resorts, restaurants and taverns are concerned does not come into effect until October 1, 1969, not even January 1. Nine more months before they give them the full 30 cents per hour.

**Mr. MacDonald:** And give specious reasons too!

**Mr. Pilkey:** I want to quote for a moment from these two editorials:

Many hard working people in this rich province are meanly paid for producing goods and services that are increasingly demanded by the comparable majority. On October of last year, over 100,000 workers in these industries earned less than \$1.25 per hour and over 170,000 earned less than \$1.50 per hour. Below the \$1.50 rate were 40 per cent of retail employees, 60 per cent of laundry and cleaning employees and 75 per cent of hotel, restaurant and tavern employees.

The task of raising such wages above poverty level cannot be left to the labour unions. Too many of the workers are unorganized and even if the unions were well established in these industries, they often cannot win decent wages. They lack bargaining power because they have relatively unskilled members who can be easily replaced in the event of a strike, or because employers may be driven out of business if their wages get far out of line with non-union competitors.

I want to make a comment on that point in a few minutes—the question of these unskilled members being easy to replace in the event of a strike—because we have a number of situations in the province of Ontario that are a disgrace. This government ought to be ashamed of the action they have taken up to now. I want to enunciate some of those cases in a few moments.

In the editorial that appeared in the *Globe and Mail* they go on to say Ontario should have a minimum wage at present of \$1.50 an hour and it should apply to every worker. There should be no extra 25 cents an hour.

I want to make the point that even \$1.50 per hour is not going to do the job that is necessary to raise the standard of living of these people above the poverty level. They are going to continue to be the second-class citizens of this province—and what did the Minister of Labour (Mr. Bales) say when this question was pointed up to him?

A drastic increase in the minimum wage forced small industries into bankruptcy and resulted in huge increases in unemployment, Ontario Labour Minister Dalton Bales told a group of manufacturers yesterday. He said the government, faced with intense competition for new industry, has

had to give priority to low unemployment rates over high wages.

Well I want to say, Mr. Speaker, that if we have to take the choice, of people receiving a substandard wage—and really in effect what they are doing is subsidizing these inefficient operations here in the province of Ontario—I suggest to this government that you ought to say to them, “Either you update your manufacturing operations or you have no place in this province at those wages”. I think we have to be very frank and brutal on the question of wages having to be raised to give the people a decent standard of living.

There is strong public sentiment which appears to have priority and which governments of today must constantly bear in mind; the need to manage the economy as close to full employment as possible. This is Mr. Bales speaking. He said that excessively high minimum wages would force industry into financial hardship, even bankruptcy, which means the loss of jobs.

This is a rather ludicrous way to manage the economy when we are asking the workers of this province to subsidize inefficient operations.

Mr. Speaker, the Minister of Labour of this province knew full well those people who were living on substandard wages, because before he raised the minimum wage to \$1.30 per hour he had a survey taken and the survey is called “The Wages, Hours and Overtime Pay Provision in Selected Industries, October, 1967.” He knew full well what the need was in the province, but the government lacked the intestinal fortitude to meet the needs of the people on substandard wages.

Mrs. M. Renwick (Scarborough Centre): There are people upstairs right now working for \$43 a week.

Hon. Mr. Grossman: No heckling, please.

Mr. MacDonald: That is a shameful fact, not a heckle.

Mr. Pilkey: I also want to point out a position that I took last July in regard to the automobile insurance plans that are prevalent here in the province of Ontario.

I notice that the Wotton Royal commission in British Columbia stated that the motorists are paying roughly \$1.60 for each one dollar settlement paid by the automobile insurers. I might also point out that last July I said that if this government was not prepared to take on the question of providing adequate automobile insurance at rates that the people

of this province could afford, then the trade union movement ought to take this up as a collective bargaining goal.

Well this must have at least concerned the Ontario insurance agents association because they did indicate what was happening in the state of New Jersey where the AF of L, CIO was reportedly dickering with a number of insurance companies in an effort to design a low-cost group plan for their one-half million union members in that state. They are hoping to effect a 20 per cent saving over individual policy plans.

It has been no secret that a number of unions have been working towards this end with their sights set towards eventually having the various employers provide auto and perhaps homeowner insurance as another fringe benefit. If there was ever a time when the independent agent had better do more account development I want to say, Mr. Speaker, that it is about time that this government initiated at least some study or indicated to the people of this province that we were going to have an automobile car insurance programme in the province of Ontario.

I want to just quote for a moment an article that appeared in the *Wall Street Journal* some time ago praising Saskatchewan car insurance. This is what it says:

While Saskatchewan's Liberal government and eastern Canadian private insurance companies are holding hush-hush secret meetings to liquidate the province's government car insurance plan, other Canadian provinces are investigating the plan as a means of getting themselves out of the predicament they are in as the result of private insurance company plans. Even the United States, that notorious land of free enterprise, is eyeing the plan with increasing interest.

The *Wall Street Journal*, a blue-chip financial paper, last November carried an article lauding Saskatchewan's plan under the title “A Canadian province finds a way to slash auto crash litigation”. The *Journal* said.

Pointing up the need for no-fault policies to cut down on the backlog of insurance lawsuits, the *Journal* went on to say: “Saskatchewan's plan has been operating 21 years. It was established in 1946 when Saskatchewan elected the only Socialist state or provincial government ever to take office in North America. The Socialists promptly set up a government-operated insurance system.



"Though the Socialists were replaced in 1964 by the regime of the middle-of-the-road Liberal Party that had promised to return auto insurance entirely to private companies, the provincial insurance system has been maintained and there appears to be little likelihood of major change."

"Government auto insurance has given us a lot of headaches," says the Saskatchewan Liberal Party Premier Ross Thatcher. "There have been plenty of times when I wanted to throw the plan in the Pacific Ocean." But he added: "I would have to admit the plan is working. Hardly anyone injured in an automobile accident in Saskatchewan goes uncompensated."

Then it goes on and on. It says that it is estimated that in Saskatchewan 93 per cent of the premium income is paid in benefits, and I want to suggest to this government that this is much greater than the private insurance companies are paying towards their policy holders here in the province of Ontario.

There is a need for government action, and I would suggest, Mr. Speaker, this government ought to provide this kind of insurance—as they do hospital insurance that they instituted into Ontario or the OMSIP plan. Many of these plans can be of benefit to the people of this province, but they need an imaginative government to implement them, and I would suggest to this government that they ought to take this into consideration.

Hon. Mr. White: Do I infer that you like OMSIP then?

Mr. MacDonald: Well it is a typical Tory half measure.

Mr. E. W. Martel (Sudbury East): Put it this way, it is better than nothing.

Mr. Pilkey: As far as OMSIP is concerned I think that it was a step in the right direction and when the New Democratic Party is elected to government we will build on it.

Mr. MacDonald: Complete it.

Mr. Pilkey: That is right. We think it was a step in the right direction.

Interjections by hon. members.

Mr. MacDonald: It took us three years to blast you into than even, from 1962 to 1965.

Mr. Pilkey: Mr. Speaker, one of the other problems that is becoming increasingly apparent—and will become more critical; in our opinion in the year 1969, is the question of unemployment.

An ever buoyant economy in Ontario could be one of its greatest material assets. An economy geared to full production could create enough wealth to provide adequate wage levels to wipe out poverty; put an end to insecurity; and the fear of unemployment, and to meet our obligations to the poor of this province.

The failure to meet these goals really lies in this government's inability to generate a full production economy and because the people of this province have not enough purchasing power to keep our economy operating at full capacity. Nor have we solved the age-old problem of distributing fairly and sensibly the fruits of our production.

In reality there are two effective instruments which could be used to correct the imbalance in the distribution of purchasing power. One is free collective bargaining, and the other is for the government to provide meaningful legislation. For too many years Canada has suffered from unemployment rates much higher than any other industrialized country of the world. The latest figures released by the DBS indicates a rise to 4.2 per cent compared with 3.8 per cent a year earlier.

Mr. D. B. Marsh, assistant general manager of the Royal Bank of Canada in predicting the economy for the year 1969, told a forum at the University of Toronto school of business that unemployment rates should creep higher. The bank economist said the labour force was expected to increase by three per cent during the year while the number of jobs should expand by less than 2.5 per cent. The result: an average of 5.5 per cent of the labour force should be out of work in 1969.

How long can we as a nation tolerate such a disgraceful and indefensible unemployment record?

I might also point out, Mr. Speaker, that not so long ago, the economic council denounced the degree of poverty in Canada as a disgrace. I have a report here:

Involving Prime Minister Pierre Trudeau's goal in a just society, the economic council of Canada yesterday denounced the persistence of poverty in Canada as a disgrace, and said that a more purposeful attack on it is urgent. It estimated conservatively that one Canadian out of every five suffers from poverty and singles out the plight of the Indians, Eskimos and others for special attention.

The elimination of serious poverty should be designated as a major national goal, the



council says in a fifth annual review. One of the wealthiest societies in world history if it also aspires to be a just society, cannot avoid setting itself such a goal.

The question of poverty has been described by many in government both at the provincial and federal level as being regional or as pockets of poverty. They describe it in many ways, but really do not do much about it. We had an illustration just a moment ago when this government had an opportunity to take some meaningful action in regard to poverty and yet continues to perpetuate it with a low minimum wage.

Every action of this government indicates very little concern about the poverty that exists in this province, and this is one of the most, if not the most, urgent problems that exists. Poverty is not just in the area of wages, poverty exists in terms of housing, in education and in many social areas. I raised in this House, with the Minister of Trade and Development (Mr. Randall) the question of a housing situation that is prevalent in Oshawa. He did outline the government's programme, but I wanted to indicate what is happening there, and I suspect very strongly that in Oshawa it is rather minimal in terms of a wide metropolitan area like Toronto. But there is a problem, and if it exists in Oshawa which is one of the highest wage areas in the Dominion of Canada—I think the city is second—and if we have that kind of problem there, what is happening in the rest of the province of Ontario?

An article I have here asks: Is the Oshawa area facing a housing problem? Fact: Since August the children's aid society has admitted—now listen to this—admitted 24 children under a child protection department for no other reason than the lack of housing. Now I just happen to think it is a disgrace, and is shameful, in this affluent society that we live in, that 24 children in this municipality had to be committed to the children's aid society because of a lack of proper accommodation.

**Mr. J. L. Brown (Beaches-Woodbine):** How come you did not send them to the training schools?

**Hon. Mr. Grossman:** I guess you thought there was not enough profit for you to take them into Brown Camps.

**Mr. Pilkey:** It goes on to say that, according to Bernard Lewis of the children's aid society, four area families with a total of 14 children are facing eviction. These include two families in Oshawa, one in Whitby and one in Manchester. Fact: Applications for

low rental housing at the city housing authorities total over 300 and the backlog continues to grow. Mr. Lewis at the children's aid society described the situation as becoming a major problem.

Mr. Cheesburg, director of social services described Oshawa's housing situation as unbelievably bad, and he agreed that it is getting worse, and yet this government sits back and does nothing in terms of providing the necessary housing for those people.

It is going to take people with the courage to initiate mass housing programmes in this province if we are going to meet the needs of the people.

Also, while we are talking about the care of the poor, the trade union movement was taken to task somewhat by a Mr. Smith, at a meeting sponsored by the Lakeshore New Democratic Party at which I was in attendance. And I would like to comment for a moment on some of the statements that were made by Mr. Smith, and I want to indicate what the trade union movement has been doing and the roadblocks that are placed in their way by government legislation—roadblocks that make effective collective bargaining in many cases nil.

Mr. Smith first of all stressed that he was not anti-labour:

I fear the stagnation and complacency of today's labour movement and hope for transformation of this role before society in general assumes that unions have become irrelevant to the problems of the day.

He went on to say that wage parity with the United States on a real basis was impossible because of the different levels of productivity between the two countries. And he went on to point out that the major car manufacturers should have expected a demand for higher wages inasmuch as they are today selling cars to the United States, and the big three had gained a nice windfall through the auto-pact. He went on to say that the UAW in its best tradition, had exploited the market and had decided that they deserved a slice of the pie.

Well, I want to say in that regard, Mr. Speaker, that I am convinced that the big three in the auto industry could not only have given the wages that were demanded by the union, they could have given the consumer a decrease in the price of the automobile and also given their shareholders a respectable dividend on their investments. So I questioned Mr. Smith in that regard, and I bring this up as a sideline to this question of the exploiting of the poor by organized

labour, because he went on to say that approximately one-third of the Canadian labour force is unionized.

Outside this almost elite group, he said, the problems of our society exist, and unions seem to have joined in an unholy alliance with the other conservative groups of society in ignoring or being apathetic to these problems—and he is speaking again about the poor and the unskilled in our society.

Well, I want to tell you what the trade union movement is attempting to accomplish in three areas in this province, and the reasons for their effort to provide support to the workers, the poor and of those who are existing on substandard wages that Mr. Smith speaks of. First of all, I would like to talk about the strike that is presently taking place in Wallaceburg between the UAW and the North American Plastic Company Ltd.

This strike has been in progress for seven months; there were 323 employees who went out originally and there are now 400 strike-breakers operating that plant in Wallaceburg. Now, at the time of certification, 99 per cent of those employees voted for a union and voted for the UAW.

Let me tell you about the reactionary type of management that union faces. Mike Ladners, Jr., was speaking to a meeting of the automotive engineers in Detroit, and he used as his theme, "How to smash unions." This same Mr. Ladners is now using Canadian laws to beat back the workers and to smash that union. In addition to that, he now has the law on his side, where an injunction has been served so that the pickets have been reduced thus giving this management the opportunity of taking workers through the picket line.

In addition to that, this government provided provincial and local police to escort people through the picket lines. Many of the people working in the plant were brought in from nearby Chatham and they were escorted through those picket lines.

In addition, trumped up charges have been laid against the pickets, and I might point out to this government, that since the charges have come into court, 90 per cent of them have been dismissed.

This in itself, indicates an abuse of our courts here in the province of Ontario, to intimidate workers.

I might also point out that this Mr. Ladners, Jr., is an American. I have nothing against Americans, but he really has no respect for the courts of this province. As you

know, when the judge enters the court, everyone stands in respect to that judge, but the other day Mr. Ladners sat down, he did not stand, he will not stand in Canadian courts, because he does not care what happens in our courts. And Mr. Ladners does not care what happens to the workers employed in this plant.

Though 99 per cent of the people voted for certification in this plant, there is going to be a hearing on December 19 for decertification. Do you know what that means? It means that those 99 per cent that voted for certification will not vote on the question of decertification. The strike-breakers and scabs will vote on that question, and 323 workers will be left without a job, outside the plant gates with nothing to say.

I suggest that if ever there were a need for a revision in the Labour Relations Act, protecting the people that were certified originally it is now. It is now that we need the protection, and the government ought to revise the Labour Relations Act to give these workers the necessary protection.

Interjections by hon. members

Mr. MacDonald: Aren't you a little ashamed?

Mr. Pilkey: The Labour Relations Act, on page nine, section 12, says that the parties shall bargain in good faith.

An hon. member: What are you going to do about it dad?

Mr. Pilkey: I want to suggest, through you Mr. Speaker, to the government, that this Wallaceburg management is bargaining in bad faith in regard to these employees and I say this is bad faith bargaining because I want to indicate just two of the issues that that are holding the parties apart.

One of the issues is the question of union security, that has been accepted by the vast majority of managements in this province.

One of the other issues is the processing of grievances and you know what this management said? They said: The only thing that we will agree to in the grievance procedure, is that you can handle two grievances a week and if there are any more we do not want to hear about them.

Now there is no self-respecting union in this province that can accept that kind of grievance procedure in an agreement. We have negotiated contracts in this province that allows for full-time people to do nothing more

than to handle grievances and this is what they do all day long. Full-time people, and yet you get a reactionary management like this, that is trying to hold the workers to processing two grievances a week.

**Mr. J. E. Stokes (Thunder Bay):** Limited justice.

**Mr. Pilkey:** This strike in Wallaceburg ought to be a top priority item with this government in terms of attempting to find a solution, because I am convinced that if this government does not find solutions to these problems, the day will come when the workers are going to find the solutions for you. They are not going to tolerate those kind of situations for too long.

We have another situation in this province that is equally deplorable, and this is where 20 workers at the Peterborough *Examiner* in the city of Peterborough are attempting to gain a measure of economic and social justice.

**Mr. Stokes:** You go back to Wallaceburg and settle that thing.

**Mr. Pilkey:** I might point out, for a little background, that the Peterborough *Examiner*, formerly owned by the Davies Family, was bought by the Thomson chain in March of 1968. Shortly afterwards the Newspaper Guild was certified as the bargaining agent for the reporters and editors below the level of city editor. The union sought a one-year contract, stressing a reasonable wage scale, union security, job security, protection against unilateral transfer to another Thomson paper, a proper work week, and standard overtime provisions.

After six months of stalling, management replied by offering a three-year contract that:

1. Proposed a scale of minimum salaries below the existing level.

Now I wonder what happens to the question on page 9 of the Act: "shall bargain in good faith".

2. Discriminated against women by offering unequal pay for equal work.

3. Refused union and job security and offered no guarantee against wage cuts during the life of the agreement, and

4. Provided no reasonable work week or overtime provision.

The dispute has been twice to the conciliation officer and to a conciliation board which produced a report but made no recommendations.

Right now a reporter's salary scale is \$85 to \$120 weekly, with union scale revision to provide \$150 weekly after five years.

Management's reply: a scale of \$62.50 to \$117 weekly—lower than the present scale.

The union struck the *Examiner* on November 2. No injunction applies in this dispute and I might also point out that recently a number of university students joined the strikers on the picket line and 13 were arrested. I suppose that is some more of Ontario's justice in regard to people that are participating on picket lines, in a legal strike.

But here are 20 people who are being challenged by the giant in the newspaper industry—Lord Thomson and his powerful Thomson organization. I suggest to the government, through you, Mr. Speaker, that they really had no idea of tolerating the union in their plant.

In other words, there was no question about bargaining in good faith. They were bent at the outset on a course to destroy the union. I have had some practical experience in this regard. I have sat on two boards of conciliation with the Newspaper Guild against the Thomson chain. In the first one, we were able to work out an agreement but there was no question about the course they set out on in the second round of negotiations. They set out on a course that would have destroyed that union.

Fortunately, in that situation, where the Newspaper Guild was in a strike with that management, organized labour came to their assistance in great numbers.

I want to give credit to the then Minister of Labour (Mr. Rowntree), who arranged that we should meet in the Prime Minister's office. I think it was about 72 hours following that meeting, that an agreement had been reached and I want to suggest to this government that those same powers can be used in this situation to get a desirable result. The same powers that were used to resolve the *Oshawa Times* situation can be used in this one; this government knows they have the power to get a settlement in these situations.

**Mr. Reilly:** Mr. Speaker, would the hon. member permit a question?

I was wondering if the hon. member for Oshawa saw in tonight's paper where the members of management and members of the union met with Mr. Dickie in this building today? I saw it in tonight's paper at supertime.

**Mr. MacDonald:** The government should back Dickie up in face of a defiant management that will not bargain in good faith, but he is not getting any backing.

**Mr. Pilkey:** Well, Mr. Speaker, I want to say very frankly to the member, if this is true then we welcome this kind of action on behalf of the government, to resolve some of these disputes.

**Hon. Mr. White:** It is a little embarrassing now—

**Mr. Pilkey:** Well it is not too embarrassing. These things do not embarrass me, fortunately. If we can work out settlements and if the government wants the credit for getting the settlements they can have all the credit—but first resolve these problems so that people's jobs are not jeopardized. This is the key to the thing; we do not care who gets the credit.

**Mr. MacDonald:** Do not sit idly by while the union is working—

**Hon. Mr. White:** The talk is over there and the action is over here.

Interjections by hon. members.

**Mr. Pilkey:** We will give you the credit if you just get the settlements.

**Mr. Stokes:** He just gave credit to the former Minister of Labour.

**Mr. MacDonald:** How about some action down at Wallaceburg? Are you going to sit that one out?

**Hon. Mr. White:** It is a little embarrassing that the labour chief would not know that.

**Mr. Pilkey:** It is not embarrassing at all.

Interjections by hon. members.

**Mr. Shulman:** The Minister of Revenue did not have his own suggestions handled too well by his leader. That was a little embarrassing too.

**Mr. Pilkey:** Now the other strike that is going on in this province that has had prominence in the press and one in which this party has been vitally interested, has been—

**Mr. D. M. De Monte (Dovercourt):** We are vitally interested.

**Mr. Pilkey:** Well we will find out how interested the Liberals were in just a moment.

This is the Proctor-Silex strike in Picton. The condoning of the Proctor-Silex strike in Picton is indefensible. The situation reproduces in 1968 what happened in Tilco Plastics in Peterborough in 1966. At Tilco a union was broken by a combination of court injunctions and the so-called right of the owner, in management of a plant, to replace the labour force when confronted with a lawful strike.

The New Democratic Party is totally opposed to this destruction of the freedom of association, freedom of assembly, and freedom of speech. There was a time in human affairs when poverty was inescapable because of inadequate production facilities. Today, through science, technology, and economic capacity, we have the tools to abolish poverty. Yet we have in this "province of opportunity" a firm which is making every effort to perpetuate poverty in Picton.

How can we tolerate wages of less than \$1.25 per hour? A married man working for Proctor-Silex finds his salary base below the point where the Economic Council of Canada indicates that bitter poverty begins. The workers in this plant do not enjoy the fringe benefits negotiated in many industrial areas of this province. Has this American-based company conducted its affairs as a good corporate citizen? Have they conducted the negotiations with local 585 IUEW in good faith with the object of an honourable and satisfactory settlement? Obviously the answer to both questions is "no".

The IUEW was certified to represent the Proctor-Silex workers on January 27, 1967, and on January 2, 1968, notified the company of its desire to bargain. The company notified the union that they would meet on January 19, 1968, although the law in the province of Ontario states that the parties will meet within 15 days after the notice to commence bargaining.

The parties met on January 19 and the union presented their proposals but the meeting was terminated in approximately one hour because the company's lawyer had to catch a plane to Philadelphia. The Proctor-Silex management would not meet the following week and set a tentative date of January 30. This meeting was called off and rescheduled for February 2. The meeting on February 2 lasted approximately two hours with the company making no submission or counter proposals. The company stated they could not meet the following week but would meet on February 14. During the meeting of February 14 a little progress was made

and a tentative date of February 21 or 22 was set for future meetings. The company cancelled the tentative date and set February 28 for the meeting.

Next meeting was scheduled for March 14 and 15. The meeting was arranged for March 14 with Mr. Findlay, the plant manager, without the company lawyer, but very little was achieved and it appeared that management did not want to meet without their lawyer. The company would not meet the next day or even the following week and set March 27 as the meeting date. On March 20 the company informed the union that they could not meet on March 27 and the earliest possible date was April 3. The reason given was the company would not consent to any further meetings until their lawyer was available.

**Mr. MacDonald:** Where was the Minister of Labour during all that kind of procedure?

**Mr. Pilkey:** The delaying tactics of the company prompted the membership to call for conciliation services and the taking of a strike vote. The strike vote resulted in a 98 per cent vote for strike action if necessary to effect a satisfactory settlement. Conciliation procedures dragged out for weeks and finally the workers walked out on July 17, 1968.

During this entire period the company made no monetary offer. In fact no offer was made until the strike had been in progress for a two week period. At this point the company's offer was four per cent and on August 21 they gave the take-it-or-leave-it offer of six per cent. The six per cent offer would only reflect in a 5.6 cents to 15 cents adjustment in the various wage classifications. The facts are that the Proctor-Silex company had acted in a most irresponsible manner and bargained in bad faith from the very outset of the negotiations.

An injunction, which has no place in the field of labour relations, is now in force in the Picton situation. The injunction is being used by management to score an advantage over the union. With the injunction as a weapon to destroy the union the company have been able, because of a defect in the law, to move to destroy the union by duping other citizens to accept employment as strike breakers.

In addition to the injunction, the union has had to face Mayor H. J. MacFarland, a millionaire contractor, who has vast holdings in Prince Edward County and receives approximately \$58,000 a year rent from the Proctor-Silex plant and other properties

owned by him. Mr. MacFarland has done absolutely nothing to assist in resolving this dispute; as a matter of fact he had been more sympathetic to the company.

To further harrass the employees a threatening letter was sent out to every striking employee of the Proctor-Silex plant suggesting termination of employment if he did not return to work immediately. With the law, the mayor, and the company coming down full force on the striking members of this plant, the odds are formidable. After full realization of the odds facing the workers and out of deep concern for the strikers, the New Democratic Party caucus members appeared in the picket line in Picton to demonstrate their support for the strikers and to display a sense of solidarity.

Wherever there is an attempt to smash unions, wherever there is an attempt to exploit people, and wherever we can demonstrate against inhuman working conditions and poverty, the New Democratic Party must, and will, demonstrate unequivocal support for such people.

The people of Ontario cannot tolerate the Proctor-Silex situations anywhere in our province, nor can they tolerate wages and salaries that do not provide a decent economic standard of living for the worker and his family, and let it be perfectly clear to the government of Ontario that the New Democratic Party will not permit another union to be broken as the textile workers union was broken at Tilco.

**Mr. N. Whitney (Prince Edward-Lennox):** May I ask a question please? Do you have any idea how many of those people in the Proctor-Silex company own their own homes, what percentage there is, or anything about it? I am simply referring to a statement of the member for High Park (Mr. Shulman), who states that here in Toronto a man and his wife who collectively make \$17,000 a year, cannot afford to own their own home. I am just asking you tentatively if you really know the story. Now I have not been acting on behalf of the company or the union, either one, but I am just asking you how much do you really know about this whole situation.

**Mr. Shulman:** On a point of order, Mr. Speaker, I am sure the hon. member who just spoke would not want to mislead the House. I certainly did not say that a man and his wife earning \$17,000 in this city could not own their own home. What I did, and I am sure the member does not recollect



correctly, was to read a letter from a man, an immigrant from England, who was having extreme difficulty in buying a home because he could not save the down payment. I never at any time made the suggestion which he has just attributed to me.

**Mr. Speaker:** The hon. member for Oshawa may continue. If he wishes to answer the question he may do so.

**Mr. Pilkey:** I did not get the question and my colleague answered it anyway.

**Mr. MacDonald:** The questioner has not got the question.

**Mr. Stokes:** It was not a question at all.

**Mr. Pilkey:** Well, I just want to say to the member for Prince Edward-Lennox, that he would not know much about that Picton strike. I doubt very much whether he has ever been down there giving those workers any kind of support.

**Mr. Whitney:** I was impartial until you got down there and then I started looking at the other side.

**Mr. Pilkey:** Get that in the record.

**Mrs. M. Renwick:** What kind of wages are they getting on the other side?

**Mr. Stokes:** Does the member mean he was not aware of where the money was coming from until we got down there?

**Mr. Whitney:** What money?

**Mr. Shulman:** How much did MacFarland give you for your campaign?

Interjections by hon. members.

**Mr. Pilkey:** Mr. Speaker, in the Proctor-Silex strike I do not think that the union was making excessive demands on this company. Their demand was for a \$1.60 minimum wage for women, and \$1.80 minimum wage for men, and this really would just provide a minimum standard of living in any part of this province. This was their demand on that company in terms of wages and yet this company refuses to meet that demand and provides strike breakers to beat back the forces of the workers in the electrical union.

I want to say that there has been some support, not only from the New Democratic Party, for this strike and from various other unions, but I was rather impressed with an article that appeared in the Belleville *Intelligencer* on October 2. It had a heading

"Company will not service Proctor-Silex appliances: 'We will not sell or service Proctor-Silex products until further notice,'" read a full-page advertisement in Friday's *Picton Gazette*. It was signed by the owner of Wellington TV and Appliances, Mr. Craig Platt, who has started a commercial campaign against low wages at the Proctor-Silex plant.

When asked why he felt he should boycott company products, he replied that the wages at the plant were ridiculous. "I have actually been ashamed to cash pay cheques from the Proctor-Silex workers because they're too low," he stated. I wonder what the member for Prince Edward-Lennox thinks about that?

**Mr. Whitney:** Is that a question?

**Mr. Pilkey:** Yes, what does the member think of that?

**Mr. Whitney:** Well, I can tell you what I think about it. It is neither here nor there, it is simply one man's opinion and down in Prince Edward we have freedom. Anyone can think as he likes and advertise as he likes and there is no establishment whatever. That is the proof in reply to the assertions you people have been making. Everybody is free and nobody objects.

**Mr. Pilkey:** After 18 years with Mr. MacFarland, I do not know how much democracy there really is there; how much freedom.

**Mr. Whitney:** Does the member believe that the vote of the people means anything?

**Mr. Pilkey:** Well, the last time he was elected—he was never opposed before, nobody had the nerve.

**Mr. Whitney:** Pretty nearly three to one the last time.

Interjections by hon. members.

**Mr. MacDonald:** It is a conflict of interest and you are all benefactors.

**Mr. Pilkey:** Mr. Platt, who handles and services Proctor-Silex products at his store has taken all of them off the shelves and stored them. The company ought to go back to where it came from unless they start paying decent wages. We got this plant, I think, from Quebec. I think we should have left it down there where it belonged if they are going to continue to pay that kind of wage. Mr. Platt, who first ran his advertisement in Friday's *Gazette*, says he has not talked to other merchants yet or heard their reaction



but he does have definite feelings about what they should do. If other merchants do not start boycotting Proctor-Silex products also, it is only because they are afraid they will have to pay over the minimum wage level themselves and at least here was one stalwart citizen in Prince Edward county who had the intestinal fortitude to stand up to this management.

**Mr. Whitney:** They all have intestinal fortitude, they all have.

**Mr. Pilkey:** Well, Mr. Speaker—

**Hon. Mr. White:** Do not look now, but all the Renwick gang have left, they are boycotting the co-chairman.

**Mr. MacDonald:** I can understand your shame about it—that you would want to hide it.

**Mr. Stokes:** That is not a red herring, that is a mackerel.

**Mrs. M. Renwick:** We do not approve of just \$60 a week, I can tell you that.

**Hon. Mr. Grossman:** No heckling back there.

**Mr. Pilkey:** Mr. Speaker, at a large meeting that was held and I recall being there, there was something like—

**Mr. Whitney:** Sure, you advertised.

**Mr. Pilkey:** There were 1,000 people at that meeting, and I want to point out to the member for Prince Edward-Lennox that he was extended an invitation to attend.

**Mr. Whitney:** I said I would not be there.

**Mr. Pilkey:** I can understand that, he is not interested.

**Mr. Whitney:** Because at that time I was not involved in any fight and I am still not involved.

**Mr. MacDonald:** The member has changed his mind in the last two minutes.

**Mr. Whitney:** That was a packed meeting if there ever was one.

**Mr. Pilkey:** And they had a story in the *Kingston Whig-Standard* that indicated the mayor, the MP and the MLA missed the labour meeting in Picton, where 1,000 people were demonstrating their support for the 99 strikers at the Proctor-Silex plant that are being exploited by a reactionary management

here in the province of Ontario. And the MLA stays home.

**Mr. Whitney:** That meeting was the member's idea.

**Mr. Pilkey:** Not my idea.

**Mr. Whitney:** Oh, well, the member was there, and they advertised in the paper—

**Mr. Pilkey:** I want to also point out, Mr. Speaker, that the New Democratic Party was accused by the leader of the Opposition of grandstanding in regard—

**Hon. Mr. Grossman:** Oh, no, he would not do that.

**Mr. Pilkey:** I want to point out, Mr. Speaker, that the New Democratic Party caucus appeared in the picket line in a tangible, practical way to show our support for a group of workers who are being exploited and are being denied a measure of economic and social justice, and I want to point out that we will be there again if that kind of situation persists here in the province of Ontario.

**Mr. Whitney:** If you want to help the company win, you will go again.

Interjections by hon. members.

**Mr. Pilkey:** If we want to get an illustration of what is going on in the province of Ontario; if we want to get an illustration of what is happening in the province of Ontario in the giant corporations. Let me digress just for a moment, so we can really find out what is going on—

**Mr. Whitney:** You gave them a good illustration, they will all remember.

**Mr. Stokes:** What is the member doing about it—he with his non-involvement? Get off the fence and do something.

**Mr. Pilkey:** This appeared in the magazine section of the *Daily Star* two weeks ago.

**Mr. Pitman:** Doing nothing is helping the company.

**Mr. Pilkey:** It went on to say:

The Ford Motor Company moved to Oakville from Windsor in 1953 and its 5,600 men assembly plant on the eastern approach of town are a model of how large industrial concerns can be made to blend into attractive surroundings. But it

is a large industry which is something that Oakville, created largely by the rich as a retreat for their own, has never been strikingly strong on.

Ford's unwritten policy has been that not more than 25 per cent of its work force should come from Oakville. A safeguard that prevents any slump in the local economy if Ford goes on strike and listen to this, and it also prevents the United Auto Workers from taking over the Oakville town council by sheer force of numbers.

**Mr. MacDonald:** It's not a good idea eh? Let the business minority run the majority that's what you want?

**Mr. Pilkey:** Mr. Speaker, here is another example of a giant corporation manipulating the manpower and their interests. In other words, it is all right for big business to control the councils but we must never, never let the the workers have any say. It is in the interest of democracy in their opinion, not to let the workers participate.

This is their interpretation of the democratic procedure in this province; do not let the workers participate in any elected position at the town council level. So they restrict hiring and I want to suggest, to this government if they have knowledge of what is going on in the Ford Motor Company in terms of hiring, they ought to investigate the situation and come down full force on that company, so that every worker has the right to employment regardless of where he lives in this province and not restrict him as they are restricting them in Oakville for those insidious, devious reasons that are indicated in this newspaper.

But this is just another example of what is going on in this province as far as the giant corporations are concerned.

I want to conclude, Mr. Speaker, by indicating that this government must guarantee much greater protection from the reactionary elements of management within our society. It must approach such strike situations with a sense of compassion and a deep sense of understanding of the issues involved and, if necessary, fall on the side of the workers to assure them a decent standard of living and to guarantee that Ontario is truly a province of opportunity.

**Hon. Mr. White:** Mr. Speaker, on a point of order. Would the hon. member permit a question? I am wondering if the fact that all

of the Renwick supporters have left the Chamber is any indication of a bifurcation, if you will excuse the expression, in the NDP caucus. I am wondering if the fact that all the Renwick people left during the co-chairman's speech bears any significance?

Interjections by hon. members.

**Mr. Pilkey:** Mr. Speaker, I want to say to the member for London South, that this party went through a leadership campaign, and obviously there are some stresses in any leadership campaign, but I want to say this very frankly—this party came out of that leadership campaign stronger than it was before it went into the campaign.

Interjections by hon. members.

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, it is some years since I have had the pleasure and privilege of participating in the Throne Speech which enables me to pay my word of tribute to you for the splendid conduct of the Legislature, over which you have presided for the past two years.

Mr. Speaker, I welcome this opportunity to introduce the broad background of the Ontario government's fiscal considerations into the Throne Speech debate. I believe this emphasis can lead to a much more responsible approach to this discussion which, traditionally, encompasses the full concerns of the government and the Opposition.

I think it is becoming evident to all observers, Mr. Speaker, that the question of what is generally desirable in terms of expanded public service is sometimes proposed outside the context of what is financially feasible, not only in this Legislature but in most other government chambers in Canada.

In recognition of the current and future financial pressures on our operations, I suggest that it may be wise to develop, as a tradition, the practice of presenting a fiscal outlook in the Throne Speech debate, along with a report on current developments affecting the financial affairs of the province. This would put into financial perspective the ramifications of all the proposals presented to this House and provide a background for the budget which follows. By detailing this financial framework in advance of the budget, both the members of this House and the people of this province will be able to assess our total government programme more accurately and relate the costs of specific recommendations more comprehensively.

I propose to you, Mr. Speaker, that such a practice would follow logically the improvements we are developing in the field of financial reporting. The new formats of our budget and our abridged financial report, and our accelerated efforts toward programme budgeting, are all part of a design to provide a clearer conception of government operations in Ontario.

In addition, discussions are now taking place within this government concerning the compilation and reporting of municipal expenditures in a way that can be incorporated into our analysis of the direction of public investment in Ontario.

Indeed, Mr. Speaker, I hope there is greater public awareness today, because of the present financial demands at all levels of government and the growing burden of all taxation, of the need to develop this concept on the broad base of total public spending in Canada. I envision some day that the process of government decisions will start with an analysis of the total expenditure and investment of public funds by federal, provincial and municipal jurisdictions. This total analysis, besides providing Canadians with an integrated picture of government activity and taxation, would serve as the framework for the annual federal-provincial discussions on finance and, ultimately, for the budget plans of each jurisdiction.

I can assure you, Mr. Speaker, that Ontario will pursue this goal. We believe it is essential for the development of co-ordinated, judicious investment of the taxpayers' dollars.

Our review of financial demands on Ontario must start with a look at the current state of operations. Our present expenditure and revenue flows are following closely the estimates presented to this House in March. Our expenditures are expected to exceed revenues by about \$250 million, as forecast in my budget statement last March, a deficit then can be handled without great difficulty through controlled borrowing and the use of liquid reserves.

As the Prime Minister and I have stressed repeatedly, our financial base is healthy and strong. The Ontario economy has been remarkably buoyant during 1968. I recall my forecast that Ontario's gross provincial product will increase by at least seven per cent this year. As of November, it was running at eight per cent, one per cent better than I had anticipated.

**Mr. H. Peacock (Windsor West):** For November or the whole year?

**Hon. Mr. MacNaughton:** As of November, rather obviously for the year up to November, I think.

Our financial operations are under full control. Our provincial credit has never been better. Our economy is aggressive. Our standard of living remains among the highest in the world.

Wise government, however, demands more than satisfaction from existing conditions and present operations. This administration, as has its predecessors, recognizes its responsibility to prepare for the future.

To document once again our long-held position that Ontario and our sister provinces are receiving the short end of the revenue stick in Canada, my department earlier this year compiled a detailed five-year forecast of expenditures under present programmes and revenues from existing rates of taxation. The result confirmed the legitimate concerns outlined years ago by the former Premier of this province, the hon. Leslie Frost, and the more recent projections of the federal-provincial tax structure committee and the Ontario committee on taxation, and in the supporting papers of my last Budget.

The Prime Minister and I, in recognition of our responsibility to the people of Ontario, have spelled out the disturbing results of these five-year projections. I will place them now on record here briefly.

Between now and the fiscal year 1972-73, if we allowed present expenditure trends to continue and held taxes at existing rates:

Total expenditures would rise by 74 per cent while revenues would increase by only 40 per cent;

Ontario's annual deficit would increase by more than 500 per cent, raising our provincial debt from less than \$2 billion to more than \$5 billion in 1973;

Even if we increased our borrowings to nine per cent of gross provincial product, this was recommended as sustainable and supportable by the Ontario committee on taxation, the projected financial gap for the single fiscal year of 1972-73 would be close to \$900 million.

This fiscal spiral cannot and will not take place, as the Prime Minister has assured the people of this province on many occasions. But our citizens must be aware of the challenge that they, and we, face.

This area, however, represents only one of the two principal sources of financial pressure on the province. The other one, equally formidable and paramount in the consideration

of tax reform for Ontario, is the cost of relieving the property tax burden by shifting more municipal financing to the provincial Treasury.

The funds required to satisfy each of these needs, even in the immediate year ahead, are staggering:

1. If the government accepted the full estimates submitted by our departments for 1969-70, our revenues would fall short by \$600 million. With expenditure increases projected to outrun our revenue growth consistently by almost 2 to 1, this pressure to finance our own Budget obviously will get worse with each succeeding year.

2. The cost to the province of undertaking the full municipal-to-provincial shift, envisaged by the Ontario (Smith) and the Select (White) committees on taxation, would amount to \$400 million. This is over and above the costs of reforms already implemented, including the municipal tax reduction programme and the takeover of justice administration costs.

The increase in the average provincial contribution toward local education costs to the level of 60 per cent, as advocated by both taxation committees, alone would require more than \$200 million.

The other components of this \$400 million price tag for reform include the costs of providing municipal taxes on exempt properties, higher grants in lieu of property taxes on provincial facilities, an increase in the unconditional grant and in assistance toward health and welfare programmes, and the rise in municipal tax reduction grants if the residential and farm taxable assessments were reduced to the proportions suggested by either Smith or White.

The twin pressures on this government—the rising costs of provincial programmes and the expenditures associated with tax reform—would total a cool \$1 billion, or close to a 40 per cent increase over the present Budget, if we accepted them.

Obviously, Ontario cannot finance this load with its present tax resources. We cannot find the finances to carry forward, on the scale required, our own provincial programmes, many of which involve heavy contributions toward municipal costs. This presents a challenge in maintaining our present commitments to municipalities, let alone undertaking the package of municipal tax relief that has been proposed.

The excessive revenue demands to meet both tax reform needs and rising costs formed

the background for Ontario's presentation to the recent federal-provincial meeting of Ministers of Finance and Provincial Treasurers.

In 1966, Ontario put forward its case for a reasonable rationalization of federal-provincial finance and our presentation still stands. We have argued for a fairer share of progressive tax capacity, based on a proper starting point in tax division to correct the basic fiscal imbalance between the federal and provincial-municipal levels of government.

Ontario pointed out also that without a more rational distribution of tax powers there is little hope that governments as a whole can contain total tax and debt levels, and allocate total public resources on a priority basis.

While admitting that provincial-municipal spending inevitably will grow faster than federal spending, Ottawa nevertheless has refused to relinquish any of its growth taxes. Instead, it has steered a course of programme invention that has dissipated potential federal surpluses, pushed up total public spending and raised taxes to excessive levels.

I doubt if anyone needs to be reminded of the consequences of the federal rigidity in 1966. Municipal taxes in Ontario, on average, went up 10 per cent each of the two past years; Ontario's taxes were raised by \$105 million this year; and, irony of it all, Ottawa has proceeded to grab lustily into the income tax base so desperately needed by the provincial jurisdictions.

When our tax-sharing negotiations were resumed last month, Ottawa again refused any reallocation of tax powers to remedy the basic fiscal distortion in Canada.

Ottawa's position in short was: "I'm all right, you hustle out and patch up your own pocket."

In addition, Ottawa advised the provinces that it will limit its financial participation in three vital areas:

- Health and hospital grants will be discontinued;
- Health resources funds will be severely rationed;
- A larger share of health costs for Indians will be thrust on the provinces.

The screw has been turned even tighter by Ottawa's October budget which introduced the social development tax. While piously advising the provinces to raise their own income taxes, Ottawa largely pre-empted that very action by imposing the equivalent of a nine per cent increase in income taxes for

themselves, specifically to finance its universal medicare programme.

And, with this imposition, the frustration of irony is piled on the exasperation of paradox.

Here is a regressive tax imposed on a progressive source of revenue in such a way that it precludes the hope of relieving the regressive character of the provincial-municipal tax system; in effect, intensifying in two directions the burden of taxation on low-income families.

Now you may not like the next one, Mr. Speaker but I am going to say it anyway. Ottawa's insistence on medicare is the greatest paradox, the extreme inconsistency—now we are not through with the Liberals yet, we may have something more to say—probably the most devastating of all shared-cost programmes, in terms of increasing expenditure. The financial community has been shocked by the inadequacy of Ottawa's estimating in these fields last year; that is what I referred to when I said credibility gap. It will be stunned equally by the unrealistic approach to medicare expenses.

Mr. Speaker, just last week I received a report from the Canadian Conference on Health Care whose annual survey reveals that the coverage of medical insurance in Ontario has risen to 97.3 per cent as of December 31, 1967. The Ontario citizen, Mr. Speaker, now relatively happy with his health insurance and, for the most part, prepared to look after this obligation by his own means, will start paying the two per cent federal medicare tax on January 1, 1969.

I estimate that the taxpayers of this province will contribute \$225 million through medicare taxation during the coming year, more than half the urgent requirement for municipal tax relief and reform. I repeat more than half the urgent requirement for municipal tax relief and reform. I will discuss that in a moment.

This immediate burden, heavy as it is, may be relatively small compared to future costs in this field. As we were so forcefully reminded at the recent conference, the federal government will withdraw from this field in five years with an unspecified transfer of equivalent funds to the province. This withdrawal will affect our five-year financial planning almost immediately.

As the Prime Minister has stated, the federal position on tax sharing is not only anachronistic and rigid but also destructive of any workable and just federalism for Canada. At the November conference, Ontario asked some very basic questions con-

cerning the future course of federal-provincial relations but Ottawa shrugged them off with platitudes instead of answers.

I enquired of Finance Minister Benson if the federal government believed in approaching our financial problem in a spirit of partnership. I did not think there was anything too much wrong in putting that type of a question to the federal Minister of Finance approaching these situations in a spirit of partnership, rather than as adversaries, if you like. He replied that "the need for federal-provincial discussion cannot override the basic responsibility of governments to Parliament and the legislatures". While this is clearly desirable, it is also true that Parliament is responsible to the same taxpayers as our provincial legislatures. Therefore, we are jointly responsible for the co-ordination and control of total taxation. Jointly responsible.

In that same vein, he replied to another question "that our first duty is to determine, control and administer economically all our own expenditure programmes". Surely, Mr. Speaker, I suggest, there is an inherent responsibility in the federal government to give equal rating to the broader and all-encompassing concept of total public service and total governmental expenditures.

The finance minister said the federal government does not wish to have a "tax jungle" or a "balkanized economy" and feels that these are not dangers that we face now. He admitted, however, that "the constitution was explicitly framed to vest in the federal government the powers and responsibilities necessary to create and maintain a unified economy".

To our concern that, for the third year in a row, the federal budget had been brought down just before our federal-provincial meetings, the federal spokesman replied: "We have had so many budgets in the past three years that it would not be possible to avoid sometimes acting before our meetings". I find it quite difficult, Mr. Speaker, to interpret three successive years of preempting the federal-provincial consultations as a "sometimes" happening!

I must concede, however, that the federal government gave some recognition to the provincial pressures, both in its recent budget and in the finance minister's statement to the conference. In both instances, there was the clear suggestion to Ontario and other provinces to follow the practice of two western provinces in imposing five additional points on the personal income tax. Mr. Benson



even offered the co-operation of his government in undertaking changes in the collection agreement to be effective early in 1969.

While I welcome this gesture, I cannot help wondering, in view of the federal government's own tax increases, its persistence on the expensive medicare programme and its own budgetary problems, if the federal government demonstrates anything but a cavalier attitude toward the mounting burden on our taxpayers.

Let me point out here that the 9 percentage points represented by the social development tax, plus the suggestion of an additional 5 points by this government, would amount to a 14-point increase in personal income tax in Ontario for a single year. Is that what the leader of the Opposition is proposing? Well watch it now. Mr. Benson renewed the federal "17-point offer" as an alternative to the present shared-cost agreements in the fields of hospital insurance, Canada Assistance Plan and general health grants. This offer would give the provinces 17 additional points of the personal income tax, with a corresponding reduction in the federal share, plus an adjustment payment to ensure that the total fiscal transfer to the province is equal to the actual programme costs.

While Ontario intends to take another look at this proposal, since in the least it would provide administrative elbow room and perhaps enable more direct control over these costs, the obvious fact remains that this transfer will do nothing to improve the province's net financial capacity. It is merely an alternative arrangement for funds we already receive to meet our commitments in these fields.

Our calculations show that Ottawa's share of Ontario's costs in these three shared-cost programmes already amounts to the equivalent of 18 points of the personal income tax and will grow to 20 points and beyond in the 1970's. Although the federal offer includes payments above the 17-point transfer, no suggestion has been made yet as to how long the federal government will commit itself to this compensating payment.

Should Ottawa continue its present attitude of hasty retreat from shared-cost fields, Ontario could be left holding the differential bag within a few years. In the light of our own five-year projections, this province cannot afford to lose out at the federal bargaining table.

**Mr. T. Reid (Scarborough East):** Would the Minister accept a short question?

**Hon. Mr. MacNaughton:** Yes, of course.

**Mr. T. Reid:** Am I correct in saying, Mr. Speaker, that Ontario now receives back roughly \$28 out of every \$100 collected by the federal government, and that the federal government has offered, in exchange for giving up the administration and participating financing of some of the shared cost programmes, to return back to us another \$17, thus bringing the total that Ottawa would pay to Ontario to \$45, or maybe \$46, or \$47, out of every \$100 that they collect from us in personal income tax. Is this correct?

**Hon. Mr. MacNaughton:** Yes, precisely. That is precisely correct.

**Mr. T. Reid:** If that is the case, Mr. Speaker, should not the hon. Treasurer have a say in the income tax base?

**Hon. Mr. MacNaughton:** Yes, the Treasurer will have a say regarding the equivalent in terms of abatement of 45 per cent under those circumstances, of what the income tax base produces in Ontario.

**Mr. D. C. MacDonald (York South):** That will be interesting when you raise your voice on that score.

**Hon. Mr. MacNaughton:** Very interesting.

**Mr. MacDonald:** It has been missing for a long time.

**Hon. Mr. MacNaughton:** But in terms of actual transfer of dollars, it does not mean anything more than the cost-sharing basis that we now enjoy. The cost-sharing basis, if I may go back, in an explanation to the hon. member for the three major programmes, is the equivalent presently, or was the equivalent at the outset, of 17 percentage points.

It is a straight transfer payment, but it turns out that at the outset of this cost-sharing proposal it was the equivalent of 17 percentage points. They now propose to turn back, or abate, 17 points plus an equalization payment. So it is in place of the other; there is no material gain in terms of dollars and cents.

In its brief to the conference, Ontario requested the federal government to turn over to us the fiscal equivalent of its budgeted Medicare cost for our own priority needs. Quebec reasoned for a share of the social development tax. Both requests were rejected by Mr. Benson, but with repeated assurances



that this particular decision did not eliminate further discussions on tax sharing.

Mr. Benson's suggestions of additional consideration toward revenue division raised our hopes that Ottawa might be less rigid in its discussions later this week, when efforts will be made to reactivate the tax structure committee. However, there have been clear indications since then that the federal attitude has not changed and may even be more obstinate and isolationist than before.

Summing up this review of federal-provincial financial arrangements, we must continue to hope, despite the odds, that the coming conference will show some progress towards resolving federal-provincial problems and permitting the provinces some flexibility in planning their future financing.

I was pleased, Mr. Speaker, to note that the leader of the Opposition, in his contribution to this debate, has decided in a somewhat gingerly way that Ottawa should give more consideration to the Ontario position on tax sharing. He suggests that the federal government might have provided Ontario with a share of the two per cent social development tax.

I trust, however, that I am quoting the most recent Liberal position on tax sharing. I must confess that I have had great difficulty keeping up with the manoeuvres of the nimble leader of the Opposition on this issue.

I recall that at various times he had advised the government (a) to negotiate vigorously for tax room; (b) to accept the Ottawa position and raise our own taxes; (c) to insist at Ottawa that "we must have cash in the bank"; and (d) to temper our demands.

The press reports I have received on the Opposition leader's position have confused me even more, Mr. Speaker. The Liberal Party, in its dissenting comment on the White Report, disagreed emphatically with the position that the federal-provincial tax-sharing arrangements afford much further potential. And I recall the prediction of the hon. member for Brant that we would be blaming Ottawa for the tax increases that he predicted we would impose during this fall session.

Then, on October 23, when he announced his plans for a meeting of the federal and provincial Liberal caucuses, I was encouraged by his determination to convince his federal colleagues of the need for closer fiscal co-operation between our two governments.

Indeed, I did raise my eyebrows, as the report indicated we on this side of the House might do, at his suggestion that Ottawa might

be trying to make political capital at the expense of the people of Ontario.

On November 4, in his press release issued during our conference, he accused Ontario of being "too rigid" in our position. I believe he used the words "immoderate confrontation" and "rigid formulas" in that release.

This is not very consistent, Mr. Speaker, when we go back, and I repeat he has advised the government to negotiate vigorously for more tax room, and then he follows along and recommends acceptance of the Ottawa position to raise our own taxes.

Mr. R. F. Nixon (Leader of the Opposition): But you are still not prepared to take that 17 per cent offer.

Hon. Mr. MacNaughton: Last March, however, and this is recorded on page 1190 of *Hansard* of the last session, he advised this government to go to Ottawa with "determination and resolve", to "exert initiatives". He talked about a "final confrontation" on fiscal matters and stated that we must not accept a "take-it-or-leave-it" attitude or a "non-negotiable position" on Ottawa's part. We recently heard him say we must not go to Ottawa cap-in-hand. That suggests to me a very nimble mind on these matters, Mr. Speaker.

I cannot accept the hon. leader's dismay over the suggestion that Ontario might introduce fiscal matters into the constitutional conference this month. The Opposition leader, on November 25, indicated that it was "quite unconscionable" to bring fiscal considerations into next week's talks.

But I recall being very interested in hearing the Prime Minister of Canada on television when he announced the cancellation of the constitutional conference, saying you could not effectively have a constitutional conference and ignore fiscal matters.

Mr. Nixon: That is why he had them both planned for this week.

Hon. Mr. MacNaughton: Well very well, but you have—

Mr. Nixon: Mr. Speaker, on a point of order, I wonder if you will permit me to ask a question?

Hon. Mr. MacNaughton: Yes.

Mr. Nixon: I am sure, Mr. Speaker, in the form of a question, that the Treasurer would agree with me that both he and his seat mate, the Premier, threatened the government of

Canada. In the first case that they would keep Air Canada planes out of Toronto with high fuel taxes on his part, and the Premier was saying that he would opt out—he did not like that phrase—but essentially that is what he was prepared to do, of constitutional discussion unless there was some give on the fiscal position.

**Hon. Mr. MacNaughton:** The hon. member has stated out of his own mouth what I have already said, at that point in time he said it was quite unconscionable, quite unconscionable to do that.

His federal Prime Minister does not think so.

**Mr. MacDonald:** He thinks the same thing.

**Hon. Mr. MacNaughton:** He thinks that the division of powers of fiscal responsibility are very closely related, Mr. Speaker.

But, on March 25, exactly eight months earlier, the nimble member for Brant stated in the strongest terms that “we cannot afford to have conferences which exclude these (fiscal) matters.” He urged the Prime Minister to call a special conference and demand the presence of the Prime Minister of Canada, to discuss tax-sharing. I would simply ask the leader of the Opposition, Mr. Speaker, just whose side is he on?

I want to return for a moment to the suggestion that our position at the recent conference was “too rigid”, to quote the Opposition leader again. Mr. Speaker, I say to you and to the House, is Ontario being “too rigid” in requesting meaningful discussions on inter-government taxation and finance? Is an appeal to establish machinery for joint priority setting an “immoderate confrontation”? What “rigid formulas” are involved in the request for joint fiscal planning?

I must admit, Mr. Speaker, that I found it extremely difficult to take the hon. member’s advice into consideration during our discussion at Ottawa. I decided, sir, to stick to the consistent position our government has taken for the past decade: that we want to sit down at the table and work out our priorities and discuss an equitable revenue and responsibility distribution with our federal partners in the interest of a viable federalism, and our position has never changed. That is the sum and substance of our fiscal stance, Mr. Speaker.

I notice, too, that the leader of the Opposition indicates that Ontario is “neglecting possible income sources” by postponing our participation in Medicare. I can only assume,

Mr. Speaker, that he refers to his interesting calculations earlier this year when he suggested that Ontario could make what might be called a “profit” out of Medicare. I believe his proposal—and if I am wrong I will stand corrected—was to reduce our OMSIP premiums by less than the amount of the federal contribution in order to extract from our people more money than the programme would cost.

I suppose that is consistent with the Liberal approach to taxation and government financing. At the federal level that party has unilaterally imposed a universal compulsory programme that not only precludes some of today’s priorities and robs the province of valuable tax room but also has alarming prospects of cost growth for the future; a programme that many provinces feel they cannot afford; a programme that many of the prominent financial leaders of this nation, and the chamber of commerce, have vigorously opposed in fear of the dire economic consequences for Canada. Now, we have the provincial leader of that same party not only urging us to participate in this programme but to do so in such a way that we will get extra funds for our own coffers.

He encourages us, Mr. Speaker, to tax under the table; he advises us to use trickery to get more funds; he proposes that we should compete and connive against Ottawa to achieve selfish ends.

This is not the way this government views fiscal federalism, I can assure you, Mr. Speaker. We will not endorse a costly programme because we see in it underhanded gains for ourselves. We will not treat Ontario citizens in that shabby fashion.

It may be, Mr. Speaker, that we are forced into Medicare and it may be that we are compelled to make the best arrangements possible. But we will do so only after having made every effort to secure reconsideration, to develop a less costly programme, to reduce the mounting financial pressures that the current programme will encourage.

Finally, Mr. Speaker, in dealing with the remarks of the leader of the Opposition, may I just say that his agents in Ottawa are not as observant as he may believe. You may recall that he made reference to “the large black cars with flags flying” which, he said, transported our delegation around the nation’s capital at the November conference. I believe the colour actually was red, Mr. Speaker, and the only flags I saw were those attached to the meters inside the vehicles we used, when we used them. I found it rather pleasant,

Mr. Speaker, to walk the five blocks or so from our hotel to the meeting hall, as did the rest of our delegation. He walked with me, morning and night.

Turning now to the remarks of the member for York South, I am constrained to say that I agree with much of his presentation in the fiscal sphere. In many respects, Mr. Speaker, our views are not very far apart and I welcome his support, however qualified, for our Ontario position.

However, Mr. Speaker, while I was reviewing each of his attractive and high-minded proposals for tax reform, carefully spelled out in sacrosanct style, I was surprised that no dollar figures were attached to the changes he advocates. To assist my friend from York South I am going to give you some figures here. I have told you I do not mind the philosophy and principles of what you have said, but you do not mind me quarreling with your figures a little bit, do you? Well, your lack of figures then. You see, Mr. Speaker, I am not very hard to get along with. Sometimes.

**Mr. MacDonald:** You are almost out of character.

**Hon. Mr. MacNaughton:** It may not last, you never can tell.

**Hon. A. Grossman** (Minister of Correctional Services): He is always mellow when he talks about money.

**Hon. Mr. MacNaughton:** So to assist my friend from York South, I prepared some rough calculations of my own, based on certain assumptions of course. You will remember, Mr. Speaker, that he proposed reforms of the progressive tax fields, and an assortment of reductions in what are generally considered to be regressive revenue sources.

**Mr. MacDonald:** So far so good.

**Hon. Mr. MacNaughton:** Now let me deal with revenue declines involved in his tax reduction proposal. One suggestion was to lower the highway taxes to between 67 and 75 per cent of traffic costs. Let us estimate it then on a basis of the higher of those two figures, the reduction of 25 per cent in gas and motor fuels tax and transport revenues, and you can chalk up \$125 million.

**Mr. MacDonald:** At least you have equity—

**Hon. Mr. MacNaughton:** Well, here are the figures. (See Appendix A, page 755.)

The scope for taxes on capital gains and land speculation is not as large as commonly

assumed. Our best estimate, based on the research of Carter and the experience in the United States, is well under \$100 million for Ontario and this would not be realized for at least five years after implementation. According to Carter, real estate gains are only a minor part of total capital gain.

Recognizing again that these are rough calculations in the extreme, Mr. Speaker, I nevertheless suggest that they show the NDP proposals would result in a tremendous increase in income taxes, even with whatever revenue might be secured from capital gains and land speculation levies. The total requirement would be close to double the present return. This, of course, does not take into consideration the rising expenditures which must be covered in coming years.

I provide this illustration to demonstrate that tax reform in itself is relatively easy to propose in terms of adjusting the relative weights of various tax fields. However, when one considers the pressures for additional revenues in coming years it becomes increasingly difficult to provide some of the meaningful relief to low-income families that we would all like to see.

The options open to Ontario are these: Failing any significant financial gains at the federal-provincial meetings next week, Ontario will be forced to establish an independent course in taxation and financing. Essentially, two options are open: 1. To continue to develop our priority government services in Ontario and push on with essential reforms; 2. To accept Ottawa's "branch plant" role for the provinces and cut back the level of our services and the range of our reforms.

The first option carries with it some hard decisions. We must be prepared to consider substantial increases in our income tax rates and to derive more sales tax revenues, along with continued concentration on efficiencies and economies. Much higher revenues from the progressive tax fields will be necessary to reform and integrate provincial-municipal tax and expenditure systems toward greater equity and efficiency.

As the Prime Minister (Mr. Robarts) has pointed out, it may be necessary for Ontario to establish our own income tax system. We have taken a close look at this option and find that it offers some distinct benefits to the province and our people, as well as to the efficient conduct of our financial affairs and priority setting, although we are also aware of the problems.

The disadvantages include many of the concerns we have expressed to the federal government, increasingly over the past two years, in our appeals for redistribution of tax revenues. A separate Ontario income tax would fragment the Canadian taxation system, lean toward economic balkanization, tend to increase the level of taxation across Canada and encourage intergovernmental competition and conflict in taxation.

Two independent income tax systems in Ontario would lessen the prospects for fiscal policy co-ordination and comprehensive tax reform. They could frustrate, through counteracting changes in rate or structure, both federal and provincial measures to modify or stimulate economic trends.

To these concerns, we must add the costs of bureaucracy and the much greater expenditure and inconvenience of compliance by the private sector.

Nevertheless, Mr. Speaker, other jurisdictions, including our sister province of Quebec and many states in the U.S.A. operate income tax systems independently of the federal authority. For Ontario, this would offer great scope and flexibility in both reforming our tax system and in securing additional revenue.

Ontario would secure control over the provincial tax base, over the income-class structure. Under the existing collection agreement, we are denied any opportunity to design and use the income tax to meet our own objectives.

Ontario could design its own system to vary the overall progressivity of the provincial-municipal tax system *per se*, by direct integration of property, retail sales and income taxes. Property tax relief, for example, could be handled much more efficiently through exemptions from the income tax base. Allowances for home mortgage payments could be provided to lower-income families. The regressivity of the federal social development tax, or any other undesirable aspect of federal taxation, could be offset directly by changes in our rates. Under our own income tax system, Ontario could develop new and related tax fields involving capital gains and gifts.

Moreover, the reorganization and integration of our provincial-municipal tax system, with its resulting flexibility, offers immense fiscal and economic possibilities for Ontario. The opportunities to stimulate economic development would be enhanced greatly.

Our studies indicate that the option of establishing our own income tax system must be taken seriously.

In areas where tax reform is not influenced directly by federal considerations, Ontario is moving ahead rapidly. Over the past year we have established the municipal tax reduction programme, now providing effective and welcome relief to homeowners and tenants; taken over the costs of administration of justice and reorganized our fiscal and policy-making machinery. The province is overseeing the reorganization of the structure and financing of our school boards under the programme introduced this spring by the hon. Minister of Education (Mr. Davis). The steps toward reorganization of our municipal structure on a regional basis were placed before this House last week by the hon. Minister of Municipal Affairs (Mr. McKeough). The government has every reason to believe that a great deal of co-operation and understanding will be forthcoming from local authorities in these dramatic and essential reforms.

We are making significant progress in expenditure control and priority setting within the provincial sphere. I point to the accelerated application of programme budgeting, the early introduction of expenditure guidelines to our departments for the 1969-1970 Budget, the developments in management science, the utilization of technical advances. These intensive economy measures will help to reduce the huge financial gap we face for our own budget purposes.

Another vital reform, which has been under intensive study by The Department of Treasury and Economics and The Department of Municipal Affairs, will be complete property reassessment. Measures will be introduced during this session aimed at eliminating the present inequities and anomalies in the property tax base and enabling the new regional governments to develop from a sound and rational fiscal footing.

Finally, with the steps the Prime Minister indicated to you in his speech on November 28 to this House, we are preparing for major tax structure reform. Our specific objective will be to reduce the regressiveness of our integrated provincial-municipal system to the greatest extent possible. We are not convinced, as our federal counterparts appear to be, that our wealthy people are overtaxed. We are convinced that the burden of taxation must be lifted from those families with low incomes, especially those on fixed incomes which have shrunk from inflation.

Our proposals for reform, however, must be delayed until we learn the results of this week's negotiations on tax sharing. In addition, we are very much aware of the federal

plans to proceed next year with taxation reforms, including changes in the income tax base. While Ontario is anxious to get on with its own programme, common sense suggests that consideration must be given to the integration of reforms at both levels in deference to the effect on our mutual taxpayers.

Our conclusion, Mr. Speaker, is that the essential interconnections of all these considerations must be brought together in the 1969 Budget, which will highlight their total financial implications. The Budget, with a further refinement of background and explanatory papers, will show how the government plans to meet the financial challenge. As well, the 1969 Budget will set out certain options and underlying plans for long-run structure reforms in our taxation system.

**Mr. Speaker:** The hon. member for Oshawa has a point of order, he states.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, a question was asked while I was speaking: did I realize that Mr. Dickie was participating in the negotiations with the Peterborough *Examiner* and the Newspaper Guild, and I just wanted to point out that in this evening's paper the headline is "*Examiner* Strike Talks Have Broken Off", so that—

Interjection by an hon. member.

**Mr. Pilkey:** Well I am a little ahead of them; they could have read this earlier tonight themselves.

**Mr. Speaker:** Order. Order. The hon. member has raised his point of order.

The hon. member for York Centre has the floor.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I am pleased to rise in this Throne Speech Debate and at this time to say that in this first year I have had in the House, it has been a pleasure to work under the leadership and the dignity you have given as Mr. Speaker. Although at times I, with others, have been a little upset with decisions, I felt that you had a delicate balance to maintain and you have done so, making a considerable addition to the respect that this House has earned in this province.

Insofar as the chairman of the committee of the whole House is concerned I could not imagine a man who has dealt with his responsibilities in a fairer manner. Once I challenged him, but I found afterwards that my own facts, which I was quite sure were correct, were not correct and I found that

on the whole he has always been as fair as one could imagine.

Mr. Speaker, I was quite interested to listen to the hon. Treasurer (Mr. MacNaughton) talk about his position in Ottawa. I felt that he gave the hon. member for York South (Mr. MacDonald) a lesson in arithmetic but he seemed to be very worried about the responsible position being taken by our own leader of the Opposition (Mr. Nixon).

One thing that we must remember in this government and in this House is that the proper use and management of what we have in the way of resources—in the form of taxpayers' money and in the borrowing of money—is absolutely of prime importance. As the leader of the Opposition has maintained time and time again, Mr. Speaker, this is where our efforts must be concentrated. I noticed that he has just told us about the 1969 budget and it will be coming before us later in this session. I am wondering whether we are going to see just the usual one year in advance or are we going to start to see five-year budgets? Are we going to see management that is looking ahead beyond its nose and showing us, as responsible representatives of this province, just where they forecast the province's needs are? Are these budgets going to be based upon detailed five-year budgets within each department, or are we still going to have to just muddle from year to year as we have in the past?

This is the type of management, the type of information that needs to be put before this Legislature and I hope that the hon. Treasurer, when he presents his Budget, will give us much more to work on than we have had in the past, to see where we are going.

To answer the member's interjection about the past policy of muddling, we do not have many companies that are in a monopolistic position, as is the government in Ontario, which has no shareholders to really answer to.

The taxpayers do not understand the petty squabbles between Ottawa and ourselves. They look for responsibility, for co-operative co-ordination of the tax base, whether it be the sales tax, estate tax or income tax. The majority of the people look to Ottawa for strong central government. Ontario has got to do the best possible job in managing the resources available to it, which are very considerable.

I was also very interested in the remarks made about unions and the problems they face in this province. Free enterprise works best when strong, well-managed companies are in free and open competition with each



other, but free enterprise also works best when its labour force is represented by strong, responsible unions.

A negative approach on the part of management to unions is shortsighted. I was very impressed a few weeks ago when Mr. William Mahoney, of the Steelworkers, commented that one of the greatest needs we have toward better industrial relations, labour relations, is a common research base adopted by management and labour, so at least when they get into negotiations they are working from a common base of facts. It certainly is something that I hope will come into force in the future where management does take a proper and a positive approach to unions. It is sort of like that little brother situation—it is awful with them and it is worse without them. Although as a management representative in the past I found them aggravating and annoying, there have been occasions in one company where the Teamsters showed up weaknesses in our own management, where we were abrogating a responsibility, by means of the type of agreement we were trying to bring into effect. We were really abrogating our own responsibilities and when we adopted their suggestions we found they worked out far better.

**Mr. H. Peacock (Windsor West):** Their cash flow was probably bigger than yours.

**Mr. Deacon:** And in the case of a CIO local, in another union situation when the company was faced with great difficulties, on the whole, the textile industry union took a very responsible approach in recognizing the fact that agreements that were too tough and too onerous could jeopardize the safety of the jobs of those they were representing.

**Mr. Peacock:** That is why the wages are substandard.

**Mr. Deacon:** It is a matter of whether there be jobs at all in industry, and in the case of textile unions and of companies, there are times when, with a profit sharing basis, the workers have very good rewards for their work. We hope that by a responsible approach in co-operation between unions and management they will find new techniques which will keep them competitive with textile companies around the world and still be able to pay good and sufficient wages for those that are employed by them.

**Mr. Speaker,** last summer I was privileged to be a member of the select committee on

taxation and I give credit to the tremendous skill and endurance shown by the chairman of that committee, the hon. Minister of Revenue (Mr. White).

There have been times in the past, sir, looking at him and listening to him as he sits in his seat and ejaculates in such a strange manner that I did not really appreciate the talents this man has. I think his work this summer was such that it earned the respect and admiration of all of us who were members of that committee and perhaps we will hear less of these ejaculations that always detract from his status among us.

One of the things that really came home to those of us listening to the many delegations and reading many briefs that came before us, is that we must, as I have mentioned before, make better use of the available resources before us. One of the resources available to us is borrowing. In this day of high inflation, we must recognize the fact that the person who is lending money sees the value of his dollar decline to the extent of 4.5 per cent per annum and, therefore, I, as an investment adviser, and others in that role in the past, have been very loath to recommend that people buy bonds of a government or a corporation or whatever was the borrowing institution, or even mortgages, because at the end of the time when that debt was to be repaid, the dollars that would be repaid would be worth considerably less than the dollars they loaned to that borrowing company.

And yet this province has to have a place from where it can borrow \$250 million to \$300 million each year to meet the deficit that the Treasurer has outlined to us.

In addition to that, the province has guaranteed each year an additional \$300 million or more on behalf of money borrowed by the Ontario Hydro. This means a heavy borrowing load of some \$600 million that the market foresees the province carrying out in a single year.

Now I point out that in the state of New York they only have to borrow funds for the needs of the state itself. They do not have to borrow funds or guarantee funds borrowed by the public utilities. In Ontario, we have a public utility in the form of Ontario Hydro that is every bit as highly regarded as an operating institution, and as a well-managed institution, as Consolidated Edison, and yet, the province continues to guarantee the debt that is borrowed by Ontario Hydro.

This means that instead of our going to the market place and saying, "Our borrowing



needs this year will be \$250 to \$300 million," we have to say our borrowing needs and the needs of those institutions that we guarantee are going to be \$600 million and this detracts from the attractiveness of the bonds we try to sell.

It is estimated that the cost of our borrowing, as a result, is perhaps a quarter of one per cent higher than it otherwise would be.

I, therefore, suggest and I think we should give consideration in this Legislature to the province changing the form of borrowing done by Ontario Hydro. Ontario Hydro should be able to go to the market with a piece of paper that is as attractive as that of, say, a private company in the States, such as Consolidated Edison.

Over a period of some months, I am sure that the Provincial Treasurer and his assistants could work out a scheme whereby Ontario Hydro could borrow its money without a provincial guarantee, because it is a good profitable operating utility; work out a scheme where it could borrow on the market without that provincial guarantee, and in due course alleviate that burden which is now being carried by the province.

I am told by executives in a couple of the major institutions that it perhaps would cost Ontario Hydro one-quarter of one per cent more than it now is costing them. But we must remember that the province would probably get a similar benefit and lower borrowing rates if it had a relief from that extra burden it is now carrying.

So there is no reason for us, now that Ontario Hydro is a good strong institution, a good, well recognized borrower in the market, to continue this present subsidy as if it were a brand new operation. We need to preserve our provincial guarantees for enterprises that are not, themselves, self-supporting but might be in the future, such as the Ontario Water Resources Commission.

If we were to get Ontario Water Resources Commission moving, and it might require up to \$80 to \$100 million a year, the provincial guarantee could be much more effectively used there and could produce results of much greater benefit to the taxpayers of this province, and I will go into that later on.

Now this other resource is the tax dollar, the money we get from taxing our people who are now complaining, realizing that whatever they get from government they are paying for. What is bothering them really is the waste and delay and the bureaucratic

mistakes that they see in our government. We must remember that as a province our role is one of co-ordination and broad planning, not of making decisions in detail down in local areas. We must delegate responsibilities; give leadership so that our local government becomes as efficient as possible. We need to take a professional approach to our provincial planning, as I mentioned before, by five-year planning in provincial government and we should insist on similar planning by local governments. This is the best way for people to foresee and to predict what is likely to happen to them. It is remarkable to see how, after you do a bit of this five-year planning, you become quite expert at it and you are able to cope with problems that otherwise you are dealing with on a hasty basis and, usually, a very costly basis.

Now the next point I wanted to bring in, is the principle of responsible and local government. I am proposing the franchise principle, as I have mentioned before, not the subsidiary principle that we still are doing in our local government operations.

Too many decisions are being made at Queen's Park remote from where the actual problems are occurring and, as a result, great mistakes are being made. For example, last year we saw a situation with The Department of Health where they, in effect, bribed the local counties to join together into health districts in order to get a 75 per cent grant instead of 50 per cent. Now it did not make any difference to The Department of Health that The Department of Education was co-ordinating the township school boards into county boards and there was just going to be greater confusion in the province by having health districts with different boundaries. They still went ahead with this blind and very costly approach of inducing districts being made up with no proper co-ordination with The Department of Education and The Department of Municipal Affairs.

This is what really annoys the local taxpayers. By working along the lines as recommended by the select committee for the development of regional government, most of whose recommendations the Minister of Municipal Affairs (Mr. McKeough) appears to have adopted, we would soon co-ordinate these various departmental overlaps, get them where we do have an understandable system of government, co-ordinated on a provincial level as well as the local level.

One of the greatest ways we could improve the responsibility and capability of

local government, would be by adopting a recommendation made by the select committee that comparable operating statistics be published by The Department of Municipal Affairs—sometime beginning in March when they have had the year end figures, and I mean comparable operating statistics—for example, coming out one week on the operation of all police departments in the province of Ontario; putting into effect comparison of police departments where they are operating in large municipalities, with where the police departments are operating in smaller municipalities, but doing it on a basis where the taxpayers can see just how efficiently their local police department is being operated. There are many techniques for providing these statistics on a properly comparable basis.

You would then certainly focus attention on the part of the local people, on the part of the local councils, and the local administrators as to how well they are being managed and managing.

Similar types of comparison could be published the next week comparing the assessment departments of municipalities across the province; another week on road departments; and in this way, the taxpayers, the council members, the administrators would really see who was doing a good job and who was not. This is the way to encourage responsibility in local government. And local government is where we should place the power and responsibility—where the action really is.

The next area that I wish to talk about is that of housing. Housing is an area that has been, I think, greatly misunderstood in this province. The major problem in housing, in my view, is caused by land speculation and the cause of land speculation is the policies of this government. If this government would concentrate on bringing the supply of building lots in excess of demand, we would immediately eliminate the basic cause of speculation. We are providing the conditions that are ideal for a speculator to operate in; a controlled supply of building lots which is less than the demand.

It results in an automatic, guaranteed spiral in price. And as a result, we have seen the land prices in the Toronto area rise faster than anywhere else on the continent of North America. It is not the fault of the land speculator, it is not the fault of the people who want housing and need housing, it is the fault of this government.

This government owns many hundreds of acres of land in Malvern and what happened

over the 15 or 16 years while it was sitting there idle? Not a thing happened because the local municipality could not put in services, it did not want it, and the excuse we received here in this House last year was that it was premature at the time it was bought by the provincial government.

Mr. R. F. Nixon (Leader of the Opposition): The Minister got regular publicity out of it.

Mr. Deacon: And now there has been a study going on for some time as to the feasibility of proceeding with this. Let the house buyer decide when a development is premature; they will decide whether they are going to buy or not, but let those who want to develop it get ahead with the job. Provide them with the services, make it possible for municipalities to approve their plans, reasonable plans, for development without having another Pickering on our hands—and this is a tragedy itself.

Pickering was a municipality that approved a housing subdivision in a very extensive way, providing lots for builders to build homes in which our people could be housed. As a result of taking this very commendable approach, it found itself in financial difficulties. The same thing happened to Scarborough ten years before. Scarborough was rescued by Metro when the municipality of Metropolitan Toronto was formed and provided services, gave it the balanced base of assessment which enabled it to provide the services needed for those homes that were built there.

And what happened? In ten years' time industry had flowed into Scarborough to such an extent that it too had a balanced basis of assessment. Give workers the homes and industry will follow. But it will not go in there in the first year or the second year; it takes time to bring in that balance of assessment. This is the type of assistance and responsibility that the province should be assuming, not leaving it to the local municipalities.

And I was quite disappointed in listening to the Minister of Municipal Affairs, indicating that servicing and this very important area of balanced assessment were not going to be dealt with as a provincial responsibility in this new concept of regional government.

Mr. Speaker, do you wish me to proceed?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): How long does the hon. member expect to be?

**Mr. Deacon:** About another half hour.

**Hon. Mr. Rowntree:** Well, we might try it for a little while.

**Hon. A. Grossman** (Minister of Correctional Services): Even without heckling?

**Mr. Deacon:** Mr. Speaker, I have in my hand an advertisement of the water resources commission, of which they sent copies to us in case we had not seen it, showing what the water resources commission is doing to try to eliminate pollution in this province. It is quite interesting to note that this deals with local plans, small situations, all of which are important, but it indicates the role that the Ontario Water Resources Commission has confined itself to. The water resources commission has failed to move into the area of providing a network of water supplies, pipelines, and sewage treatment plants that are not confined to municipal boundaries but are only set out on the basis of what the logical area needs will be.

Imagine if our Ontario Hydro had built up its system by going to each municipality and saying, "We will not build a new power station until you agree to sign up for so many kilowatts of electricity and thus assure us of a revenue sufficient to pay for the debt on this new power station." What if our whole development of Hydro had waited and had been based upon each municipality in effect providing a guarantee for every plant that Ontario Hydro built? It would never have gone ahead. And yet this is the basis on which this province has permitted and actually forced the Ontario Water Resources Commission to proceed. It has not given them the necessary financing base or backing. It has not given them the responsibility for going forward and estimating what the market needs will be in certain areas for sewage and water plants, and then given them the power to put the plants in and sell their services on a basis which, although in the beginning would result in losses, in the long term would provide sufficient revenue to meet the obligations incurred, in the same way as Ontario Hydro has done.

Why has this Ontario Water Resources Commission not been placed in a position and given the responsibility by this province to open up tens of thousands of acres of land and provide services so that when people assemble land or even the province assembles land, we know that the services will be there to service that land and not waste 15 or 16

years as in the case of Malvern before any services even start?

Why should we have to wait 15 years for a pipeline to be build from Lake Huron to London while all the municipalities work out their various agreements? Why do we have to wait years for an agreement to be worked out for a sewage line to Brampton to serve the area there?

It is because this province is continuing to restrict the Ontario Water Resources Commission to making back-to-back contracts before it can proceed with a plan. It should just be necessary for the Ontario Water Resources Commission to have a market study that shows the demand, the needs and the requirements for a plant and then proceed on its own, knowing that in due course the demand for the water and for the sewage treatment services will warrant the expenditure of the project, if undertaken.

I cannot overemphasize this matter of the role of the Ontario Water Resources Commission because, as I mentioned on Friday, the whole MTARTS study, that stands for Metropolitan Toronto and Region Transportation Study, was not a transportation study. GOAL's Plan Three was rejected because the development of the area would necessitate plants not located on the lake.

And to think our whole development of this province would be restricted by that basis of thinking shows the 19th century approach being taken by the water resources commission, or whoever is directing them in the government. And this has been a very difficult thing to understand, just who is giving them advice in the government.

For example, last spring, the hon. Minister of Energy and Resources Management (Mr. Simonett) announced a new plant was being approved for the region of Richvale, just north of Thornhill, which was to serve a hospital under construction, a new school under construction, and also some 400 acres of land, developers of which were represented by Mr. Hollis Beckett.

It was specifically stated that no additional land would be served by that plant, a package plant going in on a short-term basis to look after a developer and a couple of local needs. But what is the situation up in that area? We have a plant designed for three times its present capacity located on John Street within the township of Markham.

Because the agreement involves just the township of Markham, only development within that township can feed into that plant,

not development on the other side of Yonge Street in Vaughan township. This is because of the way the Ontario Water Resources Commission set up the plant and took over the operation in that area, based on deals within municipal boundaries. And yet the natural drainage area for that whole region up to Richmond Hill and north, should be into that plant located on John Street.

The fear of the Ontario Water Resources Commission is that the effluent of greatly enlarged plants would be far too great for the capacity of the Don River at that point. But, after all, the effluent in those plants actually is quite pure from a human point of view although it is the nitrates and other oxygen-demanding impurities that are still within it which are tough on fish and actually will kill plant underwater life as well as fish.

The actual plan that the water resources commission could adopt in a situation like that, rather than a huge trunk system going across the whole of Metro, would be to build a high pressure pipeline to carry the effluent to the lake or some plant located on the lake. But for us to base our provincial development, Mr. Speaker, only on lake-centred sewage treatment is ridiculous and costly.

As I mentioned before, what about our great inland cities? Are they going to be restricted in their development by this approach? We have seen cities—we know of a city in the United States which actually recycles almost all of the water it uses. The water from the sewage plant actually is

drunk again in time, though the citizens may not realize just how soon it does get back into their system. But because of the ability to control or chlorinate the impurities, the bacteria impurities, it is possible for the effluent to be used safely by humans. With proper settling ponds and aeration of effluent it can be restored to the point where fish life can survive quite well and certainly, within five years, it is quite likely developments will occur which will eliminate this present difficult problem of sewage treatment plants, namely, the nitrates and sulphates.

**Mr. W. Newman (Ontario South):** Careful what you are drinking now.

**Hon. Mr. Rowntree:** In view of the fact that I now understand there are a number of committee meetings in the morning, perhaps the hon. member would care to move the adjournment of the debate and continue tomorrow.

**Mr. Deacon** moves the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we will continue with the Throne debate.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:00 o'clock, p.m.

## APPENDIX A

<i>Revenue decline</i>	<i>Million</i>
1. Lower the "highway taxes" to between 67 and 75 per cent of traffic costs—estimate reduction of 25 per cent in gas and motor fuels tax, transport revenues .....	\$125
2. Decrease reliance on the sales tax and exempt additional necessities— Sales tax @ 4 per cent, loss of \$95 million Reduce 5 per cent for exemptions, \$25 million .....	\$120
3. Change flat-rate premiums for health and hospital insurance to a progressive rate system—calculate 7,200,000 people at \$1 per month reduction in combined premium	\$ 86
<b>TOTAL DECLINE IN REVENUE</b>	<u>\$331</u>

I suggest, and I repeat Mr. Speaker, these figures are rather on the conservative side, it would likely be more.

*Higher costs*

4. Assume larger proportion of current municipal costs (since Smith/White proposals, estimated at \$400 million, are only "token" relief, according to the NDP leader, increase by 50 per cent) .....	\$600
<b>TOTAL ESTIMATED COST OF TAX SHIFT PROPOSED BY NDP</b>	<u>\$931</u>

*Revenue replacement*

5. Higher assessments on mining and forest industries—assume double the present return, an increase of .....	\$ 18
6. Balance to be raised out of higher rates and modifications to the corporation and personal income taxes, incorporating capital gains and land speculation .....	\$913

*Present returns (estimated 68-69)*

Personal income tax .....	\$650
Corporation income tax .....	\$315
	<u>\$965</u>







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 17, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, DECEMBER 17, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon our guests in both galleries are students from Beamsville high school in Beamsville.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE INSURANCE ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Insurance Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this amendment is to prevent settlements or releases from being entered into by accident victims in haste or while in the distress of recent injury.

## CONTROL OF FUMES FROM SMELTERS

**Mr. E. W. Martel** (Sudbury East) moves first reading of bill intituled, An Act to Provide for the Control of Fumes from Smelters.

Motion agreed to; first reading of the bill.

**Mr. Martel:** Mr. Speaker, the purpose of the bill is to require every smelter which smelts or roasts nickel, copper or iron ore to adopt and carry out a plan that comprises the best practical means for controlling or preventing the discharge of noxious or offensive gases or fumes; or, where discharged, to render them harmless or inoffensive. Application for approval of a plan is made to the Ontario Municipal Board, notice thereof being given to all interested government departments and municipalities.

**Mr. Speaker:** The hon. Attorney General has a statement?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I believe that it may be help-

ful to the hon. members if I advised them of the opinion which I have today given to the chairman of the municipality of Metropolitan Toronto, respecting the Lake Shore Raceway.

As the hon. members are already aware, this particular project has been the subject of some controversy in Metropolitan Toronto and certain applications have been made to the Minister of Highways and the Minister of Municipal Affairs, and these gentlemen have sought my opinion in the matter.

For this reason, we did consider it advisable that on behalf of the government I advise the chairman of Metropolitan Toronto of our position.

The submission has been made to the government that the action which has been taken by the municipality of Metropolitan Toronto in closing the Lake Shore Boulevard requires the approval of the Lieutenant-Governor-in-Council or a Minister of the Crown.

I have studied this matter in substantial detail and, in arriving at my opinion, I have reviewed all the relevant statutes and other laws of the province insofar as they relate to highways and also to the grounds of the Canadian National Exhibition.

It is my opinion that neither the approval of the Lieutenant-Governor-in-Council, nor the approval of a Minister of the Crown, is required by the laws of this province for the lawful enactment of the bylaw relative to the closing of Lake Shore Boulevard.

I have today written to the chairman of the municipality of Metropolitan Toronto advising him of my opinion.

The hon. members are, in all likelihood, familiar with the project, Mr. Speaker, but I do wish to say that it is not the intention of this government to interfere in any way with the decision of the local municipality respecting the Lake Shore Raceway. This is a matter which is particularly associated with the ratepayers in the municipality and the municipal councillors who so adequately represent them.

In the circumstances, it is entirely appropriate that the municipality should have every right to resolve the question in a manner best

suited to meet the needs of the people who are represented by the municipal council.

I have already indicated the nature of my legal opinion but I do feel that it is desirable that we recognize the local autonomy of the municipality in dealing with a matter of this kind.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I was wondering if the hon. Attorney General would permit a question? The question is this—if a highway is to be closed in any municipality that is on a registered plan, which the Lake Shore Boulevard is, does it not require, in his view, the approval of the Cabinet by means of an Order-in-Council?

**Hon. Mr. Wishart:** Mr. Speaker, I reviewed the section of the Act to which the hon. member, without mentioning it, is making reference and reviewed it very carefully, along with many other sections in the laws of this province, and I assure him that I am confident that the portion of Lake Shore Boulevard which is being closed is not affected by the statute which speaks of a highway on a subdivision plan.

**Mr. Trotter:** One more short question, Mr. Speaker. Am I to understand then—?

**Mr. Speaker:** Order. The rules for—

**Mr. Trotter:** It is for clarification!

**Mr. Speaker:** Right. If the hon. member makes clear that it is for clarification and not for debate.

**Mr. Trotter:** So many Acts are involved. Am I to understand Mr. Speaker, that Metropolitan Toronto, at no future date in so far as the raceway is concerned, will require any type of approval of any kind from the province of Ontario?

**Hon. Mr. Wishart:** Mr. Speaker, I do not think the hon. member expects me to make a speculative situation and say that no matter what the circumstances might be at some future time—

**Mr. Trotter:** How do they stand now?

**Hon. Mr. Wishart:** I have dealt with the question which asked for an opinion of my colleagues the Minister of Highways (Mr. Gomme) and the Minister of Municipal Affairs (Mr. McKeough) in the situation which confronts us today, and even the courts do not speculate on future situations. I do not think I can make a blanket statement that never at any time would the situation not arise where there would not be possibly some

responsibility or involvement, but in the situation as it is here, my opinion is that there is no responsibility on the government and no approval is necessary from the Lieutenant-Governor-in-Council or from a Minister of the Crown.

**Mr. Speaker:** The hon. member for Humber has a question for clarification?

**Mr. G. Ben (Humber):** Yes, Mr. Speaker. There are two points:

Will the Minister assure me he is clear in his mind in making his statement that he is aware that local municipalities did not approve it, but that this was foisted upon the local municipalities by Metro council?

Secondly, will the Minister clear it for me because I am rather hazy here, but do I take from the Minister's statement that a municipality, instead of closing a road and then offering it to budding owners as they are required, can now close the road and lease that roadway to other than the budding owner in perpetuity, less one day?

**Hon. Mr. Wishart:** What I said was that the action taken by the council of the municipality requires no approval from the Lieutenant-Governor-in-Council or any Minister of the Crown.

**Mr. Ben:** But please answer the question that is stuck in my mind unanswered by the Minister's statement—can you now lease land in perpetuity less one day?

**Hon. Mr. Wishart:** I am dealing with the situation which we have before us, the question on which I was asked for an opinion by the chairman of metropolitan council. I have given him that opinion; I have acquainted the House with the fact of that opinion and the content. I am not going to speculate on future situations.

**Mr. Speaker:** The hon. member for High Park has a question of clarification?

**Mr. Shulman:** Yes, Mr. Speaker, I see in the second paragraph here that the Attorney General has outlined the problem of whether or not the Lake Shore Boulevard can be closed and he has given his opinion that it could be closed without approval of this government.

For clarification, sir, the Minister of Transport (Mr. Haskett) said in this House that racing could not be allowed on such a road. Has the Attorney General consulted with the Minister of Transport as to this other very important point? We agree that the Attorney

General's opinion is that it can be closed, but once it is closed, can they legally race on it as the Minister of Transport said they could not?

**Hon. Mr. Wishart:** Mr. Speaker, I really think I should put an end to these questions but I would be glad to say this: In my opinion, this point was fully covered. There was consultation with the Minister of Transport. Once the particular portion of Lake Shore Boulevard is closed it no longer is a highway and the prohibitions against speeds and racing do not have effect. That is spelled out, very fully and specifically in the opinion which I gave to Chairman Allen.

**Mr. Speaker:** The hon. Minister of Health has a statement.

**Hon. M. B. Dymond (Minister of Health):** During the sittings last week this House was subjected to a long, rambling, disjointed, confused, wordy dissertation on some departments of government by the hon. member for High Park (Mr. Shulman). The Department of Health was given a generous share of his attention and, of course, since he has been named health critic for his group, this was to be expected. I have no intention of answering his criticisms. Were they worthy of attention I would direct that to them at the proper time and in the usually accepted way, via the Throne Debate.

He did, however, make several statements which cannot be let pass, since they were directed against staff members who cannot defend themselves in any way. They feel, and I agree, that the statements of this member have impugned the morals, the integrity, the professional ability and the reputation of every staff member in the hospitals under the direction of The Department of Health. Without doubt, the statements cast a very dark shadow over the reputation of every female student nurse, every attendant and every physician at Brockville Psychiatric Hospital. The member's remarks about those staff members were so vicious, vile and malignant as to cause one to wonder why even this member made them without first seeking to determine if there might be just a shred of fact to substantiate them.

I have already had calls and visits from parents of some of our student nurses, all much concerned and distraught, seeking proof of those statements. And I cannot give them any proof for such does not exist.

If it did exist, I assure you and through you, the people of Ontario, that it would be

neither ignored nor tolerated; we would move speedily and vigorously to clear it up and those responsible would surely be dismissed.

Indeed, if such charges came from any source other than the member for High Park, I would already have set in motion a most searching inquiry. Since, however, it came from this member who has already firmly established his own unique creditability gap in his usual sweeping, confused, vituperative manner—

**Mr. Shulman:** Point of order, Mr. Speaker, it—

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for High Park has a point of privilege or order.

**Mr. Shulman:** Mr. Speaker, on a point of order, is a Minister of this House allowed to rise and make a statement and then, in that statement—

Interjection by an hon. member.

**Mr. D. C. MacDonald (York South):** The hon. Minister does not know the rules.

**Mr. Shulman:** Mr. Speaker, is a Minister of this House allowed to rise and make a statement other than on factual matters?

**Mr. Speaker:** Order! I would like to hear what the member is saying and I cannot. Would he please either start again or go back a little bit?

**Mr. Shulman:** Mr. Speaker, is a Minister of this House allowed to rise before the orders of the day to make a statement on other than non-factual matters?

May he comment on other members in this House? If he wishes to make such comments should they not be properly made in the Throne Debate?

**Mr. Speaker:** Not having had any knowledge of the Minister's statement and, therefore, not being able to look over the matters in the Throne Debate concerning which the hon. Minister is making the statement, I can only rely on my memory.

My memory is that the hon. member, in making the statements to which the hon. Minister is referring now, used similar language with respect to the Minister and the people under his control and I would think that if that were allowed, and it was allowed as I was in the chair a good deal of the time, I would think it would only be reasonable

that the hon. member should accept return of the same coin.

Interjections by hon. members.

**Mr. Speaker:** This House does not even give courtesy to the hon. member when he is trying to make his point. He could not be heard, and it does not give the Speaker who, not personally but as your representative as members of this House, is entitled to the courtesy that any chairman should have. It is almost impossible to carry on business properly in this House and to expect or receive the rulings, or the hearings, to which the House is entitled unless through some courtesy and some common sense; I should say from all sides of the House.

I have said that I felt that the hon. member had little to complain about as far as the wording and the references in the statements were concerned, but I do believe that the hon. member does have a point—that the hon. Minister is not, at the moment, dealing with matters in his organization, on his department, which are proper for statements before the orders of the day; and that he is engaging in the type of debate which I think does not form a part of statements before the orders of the day.

Therefore, I would request the hon. Minister proceed with his statement but to omit matters which are merely attacks on the proceedings of the hon. member or the hon. member personally.

But I reiterate that so far as the actual wording is concerned, it may not be proper at this time but, from my recollection, it apparently is of the same brand of debate as we have become accustomed to in this House which, in my opinion, is very unfortunate because we are all here as representatives of the people of Ontario, and surely to goodness we can have a little dignity and a little attention to business during the few hours that this House sits.

**Hon. Mr. Dymond:** Mr. Speaker, with great respect, I have to speak to this point of order. It is my understanding that according to your own ruling of the past, a Minister has the right and the responsibility to make any statement concerning the affairs of his department that are in the public interest or of public concern. In my view, sir, this statement certainly bears on the public interest and it is certainly of great concern to my staff.

**Mr. Speaker:** It is, but the hon. Minister must not use that statement for attacking the

hon. member which is what he has been doing.

**Hon. Mr. Dymond:** I suggest the least this member can do to right, in some small measure, the great wrong he has done the staff is to name those whom he claims to know are involved, in order that the innocent may be cleared. But he should name them in such a way that he does not have the immunity of this House—in a place and manner where those charged could defend themselves.

Because of the serious nature of his charges, I feel I must take this means of placing the facts before you and on the public record.

First, he tried to frighten us with the spectre of hundreds of offspring born to "400 adult mentally retarded in our institutions".

Mr. Speaker, note the manner in which he sets this out; he says: "Perhaps it is not 400, it might be 100. I have no way of getting the figures". A call to our department would quickly have cleared this lack.

He has no way of getting the figures? Yet in the paragraph just preceding the one I quoted he says:

I was told by the deputy superintendent of one of these hospitals—I have his name but he asked that I do not use it here in the House—that last year there were over 400 pregnancies among retarded, long-term inmates of our mental institutions.

No wonder the author of that statement did not want his name used. He must have known, if he is even a junior member of the staff, that the figures were dreadfully wrong—in fact, Mr. Speaker, "false" is not too strong a word to use. The fact is, there were five pregnancies last year, not among our mentally retarded patients, but in our entire institutions, which house constantly 26,000 patients.

Of course, even that is too many, but if we are to use modern methods of care to allow great freedom to patients in order that we may try to develop in them some sense of responsibility, then we must take some risks. But compare our experience with any community of similar size and in the main, for normal people, the rate of births out of wedlock will be far greater. Compared with other jurisdictions in this matter our experience is enviable.

Then the member produced some patients' clothing that had faded and shrunk. This was really the *coup de grace*—this was to be the shocker. Mr. Speaker, I have worn much worse, as I expect everyone of us here has done at some time. But what the member neglected to tell you, sir, is that by his atti-



tude and behaviour, he led a staff member into stealing patients' clothing, the property of the government and then he, the member, received that property. Mr. Speaker, I say to you, election to this House does not give any one of us the right to behave in this fashion and I am sure the member will be pleased to know that I ordered a full investigation of this incident on receipt of the copy he sent me of his letter to Penmans.

**Mr. MacDonald:** The Minister is going to pillory his own staff.

**Hon. Mr. Dymond:** Who pilloried our staff—the hon. member's friend? Even his professional colleagues did not escape the venom of his tongue. He told you, "Pharmacy keys have been withdrawn from all physicians due to the pilfering of drugs".

Pharmacy keys were withdrawn from all physicians, and for that matter from everyone else, except the pharmacist. It was not because of the pilfering of drugs. The pharmacy was reorganized *in toto*, including the stock inventory, and the pharmacy was renovated and put in charge of the pharmacist.

As part of the change in procedure, it was felt there were too many keys loose around the hospital, and so all keys were called in except the one belonging to the pharmacist and one key which is kept for emergency purposes which can readily be obtained by the physician on duty.

Then later, he states: "Physicians who take up positions soon leave the hospital". On several occasions he spoke of "shortage of staff". Mr. Speaker, at the best of times it is not always easy to attract staff to psychiatry. The very nature of the work makes this perfectly patent. This member, by his scurrilous attacks upon staff, has certainly ensured that it will be even more difficult to recruit staff in the future. Over against that, however, I have cause to hope and believe that the great majority of our people now realize that this particular member is, to put it in the most kindly way possible, highly irresponsible.

Once again, I submit, he has done a great disservice to the public service and the people of Ontario. Let there be no doubt in the mind of any. The staff of The Department of Health, in concert with all the public service, are a credit to us and of them we should be and I know we are, very proud.

**Mr. Shulman:** Mr. Speaker, for clarification I would like to ask a brief question of the Minister. Could he perhaps inform the House why he found it quite easy to con-

duct an investigation as to who was the staff member who gave the clothing to us to expose the poor conditions, but he is unwilling to conduct an investigation as to the basic matters contained in the speech?

**Hon. Mr. Dymond:** Mr. Speaker, the answer should be perfectly clear even to the member. He wrote me a letter, or sent me a copy of a letter which he had sent to Penmans, upbraiding Penmans for the quality of the clothing it had sold to The Department of Health. I had factual evidence from the hon. member; I wondered how he got the clothing; and, of course, I wanted to know—I am responsible for the care of the department.

**Mr. Shulman:** Mr. Speaker, for further clarification—

**Hon. Mr. Dymond:** No more questions, Mr. Speaker.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Shulman:** Will the Minister inform us whether he has investigated why such shoddy clothing is being given out in the institutions?

**Hon. Mr. Dymond:** No, I will not answer.

**Mr. Speaker:** The hon. Minister says that he will answer no more questions and he is entitled so to do because that is not a question of clarification.

The hon. leader of the Opposition has questions.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question for the Minister of Health on another matter.

What plans has the Minister to assist medical officers of health to prepare for and combat the Hong Kong flu, which is already disrupting schools and public services?

**Hon. Mr. Dymond:** Mr. Speaker, there is another similar question. Could I have it, too?

**Mr. Shulman:** To the Minister of Health:

Will the government consider imposing an emergency distribution arrangement with the local medical officers of health to ensure that the limited supplies of the Hong Kong flu vaccine now available are given to the elderly and the ill?

**Hon. Mr. Dymond:** Mr. Speaker, rather than attempt to answer these questions in

specifics as they are now set out, I thought it would be more appropriate that I read to you and to this House a statement on the Hong Kong influenza.

Influenza, due to the Hong Kong strain of the Influenza A<sub>2</sub> virus, started in the Far East early in July, spread to the United States, and the latest reports indicate that outbreaks have occurred in 30 states. I may point out that we have not evidence that any of these cases have been proven by the isolation of the virus.

The majority of the cases are mild or moderate in degree, and few are severe. It is estimated that between 15 per cent and 30 per cent of persons may be affected, with the typical symptoms being dry cough, headache, fever of 100 to 101 deg., muscle aches, and the average length of time off work, about two days.

While flu-like illnesses have been occurring in Ontario, the incidence is no greater than usually occurs at this time of the year, and no cases due to the specific Hong Kong influenza virus have been identified by the laboratory services. There are many infections of virus origin which have the same symptoms as true influenza, but differentiation is possible only by laboratory isolations. Nevertheless, it can be expected that outbreaks of influenza due to the new virus strain probably will occur here and follow a pattern similar to that in the United States.

A specific vaccine against the Hong Kong strain of influenza virus is being prepared by several companies, but the supply is limited. The level of effectiveness is considered to be not more than 60 per cent when two doses of vaccine are given not less than three weeks apart. It should be restricted for administration to persons in the older age groups and those suffering from chronic heart and lung disease who are essentially the only ones who have any risk of serious complications from influenza. The complications are due to pneumonia caused by secondary infection and usually respond satisfactorily to antibiotic therapy and chemo therapy.

Within the limits of supply, the vaccine is available to private physicians, and it is considered that they are most familiar with the state of health of persons under their care who have the greatest risk of developing complications, and can determine who will benefit most from immunization. Routine immunization of the general population has not proved effective in altering the course of an outbreak of influenza, and is not recommended.

The influenza virus is spread by droplet infection from person to person, and ideally the most satisfactory method of prevention is by avoiding large congregations of people as there may be some members of the group who are incubating the disease. It is also recommended that all persons who seem to be developing an upper respiratory infection avoid contact with other people until recovery has occurred.

Medical officers of health have been requested to be on the alert for outbreaks of influenza-like illnesses and to report to the epidemiology service those that appear to be in excess of what is expected at this time of the year, and to collect suitable specimens for laboratory study and identification of the causative agent. The epidemiology service will then inform medical officers of health and physicians about development and progression of outbreaks as the situation warrants. Our public health laboratory service has received samples of the Hong Kong virus from WHO and is prepared to quickly identify this new strain when it appears.

This appraisal of the situation with regard to the expected outbreak of Hong Kong flu, has been prepared with the advice of professional personnel knowledgeable in the field of communicable disease control.

**Mr. Shulman:** Does the Minister intend to answer my question?

**Mr. E. Sargent (Grey-Bruce):** That is not the answer.

**Mr. Shulman:** Mr. Speaker, I guess perhaps the Minister did not hear my question. May I repeat it, Mr. Speaker?

**Mr. Speaker:** The hon. Minister has said that he has answered the question and my recollection of the statement read by the hon. Minister was that there was a limited supply of this—

**Mr. Sargent:** Lots of double talk, that is all it is.

**Mr. Speaker:** At one of these sessions I am going to take the action which is very seldom taken in any House with the members who insist on disregarding the rules of the House. I would hate to do it and I would not like to do it, but I most certainly will, and this is serving notice on those members who insist in interrupting not only Mr. Speaker, but others who have the floor, and I would hope that I would have the support of the rest of the members of this House when that time comes.

I was about to say to the hon. member for High Park that my recollection, if this is of any assistance to him, of what the Minister said was that there were limited supplies of the vaccine and that it was to be used primarily for the elderly. That was my understanding of what the Minister said; it may have been right or wrong. If the hon. Minister wishes to correct me he is at liberty to do so, and if the hon. member did not get that answer, or if that is not the answer he looked for, then he is at liberty to place a supplementary question.

**Mr. Shulman:** Mr. Speaker, what I had asked the Minister was whether he was prepared to impose an emergency distribution arrangement through the local MOH's to ensure that the limited supply did go to the elderly and the ill and the Minister has not answered my question.

**Hon. Mr. Dymond:** No, Mr. Speaker, we are not arranging for any emergency distribution. If the need arises we will be prepared to do so.

**Mr. Shulman:** Mr. Speaker, I would like to rise on a point of order. I am sure the Minister would not knowingly mislead the House, and I have here a bottle of Hong Kong flu vaccine which I purchased at Starkman's today and the dosage which the Minister has given is radically wrong. He has suggested that two doses be given and this is quite incorrect. I would suggest through you, sir, that perhaps the Minister should correct his statement.

**Hon. Mr. Dymond:** Mr. Speaker, may I say to you, sir, that the advisors for The Department of Health are highly skilled clinicians. They do not go by the label on a pharmacist's bottle and neither do I and if the doctor practices good medicine, he does not go by that either. The doctor is responsible for determining the dose of the medicine, not the pharmacist, and not what the manufacturer puts on the bottle label.

**Mr. Shulman:** Is the Minister suggesting that the label—

**Mr. Speaker:** Order, the hon. member need not, and in fact cannot, engage in a debate on this. If he has a matter of professional disagreement with his colleague, I would suggest that outside the House they could settle this very well, and that I am sure the rest of the members, including Mr. Speaker, would be glad to know the outcome of the discussion.

**Mr. Nixon:** Mr. Speaker, I have a question of the Minister of Public Works remaining from yesterday.

Did the government ignore or bypass advice or objections from the Ontario Council for the Arts and the Art Gallery of Ontario in the selection of the \$330,000 worth of art now displayed in the new government buildings?

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, the committee for the arts in the Queen's Park project was recommended by our associate architects in the spring of 1965. That committee consisted of a three-man team from the Royal Canadian Academy and Mr. Fred Fletcher, from the firm of Gordon S. Adamson, one of the associate architects.

During the early studies of the committee's work, a good deal of time was spent in studying the locations for the panels and the pieces of sculpture. In July, 1966, as a result of discussion on this subject with the Ontario Council for the Arts, Mr. William Withrow, director of the then Art Gallery of Toronto was asked to also serve on the committee.

In August of that year, Mr. Withrow delegated Mr. David Brook curator, for it was at that time that the status of the gallery changed to the Art Gallery of Ontario. Mr. Withrow felt time would not permit him to adequately serve. At that time while several necessary decisions had been made, Mr. Brook was brought up to date on the work of the committee and, I am advised, accepted the appointment.

While it has been reported in the press the art gallery finally persuaded him to resign, I am advised he never did so either verbally or in writing to the chairman.

I do not feel advice of the Ontario Council for the Arts was ignored for—I quote in part from a letter to the department from the executive-director of the council dated July 22, 1966:

May I take this opportunity to wish you, Mr. Cleve Home, and the other members of the committee, every good wish for the success of this exciting and farsighted project.

I believe it is natural that the subject of art can quite easily promote controversy. The only area of criticism that I am aware of was the opinion that perhaps the government should have purchased the art after the buildings were completed rather than commission the work for specific locations. Our research

indicated the art works at the Toronto International Airport were commissioned up to two years in advance of the official opening, for specific locations, by specific artists who had presented designs to an art committee similar to the manner in which we handled this matter for the Queen's Park project.

The same pattern was followed with respect to the international airports at Winnipeg and Edmonton, and also, I am told, for the international airport at Vancouver.

**Mr. Nixon:** May I ask the Minister, Mr. Speaker, if it is government policy to continue to have the 1 per cent set aside for art purposes for all public buildings?

**Hon. Mr. Connell:** No, that is not necessarily so. It was about that percentage for the Queen's Park addition.

**Mr. Nixon:** Would it be approximately a similar amount for other public buildings as they are constructed?

**Hon. Mr. Connell:** No, it is only for that one building. We have not set that up as a policy for other buildings particularly.

**Mr. Speaker:** The hon. member for York South.

**Mr. MacDonald:** Mr. Speaker, my first question, carried over from yesterday, is to the Minister of Labour.

With 75 per cent of hotel, restaurant and cafeteria employees not in a position to receive gratuities, how does the Minister justify postponement for nine months of the full implementation of the new minimum wage on the basis that these are gratuity employees?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member for York South, the decision was not based on this consideration alone. The survey of the low-wage industries taken by my department late last year revealed that 65 per cent of the employees in the hotels, restaurants and taverns in Ontario received wages of less than \$1.30 per hour. This represents the highest impact on any group in the low-wage industry surveyed. In an attempt to cushion the impact, but at the same time ensure that workers in this industry received regular minimum wage protection at the earliest opportunity, we plan to introduce the minimum wage increases in two steps in this industry. The minimum wage will be \$1.15 per hour from January 1 to October 1, 1969, and \$1.30 thereafter.

**Mr. MacDonald:** My next question, Mr. Speaker, is to the Minister of Health. Can the Minister tell the House whether active consideration is being given at this time for PSI merging activities with OMSIP?

**Hon. Mr. Dymond:** Mr. Speaker, I can not because no indication has been given us that such is desired.

**Mr. MacDonald:** My next question, Mr. Speaker, is to the Minister of Financial and Commercial Affairs. Will the Minister take steps to establish an arbitration board for hearing disputes between garage operators and motorists over repair bills, as an alternative to costly court action, along the lines of North America's first arbitration board of this nature going into operation early in 1969, in the province of Manitoba?

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** I will take question as notice, Mr. Speaker.

**Mr. MacDonald:** Mr. Speaker, I have a further question to the Minister of Financial and Commercial Affairs.

Since Mr. Phillip Wynn of 680 King Street West, Toronto, appears to be unwilling to return security deposits to his ex-tenants, particularly those who formerly resided at 103 and 105 West Lodge Avenue, offering no reason for not doing so, despite the fact that several judgments have been entered against him, though the plaintiffs have been unable to collect on those judgments, will the Minister instruct his department to take the necessary steps to recover the security deposits and ensure payment, without further expense to the ex-tenants involved?

**Hon. Mr. Rowntree:** Mr. Speaker, I shall look into the circumstances of this situation.

**Mr. Speaker:** The hon. member for Humber has a question of the Minister of Public Works. Today we go down the ministerial list.

**Mr. Ben:** Thank you, Mr. Speaker. The question of the Minister of Public Works, notice of which has been given, is:

What is the name of the Cabinet Minister who was refused entry to the Frost Building by a non-civil-service security guard during the past two years? Why have civil-service security guards returned to duty in the Frost Building? How many non-civil-service security guards work at Queen's Park? What is the per-hour cost of non-civil-service security guards? What building in the new govern-

ment complex was left unlocked last week by a non-civil-service security guard? Will non-civil-service security guards be appointed in the main building; and if not, why not?

**Hon. C. S. MacNaughton** (Provincial Treasurer): Urgent public importance!

**Hon. Mr. Connell:** Mr. Speaker, we have no record of a Cabinet Minister being refused entry to the Frost Building.

As to why civil-service security guards have returned to duty in the Frost Building, the answer is the civil-service security guards have been on duty in the Frost Building, north and south, since the buildings were occupied.

How many civil-service security guards work at Queen's Park? There are presently six non-civil-service security guards. The cost per hour is \$2. What building in the new government complex was left unlocked last week by a non-civil-service security guard? The Grosvenor Street entrance to the Hepburn Block was apparently left unguarded on the evening of Saturday, November 9, 1968. An employee entering the building at 6 p.m. reported there was no guard to challenge him, nor was there any guard in sight when he left the building at approximately 8 p.m. This matter was investigated and it cannot be determined whether the security guard was absent at this particular time. The agency that is responsible for providing the guards has been informed of this incident, and requested to ensure the guard does not leave the door unattended in the future. The provision of the third guard per shift, which was recently implemented, should ensure that this does not happen again.

And the sixth question, when will the non-civil-service security guards be employed in the main building, and if not, why not? It is not proposed to put non-civil-service security guards in the main building. The reason for this is the nature of the legislative function requires permanent civil servants.

**Mr. Speaker:** The hon. member for Humber has a question to the Minister of Health.

**Mr. Ben:** To the Minister of Health, Mr. Speaker:

Did the Alcoholism and Drug Addiction Foundation purchase property on May Street in Rosedale area this year? How long has the property been vacant?

**Hon. Mr. Dymond:** Yes, Mr. Speaker, the foundation did purchase property on May Street this year. The property has been

vacant approximately seven months, during which time the foundation has been proceeding with internal alterations to that building for its use. This includes fireproofing, a new boiler, and minor partitioning. They will start the industrial clinic programme early in the new year.

**Mr. Speaker,** there was a question of which I took notice last week, placed by the hon. member for Brantford (Mr. Makarchuk). Shall I answer it now?

**Mr. Speaker:** Perhaps we would let the hon. member for Humber complete his question to the Minister. There is one here, No. 330, dated September 11.

**Mr. Ben:** Would the Speaker advise me by—

**Mr. Speaker:** Perhaps the hon. member—

**Mr. Ben:** November 11—

**Mr. Speaker:** Perhaps the hon. member would take Mr. Speaker's copy.

**Mr. Ben:** Oh, I have it here now. He did answer that. I believe it is 330. The trouble is that one of the questions was answered in my absence, Mr. Speaker.

**Mr. Speaker:** Well, it was one of the questions that was asked and was answered without the Speaker knowing it was asked.

**Hon. Mr. Dymond:** Pardon me, Mr. Speaker, on a point of order, I have—

**Mr. Speaker:** Order. I would anticipate that the Minister, any Minister, would not answer a question which has not been asked, and if Mr. Speaker's records were not as accurate as his memory or as accurate as it should be, I would suspect that between the Minister and the Speaker, we can sort these things out in the future. This will be taken as—

**Mr. Ben:** The answer is recorded on page 581, Mr. Speaker, in the right-hand column, last part right up on the page.

**Mr. Speaker:** Now perhaps in view of that I might ensure that the question to the hon. Minister which has been answered, now has been asked. One from the hon. member for Brantford—

**Hon. Mr. Dymond:** The hon. member for Brantford asked:

Will the nurses who have been employed as part-time staff in Ontario psychiatric



hospitals up to September 15, 1968, receive their vacation fee as prescribed by The Department of Labour regulations? If so, when? If not, why not?

As of September 30, 1968, The Department of Health employed 273 part-time nurses who may work up to 3.5 days a week, and are appointed under The Public Service Act, as contract employees, unclassified staff. They are not entitled to vacation or vacation pay under the provisions of The Public Service Act. They usually seek part-time employment as a matter of personal preference, or family convenience, although full-time work is readily available for qualified duty. The new Employment Standards Act, 1968, reads that:

Where an employee has completed 36 months of non-continuous employment during any period of five consecutive years, subsequent to the year 1963, he shall be given an annual vacation of at least two weeks, with pay, upon the completion of each 12 months' employment thereafter.

A check of our central record shows that no part-time nurses currently employed, appear qualified by length of actual continuous part-time employment for immediate consideration or retroactive payment. But if individual claims were made within the framework of appropriate legislation, we will seek advice and interpretation of The Department of Labour as to the validity of such claims.

I am pleased to advise that the department has arranged, effective September 29, 1968, to grant four per cent vacation pay to part-time personnel in hospitals as well as other branches, thus according to our staff the same benefits which are now made to employees in the private sector of the economy.

**Mr. M. Makarchuk (Brantford):** By way of a supplementary question, Mr. Speaker, could the Minister indicate why these girls were not told that they are not getting vacation pay, as prescribed by The Department of Labour regulations? I have two pay slips here, one before and one after. On the first pay slip there is no indication that vacation pay is not included, whereas on the other one, they do include the vacation pay.

**Hon. Mr. Dymond:** Mr. Speaker, I cannot give the answer because I do not know what the employees were told when they were hired, but I do believe the hon. member is in error when he says it is provided by The Department of Labour regulations. I believe public service employees are excluded from that, if memory serves me right.

**Mr. Speaker:** The hon. member for Grey-Bruce has a question of the Minister in connection with electric shock treatments.

**Mr. Sargent:** Before that, Mr. Speaker, I had a question for the Minister of Transport on a—

**Mr. Speaker:** The hon. member will—

**Mr. Sargent:** On a point of privilege, sir; on a point of privilege. The Minister of Transport last week said that a question I had asked was not in the organized crime report. I would send this across to the Minister marked on page 122, where he denied the fact that clause (d) was not in the report.

**Mr. Speaker:** The hon. member will proceed with his question of the Minister of—

**Mr. Sargent:** I would ask the Minister of Transport what steps have been taken—

**Mr. Speaker:** Order. Order. The hon. member will now place his question of the Minister of Health; he is ready. The member has risen on a point of order, he has sent to the Minister that report—

**Mr. Sargent:** I am rising on a point of privilege, sir. Will he deny that I was right in my submission—

**Mr. Speaker:** The hon. member must now give the hon. Minister a chance to look at the material he sent over to him. So if the hon. member will proceed with his question of the Minister of Health, I am sure that the Minister of Transport will have something to say a little later.

**An hon. member:** No question about that.

**Mr. Sargent:** Mr. Speaker, I would ask the Minister of Health what consents are sought before electric shock treatment is administered to patients in provincially operated hospitals? Two, what observation procedures apply in the recovery rooms and the wards after such treatments?

**Hon. Mr. Dymond:** Mr. Speaker, I have not got that question.

**Mr. Speaker:** That question was dated December 12, No. 355, and it has been in my hands for a week now. I am sure that it must be some place in that ministerial—

**Hon. Mr. Dymond:** May I take it—

**Mr. Speaker:** Would you take it as notice and—



**Hon. Mr. Dymond:** Pardon me, I have just been handed a copy of it.

It is the practice within provincial hospitals to obtain written consent from the patient or a responsible relative, prior to giving electro-convulsive therapy. Two, close observation and care is maintained during the recovery period and the patient is retained in a recovery area until he can be safely returned to his room.

**Mr. Sargent:** Thank you, Mr. Speaker.

To the Minister of Transport, what is his answer?

**Mr. Speaker:** Order. The hon. Minister of Transport is still busy reading. I will try to remember that the matter has been raised and give the hon. member a chance later to pursue it.

The hon. member for Huron-Bruce has a question of the Minister of Agriculture and Food.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, this question is addressed to the Minister of Agriculture and Food.

Does the Minister agree with the federation of agriculture position on going it alone for the creation of a single general farm organization? Two, will the Minister grant the request for a farmer vote and a check-off for financing?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, unfortunately I do not seem to be aware of the information that the federation of agriculture has taken that position. Secondly, I believe this is purely a hypothetical question in degree.

**Mr. Gaunt:** I will be in to see the Minister shortly, I am sure—

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of the Minister of Transport.

**Mr. Gaunt:** Mr. Speaker, may I ask the—

**Mr. Speaker:** A supplementary?

**Mr. Gaunt:** May I ask the Minister a supplementary question?

**Mr. Speaker:** Yes, if he will accept it.

**Mr. Gaunt:** Mr. Speaker, has the Minister given this matter any thought?

**Hon. Mr. Stewart:** No; but if somebody asks me to do that, I shall do that—

**Mr. Gaunt:** But the Minister has not up until this point?

**Mr. Speaker:** The hon. member for Sandwich-Riverside.

**Mr. Sargent:** Need some help?

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Transport.

Will the Minister consider amending section 94, section 2 of The Highway Traffic Act to provide for the stopping of traffic where the speed limit is less than 35 miles per hour—for the purpose of school buses—as requested by the Tecumseh town council?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, a few days ago I answered a not dissimilar question from the hon. member for Windsor-Walkerville (Mr. B. Newman). At that time, I said that proposals for amendments to The Highway Traffic Act were now under consideration. But I went on to add that a wide-ranging report on school bus construction, equipment and operation prepared for, submitted to and approved in principle by the recent Ministers' conference, had been distributed to officials in the various provinces and was receiving detailed study, with a view to implementing the provisions of that report to obtain, as far as possible, uniformity across the country on school bus laws.

**Mr. Sargent:** Who told the Minister that?

**Mr. Burr:** Mr. Speaker, has the Minister any alternative suggestions for protecting children getting off buses where the speed limit is less than 35 miles per hour?

**Hon. Mr. Haskett:** Mr. Speaker, I think I would prefer not to discuss this issue in the absence of the whole proposal of the report to the Ministers' conference being considered.

May I return to the hon. member's—

**Mr. Speaker:** Yes, I was going to ask if the hon. Minister was now ready to deal with the point of order.

**Hon. Mr. Haskett:** I would just like, sir, to return to him the report of the Ontario Police Commission on organized crime, which is the one to which he was apparently making reference in his question to me on December 10, when I said we had not been able to identify the report to which he alluded in his question. I assumed it was the Roach report of December 11, 1961, and the material on page 122 of the report was not germane to his question.

**Mr. Sargent:** How many reports on organized crime does the Minister have?

**Hon. Mr. Haskett:** I would be glad to return the report to him and look at a comparable report and discuss it with him on a future date.

**Mr. Sargent:** Mr. Speaker, on a point of order. What is the position that a Minister of the Crown, with all the research people he has available to him—

**An hon. member:** What is the point of order?

**Mr. Sargent:** The point of order is this, that a Minister of the Crown gets up and tells me I do not know what I am talking about. I give him the report, he says it is not in the report.

**Mr. Speaker:** Order!

**An hon. member:** He does not know the—

**Mr. Speaker:** Order. The hon. member will resume his seat.

Now the hon. member persists in putting in questions, such as that one to my office, without giving the source of the statements upon which—

**Mr. Sargent:** I gave the source right here.

**Mr. Speaker:** Order—without putting in the source of the statements upon which he is basing his question. I very often return—

**Mr. Sargent:** Mr. Speaker, you are out of order.

**Mr. Speaker:** Order.

**Mr. Sargent:** You are out of order.

**Mr. Speaker:** Is the government leader ready to deal with this particular matter because I certainly will deal with it right today? If the hon. member will resume his seat and give silence till I have finished, he will have an opportunity to speak.

What I said was that questions come in from the hon. member and from many hon. members asking questions based on a source of information which is not identified. I usually return it and ask them to identify it so that the Minister, to whom the question is addressed, can have some opportunity of locating it. But the hon. member for Grey-Bruce objects to this and that provokes a very great argument. Rather than have the argument when this one came, I sent it on hoping that it was the Roach report, which it seemed to me it would be. The Minister took that view of it, but it was not the Roach report, which is the organized crime report known to most of us, certainly known

to me. Therefore, the hon. Minister had no indication as to the report that the hon. member was questioning him about.

These matters could be very easily dealt with in the future if all members would all do as most do—give the source of the quotation or statement upon which they base their question, and then the members will have an opportunity of getting an answer.

I think the hon. Minister has taken the proper course. He has explained, as I have said to the hon. member, that he was looking at the Roach report and could not find it; it was not there. He now has this one, and he undoubtedly will answer that question when he has had an opportunity of looking at the question again and the report. I think, hon. members, that that is an eminently reasonable way of dealing with this matter. If the hon. member has something further to say in the matter, the floor is his.

**Mr. Sargent:** The point is, Mr. Speaker, that members of the Treasury Board—the Cabinet—look down at us people in the Opposition as people who do not know what they are talking about. I give the name of the report and the Minister says it is not in the report; I give him the report and now he hedges again, and the Speaker sticks up for the guy.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Minister of Highways.

**Mr. I. Deans (Wentworth):** Yes, thank you, Mr. Speaker. To the Minister of Highways.

Since service centres along Highway 401 enjoy a monopoly position, has the Minister given consideration to requesting them to accept credit cards from all oil companies, a practice followed by many service stations across Ontario?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, this has been discussed with the oil companies. However, the position is that the company practice insofar as credit and credit cards are concerned is their responsibility, and we believe it is subject to the will of the individual companies.

**Mr. Deans:** Mr. Speaker, I wonder if I might ask the Minister a supplementary question—whether or not he might again raise it with them on the off chance they might accept it?

**Hon. Mr. Gomme:** Yes, Mr. Speaker, we will.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Minister of Lands and Forests.

**Mr. Deans:** Yes. To the Minister of Lands and Forests:

Has the Minister received the results of the studies of the effects of DDT on vegetation and animal life? Two, if so, does the department plan to ban the use of DDT in the province of Ontario?

If I might, Mr. Speaker, the study I am referring to was indicated by the Minister during the last session. He said they were looking the whole matter over, when I asked the question at that time.

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for Wentworth, we have not received the results of this study yet. This is an inter-departmental study. In our own departmental programmes, we do not use DDT any more.

**Mr. Speaker:** The hon. member for Huron-Bruce has a question of the Minister of Labour.

**Mr. Gaunt:** Has the Ontario athletics commissioner been investigating complaints from the Hamilton area concerning the right of young boys to play for hockey teams of their own choosing, instead of being directed to play for teams designated by the Ontario Minor Hockey Association?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question of the hon. member, I am advised that no complaints or enquiries in this connection have been received by the Ontario athletic commissioner. Under The Athletic Control Act, it is only in cases where a league or body connected with amateur sport operating in Ontario, requests that the Minister hold an investigation that I am authorized to do so. I received no such request in this case.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Provincial Secretary.

**Mr. Deans:** Mr. Speaker, to the Provincial Secretary:

Could the Minister inform the House whether he would consider a change in the appropriate Act to allow people who, of necessity, must eat Christmas dinner in a hotel, restaurant or other licensed establishment, to enjoy the pleasure of an alcoholic beverage with their meal?

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I have asked the Liquor Licensing Board of Ontario to give consideration to this matter and hope to have a report from them very shortly.

**Mr. Deans:** Not likely by next week, though.

**Mr. Speaker:** The hon. member for Brantford has a question of the Minister.

**Mr. Makarchuk:** A question of the Provincial Secretary:

Is there any reason why the Liquor Control Board of Ontario does not employ women in its retail outlets?

**Hon. Mr. Welch:** Has the question been changed? Did the member have "licence board" in his original question?

**Mr. Makarchuk:** No, I had "liquor control board".

**Mr. Speaker:** My copy, of which photostatic copies should have been sent to the Minister, says "liquor control board".

**Hon. Mr. Welch:** Mr. Speaker, the board has no particular policy; it has just been related as to the duties to be performed. As a matter of interest, with the new self-service stores which we are introducing in Metropolitan Toronto, the liquor control board is in fact giving consideration to the employment of women in clerical and cashier positions.

**Mr. Makarchuk:** Mr. Speaker, a supplementary question? In view of the fact that the Quebec liquor board employs women in its retail outlets, would the Minister see to it that this particular type of discrimination is eliminated in Ontario?

**Hon. Mr. Welch:** Mr. Speaker, just in the way that question was asked, the hon. member is suggesting there is some discrimination, which is a very unreasonable way to put a supplementary question. I am trying to suggest that some of the duties which these people have to perform in our stores involve the unloading of trucks and a great deal of physical activity which, of course, would not be commensurate with the physical ability of a lady.

Now, we are finding some ways and some particular positions, particularly in the self-service stores, where we will use women in clerical and in cashier positions. I think it would be unfair to leave the impression that there is any discrimination at all.

**Mr. Speaker:** The hon. member for Rainy River has a question of the Provincial Secretary?

**Mr. T. P. Reid (Rainy River):** A question of the Provincial Secretary:

Will the Minister explain the policy of the Legislature in regard to page boys?

**Hon. Mr. Welch:** Mr. Speaker, I think perhaps you might have some explanation of this.

**Mr. Speaker:** From the looks of my manuscript, hon. members, it would appear that I almost thought I was a Minister answering a question.

The hon. member for Rainy River placed a question in Mr. Speaker's office addressed to the Provincial Secretary with respect to legislative pages. Since the legislative pages come under the personal supervision of Mr. Speaker, I felt that it was desirable that the question should best be answered by Mr. Speaker and I have discussed the matter both with the member for Rainy River and with the Provincial Secretary and on their agreement now answer the hon. member's question.

I cannot elaborate upon the practices and policy of previous Speakers with respect to legislative pages. Suffice it to say that pages were provided, mostly from the Metro Toronto area, under personal direction and supervision of Mr. Speaker and his secretary. The first group of pages for the first session of this Parliament were also collected by the then secretary to Mr. Speaker and I believe were an excellent group of young lads.

I am sure that most of the hon. members of this House have taken the presence and services of the legislative pages for granted and really have had little interest in the procurement of the pages and conditions under which they work. I must say that I, as a member of the House for many years, reflected the same attitudes. However, on becoming responsible personally for these young men, I decided that there must be some policy established at least during my tenure of office as Mr. Speaker. I also felt that the hon. members should have some interest in this area of legislative services and the whole matter was discussed by Mr. Speaker's House committee and certain suggestions given and certain problems faced. I, therefore, welcome the hon. member's question.

At present the policy is to have 22 page boys, half of whom are in Grade 8 and half in Grade 7. In this manner there are sufficient

pages each morning to bring up to date members' and press gallery *Hansards* and books; it also provides a good number of pages, all being on duty, when the House first opens each afternoon, leaving 11 pages for duty during the rest of the afternoon while the lads in one of the school grades are attending classes. Each legislative page must have the consent of his parents and of his school principal to be absent from school during the period of his service as a legislative page and must have at least 80 per cent in his scholastic standing.

Of course each legislative page must also, if not a resident of Metro Toronto, have a place in which to live during his term of service. It is further my view and has been my policy that young men anywhere in the province should have the opportunity of serving as legislative pages. For that purpose I wrote each member of the House last spring soliciting their aid. As a result of this I have been able to collect a list of boys interested in service as legislative pages from which, for the next session or two, it will be possible to draw qualified and suitable young men.

As the hon. members will recollect, the second and third group of pages during the first session of this Parliament represented not only young men of Anglo-Saxon extraction but of French-Canadian, Hebrew, Slavic, Canadian-Indian, East Indian and Chinese-Canadian extraction and I think each one of them was a credit, not only to the cadre of legislative pages but to this Legislature. The present group of boys, on the other hand, is drawn from all parts of Ontario and in order not only to have a record in the proceedings of the House but also for the information of the members I would like to list for them the young men who are now serving. They are:

Grade 7: John Boyce of Weston—from the riding of the hon. member for Etobicoke; Andy Curran of King—from the riding of the hon. member for York North; Howard Huston of Agincourt—from the riding of the hon. member for Scarborough North; Philip Netusil of Scarborough—from the riding of the hon. member for Scarborough East; Richard Onley of Scarborough—from the riding of the hon. member for Scarborough Centre; Michael Parks of Willowdale—from the riding of the hon. member for York Mills; Kenton Peterson of Prescott—from the riding of the hon. member for Grenville-Dundas; Simon Prentice of Hamilton—from the riding of the hon. member for Hamilton East; Andy Southcott of Clarkson—from the riding of the hon. member for Peel South; Mark Wilson of Peterborough

—from the riding of the hon. member for Peterborough; Andrew Zealley of Highland Creek—from the riding of the hon. member for Scarborough East.

Grade 8: Shawn Cameron of Clarkson—from the riding of the hon. member for Peel South; Stanley Dubickas of Toronto 3—from the riding of the hon. member for High Park; Paul Forsythe of Oshawa—from the riding of the hon. member for Oshawa; David Howell of Orillia—from the riding of the hon. member for Simcoe East; David Irwin of Chatham—from the riding of the hon. member for Chatham-Kent; Malcolm Jardine of Richmond Hill—from the riding of the hon. member for York Centre; Chris Oliphant of Toronto 12—from the riding of the hon. member for Eglinton; Mark Rudolph of Port Colborne—from the riding of the hon. member for Welland South; Mark Stokes of Schreiber—from the riding of the hon. member for Thunder Bay; Randy Templeton of Essex—from the riding of the hon. member for Essex-Kent; and Bill Van Camp of Port Perry—from the riding of the hon. member for Ontario.

The legislative pages are fitted, at government expense, with their uniform, collars and ties but their shoes, socks and shirts are provided by themselves. They are also furnished with an attractive crest for their street clothing and on completing service are each presented with a distinctive legislative page's pin. They report for duty at 9.30 each morning when the House sits in the afternoon and at 8.30 when the House sits in the morning. When there are night sessions the boys are divided into four groups, each group serving in turn until 10 p.m. and they are then sent home by taxi. The duty roster is so arranged that the boys do not serve two night sessions in succession.

The legislative pages are paid \$5 for each day that they work and are given supper money and half a day's pay for each night session during which they work.

The pages are given schooling by a retired school principal who holds classes for the Grade 8 boys on Tuesdays and Thursdays from 3.30 to 6.00 p.m., and on Mondays and Wednesdays from 3.30 to 6.00 p.m. for the Grade 7 boys. This leaves the boys free to go home when the House rises at 1.00 p.m. on Fridays, rather than going to school Friday afternoons as had been the practice in the past.

As long as memory can record in the office of Mr. Speaker, the legislative pages have been sequestered in two or three old rooms in the basement of the north wing of the

main buildings; they have no washrooms or toilet facilities and one large room serves as lunchroom, dressing room and recreation room with another room available with a ping-pong table in it. These conditions are, of course, intolerable for boys of 80 per cent standing in school and from the ordinary families of our province. I have therefore, with the kind cooperation and assistance of the Minister and officials of The Department of Public Works, arranged that early in the new year they will be moving into quarters which will provide them with a proper schoolroom (their present schoolroom is an old disused vault) and with appropriate dressing room, shower and wash-room and toilet facilities, playroom and lunch-room facilities.

The pages are under the direct control of Mr. Gerald Jordan, one of the legislative attendants, and I would like to express my appreciation to him for the kind and efficient way in which he has, during this Parliament, looked after the boys.

In certain other jurisdictions, parliamentary pages are drawn from the ranks of young men of appropriate height who have dropped out of or ceased to attend school. However, it is my feeling that having a group of young boys of the inquisitive and active age group and school grade that we, in the Ontario Legislature do have, is not only a great advantage to the boys but also to the whole community when they return home and recount their experiences in the Legislature. That this appears to be a reasonable assumption is underlined by the fact that I have on my list of boys anxious to serve as legislative pages, names of over 150 boys from all over Ontario.

From the foregoing and particularly from the hon. members' own experience of the boys in the page groups to date during the life of this Parliament it will be amply evident that race, creed, size or colour have no bearing on whether a lad is acceptable as a legislative page. While the daily pay of \$5 and overtime as mentioned previously for night sessions, is not a large return for the boys' work, we have found very little difficulty in recruiting boys as pages from every social and economic position in life. I may say that from the funds appropriated for Mr. Speaker's Office and the legislative services it has been possible for Mr. Speaker to provide, for those boys who must stay in the city and pay board, certain assistance with their board, and for visits home on weekends during their tour of duty.

I have also asked the party caucus offices to arrange a period of discussion with the legislative pages to acquaint the boys with



their party aims and procedures. In addition each new group of pages is given an indoctrination period by the Clerk of the House on the traditions and operations of the assembly.

This reply, hon. members, has been given at some length not only for the information of all the members but so that they and interested parents, students and school principals may have it for reference and guidance.

**Mr. T. P. Reid:** Mr. Speaker, could I direct a supplementary question to the Provincial Secretary on this? We noticed in your reply that all of the pages are young men; will the Minister act to amend this discrimination?

**Mr. Speaker:** If I may, with the Minister's permission, answer that. That is a suggestion that has been made and has been considered. If the hon. members will recall what I said about the washroom and dressing facilities at the moment available, they will understand that it is quite impossible at this moment. Secondly, it has been hard enough to find accommodation for boys better than we have. Perhaps when the House Committee is dealing with The Department of Public Works with respect to space in the main building we might do that.

But I am sure the hon. member in question would like the girl pages to be of an age group slightly older than the boy pages.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech from the Throne by the Honourable, the Lieutenant-Governor.

#### SPEECH FROM THE THRONE

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, on the adjournment last night I was reviewing reasons why this province has been playing hand in glove with land speculators and has been the real culprit behind the high cost of building lots and therefore the high cost of housing in this province.

The number one cause in this situation that I was citing is the Ontario Water Resources Commission and its failure to implement a province-wide provision of services for water and sewers, by restricting its agreements to within municipalities, making sure that they back each agreement to the extent of the obligations incurred and thus causing delays in the implementation of construction projects

that have been costly by restricting development that might otherwise have occurred much sooner.

I want now to go to one other type of restriction that is definitely part of the Ontario water resources policy and is causing a very severe curtailment in the availability of housing lots in this province.

I cited the Richvale case yesterday where the Ontario Water Resources Commission made, or gave, approval to a plant in Richvale which would serve the new school and hospital there and only another 400 acres—namely land owned by a developer seeking to open up some acreage there, but restricting it to that 400 acres only, completely ignoring the area lying south, and the area east and west which are greatly in need of sewage services.

I sat in on a meeting between the Ontario Water Resources Commission and the council of the town of Markham two or three weeks ago when the Markham council asked for approval of an extension to their sewer plant. That approval was given on condition that they would not build any more than 200 additional homes each year in that municipality.

This is the negative approach that has been taken by the Ontario Water Resources Commission and which has been building up this tremendous shortage of housing lots by not allowing the demand to be met. It is restricting, in the approval case of Markham, to 200 homes per year. It is restricting it, in the case of Vaughan township, to the 400 acres that is designated for that plant to serve. It is doing this instead of taking an imaginative approach, which is required to meet the great demand in this province for housing, by saying, "We shall service whatever land is needed, wherever land is shown to be desirable for a development. Where there is evidence of a need, we shall provide this service."

This is the approach the Ontario Hydro takes.

**Hon. J. H. White (Minister of Revenue):** The hon. member turned down the municipal equalization grants.

**Mr. Deacon:** We shall deal with that matter of equalization grants later on. This is the approach that the Ontario Water Resources Commission should take—

**Hon. Mr. White:** They turned it down, so let them pull themselves up with their own bootstraps.



**Mr. Deacon:** —as Ontario Hydro does, in an area where it sees a market demand existing. Ontario Hydro does not want to work out some agreement with municipalities for the provision of power before it builds a plant and transmission line. This is the way the water resources commission should be operating—in the way it was originally understood it would be operating.

Now the other factor that I mentioned yesterday was the ridiculous concept of restricting development in this province so that it could be served by lake centred plants.

Why would we restrict our concept or development of this province to that of the lakes only when we have inland cities and desirable development centres which would enable us to open up tens of thousands of acres for development and thus ease this matter of supply? The economics of the problem are this: Last year we saw the Minister of Trade and Development (Mr. Randall) bring before us, in his annual budget, a provision of \$70 million for land assembly. This was on the presumption that this is the only way the province can provide low-cost building lots for people to build on.

The ridiculous part of this is if that money had been set aside as funds available for the development and provision of basic water and sewage plants for homes, then perhaps we would not have just the province owning sufficient land for 18,000 to 20,000 homes and still having to provide the services for those homes, but we would see the situation where we would be providing services for 100,000 homes in this province.

Our annual demand now is about 80,000; we need to provide services for 100,000. Make that provision and make it a stated policy that we will open up and provide services for 100,000 homes in the coming year when we know that the demand is only 80,000. Then we can be sure that demand will be in excess of supply.

The basis of my calculation of this figure of \$70 million being required to provide the necessary basic trunk lines, sewage plants and pumping stations is the following: In Metro, the capital levy per home is \$125 for the sewer but we know that the actual cost faced by most developers in providing their own package plants and their water supplies, as required by the municipalities in which they are developing, is \$400 to \$500 in the case of the package plant for the sewage and trunk lines to the development; and perhaps \$200 to \$300 for the water.

If we take that cost of \$700 or so per home, which is required to provide the basic trunks or sewers, and we take that on as a provincial responsibility, where the lowest cost borrowing can be carried out, and where the elimination of all these fights between municipalities can be assured because it is done, not only within a municipality but as a basic service provided by the province that overrides municipal boundaries, then we shall see and we can be assured that these plants and these trunks can be installed with no unnecessary delay.

So let us urge, and hope, that the province will direct its attention toward changing its emphasis from the purchase and assembly of land, to the opening up of land now owned by others but which should be made available and made possible to be developed if those people wish to do so.

Now I have heard this criticism voiced for this plan. As soon as we have announced a new sewage line in the past, or a new water main, land prices in the direction of that line have immediately skyrocketed. Speculators have come in and they have bought that property. But the difficulty is that we have done this on such a small scale. We have never really done it on a big enough scale to cope with the real need.

We have done it on a scale that provides maybe 5,000 homes, or 10,000 homes, but we need to do it on a scale for 100,000 homes and we need to announce that as a definite policy. If we do it for a small number of homes, the speculator, the land owner is still in the position that he knows that within the next year or two or three there will continue to be greater demand than there is supply, and therefore he can continue to expect to get a higher price for his lots. But as soon as he is fearful, as soon as he realizes that the stated policy of this province is to make sufficient services available so that we have an excess amount of serviced land, he will change his tune in a hurry because he will recognize that the market is no longer assured; and that he may face substantially lower prices for the lots when he comes to sell those that he now owns in the form of raw land.

We have seen, as I mentioned, the spiral going up in raw land and as the spiral goes up, we have seen speculators working out what they expect to get in one, two, three, maybe ten years for the land development, depending on how fast the development proceeds they then take the present value of that

expected return. On that they base the price of the raw land.

We have seen, in going across the province in connection with the taxation study, that where development is not over 1.5 per cent per annum, the growth is not greater than that rate, then the price of land outside and adjacent to a municipality is not much higher than it is for normal agricultural purposes. That is the case we found in Metro Toronto until the last ten years, but because of our continual restriction which has been due to the lack of services and to another factor I shall deal with shortly, we have always had less availability of building lots available than the market has required.

Thus the price has continued to rise and as the price of those building lots has risen, the raw land has arisen because speculators have seen and have realized that if they can get \$75,000 an acre out of the sale of lots, and deduct from that the cost of the services they are forced to provide and the municipal levies that they are asked for, and they take into account the interest and carrying charges of the land in the intervening time, they know they can still perhaps pay \$10,000 an acre or more for that land.

Therefore they bid for the raw land at far above its agricultural value and also make it very costly for development to take place in the future. The money that is paid for that raw land, the money that is paid for that speculation, does nothing to provide the basic services or to help the home owner who is willing to buy real services and not just provide a profit to someone who is speculating.

We have found this situation well illustrated in the Malvern project which I mentioned yesterday, where the government has owned land and has not been able to get ahead with the services because of the municipality's problems and the failure of the government to provide the basic services. But we also see it in the case of many private developers who assemble substantial acreages, and who wait years before they can get those acreages developed, sold, and houses built upon them.

I know of one project out north of Cooksville which was assembled several years ago. The developer is not unhappy today, because the price of raw land in that area has gone up through this policy of the government, but he really would have much preferred to have been able to get that land into developed lots within a year at least—no more—from the time he bought the land. He would rather get the fast turnover.

And Centennial city was recently announced. This is the project between Stouffville and Goodwood where a developer assembled about 8,000 acres of land and hopes to be able to proceed with that in the not too distant future. But what probably is going to happen there is that the Ontario Water Resources Commission will delay it as they give consideration as to whether they are going to allow an upstream sewage plant to serve that area; and the municipality will probably delay it as it works out ways to try to prevent itself from getting into financial difficulties because of a big development like this going ahead.

We must change our policy as far as the water resources commission is concerned and give it the necessary funds to really open up and service tens of thousands of acres of land in this province where it is suitable for development.

Now about the municipal problems that the hon. Minister of Revenue just mentioned. I did not support and refused to support the type of subsidy that was proposed by the select committee, and my colleagues also joined with me in that view of the municipal assistance and subsidy. I am not a believer in "mother henning" responsible organizations such as local government.

I do not think any local government wishes to be in the position where it is permanently subsidized. I take the approach in the case of requirements for areas such as Pickering, or in areas close to any fast developing part of the province where there is a great demand and a great deal of residential development going on, that whatever assistance we give should be only on a temporary basis and not on a permanent basis. It should provide the incentive and the inducement for that municipality to encourage a proper assessment balance and to obtain one as soon as possible.

In the case of Pickering township, it experienced a financial crisis because it found that the housing brought about a heavy demand for services long before there was any industrial or commercial balance to help pay for those services that were needed. But if we were to adopt a plan of subsidy that the minority members, the Liberal representatives in the select committee recommended, we would overcome this difficulty in the following form:

The basis of this subsidy, or the premise of such a subsidy is that about 40 per cent of the revenue of municipalities across the province comes from the residents, and 60 per

cent comes from the commercial/industrial assessment. Now that is not the ratio of actual assessment but because of business taxes and other taxes, the total revenues received by municipalities across the province, on balance, are 40 per cent from the residents and 60 per cent from the business and commercial interests.

In the case of a new, fast developing municipality, there is no opportunity and there is no incentive for industry to go in because, for one thing, there is a shortage of services to begin with. But secondly, industry and commerce need people, and until the people actually move in, it is very difficult to attract that industrial/commercial assessment. Give the municipality a ten-year period after the time that construction takes place, and it will have attracted the necessary commercial/industrial development, but assure it offsetting revenue equivalent to what it would have had it been fully developed during that period.

My suggestion, and the suggestion of my colleagues in connection with this, is that in a house of which the structure costs less than \$10,000, in the first year the province should provide a tax subsidy to that municipality equivalent to 150 per cent of the revenue it receives on that new house, and that amount would decline over the next ten years in an even amount so it would disappear at the end of ten years.

Assume that during that period the municipality would have an opportunity to attract the necessary industrial and commercial assessment, that would put its financial affairs in balance.

I suggest that in connection with homes in the \$10,000 to \$12,000 cost range, that this be 120 per cent, not 150 per cent of the revenue received from the residence itself. This is not a difficult type of subsidy to manage because in the case of mining municipalities, we now tabulate each home, have worked out the actual mechanics, and subsidy is based upon whether each is a miner's residence or not.

We could easily, in the present day, have assessment cards that run through machines, and we can pull out those homes that have been built one year ago, two years ago, or three years ago, and the necessary subsidy that would be applicable for that municipality could be calculated. The province could provide that subsidy and thus assure that municipality that if it encourages and permits low-cost housing, it will not find itself in a financial bind. I know as a municipal councillor how I looked upon any low-cost proposal for

housing; I knew that this was going to endanger our tax base because a home does not carry itself unless it has a much higher assessment rate than those, say, in the 800, 900 or 1,000 square-foot class. Thus, in the municipality of which I am a resident, the policy has been for many years that we restrict our development to a much higher square footage and a much higher assessment value than that which is really needed by the ordinary person, and that the ordinary person can afford. That is what is important, to be meeting that demand.

This new county school board system is certainly going to alleviate the problem to a degree, but it is not enough. I hope we will see this policy of the province designating areas where it sees and wants to encourage the demand for development, institute this form of subsidy, which would disappear over a 10-year period. I do not like to see, as I mentioned before, any subsidy that goes on interminably and has a mother-hen type of approach which was the approach of the majority of the select committee.

Now there is another factor that comes into municipalities' consideration of new development. Municipalities are putting demands on builders that are quite unreasonable in many cases and more than what the actual homeowner himself wants. For example, greenbelt development of acre-sized lots—which is being discouraged by the health services across the province in actual practice has been found to be very satisfactory where the soil is of a suitable type. These homes certainly provide satisfaction to those who like to be out in the country, those who like to be off by themselves, and do not want to have all the fancy services. It is a very desirable type of development for that sort of demand.

Then we have also in municipalities such as Richmond Hill, several streets which are not paved. They have an asphalt chip top but they are not really paved; they do not have storm sewers, and the people up and down those streets do not really want them, not even if the town paid for the storm sewers or the sidewalks, the fancy improvements. They like it the way they have it. They bought it that way; they want it that way. Let us not be so demanding. Let us point out to municipalities that it is unnecessary and not sensible to demand high standards of service that are not going to really help and benefit the home buyer.

I noticed at the Canadian Conference on Housing that in an Ottawa development the

actual cost for storm, sanitary, water, road, curbs, sidewalks, housing connections, wiring, streetlighting, was about \$30 per foot frontage to that developer. I am sure we can cut that down. But in actual fact many developers find the cost per housing lot for the municipal requirements adds \$3,000 to the cost or the amount paid by the homeowner. And these are very high-cost items because they have to go on mortgages with high interest rates.

We should be looking at ways that the province can provide the basic services efficiently, get its money back by the sale of the services in the same way that Ontario Hydro does and thus reduce the cost of housing to what is barely and necessarily essential, the cost of the home itself plus the raw land at not much more than agricultural value. And I am positive we will see this occur if we will adopt a different approach to the development of this province. We must stop working hand-in-glove with speculators and the only way we are going to do that is when we bring supply in excess of demand.

Urbanization is a trend that is going to continue for a long time and it is time this province recognized it by making provisions for services, making provisions for the needs of municipalities, so we do not have a continual restriction in the availability of land for building. We must use our tax revenues and our credit where it is going to do our people the most good.

And so I sum up my comments by saying that in connection with all our provincial revenues the people of this province certainly agree generally with the way the whole provincial economy seems to be going. But they are beginning now to really feel the tax bite and they see government taking over more and more of the services. They expect us to operate and provide these services on as efficient a basis as they would expect in ordinary competition in the free enterprise system.

We must, as a province, look at the services we are providing and ensure that we are providing those things that are best provided by the province on the most economical basis. Stop taking this policy of going ahead too little too late. And I do hope we will see in the coming session not \$70 million put aside for land assemblies, but \$70 million in the budget of the Ontario Water Resources Commission for the provision of services for 100,000 homes in this province.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I would like first to congratulate you, sir, on your reelection to the most im-

portant position in this House. It is so very important that we have in this chamber a man of your stature and wisdom to keep a fair and impartial atmosphere to the decisions that must be made in this chamber if we are to conduct the affairs of this province in an efficient and meaningful way.

I think I would be remiss too if I did not mention the contribution that has been made in the past by the chairman of the committee of the whole, the member for Waterloo South (Mr. Reuter). He has done an admirable job and seems to be one of the few free thinkers from the government side; he comes over and chats with us on numerous occasions and I think perhaps there is quite a lot of hope for him. He happened to get his picture taken with a very august body during the opening proceedings of this Legislature and while he protested a little bit too loudly, I think he feels quite comfortable over on these seats here and I have a great deal of hope that in the future we might see him join us.

Mr. Speaker, during the past session I have attempted to impress upon this government the need for the kind of action which will make the people of northern Ontario feel that they are a part of Ontario in a very real sense—government action which will convince people that we in this Legislature are genuinely interested in the wellbeing of all people across this province.

I have attempted to impress upon this government that regional disparities and pockets of poverty must be removed if we are to achieve the goals we have set for ourselves. If this government is to be a vehicle for maintaining unity and a sense of belonging, it must concern itself not only with the problems created by a concentration of all industrial activity between Oshawa and the Niagara River but with the four fifths of the province outside this area which has not kept pace with the economic, social or cultural life of this province.

Believe me, Mr. Speaker, most people in the under-developed parts of this province want no part of the problems which this haphazard and unplanned industrial development has caused the people and this government. I refer to the high cost of land assembly and accommodation, intolerable amounts of air, water and soil pollution in many areas, and pre-empting of arable land by industrial complexes and buildings as fast as the job can be done.

Ontario is a province 1,000 square miles from north to south and still more from east

to west; 230 million acres full of lakes and rivers, with a seacoast and some good agricultural land. In the early 1960s we had 7.5 million acres under cultivation, or 3.5 per cent of the total. In the agricultural expanse of this continent, the good lands of Ontario form just a dot. Mr. Speaker, I venture to predict that we will pay very dearly for this lack of planning in the future.

People in northern Ontario are beginning to ask themselves whether or not they are or ever were in any real sense a part of Ontario. Professor Arthur Lower even asks the question: "Ontario—does it even exist? Except in a geographic and legal sense, is there an Ontario at all? Utter nonsense even to ask a question, say many people who were born and brought up in Ontario. I would like to quote from an article that appeared in the June edition of *Ontario History*, of the Ontario Historical Society, and I would like to quote the professor in part.

Maybe when people talk about Ontario, they mean Toronto. Outside the seven counties around the head of Lake Ontario, there are various other regions also part of legal Ontario, some of which have a character of their own.

There is the peninsula between Lake Huron and Lake Erie where most of the rest of the good land lies. It is settled with towns growing into considerable cities. This is the ancient western Ontario, home of George Brown of the Grits, which now has as much claim to the title "western" as the people have to be Grits.

There is the eastern region between the Ottawa and the St. Lawrence, separated from the rest of the province by the tongue of the Canadian Shield which cuts across Kingston and Brockville. There are the old districts south of Lake Nipissing—Muskoka, Parry Sound and Nipissing—which in the century of their existence have never grown populated enough to be given county organizations. They are useful as the summer playground of Toronto people, and filled with characters you will find richly documented in Merrill Denison's series of plays entitled "The Unheroic North".

They once were the north, but now the real north stretches far beyond them, all the way to salt water, all the way from Timiskaming to the Manitoba border. At present, it has something less than 750,000 people in it, and nearly all of these are grouped around North Bay, Ontario Northland Railway mining towns, Sudbury, the Sault, the Lakehead and Kenora. The north

is a true frontier region, capable of providing the incidents the reader will find delightfully described in Joan Walker's "Pardon my Parka".

No one will deny that all this forms a large variegated and richly endowed chunk of the earth's surface. But is that sufficient to make it into Ontario? Again, I ask, does Ontario exist?

People in Kenora think of themselves as quasi-Manitobans; at least Winnipeg is their centre. Toronto is just a distant exploiting nuisance. They are 1,000 miles west of that little pocket handkerchief of a county around London, that egregiously refers to itself as western Ontario, and even has the gall to call itself the University of Western Ontario.

That title gives the game away, of course. There was a day when it made sense. That day has gone, but would it make any better sense for Kenorites to think of themselves as Ontarians? Come to that, does anyone think of himself as an Ontarian?

In another part of the article he goes on:

And curiously enough, it is in the empty north that there has risen a sense of identity wider than the town, and not found in the crowded south. Northerners are quite sure they are not southerners. Their spirit and attitude, they maintain, are different. They find more in common with the Prairie people than with those down south. This probably springs from their feeling that they are subject to economic exploitation by the south and that is by Toronto. They are so far removed from the provincial capital, especially those west of the lakes, that they picture themselves more like dependent subjects in an empire than as citizens.

And they are all isolated; even the great ports of the head of the lakes are isolated. These factors create a tension which gives a recognizably common atmosphere to the north. Ontario is a space on the map. It is a legal entity administered from Toronto. It is a section of Canada, but has it any flesh on its bones, or blood in its veins? Does Ontario even exist?

These are questions that a lot of people in northern Ontario are asking, whether they really are a part of Ontario.

Mr. Speaker, I don't know how strongly this government feels about the north remaining a part of Ontario in a real sense, in a way that will remove any doubt in the minds of its people that they are to share equitably in all benefits that accrue as a result of the orderly



and wise exploitation of our human and natural resources. No doubt the result of the last provincial election was a clear indication of the frustration, indignation and disenchantment with this government, in its failure to initiate programmes and policies which will assure proper development in the north. We have the resources and the technology to eliminate regional disparity but this government lacks the will to get on with it.

I would like to quote an article that appeared in the *Globe and Mail* on October 3, 1968. It says: "ODC Grants Almost \$1 Million to Northern Ontario Firms." I think most members in the House will remember that this programme was announced during the heat of a political campaign in the early fall of 1967 by the Prime Minister (Mr. Robarts), when speaking to an audience at the Lakehead. During the last session of the Legislature I think it became quite obvious, in many speeches from representatives of northern ridings, that this programme was completely inadequate, and we even have the Prime Minister quoted as saying just that in this article:

Yesterday's announcement brings to almost \$9 million the loans granted under the government's Equalization of Industrial Opportunity programme. The programme was designed to encourage industry to settle in eastern and northern Ontario. But so far most loans have gone to the east. Loans committed to the north now total about \$1.5 million. Eight projects have been assisted, compared with 51 in other parts of the province.

Premier John Robarts said last month that the government would study changes in the programme to make it more helpful to the north. Officials said yesterday that changes in the legislation setting up the fund have been drafted and are being put before Economics and Development Minister Stanley Randall for approval.

When you consider that not one new industry has been created in all of northwestern Ontario with the inauguration of these EIO or ODC loans, I think it is proof that any programme that has been instituted to date has been completely inadequate and completely ineffective. I think it is high time that the government started paying attention to what the hon. member for Sudbury refers to as the four fifths of the province, that is, everything lying north of the French River.

Between May and June of this year 120,000 were unemployed in Ontario. Proof of wide-

spread poverty was well documented in the fifth annual report of the Economic Council of Canada. I could read many letters into the record from constituents who have requested that I find employment for them.

The former Registrar General, John Turner, once said that 23 per cent of the Canadian population are living in poverty. About one fifth of the people living in Ontario, Canada's richest province, are said to be poor.

I could also read into the record letters from constituents requesting clothing. This is a sad commentary on a government in the most affluent province in Canada. Very little progress has been made in relieving this problem. There is nothing in the Throne Speech to indicate that there will be any change during the coming year.

A recent meeting in Geraldton attended by Alexander Phillips, manager of the Northwestern Ontario Development Council, was a good indication of the feeling of neglect that is so prevalent in the north. People felt that communications between the Dominion and provincial governments and municipalities are very poor. Highways are deplorable, the railways almost unused unless there is an accident tying up other lines, mortgage and investment money very difficult to procure particularly in a mining town, and a one-industry town, of which we have a good many in northwestern Ontario.

It was stated that we, the people in the north, hope for some action as a result of the current study, other than allowing it to collect dust and cobwebs as have all the others. Now as you know, Mr. Speaker, there are about six or seven separate and independent studies going on in northern Ontario and one of them was announced just recently by the hon. Robert Andras and I would like to quote an article in the *Port Arthur News Chronicle* of September 23, 1968:

#### THE TUNE IS FAMILIAR

Port Arthur's member of the federal cabinet, Robert K. Andras, gave a teasing sort of a speech at the annual meeting of the Northwestern Ontario Associated Chambers of Commerce at Dryden last week.

Mr. Andras told the representatives of the municipalities in northwestern Ontario that Jean Marchand, Minister of Regional Development, is directing one of the most important reviews of regional development policy ever undertaken and it was expected the new policy would affect northwestern Ontario directly.



Mr. Andras would not reveal any details of the policy but he freely admitted that it should move in the direction of fully recognizing the human, as well as the physical, resources of northern Ontario. "The essence of a regional development plan is the full and efficient use of all available resources as well as the narrowing of inter-regional disparities", he said.

The delegates to the associated chambers' meeting would certainly agree with what Mr. Andras said. They would have to, because that is what their representatives have been telling the Queen's Park and Ottawa year after year without, unfortunately, getting many results.

They pointed it out many times last year when it was pressed upon the federal government—formed by the party of which Mr. Andras is a member—that northwestern Ontario needed the advantages of being included in the federal government's designated area programme if it was going to have any chance to use its material and human resources to the best advantage.

But the federal government didn't agree. Northwestern Ontario's statistics just didn't fit the recondite federal formula for designated area advantages, no matter how precious the human and material resources might be.

The Northwestern Ontario Associated Chambers of Commerce has been keeping up the pressure on both the federal and provincial governments and it could be that, at last, there is something in the works. It could be, but after all this time the people of northwestern Ontario, who have had one hope after another raised and then dashed, will have to be shown before they believe.

Mr. Andras told his listeners that at present the government is short of data on the resources and a survey is now being conducted. Another survey? Ye gods!

Mr. Andras will probably excuse the good folks in this region if they claim to detect a disturbing familiarity in that old refrain and if they prefer to sit back and wait for some real developments before getting even moderately excited about any further political forecasts or promises.

Now that editorial, Mr. Speaker, is just another indication of the feeling of neglect that the people have been experiencing for a good many years in northwestern Ontario, and I serve notice on this government that if they do not busy themselves with looking after

the needs of the people in northwestern Ontario, in a very real and meaningful way, then the people of Ontario—and not only in an electoral way—will take matters in their own hands.

But I need go no further than reiterate what the member for Sudbury (Mr. Sopha) said in his Throne Speech contribution with regard to a study that was being conducted by the Northeastern Ontario Municipal Association looking into the feasibility of forming an 11th province. I do not think that anybody wants to see this happen and I suggest to this government that if the people of northwestern Ontario consider this to be the only alternative to the kind of neglect that they have experienced over the years in the north, I think they are prepared to take this action as a last resort.

Mr. Speaker, the time when elected representatives can sit idly by and let the law of the jungle dictate the course of development of this province has passed. Our people will no longer be content to be hewers of wood and drawers of water. They will no longer be satisfied with polluted lakes and rivers or holes in the ground as their fair share of the economic pie in this province. Natural resources belong to all the people of Ontario, not just those people, residents or non-residents, who happen to have enough ready capital for development.

Now this brings me to another subject—the northern tour that members of this Legislature went on. I think anybody who took the time to take this week-long tour of northern Ontario was quite impressed not only with what he saw when he went up there, but the genial and very efficient manner in which the Minister of Lands and Forests (Mr. Brunelle) and members of his department conducted the tour.

I think it gave everybody a bird's-eye view of what the wonderful potential is in the north and as the member for Thunder Bay—where we spent two full days looking at the potential—I personally would like to thank the Minister, through you, Mr. Speaker, for the exposure that the area I happen to represent got before those members of the Legislature who availed themselves of the opportunity to go along.

It was last September when the 75 members of this Legislature spent a week in northwestern Ontario visiting Longlac, Geraldton, Sioux Lookout, Red Lake, Kenora, Fort Frances, Fort William, Port Arthur, Schreiber and White River. Accompanying

elected members were several top-level government officials.

For many of these people it was their first opportunity to view on the spot our great stores of resources in our forests and mines. They also saw from the ground and from low-flying aircraft the beautiful scenery, with thousands of lakes and rivers, which could attract hundreds of thousands of tourists and millions of dollars into our provincial economy through the tourist industry.

Members who visited Longlac saw a company, the Kimberley-Clark Corporation, who have centred their woodlands operation around that community, making it possible for employees and their families to enjoy community life and such amenities that they are able to provide by the commuter method of operation. This company, by a proper method of harvesting, are operating a sawmill which produces in excess of 20 million board feet of lumber each year, selling tree-length poles to other companies and making plywood bolts available to a plywood firm in Longlac. They also maintain a fine tree nursery from which they raise over 1.5 million seedlings each year for their forestation programme.

They maintain a network of good roads, most of which are used by the public for hunting and fishing. They have even built a park on McKay Lake for the public use, complete with picnic tables and toilet facilities. This, Mr. Speaker, is a perfect example of proper forest management and the multiple use concept of our wilderness areas.

They have a very attractive community at Terrace Bay which is the site of the pulp mill. The only thing lacking in this entire operation is a finishing mill where the manufacturing of all sorts of paper products would double the work force and make for a more viable economy in the area.

However, all pulp and paper companies do not operate in this manner. We have the town of Beardmore where Domtar and Abitibi do a great deal of their cutting. Instead of Beardmore being a viable and thriving community, it is slowly dying. If these companies operated in a responsible manner, making maximum use of forest reserves and of all species, Beardmore could be a thriving community with either a sawmill, a plywood or particle board plant—or maybe even all three.

On the northern tour, members saw the town of Geraldton, which depends to a large extent on a gold mine which is now operating

on a salvage basis. This town, although just a little over 30 years old, will surely fade away if action is not taken by this government to assure these people that resources in the area are developed before it is too late. Services such as water, telephone, hydro, investments in small businesses, schools, hospitals, churches, libraries and private homes, representing expenditures of millions of dollars, will be abandoned while other towns are sure to spring up in a few years only a few miles away where these services will have to be duplicated at greatly inflated costs. If entrepreneurs are not willing to develop these resources, they should revert to the Crown and be developed by a Crown corporation.

It was most unfortunate that members were not exposed to life on some of our Indian reserves and settlements while on their tour of the north.

**An hon. member:** Some of us were.

**Mr. Stokes:** Some were, on their own in little sidetrips, but we did not stay and have an organized trip to them just to see life as it really is on the reserves. I am quite sure, Mr. Speaker, that had this taken place, we would have no further bickering or buck-passing about who has the responsibility for assisting our native Canadians.

I would just like to quote from a couple of articles. One of them appeared in the *Port Arthur Chronicle* on September 26 with a dateline of Sault Ste. Marie, Ontario, and it says:

Indians with Grade 1 education and a two-day first aid course have been dispensing drugs in northern Ontario with sometimes fatal results, a former Indian school principal said Wednesday. Mr. St. Jacques, former principal of the Kasabonika Lake Settlement school, 350 miles north-east of Winnipeg—

And that happens to be in Thunder Bay Riding—

—blamed the federal government and said that there had been several cases of sick Indians dying after treatment by these “lay-medical dispensers”. He said no death certificates were issued.

“All the evidence of what we have been trying to prevent and bring to a stop has been buried with them,” he told a service club meeting. “Neither ourselves, nor anyone else will ever be able to tell what happened to them.” Mr. St. Jacques said nurses used to be flown to northern settlements once a month to treat the sick.

"But last year, without notification of any kind our clinics were gradually cut back and even though we asked repeatedly for an explanation none was ever given."

Instead, he said, the federal government selected a person from each community to act as a lay-medical dispenser. Their people were flown to Sioux Lookout for a two-day first aid course and then sent back.

Some were persons that could not read or write English.

"You can well imagine the situation," Mr. St. Jacques said. "There was an Indian lay-dispenser with a Grade 1 education and a two-day first aid course being given the responsibility, and indeed being paid by the federal government, to hand out these dangerous drugs. The result, he said, was pitiful.

The person was responsible for the administration of powerful drugs to the sick—drugs he did not know a thing about; drugs which resembled candies.

Mr. St. Jacques, now on a leave of absence and living in Sault Ste. Marie, said that in bringing the situation to light, he was jeopardizing his job and throwing away 20 years of experience.

Now, Mr. Speaker, when you get conditions like this existing in Ontario, right within our border, to citizens whom we like to call residents of Ontario, I think it is high time that this government stopped bickering with Ottawa about whose responsibility it was for looking after the needs of all people of Ontario. I think that without looking any further you can start with the Indian people up on our many reserves and settlements right up in northern Ontario.

Another indictment of this government with regard to the handling of Indians appears in the September 23 issue of the *Fort William Times-Journal*, and the dateline is London. It says:

The president of the Ontario division of the Indian Eskimo Association Saturday night accused the Ontario government of failing to recognize that Indians have a special status because of their treaty rights.

In a prepared speech before delegates to the association's annual meeting, Rev. John A. Mackenzie of Toronto said that the stated position of the provincial government is "to recognize Indians as one of the many ethnic groups, but to treat them the same as all other groups".

He said the province wants to integrate Indians into Ontario society but fails to

recognize that almost all other ethnic groups come from a western culture, whereas Indians have a qualitatively different and perhaps unique cultural heritage.

The first step toward progress is the unequivocal recognition of these differences, which includes the recognition of a special status for Indians because of their treaty rights.

The Indian Eskimo Association has informed the government that it believes that the community development should be removed from direct government control, and a Crown corporation be set up which would be administered in ways which are considered or consistent with the values system of the Indians in Ontario.

Mr. Mackenzie said that another problem arises from the fact that some community development officers continue to operate out of the offices which administer the welfare programme.

These officers, members of the provincial Indian development branch of The Department of Social and Family Services, are identified in the minds of the people as having a particular task which is related to welfare. This places them in a position whereby they cannot relate freely to all aspects of community life.

Mr. Speaker, one matter regarding Indians has had widespread attention in the last few weeks and I would just like to shed some light on it for the edification of this government and this House.

It refers specifically to the town of Armstrong.

I am quite sure that had this taken place we would have no further bickering or buck-passing about who has the responsibility for assisting our native Canadians.

Here was a case, Mr. Speaker, where about 30 treaty Indian families squatted on Crown land on the edge of the unorganized community of Armstrong. There is a radar base about a mile and a half east of the town operated by The Department of National Defence. Children of employees and service personnel on the base were sent to the local school and the cost of their education was subsidized by grants from that department.

There are several Indian children attending the same school but unfortunately there is not enough room to accommodate all of them. This meant that about 35 children were forced to get their education in Sioux Lookout, Geraldton, and the Lakehead and

these children were separated from their parents for the school term as many of them could not afford to return home at Christmas and Easter. The Department of Indian Affairs paid the tuition for children sent away but would not make the necessary funds available for an addition to the school at Armstrong. The Department of Education would have no part of it as they said it was a federal responsibility.

The Ontario Human Rights Commission laid charges of discrimination against the local school board. I have met the local board, both individually and collectively, and have been assured that they are most anxious to provide these facilities for these children. Unfortunately, Armstrong being unorganized, is unable to raise the necessary revenues to construct these facilities. The only industry in the community is the CNR, which is exempt from school taxes.

Here we have a group of dedicated local residents sitting on a school board getting criticism for something over which they have absolutely no control. They are being criticized from all sides, creating a very bad situation among people in this community while those responsible argue about who is going to get on with the job. It appears that The Department of Indian Affairs is going to provide the necessary capital to provide accommodation for the next school year, September 1969, but I thought, just to shed some light on it, and with all the adverse publicity that has been given to this story over the CBC and in the news media, that it was time that somebody told the story as it really is and got the local Armstrong board off the hook for being criticized for something over which they had no control.

Mr. Speaker, I would have hoped that as a result of the members' tour through the northwest and the annual visits to Toronto made by the Northwestern Ontario Associated Chambers of Commerce and the Thunder Bay Municipal Association, the Throne Speech would have contained something more positive. The Throne Speech contained really nothing that indicated to the people of northwestern Ontario that this government was even remotely concerned about the problems in that part of Ontario. If they had said something that would indicate that this government was aware of our problems and was prepared to take action, I am sure that the reaction of people in northwestern Ontario would have been much more favourable than it is at the present time.

Transportation and communication, along with a realistic roads-to-resources programme, should have been given top priority. There was no mention of this at all. A plan of assistance to Indians through the establishment of small Crown corporations oriented to resource based industries in areas near Indian settlements and communities would have provided at least a background or some semblance of a viable, economic unit from which an Indian band or settlement could operate.

I must here pay tribute to the only department of this government which is attempting to do something on behalf of the Indians. It is not general knowledge. You would think that if anything is being done in a meaningful way by this government that it would be through The Department of Health or The Department of Social and Family Services, or the Ontario Development Corporation, or Financial and Commercial Affairs, or Education.

This is not being done at all by any of these departments. Ironically enough, the only department in this government which is really genuinely concerned about the welfare and the well being of Indians is The Department of Lands and Forests. I had occasion to tour many reservations in northern Thunder Bay, and indeed one in Kenora riding, and I got a very good idea of just what The Department of Lands and Forests was trying to do to encourage the Indian people to accept the kind of employment that is provided by this department. It is bending over backwards to assist them in any way possible, both in its reforestation programmes and in its park programmes, and it even went out of its way to do whatever is possible in the way of road building and helping them market their furs, and a good many other aspects of daily life as the Indian sees it in northern Ontario.

In that connection, Mr. Speaker, I would like to refer briefly to another problem that exists in northern Ontario with regard to access roads. We do have an access road programme that at one time was jointly sponsored and, of course, underwritten by the federal and provincial governments. Unfortunately, with the federal government withdrawing from this programme, we were left with a budget of \$500,000 to try, in some way, to convince the people of Ontario that we were in any real sense maintaining a realistic programme in this regard. The total of \$500,000, Mr. Speaker, is just a drop in the bucket to provide access to the huge resources,

both in the forest products industries and the mining industries, that we have in the northern part of this province.

The Minister of Lands and Forests (Mr. Brunelle), the Minister of Mines (Mr. A. F. Lawrence), the Minister of Transport (Mr. Haskett), the Minister of Tourism and Information (Mr. Auld), and I believe the Provincial Treasurer (Mr. MacNaughton), are on a special committee that was set up to administer this fund. If you talk to any one of them I think they will tell you that the kind of money that is being made available is completely inadequate for the job. I think that The Department of Highways has been abdicating its responsibility in this regard.

When you consider many of our isolated areas where children have to be transported daily by school bus to attend school some 20 and 30 miles away, everybody is looking askance at The Department of Lands and Forests and saying, "Well what are you going to do about it?" because it's the only agency of this government which is represented in the area on a continuing basis, and of course it bears the brunt of the criticism.

Mr. Speaker, criticism for the inaction, the apathy, the lack of concern for people and their transportation out to schools, is the responsibility of The Department of Highways, and they have abdicated their responsibility in this regard for far too long.

When you consider the road off Highway 17 west of White River into the Indian reservation at Mobert, which a good many of us had occasion to see during our brief fishing trip on White Lake, here you have a road where the driving conditions are deplorable; where the parents are afraid to send their children over a bridge that spans a fast-moving river.

Nobody in this government seems to take any responsibility for its repair and upkeep. I know The Department of Lands and Forests is quite concerned about the situation, but this government does not seem to be concerned about it; certainly The Department of Highways is not concerned about it.

Another road that I have brought to the attention of the Minister is the highway between Nipigon and Cameron Falls, where Ontario Hydro has hydro generating installations and facilities at Cameron Falls and Pine Portage. I have called his attention to the fact that this road is in a very hazardous condition. About a year ago he said it was on their list and while it was not given top priority, it was definitely on their list.

I asked him a question a short while ago in this House and he said that he had a survey made of the number of accidents on this road and it said that it was not any more dangerous than any other road in the province of Ontario. Now if this is the criterion that The Department of Highways is going to use and say, "Well prove to us that X number of people have been killed on a given stretch of highway, then maybe we will take action," I think that the department has a very twisted sense of values.

I would invite him to take a drive over that road where you can be driving along and you come smack dab right up in front of one of these great big hydro towers and you have to slow down to about ten miles an hour to make a right-angle turn and go off on another tangent. They even have the gall to call it a highway; I think it is numbered 585 or something like that.

Now this is the kind of inaction that is responsible, to a large extent, for my being here. If the government persists in ignoring the problems that confront people in northern Ontario, I think you know what the consequences will be and I think the member for Kenora—

**Mr. L. Bernier (Kenora):** Speak for the Thunder Bay riding, not Kenora.

**Mr. Stokes:** I am speaking for Kenora because I get the odd problem from people in Kenora too, and I get the feeling that there is the same sense of frustration exists in Kenora riding—

**Mr. Bernier:** Well, even the hon. member was pleasantly surprised at the condition of our highways during his visit to our area.

**Mr. E. W. Martel (Sudbury East):** I saw the ads that were in the paper, too.

**Mr. Stokes:** Is the hon. member proud of the highways that we have in northern Ontario?

**Mr. Bernier:** In my riding, yes.

**Mr Stokes:** Take a look at the highway between Highway 17 and Manitowadge.

**Mr. R. F. Nixon (Leader of the Opposition):** I thought the hon. member thought they all should travel by railroad.

**Mr. Stokes:** Which?

**Mr. Nixon:** Is the hon. member not a railroad man?



**Mr. Stokes:** I am a railroad man but there are not too many trains to travel any more; we have to rely on highway travel. If the leader of the Opposition thinks they have trains in northern Ontario just try to get a reservation home for Christmas.

Now this is just a clear indication, Mr. Speaker, that the people in northern Ontario have had just about enough. I think that if this government is really concerned about the welfare and the well-being of all people in Ontario—they really are not—there is an awful lot of elbow room for the kind of programmes that will demonstrate to the people in northern Ontario that this government really cares. If you really want to know the mechanics of it all—how it should be accomplished; what should be given top priority, sir, in spite of what the member for Kenora said, I think that the member for Port Arthur (Mr. Knight), the member for Rainy River (Mr. T. P. Reid), the member for Sudbury and certainly for Sudbury East (Mr. Martel) and Timiskaming (Mr. Jackson), and I will even invite the member for Fort William if he is so disposed, to sit down with various governmental departments and we will tell them what should be done in northern Ontario.

**An hon. member:** Jim will not be there. Everything is all cosy up there.

**Mr. Stokes:** No, I was quite edified at some of the remarks that the member for Fort William (Mr. Jessiman) made in his seconding the motion on the Speech from the Throne. He took a little more moderate and temperate view of what was required in the north than he did last year. I think maybe he has been bruised a little.

Yes I think he has mellowed a little bit and I think maybe the newspapers and their reaction to what he said last session maybe tempered his praise of this government. I think he is becoming a little more realistic. He is even telling the government now that, well maybe there are a few things that you have not done in the north and I think this is all to the good.

So that I would invite even the member for Fort William to sit down with us and—in a united way instead of a bickering petty small way—I think maybe if we all sat down and discussed our mutual problems—

**Mr. D. C. MacDonald (York South):** How can you unite absentees?

**Mr. Stokes:** —I think that quite possibly—

**Mr. Speaker:** Order.

**Mr. Stokes:** —I think that quite possibly, at long last, this government might get sitting down and talking about the problems in the north and some of their solutions in a much more realistic way.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, I would like to offer my sincere and humble best wishes to you, and in particular, to his honour, the Lieutenant-Governor of the province in this second session of the 28th Parliament of Ontario. The appointment of a new Lieutenant-Governor focuses our attention upon the role of the Crown in our Canadian heritage.

Mr. Speaker, during these days when it is fashionable in some quarters to advocate republicanism and anti-monarchical sentiment in Canada, I feel led to say a few words on the Crown. I personally maintain that silence to this form of talk gives consent. How alien to the views of that renowned Canadian statesman, Sir Wilfrid Laurier, have been the statements of certain members of his party made in this assembly on the monarchy. Similar expressions have been expressed in resolutions advocating republicanism from Young Liberal Association meetings combined with the fact that no reference was made to Her Majesty, the Queen from the recent Speech from the Throne in our federal Parliament. Recently a Toronto columnist stated:

In the 20th century it may certainly appear an anachronism, but over the long years it has proven an institution invaluable to the exercise of an effective parliamentary system.

This province is truly a cultural mosaic of peoples of various racial and religious backgrounds. Therefore, Mr. Speaker, whatever symbols or measures that we as parliamentarians can uphold that will serve as a unifying force in our country, are worthy of being maintained. Similarly I cannot help but feel that the Commonwealth could serve an even greater role in bringing about world peace and social justice in our many areas.

Mr. Speaker, as has already been enumerated by our leader, the chief objective of this government is to improve the quality of life in the 1970s. I would say that it is in the area of the battle on air and water pollution that we have the challenge to make one of the greatest advances. I personally believe that in the interests of greater efficiency and environmental progress, we would do well to take under consideration



the merger of the Ontario Water Resources Commission, and the air pollution control service, as now operated under the environmental health branch of The Ontario Department of Health. The new body could quite well be named "the air and water quality control commission", or "the pollution commission".

Whether the pollution is caused by a pulp and paper mill or a steel plant, I find it most natural that the same inspector visiting the said plant have the powers to measure its air and water pollution, as their measurements are done in the same order, and their measurement involves the same magnitude of pollutants, and chemical analysis.

Now is the time to consolidate our attack on these two serious threats to our environment under one commission. I find it most discouraging that the federal government has not come forward with strong national air and water quality control legislative programmes. If Ontario industries are to install the necessary quality control devices, then they should not be at a disadvantage in their competition with competitors in other provinces, where pollution measures are not as stringent as those in Ontario.

Similarly, international action is urgently needed to curb those cities and industries on the American side of our Great Lakes water-way that are guilty of flagrant water and air pollution. This was certainly reinforced to the members of this assembly who took part in the recent members' tour of northwestern Ontario, when we flew over Rainy River and the International Falls, Michigan, area and saw the emissions of air pollution belching forth from the pulp mill on the American side of the border.

Mr. Speaker, I know that equipment for air and water quality control is expensive and costly. However, I believe that government, whether at the provincial or federal level, could do much to aid air and water quality control by creating tax incentives for industry desirous of installing pollution control equipment, especially since the same equipment needed to do the job is required by plants of different sizes and different capacities. I do not know if all the members of this House are aware or not, that the only form of tax concession now being received by companies such as Dofasco and Stelco to encourage them to accelerate their fight on pollution is a form of tax consideration on capital expenditures for water pollution control installations only.

I would like to ask the hon. Minister of Revenue (Mr. White) to consider making representation to the federal government to extend the same tax consideration to air pollution control installation as well as to the supply required to operate and maintain all of these pollution control installations.

I am pleased that the steel industries of Hamilton are making a positive contribution from their wealth, which stems from the development and use of our nature's bounty, in the cause of air and water quality control. Over the past eight years Stelco in Hamilton, has spent \$60 million on its air and water quality control programme. Other projects involving expenditures of almost \$1 million are under construction at the present time.

In a working effort to improve the environment in which it operates, Dofasco in Hamilton has since 1960, spent \$6.6 million to control air pollution and approximately \$5.3 million to control water pollution in our city. This includes electrostatic precipitators; foundry dust collection, and a dust collection system for the four Dofasco basic oxygen furnaces.

Water pollution control installations include a slurry removal system, hot mill scale collection system, and a phenol removal system, and plants to remove ammonium, sulphate, and hydrogen sulphide from the water. Several other pollution control projects are under way now, and built-in pollution control equipment is planned for the installations included in Dofasco's currently million dollar expansion programme.

I believe, Mr. Speaker, that these statistics are proof that our major industrial giants in Hamilton are making positive steps in their attack on their pollution problems.

Our universities and technological colleges should be challenged to join this crusade against pollution. Industry and government could do far more in providing research grants and fellowships for the area of air and water quality control study. The major breakthroughs that can be achieved through engineering are perhaps typified by Canada's first hydrochloric acid regeneration plant installed at the Hilton works of The Steel Company of Canada at a cost of \$2 million. This was certainly a major breakthrough in water pollution control.

However, Mr. Speaker, let us be mindful that these new measures and techniques are non-productive, nor do they safeguard jobs in the community. This has been well summed up by Dr. J. A. Vance, chairman of the Ontario Water Resources Commission,

who has recently praised industry for the way in which many industries are attacking the problem of water quality control:

There has been a definite improvement in industries' attitude and actions concerning the quality of water emissions from industrial processes over the last five years. There are still some problems to be solved, but I must give credit where credit is due. Stelco is making good progress, and has the spirit of co-operation with the OWRC second to none.

Mr. Speaker, I was most encouraged last year by the stand taken by the Ontario resources commission when it pressured the corporation of Hamilton to revise its capital spending budget and to re-insert the \$15 million earmarked for a secondary sewage treatment plant which the city had dropped from its five year capital estimates.

The water pollution of Hamilton Bay is surely one of the most serious areas of water pollution in Ontario. At present the city discharges its raw sewage 50 per cent untreated, making, in effect, Hamilton a larger polluter than any bay-front industry.

The secondary sewage treatment plant is an utmost necessity for a city of Hamilton's size. It will cut that pollution to five per cent. Now the planning for the construction stages of this secondary sewage treatment facility has been accelerated. This year, the engineering work for the plant got under way, and the plant should be under construction by 1970.

The city of Hamilton's submission to the federal task force on housing as found on page 10 of their brief stated:

We feel that the correction of pollution problems is a national problem and a national responsibility. The federal government should assume these responsibilities and let the cities get on with the job of providing the services required for a rapidly growing community.

Such a step forward would be relatively easy to police and administer, and it would be easy to define. This does not involve the federal government into the business of municipal government, but only in the removal of a national problem. Not only public opinion, but our future health depends upon greater financial assistance to the municipalities for these installations.

Mr. Speaker, the area of rapid transportation is one which is of great concern to those of us who live in the Hamilton, Burlington and Toronto metropolitan areas. This pro-

gressive government was forward in its thinking when it instituted the GO-transit system. However, I believe that the already excellent economic viability of the GO-transit system could be even further improved with minor changes which would further service our total area of half a million population and in adjacent areas of several hundred thousand.

At present, the majority of people in the Hamilton area are unable to make use of the facilities to any degree. I would agree, Mr. Speaker, that in this time of financial consolidation, it is good business to make maximum use of existing facilities generating from them maximum revenues and service.

At present, Hamilton and area are linked into the system by only two early morning departures and two evening arrivals. May I suggest that while these trains are useful for a few, they have little attraction for the vast majority of our area residents who might use the system under other conditions.

Mr. Speaker, I would like to commend to the hon. Minister of Highways (Mr. Gomme) the real need for the GO-transit system to conduct a market research survey in the Hamilton and Burlington area. I am convinced that there is an available market of persons in our community who are most anxious to use this service. Drivers using the Queen Elizabeth Way between Hamilton and Toronto are finding the traffic increasing at a steady rate. Indeed, the heavy transport and bus lines presently using this highway have made it a motorist's nightmare.

I am pleased that the hon. Minister has met with a delegation of the Hamilton chamber of commerce, the hon. member for Hamilton West and myself to hear the chamber's brief for a further extension of service to Hamilton. We desperately need the addition of two later trains as soon as possible.

For the long term future of the GO-system I would like to urge further exploration of their proposal to bring the system to downtown Hamilton, terminating at the T. H. and B. station. It might well be that future developments may allow that the correction of trackage problems now existing at the Bay-view junction might allow the use of this facility.

If this is not the case, Mr. Speaker, and the projected traffic figures of the CNR and T. H. and B. Railway prove this to be so, then I would urge the hon. Minister of Highways to sit down with the federal Minister of Transport and the railways to work out the necessary financing for an additional rail-

line—railway tracks from Burlington into the T. H. and B. Railway station.

Mr. Speaker, as a member from Hamilton, I was encouraged to hear in the Throne Speech that there will be new proposals to institute regional government in various areas of this province where sufficient study has been completed. I was encouraged by the establishment of the regional government in the Ottawa-Carleton area, and more recently the developments for the Lakehead regional government.

The Hamilton area was designated some time ago as a possible regional area suitable for regional government, and thus this government established the Steele commission to study all aspects of this possibility.

Mr. Speaker, I cannot emphasize to the hon. Minister of Municipal Affairs (Mr. McKeough) too strongly the urgent need for regional government in the Hamilton-Burlington-Wentworth county area. I am convinced that public opinion is far ahead of the government on this particular issue. Already the Hamilton children's aid, the Hamilton-Wentworth Catholic Children's Aid Society and board of health are functioning on a Hamilton-Wentworth county basis.

Our geographical area was once known as the head of the lakes and, Mr. Speaker, I would like to say that it is my sincere opinion that any regional government for this area should include Hamilton, Burlington and Wentworth county as one regional geographical and economic unit.

The harbour, which some people think separates our two major municipalities, I maintain, joins both Hamilton and Burlington into one region. Any decision for regional government in our region should be premised on the need for a planning area where the majority of the inhabitants work and live. And, Mr. Speaker, I would maintain that this qualifies for the Hamilton and Burlington municipalities.

This regional government, in the final analysis, should be created to best serve the people from a financial and economic position. I maintain that the two communities are so linked as to be so that they are fully interdependent one upon the other, whether everyone recognizes the fact or not.

Perhaps this can best be seen in the present housing needs of our area. Burlington, with its lower industrial assessment, several years ago created a residential-development imposed tax to curb residential housing developments in their community—while Hamilton has put forward no such scheme.

Mr. Speaker, I maintain this situation is utter madness on its original basis and is working against the best interests of our region. When we have one community such as Burlington with adequate serviceable land attempting to stop residential development, while Hamilton, which because of its geographical peculiarities with its mountain, is finding it increasingly more difficult to extend services to the south of Hamilton mountain, and while all this is taking place, our industries are continually creating new job opportunities, with the resulting need for more housing accommodation in our region.

Forty to 50 per cent of the labour force in Burlington work in Hamilton, and an increasingly larger proportion of Hamilton people now work in plants which have moved from Hamilton to Burlington—for example, the Hoover Company. If we are to improve the quality of life in the 70s for the head of the lakes, let us have a regional government that includes Burlington, Wentworth county and Hamilton areas.

This government has been wise in instituting many studies relating to the future developments of this province, and surely one of the most imaginative must be MTARTS study which projected startling growth patterns of our area to the turn of the century. I was very pleased to hear the statement of the hon. Minister of Municipal Affairs recently, dealing with municipal governments.

Mr. Speaker, I would urge every member of this House not to turn their backs on our cities. We cannot afford to abandon our cities. If a regional government is formed at the head of the lakes, without Burlington, we would be guilty of shutting the door on Hamilton. I hope the day will soon arrive when we have a Hamilton, Burlington, Wentworth regional government.

It is my earnest hope that the municipal politicians of our region will rise above any parochial attitudes that they might be harbouring and see the great potential of this great industrial region in the future development and destiny of this great province.

Those of use who represent the urban regions in this province are well aware of the housing needs in our various cities. If we are to improve the quality of life in our province. We must begin with basic units of the family and its shelter. Much was said during the last session of this House regarding the housing crisis. However, I would like to compliment the hon. Minister of Trade and Development (Mr. Randall) for the strides that the Ontario Housing Corporation is making by providing

more housing for families, senior citizens and students in our area.

As a Canadian citizen, I have noticed, with interest, the great fanfare and harangues that accompanied the federal Hellyer task force on housing about which, Mr. Speaker, I know the members of this House will be interested to hear that initially this body refused even to visit the great industrial city of Hamilton, and it was not until almost "all the king's horses, and all the king's men" brought political pressure to bear on the federal government that it did acquiesce to send three junior members of this task force to hear the city of Hamilton's brief. And I understand that two of the members of this committee only paid the city the briefest of visits. However, out of this visit to Hamilton came a very interesting and worthwhile submission from the Hamilton City Council Task Force Submission Committee, and I would like to share, with the members of the House, one of the key recommendations on page 11 of its submission.

A fresh new approach is required co-operatively among the three levels of government to prevent serviceable land from being withheld from the market at the whim of a subdivider, that is to say, lands to which trunk sewer and water facilities have been constructed.

We know there are many reasons why an owner of serviceable lands may choose not to develop those lands. These include his tax position, the fact that he wishes to keep a store of land available for progressive development over the next four or five years within his company. It may just be that he wishes to participate in creating a shortage so as to profit from inflation.

This is not an acceptable situation! It deprives the community, which has spent substantial sums of money to produce the trunk services, from the development of those lands.

It is our view that the three levels of government co-operating should indicate to the land-holders in the path of development of trunk services, that unless they develop those lands within a reasonable period of time and register a plan of subdivision, the governments will expropriate those lands, and put them onto the market. This will prevent a land-holder, or group of land-holders, from creating an artificial shortage of service land in the face of very high government expenditures which have been made for trunk sewers.

Mr. Speaker, I wish, not only as a member of the Hamilton council, but as a member of this House, to associate myself most strongly with this very positive recommendation. I know that it is very easy to be critical of the housing programme of this government. Nevertheless, I would like to put on the record just what has been done by Ontario Housing in the city of Hamilton, as I believe that during the past few years we have had some action.

Since its formation in 1964, the Ontario Housing Corporation has been extremely active in the city of Hamilton. At the present time there are 1,712 public housing units under administration in 14 Hamilton housing projects, or which eight were initiated by Ontario Housing Corporation. The latest of these is a 159-unit family housing project, which has just been occupied, the 91-unit Cotton Mills family housing project, which is under construction and should be ready for occupancy by mid-1969, and construction is about to start on the 76-unit row housing project on Montcalm Drive in the riding of Wentworth.

The corporation has made tremendous strides in overcoming the lack of suitable rental housing for senior citizens in Hamilton. No fewer than 954 senior citizen housing units are under construction in two downtown projects, and plans for another 199 units, to be located in the vicinity of Wellington and Rebecca Streets, are nearing completion. Occupancy of the largest of the three senior citizen projects, the 557-unit high-rise development at Hess and Jackson Streets, two blocks west of the City Hall, will begin in January. Construction on the 397-unit high-rise senior citizen project, located one block south of the City Hall, is well advanced.

Ontario Housing Corporation introduced public housing for Hamilton senior citizens with a 40-unit project back in 1965, and followed up with the 146-unit Kenneth David Soble Towers last year. When the current projects are completed, Hamilton will have a total of 1,329 public housing rental units for its senior citizens, and another 1,693 family housing units. The combined total of 3,028 family and senior citizen units will make Hamilton second only to Metropolitan Toronto in the volume of public housing under administration.

The extent of the need for additional Housing Corporation senior citizen and family housing in Hamilton will not be known until completion of the corporation's survey of the

city. The survey is now in its final stages and should be ready for Hamilton City Council shortly.

If anyone had doubts about the need for serviced lots in Hamilton, those doubts were certainly dispelled on November 28 when Ontario Housing Corporation made 147 lots available for sale or lease under the land development programme of the Home Ownership Made Easy plan. Over 200 persons lined up, in rain, at the Rolston neighbourhood south of Mohawk Road, and the 147 lots were snapped up in just under three hours. That works out to a rate of one lot being marketed every three minutes.

The land development programme to date produced a total of 286 serviced building lots, and 10 acres of serviced land. It is expected that the remaining serviced lots on Hamilton Mountain will be marketed by Ontario Housing Corporation in time for spring construction. The corporation, in conjunction with Central Mortgage and Housing Corporation holds 798.5 acres of unserviced land within the city of Hamilton for future housing development. In addition, initial planning has started on Ontario Housing Corporation's over-1,500-acre land assembly in Saltfleet and Binbrook townships beyond the Hamilton city limits.

An important aspect of the HOME plan is the provision of student housing. At McMaster University, the Ontario Student Housing Corporation has started construction on accommodation for 750 single students. Preliminary planning is underway for an additional 250 units.

I think that we might be wise to pay greater attention to the sociological and cultural aspects of our various housing projects for families. I am particularly thinking of the need for pre-school nursery facilities in some of our larger developments for the use of working mothers, and for small recreational type facilities, such as has been built into the Ken Soble towers in Hamilton for senior citizens, where citizens can assemble for passive and active recreational activities.

In our area the problem of landlord-tenant rights is certainly one of the most pressing areas of concern. At the outset, Mr. Speaker, I would like to publicly state that there are both good and bad landlords, and tenants. It is rather unfortunate that in this area of landlord-tenant rights, we as elected officials, are so often compelled to bring forward the injustices suffered by tenants, while at the same time so often overlooking the progres-

sive and positive steps being taken by associations such as the UDI in Toronto.

I look with anticipation to the recommendations in the report to be shortly given to this House by the Ontario Law Reform Commission regarding The Landlord-Tenant Act.

Almost 20 per cent of the constituents in my riding live in high rise apartment developments, and in these days when most families spend a minimum of 30 per cent of their monthly income for shelter, I find it incredible that under the present legislation the tenants of our province have basically no rights whatever. I think it is somewhat of an anachronism. For example, in The Department of Financial and Commercial Affairs, there is a section that exists to look after stuffed articles entitled "The Stuffed Articles Section", while complaints regarding security deposits and such are handled under the general title, the all embracing title, of "Consumer Protection Bureau".

Mr. Speaker, I intend to fight for legislation that will protect the tenants and landlords of our province, and whose rights can be governed by a "Landlord-Tenants Protection Bureau" under The Department of Financial and Commercial Affairs.

One of the greatest needs for the tenants of this province is some standard form of compulsory lease. Many tenants are presently unable to secure a lease, and even if they might obtain such a document, it has so many loophole provisions to protect the landlord, that it completely erodes tenant rights. The recent basic shelter tax rebate strongly pointed this fact out, when countless numbers of landlords simply increased their monthly rent in order to recover the shelter tax rebate which morally is completely contrary to the spirit of the legislation; nevertheless possible.

Mr. Speaker, I would maintain that this legislation as it affects tenants actually, "sets many of them up like clay-pigeons" for the landlords of this province. I would like to share with the hon. members of this House the letter which I received recently from a tenant in one of the Garden View Properties Limited, located at 293 Upper Wentworth Street, in Hamilton, which states:

Dear Sir or Madam:

Due to the new Ontario legislation of assessing, collecting of taxes and further rebating of taxes, we, the management, have no other alternative than to increase



the rent of apartments. As we the management do not believe in this form of taxing and rebating of taxes we are, in conjunction with the Metropolitan Hamilton Apartment Owners Association, trying to have this legislation removed.

I would like to state here, Mr. Speaker, this particular owner is not a member of the Hamilton Metropolitan Apartment Owners Association. Nevertheless, it shows the length to which some apartment owners will go in order to try and justify rent increases.

I must say, Mr. Speaker, that this particular developer had already raised the rents earlier this year in order to cover a rise in the municipal mill rate.

Similarly, Dorchar Properties Limited raised its rents on October 31, for its tenants, with the excuse that this increase is due to the unexpected tax rebate law.

Mr. Speaker, such increases would not have been possible had there been a compulsory standard form of lease made mandatory across this province.

Secondly, I would like to suggest that there is an urgent need for a tenant rental review board which would act in the form of a landlord and tenants' ombudsman whenever disputes might arise. Such an ombudsman could very well be embodied in the creation of a landlord tenant bureau in The Department of Financial and Commercial Affairs.

And I should think that such a body could work to try and form a voluntary association of apartment owners and developers such as UDI in Toronto, and also assist apartment tenant associations in the execution of their function. Another area of jurisdiction for such a bureau would, of course, be the whole matter of security deposit legislation.

At the present time, hundreds of thousands of dollars are invested by landlords on their income from security deposits, and in many cases tenants do not receive any form of interest on their deposit, and furthermore when many tenants try to regain their security deposit at a termination of occupancy, they are faced with a legal battle as to its return, in whole, or in part.

I, personally, know of one apartment in Hamilton where a crack on the refrigerator door has been used as the excuse for the withholding of a good portion of the security deposit for the last three tenants who have occupied the said apartment. Such abuses could be strictly policed by a landlord-tenants' bureau.

I would call upon my fellow-members, who represent urban areas, to use their influence in bringing about reform in the whole area of landlord-tenant relationships. New legislation in this field would be a worthy climax to 1968, which has been designated as human rights year. I would wish to assure the member from the NDP that I have brought this before members of my caucus.

As a teacher, I am most pleased and elated about the developments which are taking place at the new Mohawk College of Applied Arts and Technology on Hamilton mountain. The college's new campus on Fennell Avenue is rapidly nearing its final completion. I have had the opportunity to visit Mohawk College, at its new location, on several occasions, and have been most impressed by the enthusiasm of its students and staff, where already 600 students are located on the Fennell Avenue campus out of a total enrollment of 1,700.

To date, the construction of the new campus is on target for full occupancy by September, 1969. The engineering consultant to the architect in charge has described the physical plant equipment at the mountain campus as "the most sophisticated in North America".

I would like to enumerate some of its unique features: the building is air-conditioned throughout; each laboratory has its individual air-conditioning unit; the textile laboratories are both air and dust controlled; the metrology laboratory has air showers to remove dust from clothing of personnel; other interesting aspects of the building, are the fact, that it has been designed to permit access for handicapped students including drinking fountains and washroom facilities. The complex will have five lecture theatres, each equipped with rear projection screens, as well as an auditorium that will seat 1,100 people.

Mr. Speaker, this institution has been named after a proud people, who have played such an important role in the history of our country. I am confident the students of Mohawk College are going to live up to this name. Already they have demonstrated their community involvement in their successful mini United Appeal campaigns this fall, which earned them the singular honour of a personal commendation from the Premier. Mohawk College is living proof that this government is doing something to improve the quality of education for young people and continuing students.



Mr. Speaker, one of the most exciting areas of development in the Hamilton area is the dynamic growth which is taking place on the campus of our McMaster University.

McMaster is presently in the process of building a \$66 million health and science centre, which will include a 420-bed teaching hospital and medical school. The centre incorporates numerous allied facilities, including research laboratories, nursing education, and an extensive ambulatory clinic for primary and specialized aspects of patient care. It will be three years in construction.

Medical school enrolment is to commence in September of this year. The quality of health services in our province will be greatly enriched by these new facilities and the personnel that it will train.

The health facilities of our region are to be further enhanced by the construction of a \$500,000 regional public health laboratory on the grounds of our Hamilton psychiatric hospital on Mount Hamilton. These new facilities will serve the laboratory needs of doctors, official health agencies, and The Department of Agriculture and Food throughout the Niagara peninsula.

As a past member of the Hamilton board of health, I can appreciate the service that this will provide, and in particular to our local hospitals, doctors, and our regional board of health, as it will provide on-the-spot facilities where doctors can send their swabs and blood tests for analysis. Needless to say, this facility would provide a faster and more flexible service than the present arrangements whereby all samples are sent to Toronto.

So you see, Mr. Speaker, Hamilton is coming of age, and I can see in the not too distant future, that we could very well become one of the major medical centres on this continent.

Much has already been said in this House regarding the Hall-Dennis report on the aims and objectives of education in the schools of Ontario. However, Mr. Speaker, I would like to make mention of Mr. Donald W. Muir, of Mount Hamilton, who was the deputy chairman of the committee. Mr. Muir is one of the outstanding members of our community, and one of those exceptional persons who has many talents and gifts, whether it is in his role as the assistant personnel manager of The Steel Company of Canada; or in his capacity as a member of the advisory vocational committee, Hamilton board of education; or in his many active roles in community involvement—Donald Muir is the most gifted gentleman.

I consider it a particular honour for the city of Hamilton to have had Mr. Muir play such an important role in the preparation of this exciting and forward-looking document.

I found the preface, "The Truth Shall Make You Free," a most appropriate title. I also found it very interesting that by coincidence this very report "Living and Learning" was submitted to this House in this year, when our members of our Japanese community are celebrating the centennial of the Meiji restoration.

One hundred years ago, the Emperor Meiji proclaimed these words, "Knowledge shall be sought for in all parts of the world." As a teacher, I think this report has many worthwhile recommendations. However, I would just like to mention the recommendations under the heading of "library services", for in this area, Mr. Speaker, I believe our local board of education could provide far greater service to our community without any additional expenditures. The pupil grant for the purchase of library books is now making itself manifest in the creation of worthwhile libraries being established in the schools of our province.

The Hamilton Board of Education now has fine library facilities in almost all of its local elementary schools and all secondary schools.

However, Mr. Speaker, one of the things that really bother me is that many of the new schools are not designed so that the entrance and exits to these libraries can be reached without going through the entire building.

Several years ago the Hamilton Board of Education, and the Hamilton Department of Recreation made a major breakthrough in their design of joint recreational facilities and gymnasiums whereby school gymnasiums and other recreational facilities can be opened up to the public, and after school hours without any disturbance or entry through the main school plant facilities.

If we are to encourage our children to stay after school or return in the evenings and weekends for library reading, project research, homework, use of corral centres, TV replays or other cultural activities centred around the library, such as story times, musical recitals, and other cultural pursuits, and so on.

Let us open up our school libraries. I do not think that the Ontario Department of Education should authorize any grant to the school board that does not have its library so opened to the public whenever services are required.

Here is an area where parents and community organizations can play a vital role in the educational development of our young people by volunteering their services for off-hour supervision. Let us create local school policies from this level, which will provide greater access to school libraries in other than school hours. In communities such as Hamilton, we have opened the doors to the children for recreation in our schools in after hours. Now let us do the same in their areas of library services.

Mr. Speaker, in conclusion, I wish to observe the fact that it is approximately seven years ago that the present Prime Minister (Mr. Robarts) was sworn in as Ontario's first citizen. On October 25, 1961, he was elected leader of the Ontario Progressive Conservative Party at that memorable meeting at Varsity Stadium. Some two weeks later, on November 8, 1961, he became Prime Minister of Ontario.

Since he assumed office, Ontario has undergone remarkable changes. Moving from the solid base, established by previous Progressive Conservative administrations, he has guided this province through a series of enlightened advances, that have made Ontario the flagship province, I believe, of Canada. In a mere seven years, he has achieved unique status in this country. He has become the catalyst of Confederation. A Canadian statesman of the first rank. A statesman who, in a brief seven years, has assured himself an important place in the history of Canada.

He seeks to harmonize provincial needs with those of the whole country. He seeks to harmonize relations between French and English Canada. And, Mr. Speaker, most important of all—he is achieving his high objectives.

I am reminded of some lines by Ben Johnson, in the 15th century, that well and truly apply to the Prime Minister:

That Kings, by their example, more do sway  
Than by their power; and men do more  
obey

When they are led, than when they are  
compelled.

In all these knowing arts our Prince ex-  
celled . . .

Mr. Speaker, as a member elected for the first time last year, I look forward to the continuing guidance and wisdom of our leader, the hon. Prime Minister, for many more years to come.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I want to join in the tribute to the Premier

(Mr. Robarts) as expressed by the hon. member for Hamilton Mountain (Mr. J. R. Smith), but I must confess I was looking for St. John the Baptist across there.

In any event, sir, in rising for the third time in this House, without undue fetters, to speak, I want to convey to you if I might, my congratulations on the job that you have been doing in circumstances sometimes obviously difficult.

If I might make so bold, and I realize I do—because I doubt if there is anyone in this House less knowledgeable than I, obviously in connection with the rules of order and procedure—I do feel and I suggest this most respectfully to your high office, your Honour, that sometimes there are some of us who seem to regard the three words “point of order” as somewhat of an open sesame to carry on debate. Might I suggest, perhaps, the procedure of the federal House as laid down by the hon. Lucien Lamoreaux that the point of order be stated to the chair first and then a decision made, as to whether in point of fact it is a point of order. Then, we can at least carry on some semblance of order and continuity in connection with the debates.

Sir, the main thrust of my remarks tonight will be in connection with the Botrie case. That was the case that precipitated my attempt to lodge with this House, an Act to amend The Law Enforcement Compensation Act of 1967. Having regard to the hour and I must say that this is not, in my opinion, the most attractive hour to begin to digest something that requires some degree of concentration because it is a question of the application by a tribunal of words of great sensitivity and meaning, I will hold that until after the dinner hour, with your permission.

If I might just make a few remarks in connection with my year here in the House. I say this most sincerely, that a person recognizes the privilege and honour of being elected to this House but one cannot imagine the degree of camaraderie that envelopes us all, notwithstanding our particular partisan affiliation.

I had occasion to write what I considered this summer a rather strong letter to the hon. Premier of the province and I did mention there, the fact that we, each of us, are beholden to our parties and happily so. This, of course, is the cornerstone of the democratic process but really notwithstanding that, the majority of us do rid ourselves of this veneer of partisanship and do develop a true sense of fellowship with each other.

I will say, with respectful words of limitation, there are times that I have found that some of my colleagues on the other side, relatively close to home; when they pat me on the back I find a sharp sense of piercing between my shoulder blades and I wonder whether it is all in good fun. But it is most enjoyable, sir—

**Hon. A. Grossman** (Minister of Correctional Services): You always hurt the one you love.

**Mr. Bullbrook:** I must say it is really enjoyable. I cannot think in my wildest expectation that I would enjoy a day so much as I do on Fridays when I have the opportunity of driving back to Delaware where I let off my true friend and colleague, the hon. member for Kent (Mr. Spence), because we all in this House recognize what a splendid gentleman he is, really, and we do enjoy ourselves, I must say. What we do, sir, is I start out driving and he sits in the back seat, and we go half way—

**Mr. T. Reid** (Scarborough East): That is the way this House is run.

**Mr. Bullbrook:** We go half way and then I get into the back seat and he drives, and we go the rest of the way to Delaware. We don't speak to each other. What we are doing is practising being Cabinet Ministers. That is the purpose of that really. But that man has a great deal of acumen, I mean that. I am going to get into the question of the spend-thrift aspects of this government, but this gentleman from Kent has a great deal of acumen, because, I want to tell you something else.

The other day we were driving and it was really a bad day for driving and a car passed us, a chauffeur-driven car. I said "Is that the Prime Minister?" and the hon. member for Kent corrected me and said, "No, it is the Premier". And I said, "It is hard to tell from behind, because we look at his face so much. Maybe in three years when we are probably in the rump and he is in the Opposition, we will know his back a little more and we will know who it is who is passing." In any event, we had quite a discussion. I said to my colleague, "What kind of car is that?" and he said, "I don't know, but I can tell you one thing, it is not a Volkswagen." So it should be, that is the way it should be.

**Hon. J. P. Robarts** (Prime Minister): It is an Ontario-made car.

**Mr. Bullbrook:** On a serious note, the one thing I have really noticed in connection with

our duties, functions and responsibilities in this House is the lack of amenities that we enjoy as members. I suggest to you that the government, in sincerity and in those words of a predecessor of the Premier, "in the fulness of time," are going to do something about it. But it is a shocking situation.

We are elected to represent something in the neighbourhood of 70,000 people, and it is time that there flowed from this House some idea of the fact that essentially we are public servants. It is coming through to me every day, as one entertains 20 calls on a Saturday and a Sunday, that essentially you are a public servant, and how you can possibly be expected to responsibly carry out those duties sharing an office with six other members, albeit fine gentlemen, with no degree of privacy and with secretarial availability of the worst kind. And I do not mean so far as talent is concerned, these ladies are dedicated ladies, but how can you expect three to four to five girls to undertake the dictation work of 28 members of this House.

I suggest this to you: money that would be well spent in the public interest and in the interest of our individual constituents would be money spent for the allocation to each member of this House of a secretary. That is the essential ingredient. The day of the pool resource is finished. This government recognizes as well as we do that this is no longer a glorified county council, when you are spending over \$3 billion. Surely to goodness you can apply, as I say, these significant amenities.

One other thing I suggest that should be available to us, and I really think we would all perform a better function here, is a research assistant. Then I think we could adequately digest the problems that come before the House. I know, as I said before, truthfully and fairly, that there is a sincere attempt to try to rectify these things, but one has to stand in wonderment when you hear about the 25 years of progress in this great province of Ontario and come in now and find that the sincere attempt is only being begun now.

There is one other thing of a distasteful nature—and I might as well rid myself of my vitriolic aspects now before supper—that bothers me in connection with our duties as members. As I mentioned before, one can expect a degree of partisanship and this is part of the game and it is really the greatest game in the world or we would not be involved in it; but yesterday something happened to me that was an exemplification of

the fact that really when you are in opposition, they do try to hide things from you. They do.

Yesterday I stayed in my riding for the sod turning ceremony at the Lambton Community College—a very happy day for all of us in the city of Sarnia and Lambton County—and the Assistant Deputy Minister of Education was there to bring greetings from the Minister of Education. He brought those great greetings from the Minister of Education and we all received them well, and then he turned over to my colleague from Lambton (Mr. Henderson) the opportunity to say a few words, and he brought greetings from the Minister of Education.

**Mr. R. F. Nixon** (Leader of the Opposition): He did not bring a cheque, did he?

**Mr. Bullbrook**: No—I can tell the members another story about that in connection with bringing cheques—but I was not called upon. Perhaps the people there wanted to hear the member for Lambton and not myself, but the bothersome thing about it, Mr. Speaker, is this, that he made an announcement as to a new appointee for the Lambton College of Applied Arts and Technology. Tomorrow I am going to put a question before the orders of the day as to whether there was any discussion between The Department of Education and the hon. member for Lambton in connection with this appointment. I really feel the time has come that in situations such as that, the veil of partisanship should be drawn apart.

I see no reason, when we are appointing someone to a board to govern a community college—approximately 75 per cent of the population referable thereto I represent—that really the government or its departments cannot, without undue fettering of its self-perpetuating devices, permit it to discuss with me who might be a responsible person to be on that board. I do not think that is too much to ask, and I do not ask for any fiat of any kind. Heaven forbid that I should be the one to say this man or that man goes on the board—that is the duty of government. They are there for that purpose but surely it is not too much to ask that they could not only have the common sense but the courtesy to discuss with us members in the Opposition the possibility and feasibility of the appointments concurrent with these boards and commissions in our own ridings. It is not too much to ask.

It is of no consequence that I stand there amid 70 or 80 responsible people in the

city of Sarnia and not be asked to speak. Any embarrassment on my part is of no consequence to this House, but what is embarrassing is that I do represent 70,000 people who were not asked to speak, and I do represent 70,000 people whose viewpoint was not considered in connection with that appointment.

I am not going to talk about the loading of the board. I am not going to talk about that because I cannot take a holier than thou attitude. Four years from now that might be my attitude, I hope not, but I do not know, I am not clairvoyant. The hon. leader of the Opposition (Mr. Nixon), in interjecting previously brought something to mind. I was not going to mention it, but I will make this comment in this House.

I had a call about four months ago from the city manager of the city of Sarnia—and he has been the city manager, I am guessing of the top of my head, about eight years. He said, “I have just gotten through from the provincial government the first cheque I have ever had, other than the usual unconditional grant cheque” or something of that nature. And I said, “What do you mean?” He said, “They always send it through to the representative. He brought it up and got his picture taken with it”. That is the absolute truth; his words to me.

I used the words self perpetuating devices. If the public wanted to know how they are in power for 25 years. We should get into The Department of Highways and if that is not an instrument of self perpetuation, I have never seen one. But we have a good critic of that department.

I want to discuss a local issue if I might, and that is the question of the Ontario Water Resources Commission take-over of the assets and, I say, the responsibility of the municipality of the city of Sarnia. Now we have had in our riding on many occasions, my friend the hon. member from Wellington-Dufferin (Mr. Root), vice-chairman of the commission. I must say that he has always attempted to carry on any hearing of which I was a participant or in the audience in an eminently fair manner. I think he is only deserving of these comments, and so any remarks that I make, of course, do not reflect upon my friend from Wellington-Dufferin but upon the very concept of the provision of water.

We have had the opportunity today of hearing a very lucid exposition of the requirements of the OWRC, how the proper thrust can be made by this commission in connec-

tion with the lessening of our housing problems, and the provision of potable water throughout the province.

I really must say, in fairness, that I do not see that there is any necessity, in order to provide potable water to the people of the province of Ontario, that the municipal autonomy must be fettered so unduly—and that is the essence of the matter.

I do not think we are selfish in Sarnia in saying we want to provide ourselves with water; we want to provide our neighbours with water. We say that we are not going to provide water 40 miles away, and we say to the OWRC, and I invite correction, if I am wrong, that we shall provide the filter processes, and the raw water product for you, and let you transport it 40 miles away. But what is wrong with a municipality being able to continue to provide, as they have in the past, good quality water to its citizens and, with an enlightened council as it now has, good quality water to its neighbours?

Why must there be a possibility of a designation of the area? There are many technical ramifications. The city of Sarnia, in effect, had hired engineers at a cost of some \$26,000 to be able to meet on an even plane with the Ontario Water Resources Commission, and I think my friend from Wellington-Dufferin will say, Mr. Speaker, that they did meet on an equal plane of knowledge and technique.

But the matter becomes this as far as I am concerned—again, the rural urban involvement, something I talked about last year; always the polarisation of rural and urban.

Let us go back to the section in the secondary schools Act, calling for the election

of the board, where there will be elected the number of integers taken to the fraction of the next highest integer of the equalization between the residential and farm assessment, etc. Nothing more than taking away that very novel concept called representation by population. A very strange thing, it seems to me, always for the purpose of creating this great delineation between rural and urban. I took up this matter, Mr. Speaker, in the committee on education last year, and perhaps I was naive in my attitude, but I said, in effect, that I like to believe that whether a man is a farmer, a professional man, a fireman, or some other type of vocation—and we exemplify this in this House, that the people, if he is good, will elect him, and it does not make any difference whether he lives on the farm or in a mansion.

Now that might sound naive, but I think that does carry forward with this very philosophy of representation by the population, and so I digress for a moment from the question of the Ontario Water Resources Commission.

The main point I wish to make in connection with that heading of my speech is this: That surely to goodness, for the good of the entire province, which is the responsibility and the purview of the Ontario Water Resources Commission, we do not have to take away municipal autonomy when they are able to provide for themselves.

**Mr. Speaker:** Perhaps the hon. member has found a suitable point at which he can break his remarks at this time?

It being 6:00 of the clock p.m., the House took recess.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, December 17, 1968  
Evening Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**  
**Clerk: Roderick Lewis, Q.C.**

THE QUEEN'S PRINTER  
TORONTO  
1968



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## LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, DECEMBER 17, 1968

The House resumed at 8.00 o'clock, p.m.

### SPEECH FROM THE THRONE

**Mr. J. E. Bullbrook** (Sarnia): Mr. Speaker, prior to the calling of the dinner hour, I had been dwelling for a moment on an issue of significance to the people whom I represent. That is the present difficulty between the Ontario Water Resources Commission and the city of Sarnia.

I think, sir, that although I would like to say much more, not only in connection with this particular problem but also on other matters of local significance, I do feel that having regard to the overall length of the debate and our general desire to come to the vote in this connection, perhaps I should pass on. I really am passing on.

I think it is only appropriate that, with your indulgence and the indulgence of the House I make mention for a moment of what in my mind, and perhaps to my narrow approach, is the most significant factor as far as the people of Ontario are concerned at the present time. It has to be the question of taxation.

We hear talk of a fiscal nightmare. This has been mentioned many times. I do not know if it results from the somnambulation of the Treasurer (Mr. MacNaughton) or not, but I must say this—and I do not hold myself out as knowledgeable in this connection—I find it very difficult, as I read authors in connection with federal-provincial fiscal relationship, to come to a conclusion other than this.

In 1940, I believe it was, we had the Rowell-Sirois report. And the essence of that report, sir, as I see it is a recommendation of fiscal co-operation with a view to a strengthening of our great confederation. I think there has been a sincere attempt. We went into the wartime tax agreements from 1940 to 1946, the post-war agreements and the tax rental programmes; and they went on and on.

The thing that comes to my mind is that these are agreements. Provinces are taking a position in this connection, but in point of fact they have agreed. I do say this, in my

semi-ignorance, there is a bilateral aspect to that.

I find it very difficult to comprehend as day in and day out in this House, and outside the House more importantly, we seem to find that this existing administration wants to blame, at all times, the federal government for a lack of co-operation. But in point of fact, as I understand the constitutional aspect of this matter, if this administration felt sincerely and forthrightly that the agreements were not adequate and proper and in the best interest, not only of this province but of the confederation as a whole, all it had to do was to invoke the constitutional powers that it had.

But in this kind of fiscal nightmare it is suggested to us that: (1) Everything is the fault of the federal government; and (2) Maybe now the time has come that we must go our own way, as we have done in succession duties, that we must go our own way in the income tax field.

Surely to goodness the people of the province of Ontario have more intelligence than to accept this type of fallacy as far as the reasoning of the government is concerned. I do not!

I think that what really is burdening the people is expenditure. Taxation is one thing, but it is a bilateral thing. But expenditures, with the exception of the open-end programmes which this government is prepared to accept, expenditures really are their expenditures. They are the authors of the money that is spent in the province of Ontario.

I want to talk about one programme, if I might, that I think is probably the greatest fiscal fraud that has ever been perpetrated by any government on the people they serve, and that is the tax shelter programme.

As I see it, there was a need. Smith saw the need, but we did not need Smith to see the need. There was a need for municipal assistance. That onerous burden could not be continued on the real property owner any longer, and as I see it, all that had to be done was an elevation of the unconditional

grant structures to municipalities as far as residential assessment was concerned.

There were refinements that were required. But that was not politically expedient back in September of 1967. To say we are going to elevate the unconditional grants by \$150 million so that there would be this direct benefit to the residential property owners in Ontario. It was nearly as attractive as saying, we are going to give you a cheque; we are going to give you your own money back.

But I will accept that. I will say in effect that if you are looking to be elected, although I do not like gimmickery, I suppose it is part of what we expect, what the public expects—some attempt to enhance them to your political position.

But just consider for a moment. We have the Minister of Municipal Affairs (Mr. McKeough) who has agreed, in answer to a question from one of my colleagues, that the cost thus far is something in the neighbourhood of \$450,000. This is what we have spent thus far in educating the people of the province of Ontario in connection with this programme.

Now that does not take into consideration—it takes into consideration some of the additional administrative expenses on the provincial level—but nobody can fathom for one moment the additional administrative costs on the part of the municipalities concerned.

And what about the programme itself? I am not going to talk about the collateral aspect in the rental field. The hon. member for Hamilton Mountain (Mr. J. R. Smith) discussed that himself, an intelligent young man who could see what is happening in his own constituency.

But you know, not far from me there was a cheque went out and it went out to the governor of Michigan, Governor George Romney. He has a cottage in the township of Bosanquet.

I just cannot for the life of me understand the universal application of this plan. Can you imagine a governor of another state—not a citizen of this jurisdiction; a man whose wealth I do not know, but having regard to his background and abilities one would equate perhaps in the millions of dollars—getting a cheque out of the largesse of this government.

No matter how you attempt to rationalize yourself out of it, that cheque could have come from the taxation sources resulting from the regressive increase in motor vehicle fuel tax.

The 30-some dollars that we pay in this province to Governor Romney could have come from the gasoline tax that a man earning \$5,000 a year, a citizen of this province with eight children, had to pay to run his car. This is the fact of the matter and you cannot get out of that. If you funnel taxes in that way and they go out that way, there is something radically wrong.

Surely, we are going to come to a conclusion here in the province of Ontario—and the people are now, they are coming to this conclusion—that they are not going to accept this type of bribery.

If I might, with your permission, just read quickly a letter I received November 22:

I recently received a letter from a provincial Minister with a magazine enclosed. The entire parcel was put into an envelope and sent first class at the cost of 34 cents. We in this office are using a method which cuts the costs exactly in half of this type of mailing.

By putting the letter into a No. 10 envelope, with first class postage on it and taping it to the large Kraft envelope which is unsealed and contains the printed matter, third class postage is put on the open envelope. We refer to this as first-third.

At this rate the mailing from Toronto would have been six cents for the letter and 11 cents for the magazine.

Very picayune, as the hon. member says, but how many of those things do we receive? I counted up last week; it came to \$1.98 in postage. Everything from table mats from the hon. Minister of Lands and Forests (Mr. Brunelle)—

**Mr. H. Worton (Wellington South):** Eighteen cents for them.

**Mr. Bullbrook:** Everything from them.

Now basically then, I polarize for the sake of example, there is a saving right there available to this administration of \$450,000.17. It is available to them.

What happens is this. They sit there in their smugness, they really do, they sit there in their smugness and they really do not care about this. But the people of Ontario are going to have their day, and they are going to have their day very shortly.

Now, sir, as I have mentioned—you were not in the chair at the time—what I wanted to discuss at some length, I will try not to be too long, is the Botrie case.

I had the opportunity of lodging with this



House, as I mentioned, an attempt to amend The Law Enforcement Compensation Act of 1967. You properly ruled that out of order, sir, and properly ruled out of order some of the comments that I made subsequently. I had occasion then on December 9 to write to the hon. Attorney General (Mr. Wishart), and I wrote as follows:

Dear Hon. Sir:

You might have been in the House on Friday morning when the Speaker justifiably ruled against the introduction by me of an Act to Amend the Law Enforcement Compensation Act of 1967. Also I was properly ruled out of order in my attempt to exhort the government to initiate such legislation.

It is not necessary for me to explain to you in detail my purpose in attempting to put forward such an amendment. From digesting all the comments by yourself and other members of the House at the time of the introduction of the bill establishing the law enforcement compensation board, it would seem that the intention was to cover situations where citizens were assisting in arrests during unlawful conduct, or in preserving the peace whether or not a police officer was present.

Might I exhort you, sir, to entertain consideration of such an amendment. If you would feel a personal discussion of this matter would be of benefit, I would be at your disposal.

Yours respectfully.

Now I want to digress for a moment, and with a full stomach I must say I have no invective in me, but I just want for a moment, in fairness, to discuss the intrusion—the justifiable intrusion—of the member for High Park (Mr. Shulman) in the submission of my bill. Because you will recall I lodged this bill for first reading and immediately thereafter, without having the opportunity of looking at the bill, he brought up with you the question of whether the bill was appropriate because of the possibility that it called for the expenditure out of the public purse.

Now I breach no confidence I believe when I say that you and I had discussions about this matter. I had discussions with legislative counsel; with the Clerk of the House. I do not think it was an easy decision for you to make. I am not going to go into the merits of that decision, but I say to you on the face of it that it was not an easy decision for you to make.

It could not have been because there was

a thin line involved as to whether this was purely a procedural matter, or whether it did, in fact, call for the enlargement of the appropriations that were envisaged in the original statute. So when you ruled against me, sir, the hon. member for High Park left the House and went out and said the the deputy leader of my party: "You had better teach your boys the rules."

The point I want to make to you is this. What pomposity, when you and I as fairly, I think, intelligent members of our profession, had difficulty coming to a rational conclusion after some discussion, that anybody could have that clairvoyance to know, without even looking at the statute, that there was something wrong with it. In essence, I just want to record that for the House. I could go much further but I think frankly all of us in this House are fed up to here with the irresponsibility from that hon. member.

**Mr. I. Deans (Wentworth):** Mr. Speaker, on a point of order.

**Mr. Bullbrook:** I trust this will be a point of order.

**Mr. Deans:** Mr. Speaker, on a point of order, I think it unjustified for the member for Sarnia to say that all of the members of this House feel anything. I think that if the member for Sarnia wishes to express his own opinion, he is entitled to do so.

**Mr. Bullbrook:** I apologize. I would like *Hansard* to record that if I said all of the members of this House I did mean myself.

Now if I might, sir, I did digress!

**Hon. J. Yaremko (Minister of Social and Family Services):** Will the hon. member state for the record how far is "to here".

**Mr. Bullbrook:** Well, let the record show, as we say in the courts, that my hand was at my brow.

If I might, sir, and I did digress, I hope that you can recall the contents of my letter. The hon. Attorney General was kind enough to reply to me on December 12 in which he said:

I wish to acknowledge and thank you for your letter of December 9 in which you advised me of your views for extension of the principles contained in The Law Enforcement Compensation Act. I do believe that your interpretation of the circumstances which would permit an injured party to be entitled to compensation are somewhat more liberal than that contained in the Act.

And if I might be permitted to digress—exactly right, much more liberal and again happily so.

However, as I have indicated, this Act is under consideration again in light of the recommendations of the McRuer report. I would indeed be pleased to discuss this matter with you further.

And then he goes on to say that one of his officials is having an intensive review of it at the present time.

The point I want to make is this—and I think it is my obligation as the Opposition critic in this House—we are blessed in this House with a fine gentleman—I have said this so many times and I said I would not say it again—but we are blessed with a fine gentleman in the Attorney General. But in effect being a fine gentleman in this portfolio is not sufficient. You must be absolutely zealous in the guardianship of the rights of the people, absolutely zealous. I want to show you if I might, how a few words can change the intent of legislation, in my respectful submission. I would like to refer you, sir, to the time that this legislation was originally conceived and brought forward in this House. This is the Throne Speech, sir, I read from *Hansard*, page 6, of Wednesday, January 25, 1967:

My government will bring forward legislation to provide compensation for those who are injured while assisting the police—

The significant words I ask all my colleagues and you to keep in mind, are the words “the police”—

—in maintaining law and order.

That was the intention. Subsequently, sir, the hon. Attorney General on Thursday, May 25, 1967, as recorded on page 3781 of *Hansard*: referring to the bill to provide compensation for inquiries to persons aiding police officers:

Mr. Speaker, this bill provides for compensation for injuries to persons while assisting police and for compensation for their dependents where death results.

On June 1, 1967, at page 4204 of *Hansard*, the hon. Attorney General says in, as I see it, a relatively heated debate on the application of the very point that comes up in the Botrie case as to whether a police officer need be physically present or not:

I would just say this carries out the undertaking which was stated and set forth in the Speech from the Throne.

That I read, to you.

Now, if I might, sir, in the Botrie case, the decision was handed down by the law enforcement compensation board on October

15 of this year. It was the only case that had come before the board in connection with the application of this statute. My information is it is the only case that has come before the board. I am going to take, if I may, a moment of your time to read the background.

The victim, Larry Botrie, was shot and killed between five and six o'clock on the afternoon of April 26, 1968, at the Shell Service Station at 4576 Yonge St. just north of Highway 401 in Metropolitan Toronto.

These are the circumstances. Three youths, Dennis Robert Boyd, 23 years, now deceased, Clifford Gordon McGregor, 15 years, and Melvin Edward Polasek, 14 years, all of the city of Toronto, decided on April 25, 1968, to leave home, mainly for the reason they were not getting along with their parents. They conspired to rob a taxi driver of his vehicle because they had no money.

It was at first agreed that the McGregor boy would try and bluff his way through by taking the taxi at knife point. Dennis Boyd later decided that he would take with him a 30.30 calibre lever action Winchester rifle. This rifle belonged to the McGregor boy's older brother, Mark McGregor, 16 years.

At about 5.00 p.m. on Friday, April 26, 1968, the three youths hailed a taxi driven by Larry Botrie, and owned by the applicant, Alfred Botrie, at the corner of Winchester and Parliament Streets and asked to be driven to the city limits. Botrie arrived in the vicinity of Highway 401 and Yonge and asked for his fare. One of the three youths told Botrie they had no money. Botrie then drove on to the Shell Service lot, informing the trio he was going to call the police.

McGregor, who was sitting as the front passenger, produced a butcher knife from his clothing and held it against Botrie's chest. While doing so he shouted to the boy who was seated behind the driver to get the gun. Botrie, after a short struggle with McGregor on the front seat, was successful in taking the knife from him. The taxi driver, Botrie, started to get out of the front seat, with the object of taking the gun away.

Botrie shouted “Police” and while attempting to get the gun was shot by a bullet. Botrie fell to the ground and as he tried to crawl away from the taxi was shot twice by a boy who remained in the taxi. He subsequently died.

Those are the essential ingredients, and I think it is necessary to read in detail the section, the applicable section 31.

The essence of the case was this, that the board found, as a matter of fact, that he was not assisting a peace-officer. The significance is this, that throughout the Throne Speech, throughout the exhortations of the hon. Attorney General, as I read *Hansard* the words peace-officer were not used once. But you find in the statute it says:

Where any person is injured or killed by any act or omission by any other person occurring or resulting directly from assisting a peace-officer.

This is what happened in effect, and I agree with the decision for what that is worth. If I can shorten it for you.

This is what they said:

The ordinary interpretation of the words "assisting a peace-officer" is to give support to an identifiable peace-officer.

And there is the difference. Because it is a peace-officer in the statute, the board found as a fact that it was incumbent upon the claimant, there was an onus upon him, to prove that he was assisting an identifiable peace-officer. No such incumbency exists if the "police" was used, in my respectful submission; and the word "police" was used throughout the argument in this House; throughout the Throne Speech and, more importantly, throughout everything that was said by the Opposition members in this House at the time. But the government would not change it.

In point of fact I put this to you, sir, as a prime example of the great obligation of an Attorney General that he must be very careful, he must be very careful, to see that statutes put forward exactly what the intention of the government is. There is no doubt in my mind that that was the intention of the government.

I do not blame the Attorney General personally for the unhappy circumstance that here are parents whose breadwinner has been shot down brutally. This government intended to compensate them but they can never be compensated because of this statute. The Prime Minister (Mr. Robarts) intimated during the Throne Speech that I might have the opportunity to rectify this situation. I exhort every member on the government side to rectify this situation. Because it happened once and it could happen again. More than anything else the time has come in this House that we have to give significant deliberation to every word.

I had the situation last year on at least three occasions, as I have mentioned before,

where I had members of the profession on the other side say to me, "I think you were right", afterwards. But that does not help the victims of our lack of pliability in connection with changing the words in statutes to get through our intentions.

I do appreciate very much the time that you have given me. Before sitting down, I just want to say one thing, if I might.

I was not in the House on November 28, when the hon. Prime Minister of this province made the comment, in effect, in speaking to my leader, that perhaps the hon. member from Sarnia might look down with envy upon that seat. I want to say for a moment, if I might, that the Prime Minister is quite right; but it is not the seat that I look down on with envy, it is the individual who occupies the seat.

In any event I am in no position, sir, to quote from a poem, such as was done by the member for Hamilton Mountain; I guess we don't have talented writers as they do. I want to say this one thing to you. I envy not one tittle that seat. I envy the man who occupies it. There is the greatest leader that any party has in this House. And there is no question in our minds as to whether he has the will to win.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I endorse all the congratulatory remarks that the member for Thunder Bay (Mr. Stokes) made about you and your deputy, but I shall not take the time to repeat them. I cannot, however, refrain from expressing my delight that the member for London South (Mr. White) has finally become "Honourable".

I should like to express a few brief remarks on a subject which I hope will no longer be of current interest by the time the next Throne Debate rolls around. The subject of Vietnam. Very briefly, I shall not dwell on the horror of the war, I shall merely try to convey to the hon. members some idea of the astronomical cost of the aerial hardware involved. Not the food, nor the clothing, nor the ships, nor anything else; just the aerial hardware.

The total tonnage of bombs dropped by the United States on both Vietnams up until the end of October this year was almost 3 million tons. I have the exact figures, but I am going to use round ones. Tons not pounds. If figured in pounds, the total would be almost 6 billion pounds.

At 50 cents a pound, this means that almost \$3 billion were spent on bombs alone. In aircraft almost exactly 1,200 fixed wing

and 1,200 helicopters have been lost. The planes cost approximately \$2 million each, and a helicopter, \$250,000. Thus, we have another \$2.4 billion for the fixed wing aircraft and \$300 million for the helicopters. For these two items alone, bombs and aircraft, we have a total of \$5.7 billion.

Now, Mr. Speaker, the cost to United States' families in human lives, and the cost to the Vietnamese people, in the countless killed and maimed children and adults will never be assessed. Never were more dollars blown away in a more useless and more unjustifiable cause. Billions of dollars can be found for war on other human beings abroad, but very little can be found for the war on poverty at home. Man's inhumanity to man seems to be on the increase. Mr. Speaker, with all due respect, if God is dead, I think I know the cause of his death. He has died of a broken heart.

Turning to the other aspect of life, I should like to pay a very brief tribute to Dr. E. Abbott, Scarborough's public health doctor, who left recently for Biafra and Nigeria to organize a 15-man medical relief team to aid the war refugees on both sides. There is nothing unusual in this for Dr. Abbott who has served in similar capacities in India and China. But this time, he will be separated from his family, and I feel that the Legislature should at least have it on record that he has undertaken this noble task. Of Dr. Abbott it may be truly said that, "while others preach, he practices".

Mr. Speaker, I forego this part of my speech, or would you like to hear it?

Mr. I. Deans (Wentworth): It is the part about the despicable conditions of the jails.

Mr. Burr: I wish to speak tonight on the report on pollution in the Port Maitland area, tabled last week by the Minister of Health (Mr. Dymond). I intend, first, to prove that humans in the area were suffering from fluorosis; and second to show why the committee did not come to that conclusion.

Fluorine poisoning or fluorosis may be classified in three ways—acute, crippling and chronic. In the Port Maitland area there is no question of acute poisoning, which results from one excessive exposure to fluoride, nor of crippling fluorosis. There is no question of crippling fluorosis which takes many years to develop, sometimes as much as 30 years. The fluorosis in question in Port Maitland is chronic fluorine poisoning.

On page 45, section 133 and 134 of the report, "chronic fluorosis or chronic indus-

trial fluorosis" is made to appear identical with crippling fluorosis", and this permitted the committee to say in section 305 on page 111:

In order to diagnose adequately chronic fluorosis in humans, it is necessary that more than one of the following conditions be found to be present.

(a) A history of lengthy exposure to relatively high concentrations of fluoride in the air, food and/or water; (b) Severe mottling or staining of the permanent teeth; (c) Radiological evidence of exostosis of the bone; (d) High fluoride concentration in the dry bone ash; (e) Above normal concentration of fluoride in samples of urine taken over a period of time.

The recognized authority on fluorosis is Kaj Roholm about whom the report on page 35, section 105 says:

His descriptions still provide the classic account of severe human fluorosis due to the inhalation of fluoride.

Hear what Roholm says on page 130 of the March, 1937, *Journal of Industrial Hygiene and Toxicology*. He says, and Mr. Speaker, this is very important if members are going to understand what I have to say in the next five minutes—I am quoting:

Chronic fluorine intoxication has peculiar and very characteristic symptoms which either are localized in the dental and osseous system, or are of a more general nature.

The Port Maitland committee's experts have talked only about the "either" and have completely ignored the "or".

What are these alternative symptoms described by Roholm? They are the very symptoms that many of the Port Maitland victims—and I intend to call them victims—have exhibited. There are six groups of general symptoms. And I am quoting Roholm:

(1) Gastric symptoms, mainly acute. Lack of appetite, cardialgia nausea, vomiting.

Three of these symptoms are transitory, says Roholm. In other words they are not chronic. I quote again:

They develop after working for some time in dusty atmosphere and disappear again after a short period in the open air, the poor appetite being the last to go. It was often stated that the appetite for the first two meals of the day (before commencing work and after two and a half hours' work) was decidedly better than that of the

later meals. It is of great significance, however, that the workers do not experience much discomfort from these symptoms; they distinctly become inured. The rule is that for a period of some few days to some few weeks after starting at the factory the worker suffers from these acute gastric attacks, whereafter they disappear, especially the nausea and vomiting. Thereafter, some of the workers tolerate the dust without observing the symptoms; others will still have transitory symptoms after holidays or if the dust quantity temporarily becomes especially high.

So says Roholm.

Symptoms of the second group, about which the Hall committee does not tell us, are intestinal and I quote:

Intestinal symptoms, mainly chronic: Disposition to diarrhoea, constipation.

Mr. Speaker, 15 of the 28 persons interviewed or examined by Dr. Waldbott, that is 54 per cent, had the characteristic symptoms referable to the stomach and bowels.

In Roholm's experience, 80 per cent had gastric symptoms and 33 per cent had intestinal—

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, did I understand the hon. member to refer to a Dr. Waldbott?

**Mr. Burr:** That is right. A Dr. George Waldbott.

**Hon. Mr. Grossman:** Is he considered to be quite an expert in this field?

**Mr. Burr:** Yes.

**Hon. Mr. Grossman:** Oh, I see.

**Mr. Burr:** I read all his credentials back in the spring.

**Hon. Mr. Grossman:** Mr. Speaker, would the hon. member mind if I ask him a question?

**Mr. D. C. MacDonald** (York South): Why doesn't the Minister debate on his own time?

**Mr. Burr:** The Minister is going to slow down the proceedings.

**Hon. Mr. Grossman:** I would just wonder, Mr. Speaker, whether the hon. member realizes that this same Dr. Waldbott was one who many of us tried to get to testify for the purpose of avoiding—when we were discussing it in Toronto city council—the fluoridation of water supplies. Many of the experts, most of

the medical profession—I am not too sure whether that included the hon. member for High Park (Mr. Shulman)—considered Dr. Waldbott a crackpot because he was against it.

**Mr. M. Shulman** (High Park): Absolutely not.

**Hon. Mr. Grossman:** And I will bring the evidence in.

**Mr. Shulman:** It is nonexistent.

**Mr. MacDonald:** That is what I call a mischievous intervention.

Interjections by hon. members.

**Mr. Burr:** I did not hear any question, Mr. Speaker.

**Mr. J. E. Stokes** (Thunder Bay): Please ask the question.

**Mr. Speaker:** The hon. Minister did ask a question, if the hon. member was aware of the—

**Hon. Mr. Grossman:** That is right!

**Mr. Speaker:** Order, order!

I think that we might reasonably allow the hon. member to continue. If he wishes to ignore the hon. Minister's question or if he has answered it, he is quite in order.

**Mr. Burr:** Mr. Speaker, back in the spring I began to put the doctor's credentials on the record, but the chairman at the time indicated that the House would not accept these. They would have taken about 10 minutes to put on the record, but I have them handy with me. If you would like me to find them and bring them to you, I will be glad to do it.

**Mr. R. Gisborn** (Hamilton East): Are they upstairs?

**Mr. Burr:** I think so.

The 15 of these 28 persons interviewed or examined by Dr. George L. Waldbott, one of the world's best known allergists, a recognized authority on fluorosis—I did not think it was necessary to put that in—had the characteristics and symptoms referable to the stomach and bowels.

Now I come to the third group of symptoms, Mr. Speaker, about which the Hall committee was not informed, and these are:

Symptoms from circulation or respiration: Shortness of breath, palpitation, cough, expectoration.

Now Dr. Waldbott reports that 10 of the 28 individuals had respiratory symptoms and that, Mr. Speaker, is 36 per cent. Roholm reported 51 per cent of his patients with respiratory or circulation symptoms.

The fourth set of symptoms ignored by the so-called experts who testified for the Hall committee—remember, Mr. Speaker, that not one of these instant experts had ever diagnosed a case of fluorosis—is described by Roholm as, and I quote:

Symptoms from bones, joints and muscles:  
Feeling of stiffness, indefinite or localized rheumatic pains.

This is Roholm, the great authority. Twenty-three out of the 28 persons interviewed or examined by Dr. Waldbott, that is 82 per cent, had pains in the spine and muscular pains in the arms and legs.

It is rather interesting, Mr. Speaker, that the hon. Minister of Correctional Services is talking about fluoridation, because I used to read the newspapers and read about how he was opposed to fluoridation. Our newspaper, the *Windsor Star* was for it, and during the investigation committee's proceedings it came out in the newspaper that the hon. member had been made a Minister without Portfolio and the *Windsor Star* cried great crocodile tears—well not crocodile but great tears—and said that this shows that the report is going to kill fluoridation.

But you see they were wrong. All it meant was that the Minister was being promoted to the Cabinet as an inducement that he would not carry on his fight against fluoridation, and he never said another word about it, ever.

Hon. Mr. Grossman: And I quoted Dr. Waldbott.

Mr. Burr: And I can document that if the Minister would like.

Mr. Deans: Mind you, it is the only thing he said nothing about.

Mr. M. Makarchuk (Brantford): I just thought they were looking for a court jester.

Hon. Mr. Grossman: I heard about—

Mr. Burr: Symptoms of the fifth set, if the Minister of Correctional Services is still interested in the symptoms ignored by the Hall committee's non-experts, are described by Roholm as, and I am quoting:

Symptoms of nervous character:  
Tiredness, sleepiness, indisposition, headache, giddiness.

Although Roholm had only 22 per cent of his patients reporting symptoms in this group, 11 of Dr. Waldbott's 28—that is 40 per cent—had headaches alone, some of them persistent and severe. Incidentally, six of the 28 had hemorrhages including frequent and persistent nose bleeds.

I was speaking tonight in casual conversation with the member for Welland South (Mr. Haggerty), who is closely acquainted with people who work in this factory, and he happened to mention—he did not know I was going to say this—that some of his colleagues in the plant often came out of the factory with their noses bleeding and he wondered what was going to happen to them in a few years time.

So there are six of the 28 people with frequent and persistent nose bleeds. I did not ask Dr. Waldbott about tiredness, but I note that, from pages 75 to 88 of this report, of the nine patients whose cases are summarized there are five with this one symptom alone. The last symptoms as recorded by Roholm, the sixth set are those of the skin and all he says is:

The skin: Rash.

Now, Mrs. A. L. Farr is the only one of the nine cases summarized in the report who had dermatitis, and that makes 11 per cent. Strangely enough, Roholm also reported 11 per cent.

Now as you read the report, Mr. Speaker, beginning at page 75 you will first come to Mr. William Warnick's case, and he has at least ten of the symptoms described by Roholm including, and I am going to number them so there can be no mistake about them: 1. stomach weakness; 2. tiredness; 3. sleepiness; 4. stiffness; 5. diarrhoea; 6. coughing; 7. dizziness (Roholm says giddiness); 8. loss of wind (Roholm says shortness of breath); 9. run down condition (Roholm says indisposition); 10. muscular pains.

Now, the committee, after listing in their summary of the case these 10 symptoms and some others which are now recognized by modern experts as adverse effects of fluoride, tells us in section 240 that there are no clinical signs associated specifically with a diagnosis of fluorosis; that urinary fluoride was normal; that x-ray examinations showed no bone abnormalities associated with chronic fluorosis.

Now let us consider, Mr. Speaker, this x-ray testing of the bones. It would have been really amazing if the x-rays had shown any bone changes because, if you read the



literature, you will find that crippling fluorosis takes from 10 to 30 years to develop.

Frada, the Italian scientist at the University of Palermo in Italy, says that he has observed abnormal x-ray findings in bones after 18 years. Roholm sets 9.3 years as the average period of exposure to relatively large amounts of fluoride before increased calcium deposits in bones was demonstrable by x-ray. Furthermore, Kettering laboratory scientists in Cincinnati showed by animal experiments in 1943 that:

Early skeletal changes of fluoride poisoning are not always detectable by x-ray.

Therefore, it will be seen that, inasmuch as the severe pollution at ERCO began in 1965, it is virtually impossible for any bone changes to have developed sufficiently to be detected by x-rays in 1968.

In regard to the negative findings of urine samples, this proves absolutely nothing one way or the other because, as the report itself notes on page 35 near the end of section 105:

When a population ceased to be exposed to a high fluoride intake, fluoride excretion rates continued at a high level for a considerable time.

Now, I am going to read that again: "When a population"—that actually is the town of Bartlett where they had eight parts per million fluoride in the water, and as soon as they found out about it they took it out and reduced it to one p.p.m.—

When a population ceased to be exposed to a high fluoride intake, fluoride excretion rates—

in the urine, that is

—continued at a high level for a considerable time.

This brings us to a very important, and I think interesting fact, Mr. Speaker.

As you may be aware, the ERCO factory partially suspended operations at Port Maitland at the end of April this year. If the inhabitants were exposed to high fluoride intake, then they should reasonably be expected, as the report has indicated, after the air contamination was reduced, to excrete a high amount of fluoride in the urine. That is logical.

Now, in July of this past year, about 10 or 12 weeks after ERCO reduced or, as it claimed, stopped its pollution of the Port Maitland air, Dr. Waldbott took urine samples of four of the inhabitants and had an analysis made by an independent laboratory. The

results showed that fluoride levels ranged from over seven milligrams a day to over 12 milligrams a day. As you will see by the table on page 110, about a half a milligram is considered normal.

There is only one possible conclusion to draw from this, the victims had been exposed to a high fluoride intake while the ERCO plant was in full operation.

To summarize that part, Mr. Speaker, when the committee's experts found the urine analyses negative and the x-ray findings negative, this proved absolutely nothing. They were looking in the wrong direction. They were looking eastward for the sunset, and when they could not see the sunset, they declared it did not exist. But it was still there in the west.

If they had looked for the alternative general symptoms described by Roholm they would have found them in great abundance because they have recorded them in their report.

Now, I do not suggest, of course, Mr. Speaker, that everyone who has any of these symptoms is suffering from fluorosis, but in the Port Maitland area, where cattle have suffered from fluorosis; where auto finishes have been damaged; where windows have been etched; where some of the inflicted individuals were drinking water which according to government reports contained between 15 and 38 parts per million of fluoride; and when the dust which covered nearly everything in the neighbourhood contained about one per cent, or up to 11,000 parts per million of fluoride; and when the victims have far too many of the recognized symptoms of fluorosis; this report is adding insult to the injury already suffered by the Port Maitland residents, whose health and livelihood has already been seriously damaged.

Dr. Waldbott interviewed 18 persons on November 11, 1967, and 10 more in November, 1968. Of these, five were examined in Detroit and three of them were hospitalized. In at least 17 persons the symptoms of this disease, says Dr. Waldbott, were so characteristic that there cannot be any doubt of the diagnosis.

Now, Dr. Waldbott is a genuine expert with gilt-edged credentials, who has studied scores of cases of fluorosis, not only in the United States but also abroad. By contrast, one of the experts at the Port Maitland hearings said that although he had never met a case of fluorosis, he could recognize it as easily as he could recognize leprosy.

Another medical witness, Dr. Mills, when

asked whether he felt competent to make any comments on the symptoms of fluorosis answered: "I do not". Nevertheless his testimony was sought for 17 pages of the hearings concluding with the following question,

So I take it, Dr. Mills, that the effect of your evidence is that neither in your capacity as medical officer of health nor as a general practitioner in the area, do you know of any evidence of any person suffering from the results of fluoride?

To which, of course, Dr. Mills replied: "I do not". He had already said he did not feel he was competent to talk about it so they asked him for 17 pages and then he gave his verdict "I do not know".

It is a pity, Mr. Speaker, that Gilbert and Sullivan are not still alive. They could have made a delightful musical out of this farce.

Now I have searched the list of witnesses on pages 336, 337 and 338, but I can find no reference to the family of William Warnick, the first man who is mentioned at some length in the summaries and you will remember he had ten of the general symptoms listed for fluorosis by Roholm.

What of the other members of his family which live about a half mile northeast of the factory? Were they unaffected? Well, two sons, Robert, 11 and David 13, had continuous stomach trouble and headaches, and were considerably underweight. Both were frequently absent from school as a result.

The mother had ulcers in the mouth, a painful left leg, usually in the morning before rising—it improved with activity. Weakness and numbness in the fingers of both hands made her drop things from her grasp. She had frequent nosebleeds and visual disturbances, two symptoms common to several of the 28 persons studied by Dr. Waldbott.

When examined in February, 1968, in Dr. Waldbott's clinic in Detroit, she still complained of the pain radiating towards the foot. She complained of marked tenderness in the lumbar area of the spine and limitation of spinal movements.

Now, it is of medical significance, Mr. Speaker, that when Mr. Warnick underwent an operation for cancer of the prostate gland, a piece of muscle from the abdomen was tested for fluoride. The normal amount for this muscle is about one part per million. Mr. Warnick's contained 116.4 parts per million. His cancerous prostate gland contained 92.2 parts per million although the normal amount is about one part per million.

This fluoride analysis was carried out by one of Europe's most competent chemists. I have his name and address if it is required. The Warnick family, Mr. Speaker, is suffering, as are many others in this vicinity, from something in their environment. What is this elusive factor? It is not, of course, fluoride air pollution, we know this, the Hall committee has told us so.

Now, why did the committee not seek the opinion of those scientists who have had experience with fluorosis? Why did they invite non-experts who had read up on part of the subject?

Mr. Speaker, if you thought you had some disease say, TB, and you went to a physician who said: "Well, I have never met a case of TB myself, I am sure I can recognize one when I see one; but my colleague in the next office is an expert, he has had all kinds of experience"; which doctor would you consult? The one who had never met a case or the one who had had great experience?

Well, the committee chose those who had never diagnosed a case.

In the instance of Mrs. Ethel Parke, Mr. Joseph Casina, Sr., Mr. Ted Boorsma, all of whom were hospitalized and given all manner of tests, no expert was able to give a sure diagnosis. Is that not strange?

On page 82 a tentative diagnosis was given for Mr. Casina. It was called "gouty diathesis", and although he was given treatment accordingly there was no response to that treatment.

For Mr. Boorsma, page 87, a tentative diagnosis of sarcoidosis was made, but it could not be confirmed. So the report says: "The only diagnosis we can make is hypercalcemia due to an unknown cause." An unknown cause, but not, of course fluoride.

For Mrs. Parke, page 86, one expert: "Felt that she did not suffer from rheumatoid arthritis." This expert was an expert in rheumatoid arthritis, and felt that she did not have that. The evidence, "Indicates that she is suffering from something more than one clinical condition"; but: "We were unable to arrive at a diagnosis which explained all her symptoms."

So there we have, Mr. Speaker, three mystery ailments, all from the shadow of the ERCO factory. In each case, because of the negative urine analysis and the negative x-ray finding—and I quote page 86:

The evidence conclusively shows that she is not suffering as a result of excessive fluoride exposure.

Now the committee reports on the fourth patient hospitalized. Mr. Vanderbeek, with considerable confidence. They felt they knew what this one had, especially on the fact that he did not have fluorosis.

I wish to point out to the hon. members, however, that according to page 84 of the report, and if any members have it with them it is worth their while opening page 84 of the report. Dr. Wightman is quoted as saying about Mr. Vanderbeek:

There was certainly no evidence in the x-rays of the kind of change that is seen in those bones when fluoride intoxication over a long period has been present.

Now, the committee may have been unaware that x-rays could not detect any bone changes between 1965 and 1968, but Dr. Wightman certainly knew and he said so. I will read it again:

There was certainly no evidence in the x-rays of the kind of change that is seen in those bones when—

Listen carefully—

—fluoride intoxication over a long period—  
over a long period—has been present.

For this statement I take off my hat to Dr. Wightman. How unfortunate that the committee did not appreciate the significance of what he was saying.

Perhaps I should mention that I was a founding member of an international association organized in 1956 called the Society for the Prevention of Fluorosis, which was intended to parallel the other organizations trying to prevent heart disease, cancer, arthritis and rheumatism and all the rest.

Consequently, Mr. Speaker, I have had a long-time continuous interest in this disease. And from my reading of the subject, I am aware that the symptoms of fluorosis vary in different countries and in different persons, in different individuals.

For example, in India where malnutrition is widespread, palsy of the arms and legs is more prevalent among fluorosis sufferers than anywhere else. In southern Italy, where people live largely on fish, fruit and spaghetti, about one-half the cases are afflicted with stomach and bowel disorders, whereas palsy is rare.

In North Africa, where dates and bananas are the staple food, early skeletal changes are almost the only symptoms that you find mentioned.

The hon. members, I am sure, must wonder why there is so much medical doubt,

confusion or ignorance about fluorosis, and I shall try to explain this briefly.

For several decades, fluoride air pollution from at least 50 different kinds of industries has caused proven damage to crops and animals in the neighbourhood and suspected damage to human health. Consequently, millions of dollars have been paid out, sometimes very quietly, to avoid publicity, and sometimes after prolonged lawsuits, to those farmers and ranchers whose crops and herds have been damaged or destroyed. Consequently, the industrialists have felt constrained to enlist the time and talent of legal and research brains to protect themselves from huge financial losses resulting from damage to crops, livestock and humans in the neighbourhood of the polluting factories.

One obvious step, Mr. Speaker, was to build up a vast library of research studies of the kind that would minimize, in a legal sense, the toxicity of fluorides and this effort has been so successful that the polluting industries, led by aluminum companies, have extended their sphere of influence to include the United States Public Health Service and, through generous grants, to the research departments of many universities. I can document all this and I will prove some of it in a few minutes.

Consequently, there are now several thousand articles—somewhere around 8,000 I believe—on fluorides, and recently a 786-page book called "Fluoride in Chemistry" was published containing a bibliography of over 3,200 references. The purpose of this, as of other similar publications, is to provide legal ammunition for court battles fought over damage done by fluorides. Naturally, but inevitably, all the scientific papers that have been published by the independent researchers showing the extreme toxicity of fluorides are excluded or at least, or at best, soft-pedalled.

Now this book, it is true, does cite a number of papers which present detailed cynical evidence of fluorosis detectable by means other than x-rays. But these papers are not discussed, they are merely cited.

These modern papers—Roholm wrote his classic "Fluorine Intoxication" in 1937—describe the symptoms of the incipient and milder stages of chronic fluorosis with which, of course, we are concerned in the Port Maitland affair. They include the symptoms recorded by Roholm, plus a few others. It is easy, unfortunately, to attribute other causes for these symptoms.

The symptoms include such familiar complaints as migraine, epigastric distress, spastic colitis and ileitis, arthritic pain especially in the lower spine, paresthesias in the arms and legs, visual disturbances, frequent episodes of pyelitis, polydipsia, polyuria and various skin disorders.

And I apologize for the bad language, Mr. Speaker!

Incidentally, this list contains several symptoms listed for the Port Maitland victims in addition to those that were already mentioned by Roholm. But the modern experts have found that fortunately these symptoms clear up without medication when and/or if the patient is removed from the fluoride environment—or vice versa, and the symptoms recur whenever the patient becomes subject again to more than a minimum of fluoride.

We have, then, the familiar story of the vested interests on the one hand versus every other consideration on the other, and that is what is at the back of all this problem.

Before I conclude this matter, Mr. Speaker, I should not like to leave the impression that I believe any of the so-called experts who testified before the committee had any vested interests to protect. I suspect that they had merely done what almost any other physician who wanted to know more about fluorosis would do. They undoubtedly sought information from the U.S. Public Health Service, which, as I indicated before, fell under the influence of the fluoride air polluting industries many years ago. Almost all of the information they gave at the hearings concerning fluorosis, Mr. Speaker, you or I could have given. You or I could have obtained it merely by writing to the U.S. Public Health Service. And with only this information to go by, you or I, Mr. Speaker, would have reached the same conclusion.

In case you do not believe this—and why should you?—let me offer one instance as evidence.

In a speech in 1952 Dr. John Knutson, chief of the Division of Dental Health in the United States Public Health Service gave a documented speech or paper, which minimized the toxicity of fluorides.

And I want to quote his exact remarks:

When fluoride is present in concentrations of 12 parts per million or more there may be signs of undesirable changes in bone structure. Such situations, however, are invariably alike in one respect. Whenever they do occur, it is always in communities where the drinking water contains at least 12 or 15 times the quantity recommended for controlled fluoridation.

Later one of the independent researchers challenged the veracity of this statement, claiming in a medical journal, and I quote:

Knutson cites six references in support of his statement. You would reasonably expect that they would support it. You would be wrong. In the first place, to call what they describe—as Knutson does—“signs of undesirable changes in bone structure” is perhaps the understatement of all times. In the second place, one of the references tells that serious chronic poisoning was found in 12 per cent of adults where the water contained only 1.2 parts per million of fluoride.

Now what was I to believe? In order to learn which one was telling the truth—the independent researcher or the minimizer of the fluoride toxicity—I managed to purchase from the Armed Services Medical Library in Washington, D.C., at considerable trouble, a photostat of the reference quoted by the independent researcher. He was right. The United States Public Health Service official was wrong. The original article which was in an Indian medical journal even contained a map showing the position of each well and the fluoride content of each well marked on the map.

One well contained 1.2 parts per million, another 3 parts per million, a third 0.6, a fourth 2.2 and a fifth 5 parts per million.

On reading the article I discovered:

Affected children, apart from dental conditions noted—

That is mottled enamel.

—do not appear to suffer in any way from the intake of fluoride and there would appear to be an interval, extending from childhood to about 25 or 30 years of age, during which few or no ill effects are exhibited.

About 30 years of age, however, the first symptoms of intoxication appear.

Now I will not take the time to read into the record what the terrible symptoms are—it is too bad, Mr. Speaker, that in an instance like this we could not send what we would like to spend the time reading down to *Hansard* and have it put in, instead of taking up the members' time, but I will sacrifice the description.

I will refer to the pages so that if anyone in The Department of Health wants to find them they can do so. This is an article by Shortt—S-h-o-r-t-t—it would almost take less time to read it, wouldn't it?

Well there is a photostat of it! At any rate I have found that. It is the *Indian Journal of Medical Research*, Volume 28, No. 2, October, 1940. It is called "Endemic Fluorosis in South India—A study of the factors involved in production of mottled enamel in children and severe bone manifestations in adults."

**An hon. member:** Read it!

**Mr. Burr:** Well, I will probably never get another chance, Mr. Speaker, so I am going to inflict the description on the members. I apologize for doing it, but you may understand that it is worth hearing.

About 30 years of age, however, the first symptoms of intoxication appear. This is evidenced by a recurrent general tingling sensation in the limbs and over the body in general. Pain and stiffness next appear, especially in the lumbar region of the spine but also involving the dorsal and cervical regions.

The stiffness increases until the entire spine including the cervical region, appears to be one continuous column of bone, producing the condition of poker back. Such patients to turn the head must turn the whole body, in fact, the spine loses its flexibility almost entirely; accompanying the spinal disability, there is stiffness of various joints due to infiltration by bony material of the periarticular tissues, tendinous insertions of muscles and interosseous fasciae. This leads to various other disabilities such as loss of the power of squatting. The bony skeleton of the thorax is markedly affected and the ribs become rigidly fixed at their junctions with the spine. This results in their complete inability to allow expansion of the cavity of the thorax and breathing becomes entirely abdominal, while the chest assumes a barrel-shaped outline flattened anteriorly. By the time this condition is reached, the individual is between 30 and 40 years of age and the latter and final stages of the intoxication are imminent.

This is almost nauseating, is it not?

The patients exhibit a definite cachexia. There is a loss of appetite and general emaciation. Symptoms of pressure on the spinal cord may appear due, as will be seen later, to bony encroachment on the spinal canal. There is loss of sphincter control in the later stages and impotence is common.

Did the Minister of Correctional Services hear that?

**Hon. Mr. Grossman:** I am on the hon. member's side.

**Mr. E. W. Martel (Sudbury East):** Would the member read the list of accreditations for the doctor for the Minister of Correctional Services?

**Mr. Burr:** I do not think—

**Mr. Martel:** Yes, give it to him, he wanted to question, he can wait around for the answer.

**Mr. Burr:** I do not think that is the right place is it?

**Mr. J. L. Brown (Beaches-Woodbine):** I think the Minister of Revenue (Mr. White) should be here for this.

**Mr. Burr:** "The patient's symptoms of pressure"—no, I have lost the page—"impotence is common."

**An hon. member:** It might be common over there.

**Hon. Mr. Grossman:** Do not look at me!

**Mr. Burr:** "The patient is finally completely bedridden while the mental powers are impaired."

**Mr. H. Peacock (Windsor West):** That is not them!

**Mr. Burr:** "Then death usually occurs due to intercurrent disease."

Now I have quoted this at length partly because this is the condition to which Doctor Knutson referred as signs of undesirable changes in bone structure—and the independent researcher says about this—partly to emphasize the fact that with usual levels of fluoride dosage and in the absence of impaired kidney function, this is a disease which requires many years to develop and the fact that children slated for toxic manifestation may show no signs of what is to come except in regard to their teeth.

**An hon. member:** What happens to their teeth? Is that why the recommendation—

**Mr. Burr:** Well the teeth are merely mottled in childhood, that is the only sign.

**Hon. Mr. Grossman:** Merely?

**Mr. Burr:** Well, this list that I have here is just a very, very short one. However, I will

read it because this was written many years ago, I think:

Doctor Waldbott is a graduate of the University of Heidleberg.

This is for the special information of the Minister of Correctional Services.

He graduated in 1921 from the University of Heidelberg, Germany, with the degree of MD and came to this country in 1924. He is a fellow the American College of Physicians, the American Academy of Allergy, the American College of Chest Physicians and American College of Allergists. He is a former president of the Michigan Allergy Society and former vice-president of the American College of Allergists and an honorary member of several European allergy societies. He has published more than 125 medical papers.

This is close to 200 now.

Most of them original research. He founded, and at one time directed, allergy clinics at the Children's Hospital, Harper Hospital, Grace Hospital, St. Mary's Hospital, all in Detroit, Michigan.

Mr. Shulman: Pity the government has not got a Minister of Health like that.

Hon. M. B. Dymond (Minister of Health): Every one of his papers have been discredited.

Hon. Mr. Grossman: Well Mr. Speaker, I wonder if the hon. member did not get my point?

He does not have to be *bona fide* to doctor, I agree with him. The point I was making, if the hon. member will permit me—the point I was making—

Mr. Burr: I am sorry I have not time. I do not want to keep the members here all night.

Interjections by hon. members.

Mr. Martel: Suppose that government—

Hon. Mr. Dymond: Why did the doctor not come and give evidence before the commission?

An hon. member: He wanted to, but they would not hear him.

Hon. Mr. Dymond: He refused to come.

Mr. Shulman: He wrote them letters and while they were here they would not hear him.

Hon. Mr. Dymond: That is not fact!

Mr. Deans: Why did he not come to someone who might listen to him?

Hon. Mr. Grossman: The supporters of the member's party did not let him come when he wanted to speak against fluoridation of water supply in the city of Toronto.

Mr. Burr: Unfortunately, this incredibly false statement of the chief of the dental services was news which any newspaper in the United States would probably print, whereas the medical article written by the independent researcher may have been actually noticed by a few dozen physicians and probably read by a mere handful.

Now two years later, in 1954, another issue of the public health reports had an article again minimizing the toxicity of fluoride and I am quoting from the public health reports, Volume 69, No. 7, July, 1954:

Prolonged exposure to fluoride in quantities over 10 parts per million of fluoride in the drinking water has been responsible for chronic fluorosis characterized by rigidity of the spine, stiffness and immobility of the joints, symptoms similar to those recorded by Roholm. The effects, attributed to excessive waterborne fluoride, have been observed.

Then he gives four of the same references given by Knutson.

Of course, Mr. Speaker, when you look up the references, you see that everything is true except the amount of fluoride actually in the water. The fluorosis occurred not at 12 parts per million or at 10, as this article says, not at 10 or 12 parts per million, but among those drinking water from wells containing mostly one to three parts per million, with one well having .6 and the highest well having six parts per million. I have a map of this in the photostatic copy so it could not have been a misreading of anything. It is there. It is as clear as the nose on anyone's face. It just could not have been a mistake, an honest mistake.

Now, building on these false data, a whole library of articles, papers and books have been published minimizing the toxic nature of fluoride.

There are very few physicians in America, I am sure, who are aware of this but in Europe, free discussion of fluorosis is the rule rather than the exception.

The English-speaking medical world gets almost all of its information on this subject from the United States Public Health Service, but scientists in the rest of the world are not



so hampered. I want to give one example, a short example, as evidence of this. On page 70, the committee refers to the uterus of a pregnant woman: "Where the passage of fluoride from maternal to fetal blood is restricted by the placenta".

Putting that in words the layman can understand, Mr. Speaker, that means that the placenta has always been considered a kind of protective barrier for the unborn child against any toxic substance that may be in the mother's system.

I am sure that whoever wrote this part of the report had never heard of the five newborn infants in Czechoslovakia in whom post mortem showed—I will call this stomach hemorrhage—as the cause of death.

Further investigation showed a large amount of fluoride in these babies, these new-born babies who had died.

The fluoride had passed through the placenta from the mother to the child and further investigation, this is the interesting part I think, Mr. Speaker—showed that all five mothers—and I am quoting from the report which I have here from Czechoslovakia: "lived or worked in an environment polluted with fluorine".

What a pity it is, Mr. Speaker, that these five babies were not born down in Port Maitland, Ontario, where "an environment polluted with fluorine" does no harm to any human being. If they had been born down there, they would have been saved. The Hall committee tells us so.

This brings me to one other most important point. I have never used the expression "opening a can of worms", but it is a delightful expression. I have heard it so often lately. I think I am going to open a can of worms. I begin it with the question: How many milligrams of fluoride a day can be safely taken into one's body from soil, water and air? I wonder how many hon. members know the answer to this question.

**Hon. J. H. White (Minister of Revenue):** Yes teacher!

**Mr. Burr:** I know that the hon. Minister of Health knows the answer because he gave it in a prepared statement reported in the *Globe and Mail* last October 26. He said:

More than four milligrams of fluoride would have to be ingested daily on a continuing basis by a person before fluorosis would occur.

Was the Minister correctly quoted in his prepared statement?

**Hon. Mr. Dymond:** No he was not.

**Mr. Burr:** He was not.

**Hon. Mr. Dymond:** What was the time on that statement?

**Mr. Burr:** There was a time on that? All right. Well the hon. Minister put the estimate rather high according to some other authorities.

Krepkogorsky, who is a Russian authority, sets 3.2 milligrams as the maximum safe daily intake. The U.S. Food and Drug Administration, back in 1963, said:

About two milligrams a day of total intake of fluorides can cause tooth mottling in sensitive persons.

Two milligrams a day from total intake—that is not from water, but from food and from air.

It would be impossible to state a safe amount for supplementation by an individual without knowledge of the amount of fluorides already being consumed by him from such sources as drinking water and food grown in soils that are rich in fluorides.

This is "Health, Education and Welfare", of the Food and Drug Administration.

More recently—and I have not the date with me, Mr. Speaker—but more recently, this is the way they put it. They said:

Two or three milligrams a day would probably be considered a safe concentration for fluoride ingestion from all sources.

I repeat:

Two or three milligrams—probably.

Now that is important enough to read again:

Two or three milligrams a day would probably be considered a safe concentration for fluoride ingestion from all sources.

There we have three opinions: Two or three milligrams probably safe; 3.2 milligrams the limit of safety; and then the four milligram estimate of the Minister of Health—which he is retracting apparently. So take your choice. It is in there somewhere, is it not? It is somewhere around three.

There are several directions in which I might take off from here, but actually I am going to take you to the Toronto General Hospital, just across the way, to which one of the Port Maitland men was sent back last Wednesday on December 11, after a kidney attack. A month ago he had had an attack of appendicitis. Now this man is Mr. Ted

Boorsma, who had been hospitalized there from November, 1967, until April, 1968—five months—in a vain attempt to discover what was causing his serious ailments.

Mr. Boorsma, strangely enough, believes he is suffering from fluorosis and the circumstantial evidence, Mr. Speaker, certainly supports his contention. During his five-month stay, the Toronto General physicians could not account for his illness. The only thing about which they were certain was that his condition was not caused by his exposure to the fluoride air pollution at Port Maitland.

As a result of enquiries at the Toronto General Hospital I learned that Ted Boorsma is now on a high fluid diet. He is drinking almost two gallons of water a day. Each quart of Toronto's water now contains one milligram—one milligram—

Interjection by an hon. member.

**Mr. Burr:** Just listen to the arithmetic; you can figure it out.

Interjections by hon. members.

**Mr. Burr:** A cancer expert would not promote cigarettes, so I think by implication you have my answer, Mr. Speaker.

To get back to the arithmetic which the member does not seem to enjoy, each quart of Toronto water now contains one milligram of fluoride, so two gallons contain eight milligrams.

Ted Boorsma is being given almost eight milligrams—let us cut it down a bit, call it six—of fluoride per day, despite the fact that the circumstantial evidence is strong that he is already suffering from too much fluoride in his body. He lived in an area where cattle suffered from fluorosis, where vegetation suffered from fluorides, where the evidence is very strong that many humans are suffering from fluorosis. And then they let Ted Boorsma drink almost eight milligrams of fluoride a day, when all the authorities say that around three milligrams a day is the limit that we human beings should be exposed to.

What do government authorities say—and actually this gets more interesting and more revolting, whichever way you like it, as you go along.

The United States food and drug regulations say that the maximum daily safe therapeutic dose of fluoride is one milligram a day. Canada's food and drug regulations are much more strict, or much more cautious. In Canada the maximum daily safe therapeutic dose

of sodium fluoride for a healthy adult is 0.1 milligram. In other words, one tenth of a milligram is a daily dosage. One tenth of a milligram is what the Canadian food and drug regulations say is the maximum safe therapeutic dose for a healthy adult. Then, of course, as any physician knows, these drug dosages are cut in half for children up to about 15, and in quarters for up to about seven or so. When you get down lower than that they say nothing at all without a doctor's prescription.

So, when you realize that the fluoride part of the sodium fluoride is just a little less than half the total, then the amount of fluoride that is permitted is really one twentieth, not one tenth.

And there we have poor Ted Boorsma being advised to consume almost six, seven, eight milligrams a day.

Interjection by an hon. member.

**Mr. Burr:** I cannot joke about it, Mr. Speaker, I cannot joke about it. If a druggist or a doctor dispensed even one milligram of fluoride a day for a patient, in Canada, he would be breaking the law. And this seems incredible, but it is true. The irony of Ted Boorsma's situation is that he has left his home in Port Maitland where he was breathing too much fluoride.

Interjection by an hon. member.

**Mr. Burr:** The hon. member has made some good speeches, I agree.

The irony of Ted Boorsma's situation is that he has left Port Maitland, where he was breathing too much fluoride, and he has come to Toronto, where he is now being told to drink too much fluoride. Irony lies also in the fact that Toronto gets this fluoride compound from the ERCO factory in Port Maitland. I am not sure what the compound is called, but it is like hydrofluorosilicon. Something like that. But it has silicon in it, and that is one fluoride compound that has absolutely no industrial usage. So they cannot possibly use this stuff in any way except by selling it to Hamilton and Toronto to put in the drinking water—

**An hon. member:** To kill the people!

**Mr. Burr:** No, to cure this man of his kidney ailment.

So the report—and I am just about through on this, Mr. Speaker, you will be relieved to hear—the report certainly condemns the government for allowing pollution to develop, to

the detriment of crops and livestock, as the hon. member for Scarborough (Mr. T. Reid) said the other day. But in the matter of damage to human beings, the report amounts to a whitewash. Now, green is the colour of fluoride in some forms, so perhaps we should call this the greenwash.

I should like to express my deep appreciation to the CBC for bringing this disgraceful situation to the public notice, and I deplore the committee's attempts to intimidate the CBC in doing its duty to the public. No one else had been able to get any action and the CBC got it, and they should be given all the credit for doing so. I wish to make two recommendations. Dr. Waldbott has made at least five recommendations which the hon. member for High Park passed along to the government last Wednesday. I think if I give them just two, it would be easier to remember and perhaps they can do something about it.

The first one is that ERCO should move the most seriously ill persons out of the area, into a fluoride-free environment, and give them financial assistance. Secondly, the government should have a thorough survey of the health of every citizen residing near the ERCO factory made by physicians who have had wide experience with fluorosis; wide clinical experience. These physicians must be independent, free from obligations or attachments to industry or government. And, Mr. Speaker, this Legislature should settle for nothing less.

I have all this still prepared, but I think I will save it for the Budget debate.

Interjections by hon. members.

**Mr. Burr:** Well by popular demand, Mr. Speaker, the hon. member for Algoma (Mr. Gilbertson asks me to continue. Is that right?

Interjection by an hon. member.

**Mr. Burr:** I promise, Mr. Speaker, not to give this speech again in the Budget debate.

I wish to make a few remarks on educational TV. I received this letter from a Toronto teacher regarding educational TV.

Dear Mr. Burr:

As a Metro teacher, I wish to express my concern over the state of educational television in Toronto. At a time when there is a hue and cry on every side to limit the spiraling cost of education this sacred cow—ETV—remains largely immune. This, in

spite of the fact that the Metro Education Television Association's own survey shows that it is used hardly at all.

The solution to this, according to the Scarborough board's audio-visual experts, is to educate the teachers in the use of these programmes—*Toronto Star*, November 18. This would cost even more money and would improve the situation very little.

The difficulty which seems to elude the experts and the empire builders alike is a practical one. The programmes themselves are of excellent quality. Most teachers would like to make more use of them. However, the programmes are not geared to fit schools' timetables, neither subject nor period. Nor do they fit into a teacher's curriculum, except occasionally.

I had the good fortune recently to use a programme which had a bearing on our current classroom work. In order to do this, I had to withdraw my two classes from one-half of two periods each. That is I took away half a period from four other teachers.

If I did this once a month, and if every other teacher did it once a month, the school would cease to function. Of course, this is not the fault of META, although they occasionally sound as if they expected us teachers to adapt our courses to their programmes in the manner of the tail wagging the dog.

But in fact, the solution is ridiculously easy. There is no need for expensive TVs and administrative chaos. The programmes should be put on 16mm films and a copy distributed to every school. At the moment it is very difficult to get films because they must be ordered through the board, and usually are not available.

In this way, the teachers could use the film when it was relevant, without upsetting the school. This might be less glamorous than TV in every classroom, but it would save a lot of money, and both teachers and students would get a lot more value into the bargain. Yours sincerely,

Now, I was interested in The Ontario Department of Education booklet of January, 1968.

It was a statement on educational television to the standing committee on broadcasting films in assistance to the arts. Sir Alec Clegg a British educator, is quoted as follows:

For the majority of children, this eagerness to learn is much more likely to

come from a carefully contrived experience on the principle that what I hear I forget, what I see I remember and what I do I understand.

Now with these three observations, we can all agree. But the third observation, "What I do I understand", far from being a reason for endorsing television, is actually a cogent indictment of it as an educational medium.

To use a simple example: The only way to become a proficient adder is to take a paper and pencil and practise adding. It would be almost impossible to learn arithmetic by passively watching TV. The same applies to reading and writing as well as arithmetic.

Only by doing can a person understand. Only by getting into the water can one understand what swimming is. And only by speaking can one learn to speak; not by hearing and seeing alone, but by doing, by speaking.

The new president of San Francisco's State College, recently posed what I consider a shrewd question. He said:

The child who watches television for four hours daily between the ages of three and 18 spends something like 22,000 hours in passive contemplation of the screen, hours stolen from the time needed to learn to relate to sibling playmates, parents, grandparents or strangers.

Is there any connection, he asks, between this fact and the sudden appearance in the past few years of an enormous number of young people from educated middle-class families who find it difficult or impossible to relate to anybody and therefore drop out? I assume he means drop out of society as well as out of school.

What the world needs most, Mr. Speaker, are mature human beings who can communicate, one with another—about the problems of the real world, about brotherhood, about the age of famine into which we humans have now entered, about the complexities of life—rather than teen-agers who have been over-exposed, perhaps brain-washed, by the over-simplified Madison Avenue fantasy world where there is a panacea for everything, where a certain deodorant will produce charisma, where a new car will enable a young man to attract beautiful girls, where cigarettes will enable a girl to attract handsome men and where an elixir will cancel out all the ill-effects of gourmandizing.

Such communication will never be learned by passive contemplation of the TV. It can

be learned only by active discussion, or if you will by participation and involvement. And I cannot help wondering whether the hippies, who are certainly a phenomenon peculiar to the present generation, are in revolt against the real world of the 20th century or against the fantasy world that TV has led them to believe exists.

Now those young people who are rebelling against the world that permits the immoral and unjustifiable non-war in Vietnam and against a civilization that allows soulless corporations to exploit the natural resources of the earth for the profit of a few, the ones who are revolting against the materialistic society which preaches love and practises hate, which praises truth and profits by falsehoods—these young people most of us can understand for they are rebelling against the real world of the 20th century.

But the hippies—most of us of the older generation cannot understand. We had drop-outs, our failures, our alcoholics, even suicides, but we thought at least that we understood them.

I draw to your attention the theory that the hippies are children who have been brought up, one might almost say raised, by the TV. And finally, when because of their age they enter the real world that exists outside their school and their living room, they find themselves bereft of the pleasant hours of escapism with which they whiled away their non-school hours.

The real world is a cold world for which they have not been prepared by their mother substitute—perhaps we should call it their foster parent—the TV set in the living room.

Now it may be pertinent to ask where this demand for educational TV originated. It did not come from the teachers. If we could look behind the scene, we would find the educational equipment industry hard at work creating a market for its hardware.

During the 1930s everyone knew that ammunition workers had no scruples about creating a demand for their product and the tobacco industry today has absolutely no scruples about persuading our children to shorten their lives by smoking cigarettes. Their motto seems to be: "Promote or perish".

The fact that the expression *Cui bono?*—roughly translated "who is profiting?"—is a Latin phrase, underlines the fact that the selfishness of human beings individually or corporately, is not a recently developed human trait.

Madison Avenue can sell anything. ETV is just the latest in a long series of unnecessary

gadgets and gimmicks developed, not for the interests of the consumer—in this case the pupils—but in the interest of the newborn educational equipment industry.

And I predict that if anyone has the temerity to indulge in prolonged criticism of the social value of this new industry, there will be no dearth of hatchet men who will arise to try to scalp him. There will be enough audio-visual experts and broadcasting buffs who will see a pathway to fame stretching before them if they can attain the status of experts in this new field.

Now, what can educational TV do that cannot already be done at infinitely less cost by movie films and film strips with which most school systems are already equipped? For the pupil, ETV is essentially a passive experience, even more so than is the case with classroom film strips and movie films.

The film strips and even the movie films, being under the control of the teacher, can be interrupted.

**Hon. R. S. Welch** (Provincial Secretary): Is this the official position of the member's party?

**Mr. Burr:** No, these are all my own views.

**Hon. Mr. Welch:** I am sure they are happy about it.

**Mr. Burr:** That may well be.

**Mr. Deans:** We have freedom of speech in this party.

**Mr. Gisborn:** We would be happy if the Minister would announce the results of that review he is making.

**Hon. Mr. Welch:** In the fullness of time.

**Mr. Burr:** Film strips, Mr. Speaker, and even movie films, being under the control of the teacher, can be interrupted whenever and for as long as the teacher or the students wish for the purpose of clarification or discussion. But ETV, being remotely controlled, cannot.

Film strips and movies can be fitted into the timetable and the individual teacher's individual course with a minimum of difficulty. ETV cannot.

In some schools, almost every room is already equipped with a screen and some kind of projector. Is it possible that the educational equipment makers have exhausted one market and are now trying to create another?

This came to my attention only today; the director of the Ontario Institute of Studies and Education, R. W. B. Jackson, recently made the following observation:

The new technologies and teaching aids—and even those now available and generally used poorly—hold great promise. But we do not yet know how to utilize them properly and for what purposes. It may take years of study, experimentation and trial, before we are in a position to advise teachers about their use. Classroom teachers have neither the time nor the technical knowledge to study and assess the value of such aids, and indeed, even school boards need some protection from the blandishments of salesmen from those commercial firms which are hungrily eyeing the vast educational market.

So apparently I am not alone in my views, Mr. Speaker, on this subject.

And to sum up my views, sir, on educational television, an occasional videotape used when the teacher wishes it may be of some value in the educational process, if only as a change of pace or a means of stimulating interest and adding variety. But to build up a complex, elaborate system in which ETV dominates the school programme, and in which huge investments in equipment and programming are involved, is of doubtful educational value and could become an educational white elephant.

Finally, I should like to warn the Minister of Education (Mr. Davis) that there are four classes into which ETV enthusiasts may fall:

First, those who sincerely believe in its potential good; second, those who see it as a means of self-aggrandisement; third, those who have vested interest in making and selling the hardware and the programmes; and fourth, the inevitable inveterate compulsive empire builders.

I should like to warn him that there are two or three other groups who should be considered—namely, the taxpayers, the teachers and perhaps even the pupils.

Mr. Speaker, you have all been so kind and I think I will spare you the rest of my—no, there are other members, Mr. Speaker, who would like to speak and I will give the rest of it—well, Mr. Speaker, I have never boasted about my own constituency, my own home town, so I will give you just—what is that, about three minutes?

The motto of the Windsor Board of Education, Mr. Speaker, is: "Windsor schools excel". Although comparisons are said to

be odious, I should like to relate to the members of this House one aspect of education in Windsor to which this motto certainly applies truthfully.

I refer to the adult evening school programme under the adult education committee of D. A. Lacey, D. T. Watson and L. S. Patterson, chairman. The total enrollment is about 6,600, which is very good for a city of about 190,000. Recently a Toronto newspaper pointed with pride, to conversational French evening classes attended by about 860; but Windsor, with about one-tenth of the population of Toronto, has 280 enrolled in such a course.

Outstanding success is being achieved in what may be called the creative arts division of the adult evening school, in which 2,400 of the evening students are registered. This department, supervised by Mrs. V. Nighswander, offers 50 different courses and will organize additional ones whenever and wherever a need can be shown and suitable accommodation and able instructors can be secured.

As yet, Mr. Speaker, there has been no request in Windsor for any courses in witchcraft.

Some of the newer courses include: Music for fun; gourmet cooking, for men only; delicious meals for dieters; entertainment unlimited; decoupage. Short courses are held on such topics as—this is quite light I must admit—cake decorating, six weeks; candy for Christmas, four weeks; yeast baking, five weeks; antiquing, eight weeks; and gift wrapping, four weeks.

Basic bridge, elementary chess, know your automobile, the parents' role in sex education and painting in oils, are a few of the other courses offered. The fees range from \$4 to \$15.

There are some aspects of this creative arts department which are of unusual interest educationally, Mr. Speaker. These are the aspects—the real reason I bring this to your attention. Almost every teacher in these night courses has been personally invited and recruited to teach.

Before being accepted each teacher must outline, in considerable detail, the entire course he or she would like to teach and Saturday morning teacher training periods are provided. Most of these teachers are dedicated and enthusiastic about the courses they are presenting and many devote countless extra hours to unrequired preparation, because to them their subjects are almost a way of life which they are teaching to others.

The success of these courses can be measured by the number of drop-outs. There are scarcely any drop-outs, even in the 61 sewing classes. A truly remarkable record for any night school, Mr. Speaker, and sound evidence to support the claim that, "Windsor schools excel".

Interjections by hon. members.

Mr. P. J. Yakabuski (Renfrew South): Mr. Speaker, this is a little strange for me tonight, because at the last session we had 40-some new members and, of course we wanted them all to have their say if at all possible. So we refrained from taking up the time of the House at that session and, of course we feel that our constituents might feel that we are not looking after their affairs if we remain silent much longer.

I heard the hon. member for Rainy River (Mr. T. P. Reid) over there a moment ago, and I understand come the next time around there will be a few reeds shaking in the wind.

Today, in my Throne Speech, I will be speaking on a broad range of matters. It used to be when a member spoke in this House he stuck to the matters that concerned his riding only. But our country has now, so to speak, grown up and, because of modern-day communications, one must concern himself or herself with a wider range of problems. Not for one moment can he forget his constituents, the people that sent him here, and the local and personal problems. He must concern himself with the problems that lie on the local doorstep, but he must also concern himself with provincial and national matters and even, at times, world problems. Because today they all can be interrelated and interwoven.

In this I am reminded of a speech that Edward Burke made to the electors of Bristol almost 200 years ago:

Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate against other agents and advocates: but Parliament is a deliberative assembly of one nation, with one interest, that of the whole: where not local purpose, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed: but when you have chosen him, he is not member of Bristol, but he is a member of Parliament.

And so it is here today, we must be as versatile as Edward Burke felt he should be two centuries ago.



Since this House last adjourned one of the hon. members who sat here some years ago passed away in the person of Mr. John A. Craig, of the village of Calabogie. Mr. Craig sat for the riding of Lanark North from 1929 to 1934, and then again for the combined riding of Lanark from 1934 to 1937.

One of the interesting things was the tour made of northwestern Ontario by a great number of the members of this Legislature last September. I think it was a worthwhile tour. We saw something of the vast country of northwestern Ontario—and a vast country it is. It was easier to realize how gigantic the undertakings of this government are when you look at the vastness of that area.

On that tour we had the privilege and the pleasure of meeting the son of the first member who sat for the riding of Renfrew South, in the person of Kenneth MacDougall of Red Lake. His father, John L. MacDougall, sat for Renfrew South, both in the Legislature and in the House of Commons in Ottawa from 1867 to 1871.

Something of local interest in the riding of Renfrew South. On October 9 last, our Prime Minister (Mr. Robarts) assisted by the Minister of Energy and Resources Management (Mr. Simonett) and our second vice-chairman of Hydro opened the Mountain Chute generating station in the vicinity of Calabogie. A beautiful day it was and when they pulled the switch, of course, more energy was released for power-hungry Ontario. Barrett Chute and Stewartville are two more projects that are getting a face lifting, or are being enlarged, on the Madawaska. It is all part of our orderly programme to develop hydro facilities on the river.

We are very hopeful too, that in the not too distant future, officials of Ontario Hydro can be convinced to further develop on the Madawaska in the vicinity of Highland Falls, near Griffith, Ontario.

I recall about a year and a half ago the leader of the Opposition (Mr. Nixon) took a journey up into the valley one weekend and I think he was talking about the orderly development of hydro on the Madawaska system. I want to tell this House tonight just how orderly the development of hydro facilities on the Madawaska system has been since those awful days previous to 1943 when this government took over.

Right now on Bark Lake on the Madawaska system we have had going for the past three summers a clean-up job. This is the result of an order-in-council the Hepburn govern-

ment passed in 1940 or 1941, allowing the Hydro to do what they willed on the Madawaska system. They built a storage dam on Bark Lake and flooded it before the clearing operations were half completed. Consequently, they ruined the lake, for all intents and purposes. It is this government, through The Department of Lands and Forests, that is now engaged in cleaning up the mess that this group left.

Interjections by hon. members.

**Mr. Yakabuski:** Well, just hold on.

I might say that the people of eastern Ontario have pretty good memories, elephant memories in fact. The leader of the Opposition was back down there not so long ago. He was there in the first week of the hunting season—in the Cornwall area and the Ottawa area. He was being many things to many people. He was wearing a coat—some thought it was a hunter's coat, but I am told it was a Joseph's coat, a coat of many colours. The Bible defines Joseph's coat as a coat of many colours.

But I might go on to say that, although it was the first week of deer hunting season down in eastern Ontario, the hunting was not very good. Because, as I told you a moment ago the people down there have elephant memories and it will be a long time before they forget about those awful days previous to 1943. We—

**Mr. R. F. Nixon** (Leader of the Opposition): They have not had much to remember since you were elected. What about your roads?

**Mr. Yakabuski:** Do not tear up that history—do not tear up the provincial history from 1934 to 1943 and stash it away because too many people have not forgotten and still remember. You cannot bury it. It is there.

In Renfrew county, half of which I represent in the House, we have a very progressive county. We have many firsts insofar as county work goes in this province. We have here a new study prepared for Renfrew county on the tourism possibilities of that county. I understand this was prepared by Duncan M. Anderson, who is with the geography department of Carleton University in Ottawa. I understand that it is the first county that has produced such a survey and plan insofar as tourism is concerned. Another first, of course, for Renfrew county.

Of course, we have many ARDA projects completed in Renfrew county. More are on the books and as a matter of fact sometimes

in Renfrew county we feel we are moving too fast for the ARDA director.

I might mention, when we are still talking about our county that, as in all other counties, the new school board elections were held on December 2 last. The thing that disturbs me, though, is that some of these new boards already want to rush into posh administrative buildings.

Up in our county we have, in the village of Eganville, a former high school that is about to be vacated. This school would provide an excellent facility or excellent accommodation for the board that soon will be in operation, that is, after January 1 next year.

The point I want to make is that I feel that this board should seriously consider using the building I mentioned, because it is there and will be provided without cost to the board. Whereas a new administrative building would cost plenty of money, of course.

But I say to these people in the county that would advocate not using the facilities in Eganville and are seeking out facilities in the town of Pembroke, that most county councils are always telling this provincial government—and probably do likewise in other provinces—that we should be decentralizing at a faster pace. I say to the board in Renfrew county, that if they want to put into practice what they feel the province should be doing, they should decentralize from the county seat in Pembroke and use this accommodation that is available in the town of Eganville.

**Mr. E. W. Sopha (Sudbury):** Why does the member not write them a letter?

**Mr. Yakabuski:** We have to get it on the record, the member knows that.

**Mr. Sopha:** Write them a letter.

**Mr. Yakabuski:** This past summer, in 1968, marked the 25th anniversary of the Progressive Conservatives in Ontario taking power.

About that time the *Ottawa Journal* saw fit to write an editorial pertaining to the present government and it was entitled "Robarts Kept His Pact With Ontario."

**Hon. J. H. White (Minister of Revenue):** He kept the faith.

**Mr. Yakabuski:** Kept the faith is right.

**An hon. member:** Who wrote that, Gratton O'Leary?

**Mr. Yakabuski:** No, Gratton is gone from the editorial staff, has he not? We will just read a little of it for the record:

The Premier Robarts government was entitled to have Lieutenant Governor W. Ross MacDonald say, on proroguing the first session of Ontario's 28th Legislature, that this was one of the most productive in years.

**Mr. Nixon:** I think John wrote that himself.

**Mr. Yakabuski:** I continue to quote:

Twenty-five years ago on August 17 next, George Drew became Premier of Ontario and this began an extraordinary, unbroken series of Conservative governments in the province. Robarts' achievement is to have given a vitality and freshness to the provincial party.

So as to the vitality and freshness in the present Progressive Conservative Party of Ontario, I think that you people over there can look forward to more successive administrations by the Progressive Conservative Party in Ontario.

Somebody a moment ago was talking about Gratton O'Leary and the *Ottawa Journal*, but we have here, something from a Renfrew paper and this one is not noted for supporting the Tory Party. Let us see what they have to say. It is entitled "25 Years"—

**Mr. E. W. Martel (Sudbury East):** What did the *Globe* say about the north?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, can you not stop this heckling?

**Mr. Yakabuski:** The second last paragraph says:

The disturbing fact to P.C.'s, as well, is that after 25 years of Conservative government the Liberal Party in Ontario is unable to offer an alternative acceptable to the voters. The Conservative Party is the establishment and firmly entrenched. The Liberals are so disorganized that there is no change in sight. After 25 years one might expect changes.

And the last part; this from the *Liberal Renfrew Advance*:

Yet Ontario voters will go Liberal as "all get out" for federal candidates. It would almost seem that performance, not party, is the quality the voters remember in the polling booth.

**Mr. Nixon:** What is the hon. member's performance?

**Mr. Yakabuski:** Well, I would not say that the member's has been that good as leader of a party. Not too much is expected of us on the back benches. But I will tell you one thing. There is talent on the back benches here that you could use on your front benches over there.

Interjections by hon. members.

**Mr. Yakabuski:** As a matter of fact, he would be making an awful smart move if he moved his entire back bench to the front bench.

Interjections by hon. members.

**Mr. Yakabuski:** There is that reed shaking in the wind again.

Interjections by hon. members.

**Mr. Yakabuski:** Oh, we are getting to it.

**Mr. T. P. Reid (Rainy River):** The Minister is blushing.

**Mr. Yakabuski:** The other day after the Dominion-provincial conference was postponed due to Premier Bertrand's ill health, Premier Bennett of B.C. called a news conference to make public the presentation he had prepared for the conference. One of his suggestions was the consolidation of Canada insofar as the provinces are concerned. He suggested that the framework and the geography of provincial Canada be altered, and that five viable provincial units be established. They would comprise B.C., the western provinces, Ontario, Quebec, and the Maritimes.

I feel that this is a very reasonable and progressive suggestion. Ontario, B.C., and Quebec are viable units in many ways. The eastern provinces have long entertained the idea of a Maritime union for some time. We know that Manitoba and Saskatchewan have many problems stemming from their lack of wealth; and that more recently Alberta has begun to feel the economic pinch. All in all, a lot of what Premier Bennett suggests is what many people have been thinking for a long time. The same problems that face municipalities confront the provinces, too, on a larger scale. We are striving to overcome some of our municipal problems by implementing regional government. It is only reasonable to state that some pattern of regionalism on a national basis can cure at least some of the provincial ills. In my mind, Mr. Bennett's suggestion should be

pursued on a national level just as vigorously as we are pursuing the implementation of regional government here in this province.

Our greatest problem here in Ontario is a financial one, because we do not get a large enough slice of the tax money generated here. We are being asked by the great pharaohs in Ottawa to pick up—in other words, to pay—too large a share of the national or family budget. When I say family, I mean our family of provinces. You do not have to be an economist to know that Ontario is the goose that lays the golden eggs insofar as Canada is concerned. But Ottawa is snitching too many of Ontario's golden eggs! Ottawa is not leaving us enough to hatch or multiply! Ottawa is depriving Ontario of the golden eggs required to foster a climate of growth and expansion that is the number one requirement if we are to meet our commitments to the people of this province.

It would be sheer stupidity—utter suicide—to kill the goose that lays the golden eggs. That is just what Ottawa is doing. The time has come when the people of this province should be made more aware of the federal government's unilateral attitude.

The federal government called the conference, and before it begins the Prime Minister of Canada sends a directive to the province saying what their policies or terms are; such as they did on fiscal matters and the off-shore mineral rights. They put the lid on discussion before the conference starts.

**Mr. Sopha:** Is the member going to Ottawa with the Treasurer (Mr. MacNaughton)?

**Mr. Yakabuski:** No, I hardly think so, but when I hear from the hon. member for Sudbury I am reminded of this, which appeared on the back page of that edition commemorating Sir George Brown's birthday, and this is on the back page of the issue from George Brown College, I believe it was, and it said—

Canadians have been weary of the stereotyped politicians; the backslapping, baby kissing babbits, who blather banalities, and the Bible thumping country bumpkins, who look upon the possession of a law degree as a certificate of uncanny wisdom and oracular power.

When I read that, Mr. Speaker, I could not help but look over at the member for Sudbury, sir.

When our Prime Minister here in Ontario hosted the Confederation of Tomorrow Conference a year ago last November he opened

it up to the press and public. It was his first time around, and he showed great courage in doing so. But the Prime Minister of Canada and his "just society" have been reluctant to open the Dominion-conferences to the press or public. These "just society" people would like to conceal the facts from the people of Ontario and Canada! They do not want a knowledgeable public! It amounts to the suppression of news—and in a sense, censorship in peacetime!

Let them open the conference to the press; and the public too, if it is at all possible. Let them show good faith. Let them not only preach, but practise too, the principles of a "just society".

I was pleased to receive the other day a copy of "Journey to Biafra", and I want to thank the hon. member for Scarborough West (Mr. Lewis) for making it available to me. As you know, it is a collection of first-hand information on the Nigeria-Biafra civil war. It was compiled from observations made during a recent visit to Biafra, and other knowledge the hon. member for Scarborough West has gathered from working there some years ago.

I must commend the member on his dedicated work and his intense interest in the unfortunate people involved—the victims of perhaps the greatest tragedy of our time, Biafra. I do not have any knowledge to speak of when we discuss Biafra—certainly I cannot speak with the authority the member for Scarborough West can! He has spent time there working with the people before the war began, and has revisited while the most unbelievable calamities were taking place. But I can think of no other tragedies since the atrocities of World War II which have touched the hearts of so many people so deeply.

That is why I believe it merits mention even in this provincial Chamber—even though it is mostly a federal matter insofar as government in this country is concerned.

Let us review briefly the sequence of events which led up to this great tragedy. I speak with scant knowledge—only that which I have learned from talks with missionaries who spent some years there. Some of what I say will be repetitious, and certainly I cannot tell it in the authoritative and able manner the hon. member has in his so well documented booklet "Journey to Biafra".

In the 18th and 19th centuries, slaving ships plied the Niger River and the natives withdrew from the banks as the slave-traders approached. They eyed the white man with well-founded suspicion. It was not until 40

years after slavery was abolished in the United States that the Christian missionaries were able to break through the wall of fear the Hausas and Ibo tribes had of the white man.

The Ibos gradually embraced Christianity—but the Hausas who are Islamic rejected it. As there were no schools with the exception of those provided by the Christian mission, the Ibos had an opportunity to acquire some education, while the Hausas tribe remained largely illiterate.

It was not until Nigeria became one of the emerging nations that a system of state education was begun. Consequently when Nigeria was founded, the Ibos were the only people capable to some degree of taking the places in the civil service of the government of that nation.

There are approximately 40-odd million Hausas, and only 10-odd million Ibos in Nigeria. Because of the religious differences of the Hausas and Ibo tribes; and because the minority people more or less govern the country, the ancient antagonisms that festered in the minds of the Hausas tribe were opened anew. The Hausas, who vowed long ago to drive the Ibos into the seas, laid their plans for genocide.

They learned from men like Hitler or Stalin and the heads of other states in the communist bloc that to totally subjugate a people you must first do away with the educated and the intellectual. This the Hausas did when, in the dead of night without warning, in one swoop they murdered 30,000 Ibo civil servants in July 1967. Biafrans or the Ibo are not fighting so much for separation from Nigeria, but for their lives and the lives of their women and children. They know that death on the battlefield is not as horrible as the death they would endure at the hands of the Nigerians should they be forced to surrender! Nigeria will not be satisfied with anything less than annihilation and total massacre of the peoples of Biafra.

The tragedy of Biafra is further complicated by the interference of Britain and the Soviet bloc on the side of Nigeria. Only De Gaulle of France is helping the Biafrans. Imagine Britain—that once great nation that we all loved and revered—being part of this genocide! She cannot look after her own people and those who count on her for assistance and direction; yet she, without shame, can contribute to this tragedy!

We are all grateful that the hon. member was able to journey to Biafra, observe and return safely to create a full awareness here of the terrible conditions there. Yes, we are

all pleased he returned safe and unharmed, because he has made a great contribution to humanity. He could have been killed. Killed by a bullet or a bomb made in the U.S.S.R. (socialist Russia), socialist Czechoslovakia, or by the trade unions of socialist Britain!

Where does the tragedy of Biafra leave us? The Canadian government last summer refused to recognize the desperate situation. The Prime Minister of Canada, when asked about Canada's position, replied in a smart-alec fashion. His words were, "Where is Biafra?" He did not get away with that attitude for very long, because the moment the federal Parliament met—and even before that—he was forced by the loyal Opposition to backtrack! He made a feeble attempt to provide some aid, but allowed our efforts to become ensnared in international diplomacy. The International Red Cross has been rendered ineffective in the dragnet of negotiations. Up until a short time ago only Caritas—a Vatican-sponsored organization employing Swedish pilots flying by night—was getting any amount of aid through. The United Nations has refused to act, and the countries belonging to it are too meek to speak. That is not surprising, because as far as I am concerned the United Nations died with Dag Hammarskjöld.

I was pleased our government made a gift from the people of Ontario which arrived in Lagos on November 14. Our Prime Minister said on October 4, when the gift was made, that this government was deeply moved by the privation and miseries the Biafran war had cost.

Surely our so-called "pockets of poverty" appear relatively insignificant when compared with the conditions in Biafra. At a time like this men must stop being trivial. A short time ago, Lord Snow, speaking at Westminster College in Fulton, Missouri—where 22 years before Winston Churchill uttered his famous "iron curtain" phrase—spoke on this very matter.

I quote from an editorial which appeared in the *Ottawa Journal*, entitled "Stop Being Trivial", Lord Snow said:

We have to stop being trivial. Many of our protests are absurd, judged by the seriousness of the moment in which we stand. We have to be humble and learn the nature of politics.

He went on to say:

Let us be honest. Most of us are huddling together in our own little groups for comfort's sake.

The *Ottawa Journal*, in its editorial, finished as follows:

Student power, police power, the disaffection of the young, these and all the clichés of the modern protesters, shrink into insignificance beside the stark question of life and death Lord Snow puts before us.

We can, as a nation and a people, do much more toward preventing genocide in Biafra than we are doing. Let those who are commissioned to direct our efforts do so without delay. My purpose in speaking on the question today is to attempt to create a better awareness of the problem and to supplement in my small way the efforts of the hon. member for Scarborough West, and men like Senator Edward Kennedy of the U.S.A., who is devoting considerable time to this very matter.

Much has been said in recent weeks about the provisional master plan for Algonquin Provincial Park. No doubt more will be said and Algonquin Park will always be a place of great interest to the people of this province and thousands of others living beyond the borders of Ontario.

The park was established in 1893 largely on the recommendations of Alexander Kirkwood. It consisted of 1,466 square miles but with additions over the years, it now comprises almost 3,000 square miles.

The objectives in setting it up were: (1) to preserve the headwaters of the parks' river systems; (2) to preserve the native forests; (3) to protect fish and game, birds and fur-bearing animals; (4) to provide an area of forest experimentation; (5) to serve as a health resort and pleasure ground for the benefit, advantage and enjoyment of the people of the province.

We note here that the establishment of the park was strongly supported by the lumbering companies who were permitted to continue operations. I believe that the objectives set out at its creation have been more than achieved.

Lumbering began in the area of Algonquin Park a half-century or more before it became a park. From around the 1850's to the 1940's, the pine forests that were at home in the Ottawa Valley and extended into the park were taken first in the form of square timber and then in the form of the finest lumber ever produced anywhere in the world. I can remember 40 years ago seeing the log trains puffing through Barrys Bay with Algonquin Park pine and later the cars and



cars of 3 in. by 12 in. pine boards without a blemish being sawn at the Omanique Mill for the J. R. Booth Co. I might say this was all for export at a time when this nation had little else to export.

The lumbermen were not engineers but built a series of dams to slush logs downstream. These dams, although originally built for the purpose, later became recognized as wonderful conservation dams. So much so, that some of them are still maintained; others have been rebuilt and play a large part in our conservation programme for the area. On the Muskoka watershed, nine such dams are under the control of The Department of Public Works and in the eastern watershed 18 are under the control of The Ontario Department of Lands and Forests. The romance and the daring of winter logging and the spring river driving passed away several decades ago and with it a colourful era in lumbering history.

Lumbermen in recent decades have been conservation-minded. I cannot say that, perhaps, for the earlier operators because they only took the cream or choice timber.

Fire is the lumbermen's greatest enemy and he has always practised extreme fire precautions. You will not catch a lumberjack leaving a fire that has any chance of re-blazing. Of fires that have burned in Algonquin Park, over half of them resulted from careless campers and most of the others have been caused by lightning.

I feel that I can safely say that the lumberman has preserved Algonquin Park for the people of this province. If it were not for the lumberman, much of our forests would have been destroyed by fire. The network of roads that they built for their operations attributed largely to the efficiency of The Department of Lands and Forests fire-fighting methods. The fact that they had men readily available for fire-fighting duty saved hundreds of thousands of acres. These were the days before the water bombing technique was developed. Water bombing in itself does not provide a complete answer to the forest fire hazard. Fighting fire in our timber stands is much the same as waging modern warfare. First, in a military operation, comes bombing or shelling to neutralize the enemy positions. This must be followed by the mobile infantry to hold, consolidate and clean up. The same in fighting forest fires. Sure, you can water bomb a fire and slow it down or neutralize it to some extent, but if you are unable to put men and machines in to extinguish it, it may only be a delaying action. To get the men and equipment in, you need a reason-

able network of roads. The lumbering roads in the park have served and will serve this purpose well. For the most part, the outdoors visitor and lumber people get along very well. These visitors enjoy a learning about the forests from these people. They like the lumberjack's tales of logging, fishing and the great outdoors told with a local flavour. For over half a century, they have worked and played together. They are allies, not enemies. The tourist industry and the lumbering industry in our area have been happily married for over half a century and one assists and complements the other. Now, you would tell them that they are not meant for each other, that they should separate and fight each other.

The people of our area depend entirely on the lumbering and tourist industries. Our area, because of its geographic location and its marginal soils, is not one of rapid growth. We are having great difficulty in providing for our people because of these factors. Our people are untrained to live by other means. Therefore, at least for this generation, they must depend solely on lumbering, tourism and farming (that is in the better farm lands in the eastern part of our county).

I have spoken for these people and I have defended their rights on many occasions. Today, I do so again in this Legislature. Two years ago this government commissioned a group of so-called experts to do a study on Algonquin Park and to produce a new overall plan for that great tourist mecca.

The purpose, I believe, was to review the first seventy-five years of existence and to recommend a new policy with new purposes and objectives to fit the present era.

Here it is—the provisional master plan for Algonquin Park of which I am sure all members have a copy. It was completed in late September and the members of this Legislature bordering the park were given a preview of it on October 8 last. We were requested to keep what we saw and heard in confidence until it was released to the public on November 4. This we did.

On going over the plan at the preview meeting and then later upon the official release, we found it in many ways to be an excellent document. When I say many ways, I certainly would not want to leave the impression that we agree with it in its entirety.

I think that what most people lose sight of is that this plan is still a proposal and not yet at least government policy. All members have a copy of the plan and know that there



are multiple use zones, a primitive zone, a natural zone, a historic zone and recreation zones proposed.

As I said earlier, many of the proposed restrictions in the use of the park are good proposals that will contribute to the use of the area it was created for. But there are three recommendations that are unacceptable to our people and for very good reasons.

The first is the reservation on lakes, rivers and streams for a distance of 1500 feet where the no-cut rule applies. The second is the proposed restriction on logging in July and August. The third is the restriction on road building during July and August and the location of these roads.

Now, before I deal with these matters, let me tell you about a strange happening in this connection. When the plan was finalized and printed, the no-cut reservation read 500 feet. But before the plan was released, an extra page was inserted moving that limit upwards to 1500 feet.

The people who proposed the limits originally are knowledgeable people and they said 500 feet was sufficient. But someone else who, I am sure, has a very limited knowledge of Algonquin Park and lumbering in an area of that type has seen fit to make the change.

The point I am trying to make is that there was no valid reason for changing the limits, especially increasing them to a degree where they become unreasonable and ridiculous.

There have been many briefs and verbal representations made to The Department of Lands and Forests pertaining to the plan. Some say it is not restrictive enough, while those whose very lives depend on it maintain—and correctly so—that the amendment I am proposing should and must be made!

I attended a meeting in Pembroke on November 21 where over 700 lumberjacks braved an extremely stormy night—that is, weatherwise—to attend. On November 26th I was present at a hearing in Pembroke; and again on November 28 I attended another hearing here in Toronto.

The people affected by this plan felt that they were not allowed sufficient time to prepare their case, but I understand that the Minister of Lands and Forests (Mr. Brunelle) has agreed to receive submissions for some time to come.

I respect the views of others insofar as the plan is concerned; but the plan must be modified if that area of our province is to survive.

We maintain that the main purpose of Algonquin Park can be sustained and fostered, and yet not disrupt the lives of a single person in the area. We base our reasoning on the following:

The 1500 no-cut reserve should be rolled back to 300 or 400 feet, with severely restricted cutting allowed even in that portion.

Because it is only a good forest management practice to remove trees that should be harvested.

No canoes or outdoors people venture more than a few feet from the water's edge when travelling the waterways of the park.

The Lands and Forest people even remove fallen trees, etc., from canoe portages to make the going easier. Why, then, advocate a jungle along Algonquin Park waterways? Some of the most valuable timber stands are in the no-cut reserve area. As you leave the waterways and proceed to higher ground, the timber is sparser and of a much lower quality.

Rather than create a jungle along the waterways, let us put to use good forest practices, whereby trees that should be taken are taken; and in this way we can beautify rather than destroy the forests. Let me quote from Mackenzie Porter's article of July 30 last in the *Telegram* entitled:

#### THE RAPE OF ALGONQUIN PARK IS ROT

The theory that Algonquin Park is a victim of rape is rot. The logging companies are removing only the mature trees. In this pursuit they are providing the younger trees with more light, more water, more air, and so enriching the foliage.

It is not widely known that trees resemble men in their aging. There comes a time in their life when it is better for their kind that they should be removed. I learned in Algonquin Park that trees reach a peak of life and then decay.

It goes on to say:

I returned from Algonquin Park with a new view of one of my own hemlocks. Eight years ago it was a magnificent tree. For the last three years it has begun to seem to die from the top downward. I blamed the squirrels, the woodpeckers and the wisps of smog creeping up from the city. But now I know that I was wrong.

My hemlock is a very old tree. It is like a very old man. Its time to die has come. And soon I shall go at it with my chain saw, and without compunction.

Only the English oak and the Pacific Coast redwood, I hear, live on and on, for hundreds of years. Lesser trees must be thinned out at maturity for the sake of arborial hygiene.

The removal of trees in the so-called "no-cut" reserve area is approved—in fact strongly recommended—by professional foresters, lumberjacks who have spent their entire lives in the woods, and by Lands and Forests timber experts themselves!

Let me substantiate this by quoting from volume 21, no. 36, of a Department of Lands and Forests newsletter dated November 1, 1968, page 3. This is entitled "Initial Cutting of Temagami Timber Will Begin This Year."

Foresters working in The Department of Lands and Forests North Bay District have warned Lake Temagami cottage owners that continued opposition to cutting the lake's timber stands could end in economic losses and aesthetic desolation.

Much of the white and red pine around the lake is now about 250-years-old and about 2 per cent per year is dying solely from old age. Very little reproduction is noticeable due to the lack of light and competition. Also, trees of this age produce relatively little seed.

In a recent letter from North Bay District Forester, W. L. Sleeman, to the Lake Temagami cottagers and other interested parties, it was pointed out that an initial cutting will take place this winter at the extreme east end of Shiningwood Bay, when some 200 trees will be removed. Next year, during the 1969-70 operating season, cutting in the Obabika Inlet area will remove about 25 to 30 per cent of the trees beyond 100 feet from the shoreline.

The main purpose of these operations is to assure a continuing shoreline of white and red pine. At the same time, a portion of the 300 million board feet can be utilized without perceptively interfering with the present beauty of the lake.

Lands and Forests Timber Branch chief, A. J. Herridge, says this is an excellent example of the department's overall concern for multiple-purpose management.

Any new test methods used will be strictly supervised by the department in co-operation with the Temagami Lakes Association. They will be limited to small areas to start, and assess the best methods to suit different areas of the lakeshore.

So you see, Mr. Speaker and hon. members, Lands and Forests themselves, who have considerable experience in this area, strongly advocate the taking of trees that should be taken.

The lumber companies in the past decade or more have operated under the watchful eye of The Department of Lands and Forests. They must abide by the very tight regulations pertaining to logging and lumbering in Algonquin. They can take only the marked trees. They must lop and trample down the limbs, etcetera, of the unused portions of the trees as a fire prevention practice. They are told how much they can cut and where they can cut it. Very often they are forced to cut and haul to the mill trees that have little or no value at all. I know of one lumberman who closed out his operations there because his cut was not of the type on which he could make a profit. He had to cut and haul 60 or more miles to a sawmill logs that, when sawed, produced no marketable lumber. The fire dues, recently hoisted, are almost prohibitive to say the least.

With regard to the summer operations, they are now the "make hay" months of a lumber operation. Lumbering before mechanization was primarily a winter-time operation, with the summer a time for the sawing of lumber. Now, as in every other industry, the trend is to bigness in the lumber industry as well. If you do not have a sizeable operation you cannot compete. Because, although the cost of lumbering equipment has multiplied by four times in the past 20 years, the price of this product has increased only some 20 to 30 per cent. Cutting is now done almost every month, with the exception of the spring months. Sawing takes place ten or more months of the year. June, July and August are the months most suitable for the building of roads, as the spring and fall are usually too wet in the woods for the equipment required today.

The lumberman has worked toward a full-time or year-round operation for a century or more. Now with assistance from our mechanical and technical age, he has almost achieved that goal. He can now provide his men with almost full-time employment. To curtail summer logging in Algonquin would be a backward step. We must face the facts and the demands of this mechanized age. Besides, a great many park visitors look forward to the opportunity of seeing the logging operations. This is substantiated by the fact that over 100,000 visitors last summer toured the logging museum which is situated near

the east gate of the park. If this museum were located near the west gate, where most visitors enter, I am sure that figure would be close to half a million. If we are to close down summer lumbering operations because a very small percentage of park visitors do not want to see them, or prefer absolute solitude, it is just as reasonable for us, who live in that area, to say close down all industry in the Golden Horseshoe of Ontario because our children, who often visit relatives down here in the summer months, do not want to be subjected to the pollution that fouls the air of southern Ontario. In my mind, gentlemen, this may be an absurd request, but it is just as reasonable as the one made by the Algonquin Wildlands League.

With regard to the location and building of roads, I can only say that this should be left to the operators. After all, who knows better than the lumberjack where a road should be built? He can locate and build it to a minimum standard to serve the industry. I am afraid if roadbuilding is left to The Department of Lands and Forests it will be the provincial taxpayer who will suffer. The roads will most likely be wrongly located and built to too high a standard. The cost of building and maintaining it will be excessive.

On December 1, last, in the midst of all the controversy over the Algonquin Park provisional master plan, the CBC entered the debate through their infamous programme, "The Way It Is", hosted by John Saywell and Patrick Watson. On that occasion, they were assisted by one John Livingstone, who on the Sunday previous had made much of the destruction strip mining in Kentucky had done to the countryside there. He endeavoured to compare the destruction wrought by strip mining in Kentucky, before laws governing that type of operation were introduced, to what would happen to Algonquin Park if lumbering were allowed to continue. As a matter of fact, the previous week, Mr. Livingstone had gone to Algonquin provincial park for a first-hand look. He was there all right and came back with his distorted picture. In truth, the programme, "The Way It Is", centred on the night of December 1, was one of complete distortion in every facet. So much so that it prompted Mackenzie Porter, writing in the *Telegram* two days later, to take it apart, piece by piece, and expose these distortionists for what they are. John Livingstone returned from Algonquin Park and gave to the viewing public only what he wanted them to see and hear—

the slanted, biased version of lumbering operations in Algonquin Park.

He did not mention that Department of Lands and Forests personnel were with him on that journey and that they had made him aware of their tree marking programme, the selective cutting regulations and all the other regulations that a forest products producer in Algonquin Park must adhere to.

Around the end of their presentation, these extremists from the CBC stooped so low that they questioned children, in many cases whose entire knowledge of parks is what they may have seen operated here by the Metropolitan Toronto Conservation Authority.

They were so intent on selling their biased, slanted version to the viewing public that they overdid it. So much so, that even viewers with little knowledge of Algonquin Park, or who are against logging there, were not taken in by their presentation, and in the interests of fair play, loudly disapproved.

Certain of these people employed by the publicly-owned corporation, the CEC, feel that they do not have to answer to anyone. They feel that they can create, distort or destroy and they care little who may be injured in the process. Is it a just society when a tool as powerful as the CBC is left in the hands of this irresponsible minority?

Another good example of CBC reporting can be taken from the pollution affair at Dunnville. I believe the CBC called it, when presented, "The Living Death". Only a few days ago, a commission appointed to look into the Dunnville pollution affair reported back that the CBC had presented an untrue picture. They had not even consulted local doctors or the medical officer of health for that area. At the time the programme, "The Living Death", was shown, they created a mass hysteria by their one-sided presentation.

I recall some thirty years ago when, on a Sunday night, Orson Welles starred in a radio programme on which it appeared that the planet Mars was attacking the eastern seaboard of the United States, that a mass hysteria was generated south of the border.

But Orson Welles was only acting out a fiction story for the entertainment of the public and not presenting what the public would be asked to take as fact. After creating the hysteria he did, Mr. Welles at least was gentleman enough to apologize to the American public if his presentation was so real that many citizens had believed it to be a fact.

I have long felt that the CBC should be sold to private enterprise. The CTV network, owned and operated by private enterprise, has developed into a fine network in a few short years with better programmes of a higher quality.

It is the old story of private enterprise versus socialism. There is just no comparison. One of my reasons for suggesting the sale of the CBC is because it would be in the national interest. The CBC is the greatest threat we have to national unity. The greatest contributor to discontent, alarm and mass hysteria and, as I said earlier, the findings of the Dunnville commission point this out very strongly. It is not in the national interest that it function any longer.

**Mr. W. Ferrier (Cochrane South):** Who would the hon. member sell it to, Lord Thomson?

**Mr. Yakabuski:** Well, if we let private enterprise run it, it would be run properly. If the CBC was sold to private enterprise, many of its personnel would be jobless. Business corporations would not allow them to squander its funds as they do with the Canadian taxpayers. This talent is of a type we wouldn't mind exporting. It is the kind of brain drain we would welcome.

If the proposals, such as the 1500 foot reserve, the banning of summer operations in July and August, are retained in the original plan, great hardship would be placed on many people. Not only would the area that depends on this operation be affected, but many other sections of the province as well.

So, therefore, the problem regarding this plan that confronts us today is not a local one, but is one of almost provincial magnitude!

The furniture industry in Kitchener-Waterloo, Stratford, Elmira, Meaford, Southampton, Hanover, and many other localities would be forced to curtail their operations because of a shortage of raw material. Places like Trenton, with a pole-treating plant, would be in jeopardy.

Our export market would suffer, and our foreign exchange and balance of payments would be affected.

Only last night I talked to some truckers from the state of Kentucky, who were hauling large loads of our Algonquin Park maple to the town of Winchester in that state. The Algonquin Park hardwood has a well-accepted name, not only on this continent, but throughout the world.

Getting back to the effect that this plan would have on various parts of this province, I must say that the thousands of people in our area who know no other work but lumbering would be displaced. These people could not move to another locality to seek employment.

They would be in no position to work in other industry, and could not afford a home or accommodation in the industrial part of the province. The family unit as it pertains to these people would be destroyed. The government would be saddled with an additional and great welfare burden.

The economy of the whole area would be destroyed. The claim that increased tourism will in time take up the slack is "wishful thinking." I say this, knowing that the Muskoka area, that is half-a-century ahead of the area east of Algonquin Park in tourist promotion, is just as concerned as we are over the effects this plan would have if adopted.

The government of this province receives in revenue from the Algonquin Park lumber operators almost \$1 million dollars per annum; but this is relatively unimportant when you take into consideration that that million generates a \$25 million dollar lumbering economy in the area, and towns like Arnprior, Pembroke, Eganville, Killaloe, Barrys Bay, Chalk River, Mattawa, North Bay, Kiosk, Whitney, Madawaska and Huntsville, would be pretty desolate places without it.

With regard to the commercial establishments, that is, youth camps, tourist operators, etc., in the park, I feel that they should be phased out. They do not contribute to any great degree to the magnetism of Algonquin. They often exploit local labour, and take advantage of students who seek summer jobs there.

As a matter of fact, I feel that the department should review very carefully their agreements with these people, and make themselves aware of some of the practices employed by them!

This statement can be borne out by a paragraph contained in a brief prepared by the grade 13 biology class of the Madawaska Valley District High School, entitled: "Comments on the Proposed Master Plan for Algonquin Park." I quote from paragraph four of that brief:

Greater government control should be exercised over the concessions for visitors' services in the park. Students in our school who worked in concession establishments

in the park during the 1968 summer season claimed that wages and working conditions were not satisfactory; and that certain unfair practices existed.

Youth camps I feel should be phased out. They do little for the youth of this province. They cater only to the few elite—and many of their guests are from other lands. I do not want you to feel that we should not share our blessings with those from other lands, but this can be done in many other ways.

The member for Kingston and the Islands (Mr. Apps) has a motion advocating the setting up of a department of youth in Ontario. I feel that when this is done—and it should be done—the new department, in conjunction with The Department of Lands and Forests, should make available to the youth of Ontario in an ever-expanding way the facilities of Algonquin Park.

Youth should be encouraged to take advantage of our great outdoors! High school and university classes in some instances could be taught right within the confines of that park and other parks. Our junior ranger programme should be expanded—or perhaps revamped to encompass a larger segment of our youth.

It could take on many more shapes and forms. In this way, our young Ontarians could learn first-hand of the many facets of our province that hitherto were shut off from them.

I am sure, Mr. Speaker, that the Minister of Lands and Forests has received well over a hundred briefs concerning the plan. I know that companies such as Consolidated Bathurst Limited, Murray Brothers Limited, McCrae Lumber Limited; Canada Veneers Limited; Hogan Lake Timber Limited; The Chamber of Commerce in Arnprior, and countless others by groups or individuals, have been submitted.

I have read them all, and I have attended hearings and heard many of them being presented. They are all fine briefs that spell out in better wording and more clearly than I, the matter that is at stake.

I was particularly impressed with the brief presented by Mrs. Dorothy Picard of Deep River, Ontario, in which she outlines the effects certain proposals would have on the family unit. Let me quote just one sentence from that brief:

I consider that the total implementation of the aforementioned plan to be a serious

threat, not only to the economic security of many families, but perhaps an even more serious threat to the family as a basic unit in our Canadian society.

Mr. H. Ladd, of the International Woodworkers of America, also presented a fine brief on behalf of his organization. He said at one point in his brief, when referring to the 1500 foot reserve:

This one simple proposal, in my judgment, wraps up the element of extremism to which people are prepared to go; and I might say that if Robert Conway and his small group of wilderness people seek the extreme solitude, let them go to Polar Bear Park, the most northerly park of our province, where they can enjoy their absolute solitude—play hide-and-peek in the tundra, and weep under the willows that grow so readily in that area.

And so—there it is! To retain or reject! I would appeal to the Prime Minister (Mr. Robarts), the Minister of Lands and Forests, my hon. colleagues, and all concerned to let commonsense prevail in the implementation of the proposed provincial master plan for Algonquin Park.

I know that the Prime Minister and the Minister of Lands and Forests will receive countless letters from the extremists, and those who have little knowledge of the subject matter.

Unfortunately the victims of this extremism are not letter-writers, because most of them did not grow up in the age of equal educational opportunity.

But, Mr. Prime Minister and Mr. Minister of Lands and Forests, if you were to read their hearts and to see the concern written on the faces of their loved ones, I would have no fears as to what the answer will be.

Mr. J. P. Spence (Kent) moves the adjournment of the debate.

Motion agreed to.

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, tomorrow we will resolve into the committee of the whole House to consider Bills number 16 and 17 and then continue with the Throne Speech debate.

Hon. Mr. MacNaughton moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.25 o'clock, p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, December 18, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 18, 1968

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today, the visitors in our galleries are: in the East Gallery, students from Eastwood Collegiate Institute in Kitchener, and Centennial Avenue Public School in St. Thomas; and in the West Gallery from G. A. Wheable Secondary School in London, and St. David's Senior Public School, St. David's.

Petitions.

Presenting reports.

Mr. G. Demers (Nickel Belt), from the Standing Legal and Municipal Committee, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following Bill with certain amendments:

Bill 5, The Expropriations Act, 1968-1969.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, on a point of order, I wonder if I might ask the Prime Minister whether, if it becomes a choice between completing this Bill and completing the Throne Speech, he has given consideration to completing this bill because of its extreme urgency and if necessary, leaving the conclusion of the Throne Speech until after the recess?

I might add, Mr. Speaker, that I hope we could avoid that but I think, quite frankly, that the number of people who wish to speak in the Throne Speech, plus the importance of this Bill, may make it impossible for there to be any likelihood of us doing both and getting out of here before the week-end.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I have given this a good deal of consideration. I would hope for the co-operation of the members of the House in order that we may deal with the expropriation Bill in committee as soon as it is reprinted. It was necessary that it be reprinted because of amendments made in the legal bills committee. It is not on the order paper this afternoon, and I doubt that the reprinted copy is in the members' bill books. I would anticipate calling the committee of the whole House to-

morrow afternoon and devoting tomorrow afternoon, tomorrow evening, and whatever time might be necessary on Friday, in order that we could complete our consideration of it and still be free perhaps to rise late Friday afternoon, or perhaps Friday evening.

I might say there is certain difficulty in travel arrangements on the holiday week-end because if you cancel your arrangements at this stage of the game, you cannot replace them with others.

I am taking a look at some of those matters to see if we cannot accommodate the members, but I would be quite happy to put the balance of the Throne Speech debate over until we resume, probably early in February. I do not want to press the members, those who wish to participate in that debate. I do not want them talking up against a deadline necessarily.

I would suggest the House might give first priority to the expropriation Bill. Let us see if we cannot clean it up by late Friday afternoon or Friday evening and then, if there are other members who still have not spoken and wish to speak in the Throne debate, we will resume that debate early in February when we reconvene.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

## THE ONTARIO COLLEGE OF ART ACT, 1968-1969

**Hon. W. G. Davis (Minister of Education and University Affairs)** moves first reading of bill intituled, The Ontario College of Art Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Hon. Mr. Davis:** Mr. Speaker, just a very brief word on first reading. The College of Art, of course, experienced certain difficulties a few months ago. The government requested the chairman of the committee on university affairs, Prof. Wright, to study the existing

legislation and to come up with any suggestions or recommendations as to any new structure for the college. The bill that is presented here represents quite a significant change with respect to the administrative structure of the College of Art. It reflects, pretty completely, the report presented by Prof. Wright and, to a degree, the legislation that was actually contained within the report.

**Mr. Speaker:** Introduction of bills.

**Mr. T. Reid (Scarborough East):** May I ask a question on the procedure for this bill?

**Mr. Speaker:** If it is of clarification, it is quite in order.

**Mr. T. Reid:** Is the Minister going to refer this bill to the Education Committee shortly?

**Hon. Mr. Davis:** Possibly we should introduce it on this occasion in case there are some who would like to meditate upon it over the festive season. Then we should come to grips with it in greater detail at the end of that period of time.

#### THE PUBLIC HEALTH ACT

**Mr. I. Deans (Wentworth)** moves first reading of a bill intituled, An Act to amend The Public Health Act.

Motion agreed to; first reading of the bill.

**Mr. Deans:** Mr. Speaker, by way of explanation, this bill would require that drugs and medicines be sold only in childproof containers.

#### THE HIGHWAY TRAFFIC ACT

**Mr. M. Shulman (High Park)** moves first reading of a bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to require persons under 18 years of age to take an approved driver education course before being issued a driver's license.

#### THE MUNICIPAL AND SCHOOL TAX CREDIT ASSISTANCE ACT, 1967

**Mr. J. E. Stokes (Thunder Bay)** moves first reading of a bill intituled, An Act to amend The Municipal and School Tax Credit Assistance Act, 1967.

Motion agreed to; first reading of the bill.

**Mr. Stokes:** Mr. Speaker, the purpose of this bill is to remove the obligation to repay tax credits allowed under the Act.

**Mr. Speaker:** The hon. Minister of Energy and Resources Management has a statement.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, I would like to make a report to the members of this Legislative Assembly on an occasion which took place yesterday, in the council chambers of the county of Peel. This was the official signing of agreements between five south Peel municipalities and the Ontario Water Resources Commission for the development of a massive \$88 million water supply and sewage system for the area.

This scheme, which will cover an area of approximately 480 square miles running from Oakville on the west to the Metro border on the east, and extending about 20 miles inland from the lake, is the largest of its kind ever undertaken as a joint provincial-municipal project. The result of this agreement will be an adequate supply of treated Lake Ontario water to the towns of Mississauga, Port Credit, Streetsville, Brampton and the southern portion of the township of Chinguacousy, and provision for sanitary sewage from each municipality for treatment and disposal.

The project is being financed by the province of Ontario, and the municipalities will pay for the services on the basis of use. The Ontario Water Resources Commission will own and operate the systems on behalf of the province.

Mr. Speaker, this agreement is the culmination of nearly four years of negotiations between these municipalities and the OWRC. These negotiations progressed through several informal meetings where differences were aired and resolved, and culminated in a three-day meeting last March 9, when an acceptable formula was evolved for the development of water supply and sewage projects. Now that this acceptable formula has been evolved, I am certain that the southern Peel county area water supply and pollution control agreement will not be the last of this type that the Ontario Water Resources Commission will negotiate.

Those signing the agreement on behalf of the commission were Dr. J. A. Vance, the chairman, and D. S. Caverly, the general manager. The municipal signators were: town of Mississauga: the mayor, R. W. Speck; clerk, G. Lummis; public utilities commission, town of Mississauga: chairman, J. E. Dobbs; manager and secretary, A. P.



Kennedy. Town of Port Credit: mayor, T. E. McCollum; clerk, A. D. Thomson. Town of Streetsville: mayor, J. J. Graham; clerk, L. M. McGillivray; public utilities commission, town of Streetsville: chairman, R. K. Walker; secretary-treasurer, Mrs. E. H. Lamb. Town of Brampton: mayor, W. H. Brydon; clerk, J. Galway; board of water commissioners, town of Brampton: chairman, Mr. William Sproule; secretary-treasurer, Mrs. B. Plant. And the township of Chinguacousy: reeve, C. Clark; clerk, R. S. Holmes.

**Mr. Speaker:** The hon. Minister of Social and Family Services has a statement.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, I am pleased today to announce two appointments within the department. Mr. M. Borczak, executive-director, programmes division, since 1965, has been appointed associate deputy Minister. Mr. Borczak joined the department in 1946. His exceptional talents and abilities have seen him rise through a succession of responsible positions.

In 1951 he was appointed executive assistant to the Old Age Pension Commission; in 1953 he was named director of old age assistance to which was added blind persons allowances in December, 1954; in 1958 he was appointed director of the welfare allowances branch, a post he held until his appointment as executive-director in 1965.

Miss Dorothea Crittenden, executive-director of finance and administration since 1967, has been named assistant deputy Minister, a noteworthy appointment. Miss Crittenden, a graduate of the University of Toronto, joined the department in 1937. Her grasp of the financial and administrative aspects of our varied programmes saw her rise steadily. In 1954, she served the department as personnel officer and later she received responsibility for financial matters of some considerable importance, Mr. Speaker, in these years.

In April, 1967, she was appointed executive-director of finance and administration.

It is to be noted that women are given great responsibility within my department. We have long recognized their abilities to discharge administrative functions in the fullest sense of the word, while at the same time adding those womanly qualities of patience and understanding so necessary when a government deals with persons in need of assistance and services.

As further examples, recently we appointed Mrs. Elsie Etchen as director of our new branch of planning and research. Mrs. Etchen

brings to this important post many years of experience with the Ontario Civil Service Commission.

Miss Robina Morris is being appointed vice-chairman of the board of review. She has wide experience in the social service field.

Just recently I also had the pleasure of noting the 25 years of capable and productive service of Miss Elsie Stapleford, director of the day nurseries branch.

Miss Betty Graham, director of the child welfare branch, is responsible for the many programmes directed toward the well-being of our Ontario children.

Mr. Speaker, the department is proud of their ladies and I am sure all the members of the House are associated with that pride.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs. Since the 1953 statute respecting rent control in Ontario restricts the application to municipalities in which "the wartime leasehold regulations" are in force, can the Minister inform the House how extensive the present application of the 1953 statute would be?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, the extent of the application of the 1953 statute may be found in Ontario Regulation 239-52 as amended by Ontario Regulation 276-52, in which schedule 1 sets out the areas to which the regulation applies. This schedule was subsequently amended by Ontario Regulation 289-52, 324-52, and 25-53, so that as this regulation read on April 2, 1953, the date of the coming into force of The Rent Control Act, the Act applies to approximately 199 municipalities.

For more particular information, reference can be made to the regulations which I have mentioned.

**Mr. Nixon:** Might I ask the Minister if these 199 include the major municipalities of the province by way of population?

**Hon. Mr. McKeough:** It is very scattered. I think something like 15 out of the 29 cities are on that list, for example.

**Mr. Nixon:** Is Ottawa, for example?

**Hon. McKeough:** Yes.

**Mr. B. Newman** (Windsor-Walkerville): Is Windsor?

**Hon. Mr. McKeough:** Yes.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Health. Is the Minister prepared to press for new legislation to control the sale and display of glue, nail polish remover, and similar toxic substances, as requested by two coroners' juries during the past week, as reported in the *Telegram* today?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, at the recent federal-provincial health Ministers' conference, all of us representing the provinces supported the Minister of National Health and Welfare in his support of this Bill C-22 that is presently before the federal government and has as its purpose, control of such toxic substances.

I must, in honesty, point out sir, that none of us was overly enthusiastic about this method of approach to it, but in the absence of some better approach to this very difficult problem we supported the Minister of Health and Welfare.

**Mr. Nixon:** Could I ask the Minister then, Mr. Speaker, is—since he is not overly enthusiastic about the federal bill—is he contemplating anything at the provincial level that would augment its effectiveness?

**Hon. Mr. Dymond:** No, Mr. Speaker, I hope I did not mislead the hon. leader. It is not because the federal government's bill is not satisfactory—it is as satisfactory as such a bill can be. But all of us are very concerned about the punitive approach to this problem.

We do not think this is the way to deal with it but, frankly, we do not know how to deal with it. If all of the substances that are involved in this category were ruled out, it would cut a tremendous swath across the products that are very commonly used in nearly every household today.

**Mr. Nixon:** Like nail polish remover.

**Hon. Mr. Dymond:** Right. Well, we could do without that, but with the glue, for instance, an awful lot of people make their living in jobs where they have to use this kind of glue. But there are other substances. I shall not name them because the youngsters know them well enough without me repeating them here. Unfortunately even educational methods have not yielded the fruitful results that we had hoped.

While we are searching for other methods, we do intend very vigorously to support the federal bill in every way we possibly can at the provincial level.

**Mr. Speaker:** The hon. member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a number of questions, two of them for the Minister of Municipal Affairs, one carried over from yesterday.

Since it was suggested to tenants in the "tax reduction notice" sent to every Ontario householder, that they turn to the local municipal police for help if they are unable to obtain their tax rebate, have local municipal police been instructed how to deal with such enquiries?

Further, what advice will the Minister's own department have for tenants seeking to obtain their tax rebate when they phone his department after January 1?

**Hon. Mr. McKeough:** Mr. Speaker, the answer to the first part of the question would be that the local municipal police are familiar with the procedures concerning the laying of an information and the processing of it through the courts, with respect to an offence punishable upon summary conviction under any statute. Therefore, it is not necessary to give special instructions to them on how to deal with such enquiries under The Residential Property Tax Reduction Act.

With regard to the second part of the question, officials of my department will explain the provisions of The Residential Property Tax Reduction Act to the tenant and the landlord, and endeavour to secure the facts of the situation, determine the entitlement, ensure that the landlord understands his responsibilities under the Act whenever possible and attempt to persuade the landlord to pass on the benefit to the tenant.

Failing this, they will draw the landlord's attention to section 7 of the Act which deals with the penalty for such a contravention of the Act.

**Mr. MacDonald:** Does the Minister expect to have that completed by June?

**Hon. Mr. McKeough:** No, I do not think so, not quite.

**Mr. MacDonald:** That is what I was afraid of.

**Hon. Mr. McKeough:** By June?

**Mr. MacDonald:** Yes.

To the Minister; has the department or the Ontario Municipal Board received a request for an investigation of the affairs of

the town of Picton? If so, what action has been taken?

**Hon. Mr. McKeough:** Mr. Speaker, the department has not received a request for an investigation. I understand, however, by phone, that the Ontario Municipal Board has received two letters, both dated December 9, which they received on December 13. One is from a Mr. Reg. Moore of Picton enclosing certain newspaper articles, the second from a Mr. H. Evans, who apparently is not a resident of Picton, but a resident of the adjoining township. Both of these letters are being forwarded by the Ontario Municipal Board to the department and when they are received we will give consideration to the request.

**Mr. MacDonald:** My next question, Mr. Speaker, is to the Attorney General.

Is the Attorney General aware of the public threats of physical violence reported in last Saturday's Kingston *Whig-Standard* made by Reeve Barney Hepburn of Picton against reporter Jack Brett because of news stories by the Kingston paper on the municipal administration of Picton?

If so, is there any action that the Attorney General can, and will, take through the local Crown Attorney to cope with such threats of physical violence?

**Hon. A. A. Wishart** (Minister of Justice and Attorney General): Mr. Speaker, I have some awareness of the situation, but I have checked further. There have been no complaints made to the Crown attorney, nor any complaints to the Crown attorney at all. I am sure that if any were made they would be investigated at once.

I am aware of certain newspaper articles, but nothing has been brought to the attention of the law enforcement people in this nature.

**Mr. MacDonald:** Mr. Speaker, to the Minister of University Affairs. Can responsible bodies within a university, such as the faculty association, secure from The Department of University Affairs and/or the committee on university affairs, a copy of the budget for their university?

**Hon. W. G. Davis** (Minister of Education and University Affairs): Mr. Speaker, I think it is apparent that if any person or organization wishes to have a copy, say, of the university budget, they should attempt to secure it from those who are responsible for its preparation. Neither The Department of Uni-

versity Affairs nor the committee on university affairs feel that they should be an intermediary in this matter and submissions now coming to the committee on university affairs are not budget submissions *per se* because of the formula operation.

I would think if members, say, of the faculty association within the university wish to peruse the budget of that university, the best way would be to ask the university administration for it. We do not have all this material any longer within the department itself, in any event.

**Mr. MacDonald:** Mr. Speaker, could I clarify one point there?

Does the final budget, or a copy of the final budget ultimately come through to the department or to the committee on university affairs?

**Hon. Mr. Davis:** No, certainly not for all institutions. The annual report and certain factual information we require, but because of the formula operation, the budget item, shall we say, within individual departments do not come to us. This is the difference of a course of three years ago.

I think the best way would be to contact the individual university.

**Mr. MacDonald:** Mr. Speaker, my next question is to the Minister of Agriculture and Food.

Will the report of the Minister's committee on farm income be made available in advance, to delegates of the mid-January conference?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Yes, Mr. Speaker, I am pleased to say that it will be, providing we have it and I see no reason why we will not.

We are told that it will be available about January 6, and we intend to make it public at that time through a press conference that we are calling for that day so that the farm income committee can not only present the report to me, but will be able to present it to the press.

Members of the agriculture committee of the House will all be forwarded, by mail, a copy of the report, including the leaders of the Opposition parties and any others who may ask. I felt that there may be some members of the House who really would not want the report, but if they want it they can ask for it and get it. But the agriculture committee members and the two leaders of the Opposition parties will receive copies.

**Mr. Speaker:** The hon. member for York South has the floor and thereafter, the hon. member for Scarborough Centre.

**Mr. MacDonald:** Mr. Speaker, my question is to the Minister of Labour.

Since the workers at the Cyanamid Company of Canada Limited at Beachville have been locked out since December 9, would the department intervene to bring the parties together for negotiations again?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question, the department is fully aware of the situation and we have been giving assistance and will be doing so again in the normal way.

**Mrs. M. Renwick (Scarborough Centre):** A question of the Minister—

**Mr. Speaker:** Order! The hon. member for York South is not finished.

**Mr. MacDonald:** Mr. Speaker, I was contemplating that meaningful reply. I do not know whether I got anything or not.

However, my final question is to the Minister of Social and Family Services.

Is the Minister aware that general welfare assistance recipients in Cornwall who are under 45 years of age, until recently had to report to the welfare officer every morning, and now two and three times a week, in order to qualify for municipal welfare?

Secondly, is this practice followed in other municipalities?

Third, is the Minister in agreement with this practice?

Fourth, if not, what does he propose to do about it?

**Hon. Mr. Yaremko:** Mr. Speaker, I understand the reporting the member refers to is part of a re-employment programme operated by the local administrator in an attempt to secure jobs for these recipients. They claim some success with the programme.

The practice is followed in some municipalities where such a positive re-employment programme has been developed to assist the recipients in achieving independence.

I do not object to employable recipients reporting periodically where a local re-employment programme is in operation and it is achieving the results.

**Mrs. M. Renwick:** Mr. Speaker, a question of the Minister of Trade and Development. Are OHC records of tenants, of South

Regent Park in particular, confidential information?

**Hon. S. J. Randall (Minister of Economics and Development):** Mr. Speaker, in answer to the hon. member's question. The Ontario Housing Corporation recognizes and respects the privacy of its tenants; therefore tenants' records are treated as confidential information. However, where a tenant chooses of his own volition to make public, either through the press or through a member of the Legislature, details of his personal circumstances, and where the details given are erroneous or misleading, then it is incumbent upon me to correct these false impressions.

**Mr. H. Peacock (Windsor West):** Well that is the answer to last year's—

**Mr. Speaker:** The hon. member—

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

**Hon. Mr. Randall:** Surely.

**Mrs. M. Renwick:** I am asking in light of what was stated on page 2898 *Hansard* May 14, 1968, where the Minister stated:

I say that I deplore the publicity which is given to tenants and applications of OHC, whose applications are considered by the corporation as being of a confidential nature. It distresses me when the personal circumstances of such families are needlessly aired in this Legislature and in the press.

This was in answer to my question. Mr. Speaker, would the Minister answer if this is consistent with his thinking about the particular case that he is speaking about today?

**Hon. Mr. Randall:** Yes, certainly. If these people are exploited by the Opposition or the press and it is an unjust accusation against the Housing Corporation, I intend to use that information in this House or publicly to protect the Housing Corporation.

**Mrs. M. Renwick:** A further supplementary question please, Mr. Speaker.

**Mr. Speaker:** If it is a supplementary question and the Minister will answer it—yes; otherwise, no.

**Mrs. M. Renwick:** Mr. Speaker, I would like to ask the Minister if he considers this as exploitation by the Opposition. It is a letter dated the 15 of December:

Mrs. Renwick:

Could you please ask Mr. Randall, Minister of Trade and Commerce if OHC records

are confidential—see *Toronto Star* December 10, 1968.

*Signed, R. E. Dick Birch*

**Hon. Mr. Randall:** Yes, Mr. Speaker, I would be very glad to answer that question.

I have the answers to some of the questions the press asked Mr. Birch and in view of the inaccuracies, I answered it in the *Star* following his interview by the *Star*. Now I do not wish to bring this man's name out any more in this House, but if you insist on me outlining the inaccuracies of Mr. Birch's I would be very glad to do so.

This is what I mean by exploiting people in unfortunate circumstances. I deplore it and I hope the members will not do it.

**Mr. Speaker:** The hon. Minister has answers to questions from another day, I believe.

**Hon. Mr. Randall:** Well I have, Mr. Speaker, but I do not see the members in the House so I will hold the questions until they are in if you like.

**Mr. Speaker:** The hon. member for Scarborough East has some questions from the other day and some today.

**Mr. T. Reid:** Mr. Speaker, a question of the Minister of Education.

The following statement by Heather Tapp of Sir Sandford Fleming College of Applied Arts and Technology, Peterborough, was published in the *Globe and Mail*, December 16, 1968:

Many government agencies will not hire the graduates of community colleges. For example, the social services course was set up to fill the need for social workers in Ontario, yet social agencies such as the Ontario Psychiatric Hospital and hospitals for retardates will not hire our graduates.

In view of this statement, will the Minister evaluate the professional and academic curriculum of the CAAT in such fields to assure the taxpayers of this province and prospective CAAT students that the courses of study are relevant to our complex society?

**Hon. Mr. Davis:** Mr. Speaker, the council of regents and the boards of governors, of course, carry on an on-going evaluation of the existing and proposed courses. Part of the problem in the past—and which I think is now in process of solution—is to acquaint the various government agencies as well as the private sector with the new courses that are available within community colleges.

I think for a period of time some existing employers did not appreciate some of the courses and the course structures. We are very optimistic that this is now getting through to the employing agencies. I believe that the Civil Service Commission, for instance, just a few weeks ago, sent a memo to various government departments suggesting that they re-assess their personnel requirements in light of the new courses and so on available within the various colleges.

**Mr. T. Reid:** A supplementary on that, Mr. Speaker.

Is the Minister's office taking a lead in this or is this being left, for example, to the Civil Service Commission or to the various councils?

**Hon. Mr. Davis:** Well, Mr. Speaker, I would say that we are all involved in it. The council is, the various boards of governors, the institutions themselves and as I say, the commission.

**Mr. T. Reid:** A second question for the Minister of University Affairs, sir. Has the Minister's office instructed the universities to withhold payment of the grant portion of the awards to students until 1969?

**Hon. Mr. Davis:** No, Mr. Speaker, that is not the case. I think it is a well understood part of the programme and publicized within the procedures that student grant cheques, that is, the second portion of the awards will be available to students at the commencement of the second term.

The department is presently in the process of preparing approximately 43,000 such cheques and these will be forwarded to the various post-secondary institutions so that they will be available as planned. This has been the procedure in past years.

**Mr. T. Reid:** A supplementary on that, Mr. Speaker. Is the Minister aware that in his own regulations there is a statement "where the loan portion is less than half the total aid, part of the grant portion may be paid in the first term"?

**Hon. Mr. Davis:** Yes, I understand that, that is there, Mr. Speaker.

**Mr. T. Reid:** Supplementary to that, sir. There are quite a few students in our universities and other institutions of post-secondary education where the loan portion is less than half—much less than half—the total aid, who need the money. I would like to ask the Minister therefore, if such students have received

part of the grant portion as of now and if not, when they will receive it?

**Hon. Mr. Davis:** Mr. Speaker, I would have to take this question as notice and get the specific information for the hon. member. Part of it relates to the date that the applications have come through from the universities, of course, requesting this and I would have to get some specific information for the hon. member.

**Mr. T. Reid:** Mr. Speaker, I think this is a real problem. I am glad the Minister will look into it.

A third question, to the Minister of Education. Is the decision by the Metropolitan Toronto School Trustees to reject the principle of a separate secondary school for French-speaking students in Metro, as reported in this morning's *Globe and Mail*, incompatible with any of the principles of Bill 141, 1968?

**Hon. Mr. Davis:** Mr. Speaker, I must confess I have not had quite the usual amount of time this morning to carefully peruse that morning publication so I cannot say that I have been able to assess properly what the report itself says.

I think that I could outline the principles that we feel exist in Bill 141 and then, perhaps the hon. member might himself, assess whether these are compatible or otherwise with the decision of the Metropolitan Toronto School Board.

The objective of the legislation—and I think this is the essential part of it—is to provide French-language students with equal and comparable opportunities for education. This, in my view, would mean access to composite school programmes including vocational, technical and commercial options as well as academic.

This is best provided, I think, Mr. Speaker—and this is a personal point of view—in the composite school position where it is feasible to assemble sufficient students.

Now obviously in this province, Mr. Speaker, there has to be some flexibility, because this will vary from one geographic area to another as related to the number of students that are available for this particular type of programme.

I would say—and I emphasize this—on a very cursory examination of a statement in this morning's paper, that it would appear that the solution suggested by the Metro board (and I think it is a suggested solution) may not necessarily be the best, or the only

way. As I say, I am not in a position to say at this stage whether it is incompatible or otherwise. I do not think there is any necessarily set pattern.

**Mr. T. Reid:** Would I be correct, Mr. Speaker, in assuming from the Minister's remarks that his statement last year in introducing Bill 141, at which the Minister said "at the secondary level the ideal situation in our view, the government's view, would be the establishment of French language composite schools providing all options and programmes." Does the Minister still believe—

**Hon. Mr. Davis:** That is exactly what I have said.

**Mr. T. Reid:** Right. A further supplementary question. Will the Minister request from the Metropolitan Toronto school board the committee report entitled: "From the committee appointed to consider the establishment of French language classes in schools", dated November 20, 1968, and signed by the chairman, C. T. Clifford? And will he particularly review on page 2, the second paragraph of section 3 entitled: "Secondary School for French Speaking Children" to see if the statement of intent in that paragraph is consistent with the views that he has just expressed now?

**Hon. Mr. Davis:** Mr. Speaker, I would be delighted to have a look at such a report. Perhaps the hon. member, in that he has one present with him, might expedite the matter by sending me his copy.

**Mr. Speaker:** The hon. member for Cochrane South has a question?

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question of the Minister of Social and Family Services.

What is the reason for the inordinate delay in reaching a decision as to the eligibility of Stanley Kuzik, of 131 Fifth Avenue, Timmins, to continue to receive family benefits as a disabled person?

When will a decision be reached?

**Hon. J. Yaremko:** Mr. Speaker, I am checking into the matter and will take the question as notice.

**Mr. Ferrier:** My second question is of the Minister of Energy and Resources Management:

What was the gross revenue realized by the Ontario Northland Railway on the shipment of the 812 carloads of concentrators shipped by



Ecsall Mining Co. from their Hoyle concentrator? I should have put in "in September".

**Hon. Mr. Simonett:** Mr. Speaker, the gross revenue realized by the Ontario Northland Railroad for these shipments was \$213,971.04.

**Mr. Speaker:** The hon. member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** The Minister is not here.

**Mr. Speaker:** The Minister is absent. The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, a question of the Minister of Social and Family Services.

Has the Minister met with the representatives of the Ontario Association of Family Services Directors during the past six weeks to discuss private voluntary family services in Ontario?

**Hon. Mr. Yaremko:** Mr. Speaker, we are in course of correspondence with the association to determine a date mutually suitable for such a meeting.

**Mr. Speaker:** The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Education.

As some teachers' colleges will be taken over by the universities in the fall of 1969, will the Minister inform the House of the government's policy re tuition fees for teacher education at universities and at teachers' colleges?

Will there be a set of standards for admissions to teachers' colleges operated by the department and a different set of standards for admissions to teacher education courses operated by the universities?

**Hon. Mr. Davis:** Mr. Speaker, in answer to the first question, I think I recall answering a similar question just a few days ago. I indicated that in spite of the finality indicated in the report from the committee of presidents on this matter, the question of teachers' colleges really had not been finalized. I am not in a position yet to make any statement with regard to the first question asked.

With respect to the second question, the standards for admission to the teachers' colleges—and I made a statement on this some weeks ago, are being raised to 60 per cent, effective September, 1969. This is for our

own teachers' colleges, no matter what happens with respect to the universities. The admission requirements or standards will be comparable, no matter what date some transfers may take place.

**Mr. B. Newman:** If I may ask of the Minister: Is the Minister stating that there will be two different sets of standards then for admission?

**Hon. Mr. Davis:** No, I am not. I am saying that the university admission is, generally, on an average of 60 per cent. I am saying that we are already telling our teachers' college applicants that for September, 1969, they will require 60 per cent. I am saying there will not be a double standard.

**Mr. Speaker:** The hon. member for Sudbury East has a question from yesterday and one today.

**Mr. E. W. Martel (Sudbury East):** A question to the Minister of Energy and Resources Management:

Will the Minister instruct the International Nickel Co. to submit to the committee studying the fog conditions on Highway 17 at Copper Cliff Creek, the dates on which water from the boilers was dumped into the creek during the last five years?

**Hon. Mr. Simonett:** Mr. Speaker, the Ontario Water Resources Commission has never placed much emphasis on the discharge from boiler operations as a major contributing factor to the conditions that exist in Copper Cliff Creek. As a result, information has never been requested from INCO regarding the discharge of boiler water to the creek. Should the fog committee find this information to be relevant, it will request same from the International Nickel Co.

**Mr. E. W. Sopha (Sudbury):** That committee has been in a fog ever since—

**Hon. Mr. Simonett:** That is what I thought.

**Mr. Sopha:** That is why I would not go.

**Mr. Martel:** A supplementary question, if I might?

**Hon. Mr. Simonett:** Yes.

**Mr. Martel:** In view of the fact that the water being emitted is at 212 degrees, does the Minister not feel that when this is dumped into water that is approximately 30 degrees there would be fog created?

**Mr. Sopha:** First tell him it is boiling.

**Hon. Mr. Simonett:** I think, Mr. Speaker, I answered that question when I said that the Ontario water resources never place much emphasis on the discharge of boiler operations as a major contributing factor to the condition that exists in Copper Cliff Creek. That was my answer.

Interjections by hon. members.

**Mr. Speaker:** Order, order! The hon. member has a further question.

**Mr. Martel:** A question of the Minister of Mines.

Is the Minister aware that Gary Slessor, an INCO employee who, over his objections, was ordered to work in an area in which large amounts of gas had concentrated, passed out from the gas fumes on October 24, 1968, and had to be pulled out of the water into which he fell as a result?

Will the Minister now support the request of the United Steelworkers of America that men instructed to work in areas where large concentrations of gas can collect, may have the right to request a gas test and that such tests be taken in the presence of the employees affected?

**Mr. Speaker:** Would the hon. Minister of Mines care to answer the question which has just been directed to him?

**Hon. A. F. Lawrence (Minister of Mines):** I am sorry, Mr. Speaker—

Interjections by hon. members.

**Mr. Speaker:** Order! Now that we have the hon. Minister on his feet, let us hear from him.

**Hon. A. F. Lawrence:** In answer to the first question, Mr. Speaker, this incident has been and is still being very actively investigated by the officials of the department.

In answer to the second question, as a result of that investigation, if a change in government policy is required, that change in government policy will be announced in due course.

**Mr. Speaker:** The hon. member for High Park has a question.

**Mr. Shulman:** I have a question of the Attorney General, Mr. Speaker.

Does the Minister agree with the view expressed by the Minister of Mines, as quoted in the *Sudbury Star* of September 24, 1968, "the sole purpose of an inquest is to determine the cause of death of the person concerned"?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have not read the article to which the hon. member refers. But I would say that the main purpose of an inquest is to determine the cause of death, how, where, when, why, the deceased came to his death.

There are other objects—to make the facts public, to give the jury an opportunity to make recommendations which may prevent such occurrences in the future, and to determine if, in the cause of death, there was negligence of such a nature that criminal or other proceedings may be taken. The main purpose is to determine the cause of death. I would say that to determine the cause of death includes these other considerations which are wider than just the simple interpretation of those words.

**Mr. Shulman:** Would the Minister allow a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** In view of the fact that the Minister of Mines' comments were made in Sudbury where there is severe disaffection with the conduct of recent inquests, would the Attorney General consult with the Minister of Mines and perhaps enlighten him as to the views of the department on this matter?

**Hon. Mr. Wishart:** I have found in my dealings with the hon. Minister of Mines that he needs no enlightenment.

**Mr. Shulman:** Mr. Speaker that is a matter of opinion. I have a question for the Minister of Health. Is your department currently financing a study of the life of hippies in Yorkville; if so why? What is the cost of this study?

**Hon. Mr. Dymond:** Mr. Speaker, our department is financing a study in Yorkville, but I don't think it can be delineated as study of the life of hippies in Yorkville. The study is a follow-up of the investigation of hepatitis which was carried on early this year. The cost of the study is estimated to be \$18,735.00.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Dymond:** Let me hear it, please.

**Mr. Shulman:** Has the study to do with hepatitis, or does it have to do with the living conditions or living habits of the hippies?

**Hon. Mr. Dymond:** I think my answer was clear, Mr. Speaker.

**Mr. Speaker:** The hon. member for Dovercourt.

**Mr. De Monte:** To the Attorney General, Mr. Speaker. How many applications have been heard by the Law Enforcement Compensation Board since the enactment of the Law Enforcement Compensation Act? How many awards were made? And how much was paid in awards?

**Hon. Mr. Wishart:** Mr. Speaker, only one application has been heard by that board. The board found that the circumstances in that case did not come within the purview of the Act. No awards have therefore been made.

**Mr. Speaker:** The hon. member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, a question for the hon. Attorney General, in three parts. Will the Attorney General advise if there are approved accounts outstanding to solicitors of over 30 days duration and payable under the legal aid plan? And, if any, what is the total of such accounts?

Second, will he advise what is the maximum amount outstanding to any individual solicitor, and over 30 days duration?

And three, will he assure the House that the administration of the legal aid plan has sufficient funds available to meet its current obligations?

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member will appreciate that some little time is needed to review and obtain the information he asked. I can say that I am not aware of any difficulty in the financing of the plan whatsoever.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** I would like to direct a question to the Minister of Education.

Would the Minister consider the immediate creation of a non-political advisory council of education, as recommended by the Hall-Dennis report, but including students, as well as those representative of public and professional interests, where such matters as the extension of the school year might be discussed?

**Hon. Mr. Davis:** Mr. Speaker, there are two questions that I might answer, if the hon. member would like to ask the second one about the ombudsman.

**Mr. Pitman:** I will ask all three if it is of any convenience to the Minister.

**Hon. Mr. Davis:** Well, the third one is slightly different.

**Mr. Pitman:** Would the Minister consider the immediate appointment of an ombudsman, as recommended by the Hall-Dennis report, so that matters involving individual students and the administration of the particular school can have outside arbitration?

**Hon. Mr. Davis:** Mr. Speaker, I think both of these matters I can answer in a very general way. That is, the recommendations in the Hall-Dennis report are not only being discussed within the department, but also by many members of the profession throughout the province. It is our intention to have some of these discussions become more specific in form early in the new year. I have arranged for one of the co-authors—I should not call them co-authors—one of the co-chairmen of the report to meet with the committee on education at its first meeting after the new year. Then, I think, many of these matters could be discussed by all members of the committee itself.

**Mr. Pitman:** I might ask a supplementary question. Would the Minister regard a matter such as the extension of school year, with such economic implications, as well as many other implications, as an appropriate subject for discussion by a body outside the department?

**Hon. Mr. Davis:** Mr. Speaker, I have discovered, in my capacity as Minister, that on matters related to education there are very few subjects that are not discussed in one way or another by bodies outside the department rather regularly. I really am not in a position to say whether that would be a function of a particular advisory body. That might or might not be a point. I could not say at this point.

**Mr. Pitman:** A supplementary question. I wonder if the Minister has ever considered an investigation of the various kinds of school holiday periods, rather than the bunching of school holidays in one particular period? Has there been any study of the education feasibility of "holidays" as they relate perhaps to a study of the importance of contact between teacher and student? That is the time of contact.

**Hon. Mr. Davis:** Mr. Speaker, I am not sure there have been any detailed studies

*per se*, other than studies of situations existing in other jurisdictions. There was some consideration, of course, given to this at the time of the mid-term break. The Easter holiday was altered to the latter part of March, to provide three equal terms, generally speaking. This matter was considered at that point.

Of course, this year, the longer period of vacation at Christmas upset the balance to a degree, and these are things over which the department has very little control.

**Mr. Pitman:** My final question, Mr. Speaker. Is it the policy of the Minister to make the leaving dates for students in June flexible each year and related to the number of holidays accorded during the Christmas break, as suggested by his argument for extending the present school year?

**Hon. Mr. Davis:** Yes, Mr. Speaker. This is not the sole criterion, but it is related to it.

Obviously we want to determine, shall we say, a reasonable number of days, and this related to the number of days holiday during Christmas and New Year's period. This year the suggested time, of course, means that the grade 13 students will have 184 days of instruction out of a total of 365 days in the year.

**Mr. Pitman:** May I ask a supplementary question? Is there any particular number of days which the department has established to gain the optimum, or the most advantageous in terms of the educational experience, the quality of education of the province?

**Hon. Mr. Davis:** Mr. Speaker, I think we are really attacking two different problems here. We could discuss this at great length because, first, there is the educational validity and quality of what you are attempting to do; second, there are certain economic factors; and, third, there is the traditional pattern for holidays, and so on, during the summer months.

I don't really think I can answer this in a comprehensive way. I would say that the Hall-Dennis committee—which the hon. member has rather enthusiastically endorsed, across this province, as I read my press clippings—recommends a 200-day educational period.

**Mr. Pitman:** Would the Minister not agree though that the Hall-Dennis report is not simply suggesting the continuation of classroom routine for those 200 days?

**Hon. Mr. Davis:** No, but there are 200, shall we say, educational or learning experience days. Very good!

**Hon. Mr. Dymond:** Before the orders of the day, the hon. member for Oxford asked a supplementary question, which I could not answer at the time. I now have the answer.

There are 221 Homes for Special Care licensed as nursing homes in the province, caring for 4,765 patients, who have been discharged from Ontario psychiatric hospitals. There are 198 Homes for Special Care, licensed as residential homes, caring for 1,352 patients discharged from Ontario hospitals and hospital schools as capable of profiting from such care.

These figures are as of November 30 of this year.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The second order; House in committee of the whole; Mr. A. E. Reuter in the chair.

#### THE MILK ACT, 1965

House in committee on Bill 17, An Act to amend The Milk Act, 1965.

**Mr. Chairman:** The leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, I have a motion that is not normally put at this time, but which I feel has the necessity of being considered by the House. I will give you a copy of the motion, sir, for your ruling. That is, that Bill 17 be not now dealt with by the committee of the whole House, but be referred to the standing committee of agriculture for consideration.

**Mr. Chairman:** The leader of the Opposition has moved that Bill 17, be not now dealt with by the committee of the whole House, but be referred to the standing committee on agriculture for consideration and report.

**Mr. H. Peacock (Windsor West):** Mr. Chairman, on a point of order: I believe the motion of the hon. leader of the Opposition is defective in that it refers to the bill rather than the order. The order itself must be discharged in respect to Bill 17 and not the entire order, which—

**Mr. Chairman:** The Bill 17 itself has been called. The only order that was called was the committee of the whole House and Bill 17 was the item that was called for consideration by the committee.

The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, I draw to your attention, sir, that when this bill was introduced on November 28 by the Minister of Agriculture, he said in his explanatory statement on the first reading—and I quote from page 208:

This bill does not confer any new powers on the Ontario Milk Marketing Board—

That is the significant statement, but of course I will read the rest of it. To go on quoting the hon. Minister:

—but simply clarifies the manner in which the marketing board may carry out powers already conferred upon it by the Milk Commission of Ontario.

I would further draw to your attention, sir, that the bill itself in its first section reads as follows:

The marketing board in the exercise of such powers may make regulations, or orders, or issue directions.

Now I submit to you, sir, that this particular section of the bill does confer what appears to be large new powers on the Ontario Milk Marketing Board. In fact, the conference of these powers was to be tested before the Supreme Court of Ontario in an action which, I submit to you, sir, the Minister of Agriculture was aware of, since this bill would, in effect, remove the grounds for the contest from the situation before the courts.

I would say to you that when the second reading of the bill came forward on Wednesday, December 4, it was put before the House after a lengthy discussion of the expropriations bill just as the session was concluding in the afternoon. No objection was made on this side at that time. I myself was not present in the House and I certainly do not want to indicate in any way that the Minister was attempting to slip it through. I simply draw to your attention, sir, that even after six o'clock on the day of December 4, this House gave second reading to the bill. The bill was not sent to the agriculture committee, but was listed for consideration of the committee of the whole, which is now being undertaken, and it is this to which I object.

I would draw to your attention, Mr. Chairman, that Supreme Court action is in process; that surely the matter would be considered *sub judice*, and that the Minister has been poorly advised in attempting to enact legislation which in every respect would be retroactive and interfere with the course of the question before the courts.

I believe the only solution to this would be the reference of the bill to the standing

committee so that in their wisdom the committee members can hear submissions from those lawyers undertaking the action before the Supreme Court of Ontario, and perhaps even to consider that the bill be held in abeyance until such decision of the court is forthcoming.

It would not be in order, I submit at this time, to give any particular information about the bill other than to say that in its presentation as a series of regulation numbers in section 2, the Minister is attempting to set right what apparently was a gross error on the part of his ministry and his advisors in the execution of The Milk Act.

The whole Act and the basis of milk marketing in Ontario has been called into question before the courts, and I have heard the Minister himself on many occasions say that he is prepared to have his legislation tested in the courts. As he well knows, and you do too, sir, in the past this has been the procedure that has been followed. I would say that in almost every case the Minister's legislation has been upheld, but surely the Minister is guilty of two serious errors.

The first is that he has been misguided—and let us say ill advised—in bringing forward this legislation in this particular style. I would say as well that he is guilty of misleading this House in at least some measure in his statement on first reading and the fact that the bill was not formally and by the Minister sent to the standing committee.

For these reasons, sir, I hope that the House will consider the motion that I have put before us and allow those people in the community who have a real stake in the intent of this amendment, to appear before the standing committee as is, I submit, their right.

**Mr. Chairman:** The hon. member for Brantford.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, I rise to support the motion introduced by the leader of the Opposition. It seems to me that it has been rather an underhanded or a fishy way to bring in a bill, particularly of this significance. It should be noted that the bill lists the regulations in the same order as they are attacked in the writ of summons that was issued by the plaintiffs in this particular court case.

It seems to me that at a time when the people, or the people—the plaintiffs in this case—are claiming that they will stand or

endure financial loss—some of them are saying that they will go out of business completely—that at least they would have an opportunity or a chance to present their case to the agricultural committee. As it is now this would not have happened.

There are other possibilities or ramifications of this particular bill in the sense that it may squeeze out the small processors, which would result in the milk industry being controlled by two or three giant operators who would then be in a position to manipulate prices or set the prices to their liking. The consumer would have absolutely no protection, and there certainly will not be any competition in the particular industry.

It seems to me that all these things—these matters that I brought up—and there are others—could have been, and should have been, brought up in the standing committee on agriculture and food. We could have examined the merits.

Obviously there are reasons for the milk board acting in the way it did, and there are reasons for the plaintiffs' case. But surely it would only be reasonable and just that the committee—the agricultural committee—examine and listen to both sides and then come back with their recommendations to this House.

**Mr. Chairman:** The hon. member for Sudbury.

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, there is good precedent for such a motion as this to be brought under the normal procedure which has been somewhat changed by the practice and usage of this House. We would have a motion that Mr. Speaker do now leave the chair and the House resolve itself into the committee of the whole.

That motion in recent years is no longer put.

I observe that in May, the 17th edition, at page 632, there is reference to a motion such as this where he says:

Since the primary purpose of the committee is to consider and amend in detail matters which have been referred to it, and since such matters have, in the case of bills, previously been agreed to in principle by the House, they are matters in which the initiative properly belongs to the government.

It is not usually in order in committee of the whole House to move an amendment to leave out all the words after the first word in the resolution, and to add other words.

There are precedents, however, for amendments of this type being moved in committee of the whole House which were preliminary to the introduction of bills.

So I submit that cognizance was taken of this vehicle that the leader of the Opposition has used today. It is perfectly pertinent, very pertinent, that he should move such a motion.

I did not hear his earlier remarks, but certainly I will say it, that whether wittingly or unwittingly on the part of the Minister of Agriculture and Food—I am not going to ascribe any motives to him—we on this side of the House were somewhat misled in the import of this bill.

I recall very clearly the circumstances under which it reached and achieved second reading and that was after six of the clock on a certain day when we had completed other important business and were going on to equally important business the next day. There seemed to be on the part of the House leader at that time an anxiety to put Bill 17—December 4, the fourth day of December—it was after six of the clock and the House leader said: "We will deal with The Milk Act tomorrow unless there is anything controversial about it. We can move it now."

We have the advantage of our colleague from Huron-Bruce and we turned to him for guidance. There did not appear to be anything controversial about it. We acceded to putting the motion. The Minister of Agriculture and Food put the motion at about five after six and it carried without debate.

The important thing to notice in that regard is, of course, that the Minister of Agriculture at that time made no statement about the principle of the bill. It passed without comment or debate.

After that, we became aware that there were very serious objections in matters of principle to this bill. I am not going to avert to those at this time, or to seek to inform the House of our view of what those matters of principle are, save to say that at this time the important consideration is the deprivation of persons affected in Ontario by the passage of this bill, the deprivation of their opportunity to come to the committee—the standing committee on agriculture—and make the representation.

Therefore, in that regard, there is a very serious failure of democracy. I do not know whether we have an all-embracing rule in this Parliament about the opportunity of citizens, corporations, any other pluralistic groups to come and take an active part in democracy by making the representations in



appropriate form. It appears we do not have an all-encompassing rule after 100 years of Parliamentary life.

Universally, with the Attorney General and the legislation that he introduced, there is such an opportunity given. The opportunity is spotty in other departments. It is sometimes given and sometimes it is not.

The Minister of Agriculture, indeed, sometimes affords the opportunity, but the important thing is that, in respect of this bill, whether by clear intention or not, the Minister of Agriculture does not intend to give these people the chance to have their say.

Now, I ask rhetorically, what is wrong with citizens coming before Parliament and making their arguments, their protestations, and that, of course, relates to one aspect of Mr. McRuer's report. I am not going to deal with that in detail because I do not want to try your patience or that of the members of the House. But I relate to one aspect.

He says, in the passing of regulations, there ought to be publication of them before they are passed. There ought to be an opportunity for people affected by them to make their views known about their wording. Indeed, he goes a little further and says there ought to be consultation in respect of the proposed regulations.

Our information, in respect of these regulations, is there was not the opportunity for interested people in the milk industry of Ontario to make their representations to the promulgators of the regulations.

I add, by way of one comment, that not only was there not the opportunity, but we are informed reliably that though the opportunity was sought, it was refused. I am told by one person, very knowledgeable in this regard, "These people will not sit down and talk to you. They just will not sit down and talk to you—that is the milk board. Although we tried to get to talk to them about the form of the regulations, they had no desire to discuss them."

That makes it all the more important that these people, who claim to have been refused an audience when it ought to have been granted, now be given an audience before the Legislature and its committee, to make their views known concerning these regulations.

Mr. Chairman, the arguments are just so overwhelming on behalf of these people that I would hope that, in the face of the motion of the leader of the Opposition, the Minister of Agriculture would have the good grace at this time, without any great embarrassment to

him (he has not spoken yet) to get up and say, "We will withdraw the bill from committee of the whole House at this time and send it along to the committee on agriculture."

What after all, Mr. Chairman, is to be lost by that procedure? That is making no concession that does not rightfully belong to citizens in a free society and it does not mean that the government loses face in respect of it. There is no urgency, of which we are aware, that this bill need be passed before year's end or at this session of the Legislature. Underlying the whole thing, of course, and cognizance must be taken by members of the House, is that there is a case pending.

There is a case pending for which the writ of summons was issued on, I believe, Nov. 12; the statement of claim was delivered last week. I refer to the case of Augustine Farm Dairy and others (there are four plaintiffs in the case) against the Milk Commission of Ontario and the milk marketing board as defendants. The statement of claim was delivered last week. The time limit for statement of defence has not yet expired; it has not been delivered.

Now if we, in all haste, pass this bill it means, I say to my friend from Halton West, as he is well aware (he is listening to what I say or he was), that this case is then functus. The court is absolutely functus in respect of this case and people are deprived of a hearing in a forum that is a very prestigious forum, the courts of Ontario and the Supreme Court of Ontario; a forum that is almost equal in statute to this one. They are deprived of the opportunity to seek the remedies that they claim the law allows them.

The whole thing is wrong and I do not want to get terribly excited about this. I know the Minister of Agriculture to be a reasonable person and I would plead with him, in the spirit of yuletide—to tell us that we do not need to consider it in committee of the whole House at this time; let us send it to the committee of the whole House.

The alternative is, if he wants to put it through, the House is going to be burdened and oppressed by hearing a lawyer's argument from now until six o'clock and beyond, because this now poses a lawyer's field day. We have got to go through the whole gambit of the McRuer report on power to make regulations, the characteristics of delegated legislation and legislative powers, the necessity for an administrative procedure code, to name four or five different items that now become relevant. Not to mention, perhaps, a suggestion that the Legislature of Ontario is, in this

instance (and I have some authority for this proposition, which I do not put lightly, Mr. Chairman), acting in a contemptuous way to the courts.

There is some authority. No less a person than Mr. McRuer himself, when he was on the bench, confronted this very situation where the government sought to cure a deficiency in the regulatory powers under a statute. Mr. McRuer—I have been trying to reach him all afternoon to get the name of that case; it was about 15 years ago—delivered some encomiums from the bench about what he felt about such legislative enactment when a case was pending.

We have to note, of course, that the Channel Islands case is not yet complete. I am informed reliably that though decision has been made in that case, it is on its way to the Supreme Court of Canada, where the result in the Ontario courts might be changed.

So really the thing assumes some proportions that ought to give us pause about thrusting ahead. I most courteously and seriously, in the context of the remarks made by the leader of the Opposition, suggest to the Minister of Agriculture that we forego our discussion of this bill and hear what these people have to say in the legislative committee. Before I sit down, I must add this observation—that in the committee it may well appear, when we have the advantage to hear from the milk board, that the necessity of passing and validating these regulations is in the public interest.

That may well be the result, but if it is the result, it leaves a better feeling with people affected who thought they had rights and who are now deprived of them by the supreme power of this body. They go away with a feeling, well, at least we had our opportunity to have our say. To do otherwise, of course, obviates any such opportunity and leaves all of us with the impression that in the Legislature, we are acting precipitately to the point of being somewhat arbitrary.

As we move into the world of participatory democracy, as I hope we are, we want to do all in our power to avoid giving that impression. The place to avoid it, in respect of this bill, is in the standing committee on agriculture.

**Mr. Chairman:** The hon. member for Lakeshore has a question.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, perhaps some time might be saved, as my friend from Sudbury has indicated. To

some extent I am incensed on the basis of some circumstances behind this matter.

If I might prevail upon the hon. Minister to indicate whether or not at this stage he is prepared to send it on to the committee, then some time may be saved. If not, then I would like to speak.

**Mr. Chairman:** I do not know whether the hon. Minister wants to respond at this moment. Several other members had risen trying to enter the debate on the motion. With the concurrence of the members, if they wish the hon. Minister to respond at this time, it would be in order.

**Mr. Lawlor:** It is up to him.

**Mr. Chairman:** Perhaps the hon. Minister would care to reply then?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Chairman, the points that have been raised by the hon. members who have spoken would appear to be most well taken in the light of their present knowledge of the situation. First of all may I say, Mr. Chairman, that I hope you and all hon. members of this House will accept my statement that I was in no way attempting to mislead the House in any way.

The legislation which was introduced simply clarifies the position which flowed from a result of the hearing by the Channel Island producers before a judge of the Ontario court. In that decision, the judge of the Ontario court, Mr. Justice Leiff, upheld the right of the milk marketing board to do what they have done. But he went further and suggested that they should have done what they did by order rather than by regulation.

Now, with great respect to the decision, I believe that it might have been more appropriate to have suggested, with the statutes, The Regulations Act, that had there been further consideration given to that statute, he would have noted that when a body appointed by a Legislature to develop and implement legislative decisions and when that board is appointed by the Lieutenant-Governor in Council, they have no choice but to draft their orders, or their decisions as regulations. That is clearly stated in the legislation.

Now then, the milk marketing board—and I give them great credit for this—wanted to be sure that every regulation, or every decision, that they made affecting the people whom they represent in the milk industry, was given full publicity. They passed these orders as regulations and this meant they had

to be published in the Ontario *Gazette* for everyone to see, to refer to. They were there, clear.

Now we can see the position in which the milk marketing board now find themselves. They went ahead based on our Act which we passed in this Legislature in 1965. Guided by that Act, and guided by The Regulations Act, which is a statute of this province, they acted accordingly, and in good faith. They have now been faced with the position that Mr. Justice Leiff has said they have done all of this properly, other than that they should have issued orders instead of regulations.

They cannot issue orders, they must issue regulations, so they find themselves today in the position that they have no power to carry on whatever. Now this is the position in which they find themselves.

Statements have been made today, and well stated, that it would appear—as the hon. member for Sudbury said—to deprive persons affected to come before the committee on agriculture and to explain their position.

He went on to say that the committee on agriculture might decide that passage of this bill was in the public interest. I hope he would afford me the same right of saying that it be determined by the hon. members of this House that, by the passage of this bill, it is in the public interest to protect that procedure which has already been carried out by the milk marketing board.

Now, as far as the actions that have been brought by the Channel Island producers against the milk plan, there is no effect on this whatever, as I see it, and as my advisors see it.

They are bringing their action against the constitutionality of the establishment by the milk marketing board of a pool. In effect they are challenging the levying of what could be described by them as an indirect tax. This is the point of their appeal. Mr. Justice Leiff upheld the milk marketing board in establishing this constitutionality matter, but he said the board did not go about it, in his opinion, in the right way.

**Mr. Nixon:** This is not the basis of the Augustine case.

**Hon. Mr. Stewart:** No, I want to come to that in a moment if I may. Now in our opinion, and I say this quite sincerely on very good advice, that the passage of this bill does not in any way affect the procedure of that appeal going to, I believe, the Court of Appeal and, if necessary, on to the Supreme Court of Canada.

Now then, on the Augustine appeal: this action was introduced after Mr. Justice Leiff brought in his decision. It was based on two points. First of all they mentioned the matter of the regulations and Mr. Justice Leiff's criticism of the board suggesting it should have been by order rather than regulation. This is a part of their action.

The second part of their action, which is really the basic part of their action, is reflected in the two sections of The Ontario Milk Act, 1965, sections 11 and 12, where a producer is described in section 11, and where a distributor is described in section 12.

Now this is really the basis of their appeal and I see nothing wrong with them proceeding to launch that appeal, to let us determine whether or not our Act is effective to establish a pool to which all producers must be a part.

We frankly—and I say this quite honestly, Mr. Chairman—do not believe that these regulations being validated will in any way upset the main point of either of the cases that are before the courts. But I point out to you, sir, most respectfully, that if we were not to proceed with this bill today and give it effective implementation, it leaves the Ontario milk marketing board in what I would think was a most untenable position, and I do not think any of us want to do that.

I feel that we should validate this. Let these cases go before the court; let them be decided; because after all, Mr. Justice Leiff said the board had acted within full right of what the intent of the legislation was.

Now this is our position and I urge, through you, Mr. Chairman, the members of the House to support us in implementing this bill.

**Mr. Nixon:** Mr. Chairman—

**Mr. Chairman:** The hon. member for Lakeshore had been on his feet.

**Mr. Lawlor:** Well in that event, since the matter is not to be referred, I will have a few words to say.

It seems that from a straight legal point of view the stand taken, and the rather surreptitious way in which this Act was brought before us, is most questionable on the part of the Minister. I suggest the court action is such—I will not refer to the pleadings, I have the “statement of claim” before me—that it goes far beyond the purport of sections 11 and 12.

It questions the internal procedures, the delegations of powers, the actual existence of

a number of powers, the pooling, the transportation. It says that when the commission was first set up, the commission itself was operating *ultra vires* of its powers. Then, when it purported to subdelegate its powers to the board under a series of headings, five or six or seven major points, this was done in a poor way.

What bothers me is the legality of the whole thing. You have, I suggest, botched up the legislation, you have not provided proper channels for the subdelegation, and this is all being thrown into question now and in a hurry-up effort to masquerade, or to screen, or to cover your tracks, you come back before this Legislature with legislation which, in effect, can retrogressively validate all the inequities and all the illegalities, and all the powers, and all the *ultra vires* things that you are being accused of.

I suggest that once this Act is passed, you have effectively undermined the whole legal position of these people. You make no provision anywhere, of course, for the legal costs which you put them to in the process. They are, then, so far as I can see, completely out of court. The main thrust of their contention is malfunctioning in the department and a failure to observe regulations and orders in a proper way.

Is it not just a minatory discrimination between regulations and orders that are in effect here for anyone who peruses this case. In section 2, subsection (1) (c), you say all these regulations which are now in question, shall be deemed to have been valid and binding for all intents and purposes from the date on which the regulations were filed under The Regulations Act.

Now this is a covert—even now the Minister is not willing to be completely open about it—a covert, surreptitious attempt to hide out, and to place them under some kind of ban, people who, within their legal rights, have brought these matters before the court. It is an abuse of the processes of the Legislature on the one hand, and an abuse towards the courts of this province on the other hand.

No doubt you could solve the matter, if you would give a fair hearing to these people. They claim they have been under threat from the board with respect to their licensing procedures. It is contained in this statement of claim, that if they proceed, this form of coercion will be used.

As one other member has said, Mr. Chairman, this whole procedure, this high-handedness, runs in many directions in point after

point—I am almost inclined to go over these points, which go against the recommendations of McRuer and against natural justice.

This is a most high-handed proceeding. This government is not prepared to stand up to its own insufficiencies and inadequacies that it has brought upon its own head. Instead, it uses the device of the Legislature to avoid all the repercussions of mal-administration. I am sorry we have to take up so much time. I refer you to page 361 of McRuer:

The normal legislative process ensures that advance publicity is given to proposals to change the law and that there is opportunity for public discussion and for persons whose rights may be affected to make themselves heard.

This, as has been indicated by a letter from this solicitor and in his pleadings, is precisely what you did not do.

There is obviously grave reason why you came in with a little tripping gait so that no one would notice the big dance going on in the background. No publicity was given and the solicitor involved was taken completely by surprise.

It was a housekeeping measure, it would go through very simply. And the day afterwards, if he had not happened to see this arrive on his desk on morning very recently, the whole matter would have been a *fait accompli*.

I think it is the duty of the Opposition here to make these things not a *fait accompli*. It is not, on the other hand, my particular desire to embarrass the Minister; if his department in this particular aspect is rather badly run, I think he should have the courage and be so honourable, as the Minister is called honourable, as to face up to that consequence and to alter it.

But to set up retrospective legislation to validate a thing which has caused enormous harm and financial loss to citizens of this province; and then to present it as though it were of no great significance or importance, is certainly to mislead this House.

Mr. Chairman: The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, I rise not as a person who is particularly knowledgeable in agriculture, certainly not one who is aware of the legal complications and certainly not one who has full knowledge of all the complexities of the rules of this House. However, I have

a strange feeling that there is a high degree of injustice being perpetrated at the present moment.

I checked back as a result of a phone call I received last week in my own constituency. The question was asked: "Has this bill come before the Legislature?" And for the life of me, although I was in the House on that particular day, I could scarcely remember it having been discussed in this House.

And I checked the date on which this bill came forward and I just want to read what the Minister stated on that day. I am sure he would agree with what that statement is:

Mr. Speaker, this bill does not confer any new powers—

Absolutely right.

—on the Ontario Milk Marketing Board, but simply clarifies the manner in which the marketing board may carry out powers already conferred upon it by the Milk Commission of Ontario.

Well, the individual who called me indicated that the clarification, as he saw it, would simply put him out of business, that this would be the end of his economic life in this particular role as a processor-distributor in this particular area.

I recognize the desire of the Minister to get this legislation through. We on this side of the House, certainly, want his house in order as much as he does. But I suggest to you that in this particular case these people were not given their day in court.

The argument of the Minister is that why do we not pass this legislation, that after legislation has been passed, then we will allow these court cases to go through. And after these court cases are over, then they will have received their justice through the courts.

But surely, Mr. Chairman, that line of argument could be used against any form of use of committee in this Legislature. Why not let every person who has complained against any piece of legislation which has come before this Legislature go through the courts and we can then turn around and revise legislation on the basis of what has happened in those courts?

I suggest to you, sir, this is specious argument and one that is not worthy of this Legislature and certainly not of a reasonable Minister as he has been in the past. I hope that he will accept the motion of the leader of the Opposition, and I hope he will take under consideration again the comments of the member for Lakeshore, the member for Sudbury.

I think it is time for us to perhaps simplify this entire debate into one context and one point: Is a citizen in the province of Ontario receiving justice at the hands of this House?

I suggest to you, sir, that in our hurry to clean up the house of the Minister of Agriculture we may be perpetrating an injustice and I do hope that the Minister will take under consideration, acceptance of this very basic right of people in this province to be heard.

**Mr. Chairman:** The hon. leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, I believe I am in order in adding some additional comments following the Minister's reaction to the motion. Certainly we must be careful to remember that what we are discussing here is not the purport of the regulations themselves but only the proposal to refer the bill to committee. I believe the argument over producer-distributor relationships and the whole sense of a milk pool in the province of Ontario has been carried on at another time. The Minister is on record with his views and we, in the Opposition parties, are on record with our views.

Surely, the thing that is in contention now is not the poor position that the marketing board finds itself in as a result of Mr. Justice Leiff's comments and as a result of the action now before the courts on behalf of Augustine, and others but really the necessity which was so well expressed by the member for Sudbury. That is, the necessity to give every reasonable possibility for hearings of those considered and affected by the legislation.

I, myself, can see why the Minister wants to clear this up and get the marketing board back on a foundation which stands four square with any reasonable interpretation before the law. But surely, the way to do it is to send this to the standing committee and even allow the cases before the courts to proceed. If, in fact, retroactive legislation is required, in the Minister's judgment, sometime in the future, it could then be enacted and there would be a debate along those lines at that time.

I think surely that the Minister would see the common sense in leaving the milk marketing board on tenter-hooks and in a position that is very difficult for them to occupy for a period of weeks or maybe even two or three months.

But we could reconsider the position and reconsider this very bill in the committee and again in this House without destroying the



basis of milk marketing in the immediate interim period. Surely the Minister can see his way clear to accepting this proposal and I sincerely hope that he will.

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, it may be a point of order that I rise on, but this matter must not be left by the Minister of Agriculture with the impression to the House, that these actions can proceed whether or not this bill is passed. That is not the opinion of the solicitors for Augustine Dairy, to whom I have spoken. They are lawyers advising four clients and we must accept their view as a view coming from people competent in this field of the law.

Their view is in direct opposition to that of the Minister of Agriculture, who is not a lawyer himself. That is no term of opprobrium that he is not. It is a statement of fact.

**An hon. member:** It might be the contrary.

**Mr. Sopha:** Yes, it might be the contrary. But there you have the polarization. He says we can go ahead and these people can seek their rights. They say, on the other hand, "we cannot have our rights if this bill passes." They say the action is at an end the moment the Legislature puts its fiat on this bill.

So, therefore, the House must not act on the statement of the Minister of Agriculture without taking into account the opposite view of the solicitors for these four dairies. I would, even at this late stage, ask the Minister of Agriculture to reconsider and let the four dairies come before the committee and make their objections.

You have one of them going into the merits. He says: "I have been a producer all these years and I have been distributing my own milk and there is no statutory authority to prohibit me from doing it. I should be allowed to continue."

That is a respectable posture for him to take. I do not profess to know the ins and outs of marketing or selling milk, but what I do know is that it is absolutely vital that these dairymen have the opportunity to come and tell the experts on agriculture at the standing committee. Let them tell it. Let them tell the members of the Legislature who have knowledge in this field. The Prime Minister has come back into the House and I might say to him, through you, that he is always showing qualities of reasonableness and has desisted from giving the impression of ramming things down people's throats without giving them a chance to be heard.

It has not been made apparent to me that there is so much urgency that the bill might not stand over the Christmas vacation to afford the opportunity which we seek.

I restrain myself from giving the impression of making a big fuss about it. It is a simple request and I am trying to speak in moderate language about this request—putting it to moderate people, through you.

Let us not extend the debate. Let us not get into a worse wrangling, which might develop, but let us agree at this stage that the thing goes to the select committee on agriculture. The public interest, the people of Ontario, will be adequately served in this field with the deliberations and conclusions of that committee.

**Hon. J. P. Robarts (Prime Minister):** Mr. Chairman, I would like to have a word on this.

I find myself in the same position as some other members of this House, in that I may not be completely and absolutely briefed on the legal aspects of this matter. Certainly I am no expert in the marketing of milk.

As I understand the situation the milk board, as presently constituted, has been held by the courts to be *intra vires*. This is being attacked in the Court of Appeal. But in the judgment that held it to be *intra vires*, there is an opinion expressed by the judge who heard the case that the method by which it exercised its powers was not correct and this bill serves to make those methods correct.

This bill does not, in any way, go to the point of the lawsuit as to whether or not the milk board is *intra vires* or *ultra vires* of the powers of this Legislature. So this bill would not disturb that portion of the rights of the litigants.

**Mr. Nixon:** Yes, but that is only one case.

**Hon. Mr. Robarts:** I am merely thinking out loud. I do not know that I am necessarily putting a case. I am trying to understand. I am really thinking out loud.

**Mr. Pitman:** We are all trying to understand.

**Hon. Mr. Robarts:** I suppose if the Legislature does not pass this bill, the milk board *per se*, as it stands today, will cease to function. This will vitiate the intent of this Legislature when it passed the bill in the first place—setting it up. Because, if there is a judgment of a Supreme Court judge saying that the way it has functioned is improper



and yet, if there is another Act of this Legislature—which there is, called The Regulations Act—which says the milk board cannot function in the manner in which the judge says it should function, I think you would be forced to the conclusion that the milk board, in its present method of operating, is simply operating illegally. Therefore, even though the constitutionality of its composition and its function has been established, it would be brought to a standstill and will cease to function in this province.

I rather doubt that this is an objective that those involved in the milk industry really want.

Let me go to the other point as to the position on the merits, I suppose of the Channel Island breeders and their desire to stay outside the pool. If this is a question that should be debated on its merits, there is no reason why that question could not be brought before the agricultural committee of this Legislature as just another item of business for that committee to deal with. Let these people come before the committee and express their opinion.

But, as I understand the problem, what we are really trifling with here is if we do not pass this legislation we may bring the present function of the milk board to an end as of right now and I think that this is the concern of the Minister.

**Mr. Nixon:** Why as of right now, rather than two weeks ago, or two weeks from now?

**Hon. Mr. Robarts:** Because this is the moment in which the bill, Mr. Chairman, has to be before this House.

**Mr. D. C. MacDonald (York South):** It has been acting—

**Hon. Mr. Robarts:** Well, of course—

**Mr. Nixon:** Why was this not the case put by the Minister?

**Hon. Mr. Robarts:** I think perhaps it might be wise if the hon. leader of the Opposition waited until I have finished and then he can put what questions he wants of the Minister of Agriculture.

As I say, I am not really defending a particular point. I am trying to see in the broad picture how this Legislature should deal with this problem. I think we have to be very careful that we do not permit the milk marketing plans of this province to fall to the ground because of this judgment, and the

finding of one portion of that judgment, which this bill is designed to correct.

I am certain in my own mind that this is what the Minister meant when he said that this bill does not affect the rights of the people in the lawsuit. This has nothing to do with its constitutionality or non-constitutionality, because if it is *ultra vires* this Legislature has no right to deal with any of them.

That is the situation as I see it. If it is considered by the House that there should be an examination of the whole question of milk marketing by the committee on agriculture, this can be arranged with the greatest speed.

**Mr. Nixon:** With respect I submit to you, sir, and in answer to what the Premier said, the resolution of the motion before us is whether or not this bill should go to the standing committee on agriculture. If the Premier is correct and the milk marketing board will fall to the ground—his very words—if this bill is not passed, then surely the Minister is guilty of some serious misleading in this House by not bringing to our attention how important it is that we consider this and act upon it immediately.

The motion is simply that the thinking out loud that the Premier has undertaken could be taken—with the assistance of the milk marketing board and those people who are challenging the validity of their regulations—before a properly constituted standing committee. To imply that the milk marketing board would cease functioning and actually slip into abeyance tomorrow, if the motion to send this to committee were carried, or if in fact the Minister were to consider it, I cannot accept.

I believe that there is a reasonable approach to this. It will require the consideration of the standing committee and the expectation of everyone here, government and Opposition, that the milk marketing board will continue its proper function, until this is settled by the Legislature. There should not be this inordinate pressure put on us.

**Mr. Chairman:** The hon. member for York South.

**Mr. MacDonald:** If there is any validity in what the Prime Minister has said, surely it was incumbent on this government, the first day the Legislature opened, to have come in with a bill—indeed, as they came in with a bill to deal with certain aspects of municipal elections—and to have passed it quickly. It is a little late in the day to come in and suggest to us now that this board has been

acting illegally, in light of the judgment that was handed down in the Channel Islands case.

I suggest to you that simply is not so. Indeed, the whole presentation this afternoon has been without reference to the Channel Islands' case at all. There has been reference to the Augustine case and the contention of their lawyers—whose views I would not dismiss out of hand for they are persons of prestige in the legal fraternity—that if this bill is passed, they are out of court.

My colleague from Peterborough has brought evidence of one man who is going to be affected—who says, in effect, that he will be out of business.

Mr. Chairman, I suggest to you that this is an unholy mess, to put it in blunt terms. The Prime Minister is trying to put one interpretation on it, but it simply will not stand up in light of the government's conduct. If the government really felt the situation is as bad as it says—that this board is being left operating illegally—then the first day we met here on November 19, we should have had a bill in here. It should have been processed and given Royal assent along with another bill—really less consequential bills—in order to have put the board back on a legal basis.

I suggest to you as a layman—and in doing so I join with all other laymen who are engaging in this debate—that this board which has been acting, with nobody really challenging its power, since the judgment came down on the Channel Islands case. Well they have been challenging, in the courts, but the board has continued to act, and people have not been ignoring its orders. It could continue to operate on the same basis until we give a full opportunity for a democratic consideration of this bill. The government's whole handling of this is so bad, that I would think the government itself would head the list of people wanting to handle it correctly, so that you will not compound the difficulties and make a bad situation worse.

Mr. Chairman: Would the hon. Minister wish to add anything further before the motion is—I believe reference to May will indicate—Order, please! I believe that reference to May will indicate the motion is in order. The hon. Minister.

Hon. Mr. Stewart: Mr. Chairman, first of all, let me say this about what the member for York South has said with regard to the action of the producer-distributors. This part of their action grows out of the decision that

was handed down at the time of the Channel Islands appeal to the courts. Right.

Let me point out—in reference to my hon. friend, the member for Sudbury, who is much more knowledgeable in points of the law than I. With his reference to the submission that has been made by the solicitors for Augustine, that if this legislation is passed, it impedes their rights to take this action to the court.

Their action is based on sections 11 and 12 of The Milk Marketing Act and there are no regulations yet drafted pertaining to producers-distributors. So why would this regulation in any way affect what they intend to take to the Court for a decision?

Interjection by an hon. member.

Hon. Mr. Stewart: Let me point this out, that the position of the milk marketing board suggested by the Prime Minister—is not in disagreement with what I said earlier. They find themselves in an untenable position because they can issue no regulations and they can issue no orders until this matter is cleared up.

There are producer-distributors who are going along with this matter until it is dealt with in the Courts. There is the matter of the Channel Islands affair, which has been held in abeyance—they are carrying on until that matter has been decided in the court. But anything else that the milk marketing board has to deal with in other matters—surely this Legislature wants to give them the rights to proceed in the normal course of legislation which we drafted in 1965.

We are not doing one thing, by this Act, to interfere with the friend of the member for Peterborough, who says that this would put him out of business. This is being decided by that appeal to the courts under sections 11 and 12, and has to do with producer-distributors. I beg your pardon. All right.

Let me take it one step further, and suggest to you that if it is found in the Court of Appeal, whenever the case may be heard, that Mr. Justice Leiff's decision is for the appellant and the Legislature is not in session, we have no way of correcting the problem that then faces the milk marketing board. If I were a member of that board, quite frankly I would resign, because I would then be in a position of holding office, and carrying out something that was *ultra vires* of the legislation.

Interjection by an hon. member.

**Hon. Mr. Stewart:** I certainly did not tell them anything of the kind. It was a matter of fact that they are suggesting it to us. And I do not blame them, if this is the case. Now this is the seriousness of the situation.

As the Prime Minister suggests, we can easily pass this legislation today, and then if the agriculture committee wants to hear the arguments by the producer-distributors on their right to withdraw or be left out of the pool, I have no objection to that. This is fine with me.

Interjection by an hon. member.

**Hon. Mr. Stewart:** That will have no effect whatever because we are doing nothing in these regulations that has to do with sections 11 and 12 of the Act. Not a thing to do with those sections—not a thing. And they can go right ahead, and appeal their case and stand on that appeal.

Interjection by an hon. member.

**Hon. Mr. Stewart:** Right, that is the case—the case as we said.

**Mr. Sopha:** There is a serious difference here about the factual background. We owe it to the House to make it clear that we do not agree with the Prime Minister for one moment, when he says the constitutionality is a matter of an issue in this Augustine case. It is not. It has nothing to do with it. As well we owe it to the House to inform it that these people make it absolutely clear that this bill deprives them of their rights. And Mr. Kellock who writes to the Prime Minister in the public domain, and quite properly furnishes us with a copy of his letter.

The member for Welland South was corresponding with the government about this and was privy to the correspondence, and in the first four paragraphs of that letter of December 11, which I think ought to be read into the record, Mr. Kellock makes the position definitively clear.

Now just permit me to read these four paragraphs:

Dear Mr. Prime Minister:

As you will see from the copy of the writ of summons enclosed herein an action was commenced in the Supreme Court of Ontario, Nov. 12, 1968, against the Milk Commission of Ontario and the Ontario marketing board, claiming that certain of the regulations made by these bodies under the authority of The Milk Act 1965 were invalid.

Now let me interrupt this. There is nothing about unconstitutionality at all. It is a perfectly proper action attacking the validity of regulations made under the authority of a statute. The second paragraph:

Without any notice to this farm, or to any of our clients, Bill 17 was introduced to the provincial House and given first readings on Nov. 28, 1968. I am advised that there was the second reading on Dec. 5, 1968 that was scheduled to come before the House again on Dec. 10, 1968.

On the morning of Dec. 10 I received on my desk a copy of the bill. This office subscribes to the sessional service, and Bill 17 was received among many others. I presume that had I been absent from my office yesterday for any reason, this bill might have become law without my knowledge.

Now note the fifth paragraph; is very significant. I quote:

You will notice that this bill lists the regulations attacked in the writ of summons in exactly the same order. Bill 17 goes on to declare that these regulations ought to be considered valid and retroactively valid.

The end of the quotation.

In other words, Mr. Kellock is saying that they followed the order in his writ of summons. Nothing to do with unconstitutionality at all, but the power of the government to make regulations. Here Mr. Kellock noted the dates. Nov. 12 commenced an action in the Supreme Court of Ontario, arising out of Mr. Justice Leiff's remarks, which no doubt were arbiter in the Channel Islands case, but Mr. Justice Leiff had every reason to make them, and every right to make them in passing and dealing with the *intra vires* aspect. He dealt by way of an arbiter with the method of making regulation. Now an alert law firm like this—you will notice this law firm subscribe to the sessional papers—an alert law firm advising the clients in a responsible way are entitled to make use of Mr. Justice Leiff's observations to advise their clients to bring an action. That they did on Nov. 12. Now then the milk board—

**Hon. Mr. Robarts:** Does that not mean that is an attack on the function of the milk board, as it presently exists, based on Mr. Justice Leiff's decision?

**Mr. Sopha:**—only the important thing is in respect—

**An hon. member:** In other words, the milk board—

**Mr. Sopha:** Oh, no.

Interjections by hon. members.

**Hon Mr Robarts:** None of their regulations is valid. None of its regulations is valid; how does it function?

**Mr. Nixon:** The Minister said it conferred no new powers on the board.

**Mr. Sopha:** Please, one lawyer to another. It ceases to function only in respect of these regulations. Everything else is, to use a non-legal word, completely copasetic. They can go on their merry way. Do you know, I say to the Prime Minister, do you know how many heads of jurisdiction there are to make regulations in The Milk Act of 1964? Before you answer, I will tell you. There are 45 heads of jurisdiction.

It was a matter of great amazement to me that in 45 items giving powers to make regulations the milk board managed to miss the Augustine Dairy people. It was really astonishing.

**Mr. Nixon:** The power was given to the commission, not to the board, that is the point.

**Mr. Sopha:** They did not get it. Now one other paragraph will show you the gist of Mr. Kellock's complaint. It is a very well written letter to the Prime Minister. I am sure he gets lots of letters that are not as articulate and show such a command of language and thought as this one.

Before the law suit was instituted, I appeared before the milk commission and advised the commission that my clients were anxious to discuss ways and means of resolving their differences with the commission and board, so that the overall scheme could operate efficiently and so that the protection afforded by The Milk Act to my clients could also be preserved. No one at any time has provided that opportunity for discussion. Instead Bill 17.

Now that is a very revelatory comment by this lawyer. In the light of that, we are being asked at this stage to be party to a process here that absolutely deprives these people of the right of any access to the court.

Let it be said finally that Mr. Kellock and his clients Augustine, and three others, are not in the court on the same basis as the Channel Islands case. They are in there on

an entirely different basis, and it may well be that the milk board is right. It may be that they are right, but their rightness will not become hallowed if they do not give Mr. Kellock and his clients and all others affected in the province an opportunity to come forward to the agriculture committee and tell them where they might be wrong.

**Mr. Nixon:** That is what the motion asked for.

**Mr. Sopha:** And what is wrong, instead of us wrangling all afternoon about that right to make representation with them coming in and telling them. Why ram this bill through in this state? Somebody actually pointed out that the milk board has been functioning all right and nobody is going to suggest that it is suddenly going to come to its knees.

**Mr. Nixon:** I will continue to sell my milk to them.

**Mr. Sopha:** Yes. They get the milk and distribute it and people, housewives, next week will have milk in the province. But there will be a bitter taste in the mouth—in spite of all that milk—if we adopt some mechanism here whereby Augustine Dairy and three others are thrown out of court and all the rest that are out of the courts have not got the opportunity to make legitimate complaints.

**An hon. member:** Now that is a good point.

**Mr. Chairman:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Chairman, I know nothing about the legal aspects of this case and even less about the operation of the marketing board, but one thing comes through very clearly to me.

There is considerable difference of opinion in this House at this time as to whether or not action by this House today will destroy the case now before the courts. I am sure that not many of the government backbenchers are sufficiently knowledgeable in this case to be able to make a reasonable and rational decision. The request for referral to committee strikes me as being abundantly reasonable.

**An hon. member:** All that authority!

**Mr. Deans:** Very interesting! As I say there are some, I am sure, who are no more able to make a decision on this than I am at this moment. I think that the request of the motion by the Opposition at this time is

well worth the consideration of the government. I believe that to have this matter cleared up finally, even if it took an extra two or three weeks, would be well worth the consideration of this government.

I do not believe that I would feel, and nor would any of the backbenchers of the Conservative government feel, that they had acted well if this were to prove to affect detrimentally the case of those people who are now waiting for a court appearance.

**Mr. Lawlor:** Mr. Chairman, I regret to say that the hon. Minister appears to me to have turned into a smoke-screen manufacturing machine. The issue here is not a constitutional issue at all. I will, at this stage, take leave to mention what the real issues are before the court in this case.

They have to do with the internal delegations of powers and our whole law with respect to subdelegations. Under section 14 of the writ of the statement of claim, the plaintiffs attack Ontario Regulation 294 of the year 65 and they say it is *ultra vires* and not because it is unconstitutional. The legislation is such that nobody questions, at least in these proceedings, its constitutionality. They say it is *ultra vires* the commission in that section 6 (c) and (i) thereof purports to delegate to the board the power to make regulations respecting the refusal of licences, and the fixing, allocating, refusing to fix and allot, and the cancelling and reducing of quotas for any reasons that the board deems proper anti-McRuerism—any reasons the board deems proper contrary to the express terms of The Milk Act, 1965, section 8.

In other words they are saying there are internal conflicts within the statute; that the power is not there or, if it is there, the exercise of the power runs directly contrary to what the Act itself sets forth, under which the power is purportedly exercised.

I have no thoughts as to the merits of the solicitor's case here. In a brief glancing over of the statute, I think they are wrong. I think that they cannot stand up in any court in the province, but that is my personal opinion and has nothing to do with the merits as such.

If that should be right, or even if it is not right, it has nothing whatsoever to do at this moment with respect to the functionings of that board. That board may well function, I suggest to you, function justly, I mean legitimately, within the scope of its powers. As I said, I think this is so.

This is no different from any number of

other tribunals or administrative bodies carrying on from day to day under attack. When somebody comes along and says they are doing it illegitimately, they may, or may not, be doing it so. I do not think there is any merit in these dire threats, which are being placed across the floor of the House this afternoon, that the whole board will suddenly cease to function, if we do not put through this mischievous legislation denying citizens of this province their due rights.

The next point I want to make under section 15—they attack the regulation again, 294-65, they say it is *ultra vires* in that section 7(h) thereof purports to authorize the board to conduct pools for the distribution of moneys received for the sale of milk, when such pools have not been established. I do not know whether they have been established or not, but they say they have not been established.

Intelligent solicitors acting on behalf of their clients would investigate these things. I will take it superficially that they are right. If they are right, then they will not have the full legitimacy of appearing before the court and proving that they are right. What you are doing is cutting them off right at the roots. They would not be able to proceed because you are validating these things retrospectively this afternoon.

The next regulation is 52 of the year 68—*ultra vires* they say—the board, not the commission this time. In sections 3 and 4, this is where your 11 and 12 come into question—and to that extent you are right, Mr. Minister. Through you, Mr. Chairman, I will not pursue it, because on that very clause—16—they do attack 11 and 12.

But coming down to 17 they go on under 52-68 again. The regulation is *ultra vires* of the board in that section 4, thereof the board is purported to authorize itself to discriminate by fixing and allocating and allotting; refusing to fix and allot and by cancelling, reducing, or refusing to increase quotas for any reason that the board deems proper. That is nothing to do with the constitutionality of this thing.

The *ultra vires* is a different kind of *ultra vires*. It is internal, and they certainly have a right to question that. If the board is in that state of affairs, then it ought to be questioned. You ought not to come forward and use your legislative "brolly", as the Irishman said, to bring it down upon their heads and cut off their action. If you are going to do that, then it is a form of dictatorship.

No. 18 says regulation 52-68 is *ultra vires* of the board in that the board has no authority to make regulations conducting pools. And the pool described in section 6 thereof has not been established by lawful authority and are non-existent.

No. 19—Ontario regulation 52-68 is *ultra vires* of the board in that section 7 thereof is a purported regulation of transportation of milk, which regulation is unsupported by any authority, statutory or delegated. I do not know that this is so.

Can we not have them before the committee? We would have a little more time to ferret it out. The thing has crept up on us in the quietness of the Minister's presentation, and suddenly we wake up to the full impact of it this afternoon.

Regulation 68-68 is *ultra vires* the board in that section 3 thereof "the board purported to authorize itself to discriminate by refusing licences for any reason that the board deems proper". They say they have not got that authority and they ought not to exercise it. Our common law touching these bodies says that you may not use licensing powers in this particular way in a discriminatory fashion. Are you seeking to justify that by passing this legislation?

The next thing is questioning Ontario regulation 70-68. They say that is *ultra vires* of the board in that sections 3, 4, and 5 thereof purport to include persons who are producers and processors. This is going to section 11 again.

They come down on the next regulation—70-68—*ultra vires* they say, in that section 4 is unsupported by any authority, statutory or delegated.

The next regulation—71-68—is *ultra vires* of the board. You should be ashamed to try to push this stuff through and slip it under our noses. I will rub your noses in it for the rest of the afternoon.

Regulation 78 is *ultra vires* of the board in that the said regulations are unsupported by any authority, statutory or delegated. And they go on like that. It is nothing to do with what the hon. Prime Minister has indicated. These people have a perfectly legitimate court action and you are traducing it, undermining them, cutting them off, by coming along in this House under inauspicious circumstances and forcing legislation down our throats which deny civil rights.

Mr. R. Haggerty (Welland South): Mr. Chairman, perhaps as one looks at the pro-

posed amendments to The Milk Act, 1965, Bill 17, it tells very little of the reasons for the changes as to what effect the decisions of making the regulations retroactive will have affecting the rights of individuals. I also question the right of free enterprise in the province of Ontario. I would like to ask the Minister—I think he mentioned a few moments ago in his comments that there were no regulations affecting the farmer that produces and processes the milk on his farm, on the same premises. May I have your answer to that, sir?

Hon. Mr. Stewart: Well they asked for clarification under sections 11 and 12 too.

Mr. Haggerty: Well, Mr. Chairman, I have one more question. On September 9 a letter was written from the Ontario Milk Marketing Board to Mr. Lorne Augustine, of Port Colborne, Ontario. They threatened to revoke the licence because he did not come under the regulations of the Ontario Milk Marketing Board. Well, what I have referred to here and just what you mentioned, Mr. Minister, do not make sense.

Why all the effort into revoking the licence of Mr. Augustine and putting him to all the trouble of lawyers and solicitors to bring it before the courts if there is no regulation pertaining to that?

Mr. Chairman: Does the hon. Minister care to reply to those questions at this time?

Hon. Mr. Stewart: Well, Mr. Chairman, I just simply point this out to the hon. members of the House whose points have been well taken and well expressed. As far as we are concerned these points are quite valid. I assured myself that we were not interfering with either of the actions and expressed that opinion to the Attorney General's office before we proceeded with this legislation. I recognize the position that the hon. members have taken here. Certainly we were assured that this would not be the case.

Our legal opinion has been all through the case to ensure that we were not interfering with the right of action of these people to go ahead. We are simply doing what Mr. Justice Leiff suggested should be done. And who are we in this Legislature to question a judge of the court?

This is exactly what he suggested should be done. He upheld the board's right to do what they did, but he suggested that it should be done by order rather than by regulation. But it cannot be done by order



rather than regulation. It has to be done by regulation.

Now our friends can come ahead and question the validity of the legislation based on sections 11 and 12. They have also used, as the hon. member for Sudbury rightly pointed out, as astute legal people, the judgment handed down by Mr. Justice Leiff as an additional side issue to their original case—no question of that.

They would not have been smart solicitors had they not done that, but I think this does not absolve us at all of the obligation that falls upon the members of this House to protect the men who have accepted responsibility of office in the Ontario milk marketing board.

Now, if we want to pull the rug out from under them and leave them personally liable to any actions that may be brought against them because we have not validated what they have done, then this is what you are suggesting we should do today.

**Mr. Nixon:** Well, may I ask a question, Mr. Chairman?

I still do not understand why the Minister did not send the bill to committee as a matter of routine. It is a part of dealing with legislation. Why did the Minister not just suggest that the committee would be convened and that we could then have had a chance to look at it?

It could have been passed if the arguments put by the Minister could have been backed up by those people from the milk board and the milk commission as well as those who, perhaps, have a different point of view than those particular gentlemen.

**Hon. Mr. Stewart:** Why did it not? Well, I suppose this is a legitimate argument. Quite frankly, I did not feel it was necessary. Now you may say that I should have done all this—

**Mr. Pitman:** Surely you must feel that now.

**Hon. Mr. Stewart:** No, there is all kinds of legislation that does not go to committee. I have introduced it many times and I felt that it was routine legislation, quite frankly. Now you say that it is not and, of course, it is your right to think this way. But I can assure you we felt that there was no real problem here.

**Mr. MacDonald:** There once was an Attorney General who thought his bill was routine and was blown out of the Cabinet as a result.

**An hon. member:** Bill 99 again.

**Mr. Peacock:** Mr. Chairman, if I could just make a brief comment, I would like to point out that the Minister is raising one obstacle after another to the reference of this bill to the standing committee on agriculture. The failure of Ministers in this House to pilot their legislation through second reading by speaking to the bill and clearly setting out its intent and purposes, is underlined by this Minister's statements this afternoon.

As other members have said earlier, the matter was handled rather quietly, but now when we are debating this motion to refer the bill to the committee on agriculture and food, we hear one tale of horror after another as to what is going to happen to the milk marketing board if we do not deal with this this afternoon.

Why were none of these arguments in support of the Minister's bill brought out by the Minister on second reading?

**Hon. Mr. Stewart:** Mr. Chairman, in reply to the hon. member for Windsor West, I would say that if he had referred to my introductory statement he would have recognized that this bill was, as someone described it this afternoon, purely housekeeping legislation. When it came before this House for second reading, I moved second reading of the bill.

The hon. member himself and any other hon. member in the Opposition had every right to challenge the bill on second reading and I would have spoken to it. But why should there be anybody speak to it?

**Mr. Nixon:** You have the responsibility to indicate the importance of legislation and not pass it off as inconsequential.

**Hon. Mr. Stewart:** Well surely to goodness you read the statement.

**Mr. Nixon:** I read it. It is a list of numbers, that is all it is, just a list of numbers.

**Mr. Chairman:** Order!

**Hon. Mr. Stewart:** Mr. Chairman, my hon. friends should not really get exercised because those numbers—

**Mr. MacDonald:** That is the problem.

**Hon. Mr. Stewart:** Those numbers are indicative of the regulations as they were published in the *Ontario Gazette* and are available on anybody's request.

Mr. Chairman, if the hon. members want to jeopardize the milk marketing board of this province as I have suggested they will—

Interjections by hon. members.

Hon. Mr. Stewart: If they want to do this, we have no objection to it going to the agriculture committee.

Now, I leave it entirely to the Opposition. If this is what they want to do, let it be on their necks.

Mr. Nixon: Mr. Chairman, in light of the Minister's statement, I think that it would be incumbent on me to withdraw the motion that is before the House.

Mr. Chairman: Perhaps the hon. Minister will repeat his statement.

I think there should be no misunderstanding in the committee as to what was said by the hon. Minister if the motion is withdrawn.

Hon. Mr. Robarts: Well, where do we stand at the moment, that is the point—

Mr. Nixon: Well, Mr. Chairman, if it would facilitate the ordering of the business, we can vote on the motion and I—

Mr. Chairman: All right. We have the motion before us. I was about to put the motion.

Mr. Nixon: I am sorry.

Mr. Chairman: Mr. Nixon has moved that Bill 17 be not now dealt with by the committee of the whole House, but be referred to the standing committee on agriculture for consideration and report.

All those in favour of Mr. Nixon's motion will please say aye; those opposed will please say nay.

In my opinion the "nays" have it.

Mr. Nixon: This is a very delicate point right here.

An hon. member: It is ridiculous.

Another hon. member: It is not ridiculous at all.

Mr. MacDonald: You just said you had no objection.

Mr. Nixon: Surely, the leader of the House, had better intervene at this stage before a standing vote is taken, because the Minister of Agriculture gave an indication that he had no objections to it going to the com-

mittee, and now the Chairman says the motion is lost.

Mr. Chairman: Order! Order please!

Hon. Mr. Robarts: Mr. Chairman, if I may speak to this. I did find myself a little confused here on the procedure. The Minister has indicated as far as he is concerned he, as I understand his remarks—

Mr. MacDonald: I do not blame you for being confused.

Mr. Chairman: Order!

Hon. Mr. Robarts: No, I am not confused. Just wait for it. He has indicated that as far as he is concerned he does not mind if this bill is delayed and if it goes to the agriculture committee, but he is saying in the same breath that if this action as argued so severely for by the Opposition has an adverse effect upon the function of the milk marketing board, be it on the heads of the Opposition.

That is as I understand his position. Now, to give effect to the Minister's position I might suggest, as I see the routine here, that we go to what you suggested. If you withdraw your motion, then we will refer the bill to the committee as it would go in a normal procedure after being approved in principle by this House on second reading which, in fact, was done.

I think what the Minister is trying to make very, very clear, very clear indeed, is that he does not want to be put in the position where he is the big bold bad villain who is riding rough shod over everyone's rights as you try to make out is being done. We do not think we are. But if the result of this action is to interfere in a serious way with the function of the milk marketing board, we want it clearly understood that this was what was asked for by the Opposition.

Mr. MacDonald: That we are to blame?

Mr. Nixon: Mr. Chairman, in reference to the Premier's comment in withdrawing the motion, I would draw to his attention as well that surely he and his Ministers have the responsibility for the ordering of the business in this province. Now, we have a responsibility in Opposition to react as we see fit, which we have done and we will look forward to a discussion of the bill in agriculture committee.

Hon. T. L. Wells (Minister without Portfolio): Where were you on second reading?

**Mr. Nixon:** It is withdrawn.

**Mr. Chairman:** Order!

**Hon. Mr. Robarts:** The motion is withdrawn and the bill will be referred to the agriculture committee.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): That was the worst move you ever made—

**Mr. Chairman:** Order!

I declare that Mr. Nixon's motion has been withdrawn. The bill will be referred to the standing committee.

### THE ONTARIO HURRICANE RELIEF FUND ACT, 1955

House in committee on Bill 16, An Act to amend The Ontario Hurricane Relief Fund Act, 1955.

Sections 1 to 3 inclusive, agreed to.

Bill 16 reported.

**Hon. J. P. Robarts** (Prime Minister) moves that the committee of the whole House rise and report one bill without amendment and one bill referred to the standing committee on agriculture and food.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill without amendment and one bill referred to the standing committee on agriculture and food, and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Hon. the Lieutenant-Governor at the opening of the session.

### SPEECH FROM THE THRONE

**Mr. J. P. Spence** (Kent): Mr. Speaker, in rising to take part in this Throne debate, I want to say to you I wish you well during the remainder of the term of your office. Also I would like to say to the hon. member for Waterloo South (Mr. Reuter), who has been chosen by this hon. assembly for the second time as chairman of the committee of the

whole House, this speaks very well for him and I also wish him well during the remainder of this session.

To the hon. member for London South (Mr. White), who is not in his seat this afternoon, I wish to congratulate him on being elevated to the Cabinet position and I hope he will read *Hansard*. I have to issue a warning to him that his term of office is going to be very short, Mr. Speaker, and I will explain the reason why. We have in the Liberal party a young, able, dynamic leader and that is the reason why his term will be short.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): What are you looking for, an appointment, George?

**Mr. Spence:** That is right.

Mr. Speaker, to the two hon. new members who entered this Legislature—

**Hon. Mr. Rowntree:** You may be the next leader, George!

**Mr. Nixon:** That is Jack, not George.

**Mr. Spence:**—in 1967, who were chosen by the government as the mover and seconder in the reply to the speech from the Throne, I wish to congratulate them on their speeches and also say it was an honour for them to be chosen by the government to fill this honourable position.

Mr. Speaker, last night the hon. member for Sarnia (Mr. Bullbrook) made a very kind remark about me, which made me feel very humble. Of course, I did not expect that those conversations when we ride home on Friday evenings would have come on the floor of the Ontario Legislature. But, it is true we discuss these very things, but I must say, Mr. Speaker, he owns the car and I am not saying the reason why we practise being Cabinet Ministers. I believe that he is talented and well qualified for a Cabinet Minister, so I drive quite a lot of the time and he sits in the back seat.

He has not told you all the story because I believe after his Throne speech last night you will agree with me that on this weekend and from now on every weekend I will be doing the driving and he will be in the back seat.

Also, Mr. Speaker, another matter that we discussed—we have no reading lamp in the back seat of his car—and we have reached an agreement we are going to do a little saving during the Christmas recess and we may be able to afford a light when the session reconvenes after the holidays.

Mr. Speaker, I want to say that since the last session we have had a northwestern Ontario members' tour. And I must say that this tour impressed me very much. This tour was well planned by the Minister of Lands and Forests and his officials.

The Minister of Lands and Forests had everything under control, he even had control of the weather and I found that tour most beneficial, interesting and one which gave me and the members from southwestern Ontario an insight in our forests, the new methods of harvesting our forest products and also the manufacturing of new wood products in northwestern Ontario.

We also had a look at some of the minerals. Above all, we learned and believed there is a great potential in northwestern Ontario to increase the tourist industry. I know no member would have seen as much as we saw only on a tour such as we had in September.

The last day of the tour the Minister of Lands and Forests and his officials arranged a fishing tour for us and during this tour I must say his officials made a great effort, they outfitted us with every piece of equipment which was necessary to fish, but, Mr. Speaker, I fished all day and never saw one fish, and it is hard for me to make any comments about fishing in the lakes of northern Ontario.

But, I will say that when we landed at night on the shore of this lake, we were met by the hon. member for Dovercourt, a man who was able to land any fish out of any lake in northwestern Ontario. He looked tired and he approached us, he had something in his hand and he was showing us, and said, "Look what I caught today".

The photographers took his picture and I must say if that is a sample of the fish that are in northwestern Ontario lake, I would ask the Minister to have our northern lakes restocked.

I want to congratulate the Minister of Lands and Forests (Mr. Brunelle) and all his officials on a fine, well-planned members' tour of northwestern Ontario.

Mr. Speaker, as a member from southern Ontario, I want to say to the hon. Minister of Lands and Forests that if he is planning another members' tour that he plan a tour of southern Ontario, as I am unable to remember that there was ever a tour of this part of the province. I know that some of the hon. members have not visited southern Ontario. We have a great deal to show them—one of the richest farming areas on the north American continent, miles of beaches on the Great

Lakes, friendly people in our towns and villages and on our farms. Many people in southern Ontario feel that we should have many more tourists visit this part of Ontario than we have and spend more tourist dollars in southern Ontario (with what we have to offer) but this government has raised the admission fees to our parks which is driving our tourists away from this province.

I have an article from the press stating that a citizen from Ontario made a trip last summer which took him and his party through three American states and three Ontario provinces and he stated that Canadian and American campers will shun Ontario parks next year on account of high provincial park fees. This article also says that he talked to American campers who had used Ontario provincial parks. They had used them for the last time because Ontario's parks are behind the times and far too costly for all they offer. The cost per week to pitch a tent is \$2.50 a day with electricity \$3 per day, or \$21 per week, where in our sister province of Manitoba, the campers rates are \$12 per week with better facilities in their best provincial parks.

This article also states that Ontario has the highest camp permit rate in North America and this is driving many camping tourists away from this province, including our own citizens, who are and will continue to vacation elsewhere in large numbers in the future. This government will have to lower the park fees if they want to increase the income from the tourist industry in Ontario.

Mr. Speaker, over the past years, I have visited many parts of the province of Ontario and one cannot but notice the struggle that is taking place in rural Ontario for its existence. We look at The Department of Municipal Affairs municipal directory, we find that over a ten-year period that the population of our towns and villages are nearly the same. Take rural areas—the population is going down, Mr. Speaker, we in rural Ontario are exporting our greatest asset, our educated young people, after they complete Grade 13 in our secondary schools, to the metropolitan area, because this is where the universities are and when they graduate and have a profession they have to locate in the metropolitan areas, because this is where the salaries are paid that they are entitled to.

So, Mr. Speaker, as far as I can find, a very small percentage of our young people, who have a profession, return to the rural areas because the opportunities and salaries are greater in our big cities.

We do not blame our young people whatsoever, Mr. Speaker, I want to make it clear. I, and the citizens of our towns and villages, want to see educational opportunities open to every young person who wishes an education. Mr. Speaker, this has been a steady drain on the rural areas with no medical doctor or dentist established in these areas.

We educate one group and they have to leave, and then these same areas educate our next group of young people—our greatest asset—which is very costly and this government should be paying a greater share of these costs. A greater effort should be made by this government to encourage more industries to locate in the towns and villages so that there would be a greater opportunity to encourage these educated young people to establish in our towns and villages, build homes, buy boats, drive cars and spend their money in those areas that helped to educate them.

Mr. Speaker, with new industries in towns and villages, more jobs and larger salaries, more of our educated young people would be encouraged to return to the smaller communities.

Mr. Speaker, I have been approached by small businessmen on many occasions who have told me that they are being squeezed tighter all the time. You ask the banker in our small towns and villages—look at the shops that you see closed in so many places across the province. Mr. Speaker, when Highway 401 was being built, I thought that this expressway would bring industries to locate in the small places along the route. I was mistaken; instead, it rushed the traffic away from the small communities.

Mr. Speaker, what problems has a small business today? The big shopping centres in our cities have encouraged our people to deal away from our home localities. It is ridiculous when the small businessman has to pay 20 per cent or 25 per cent, yes, even 33½ per cent more for merchandise than the discount centre in the shopping centre. One man's money should be worth comparatively as much as the other man's.

Mr. Speaker, there is probably room for a five per cent difference for volume buying, also he is unable to hire help because those he wishes to assist him can secure employment in industries. They are able to pay a higher salary than he can afford to pay.

High federal and provincial taxes—the five per cent sales tax are among things hurting him, to add insult to injury he is asked at a time when he has a great work load, a low

margin of profit, and cannot afford more help, to act as a collection agency for this provincial sales tax at a ridiculously low remuneration. The small businessman, in order to hold his business together, sometimes has to give credit. It is grossly unfair to expect these people, who in some cases carry hundreds of dollars on their books, to pay the five per cent sales tax on charge accounts. The high rate of interest is also hurting the small business—also the nuisance from government agencies, licensing expenses.

The continual tightening and red tape of government regulations for operation is causing hardships. An elevator in a small business has now become instead of a necessity, an unobtainable luxury. Also, I have been informed, a hot water heater is required by any store owner hiring one employee but not required if a person operates alone, a ridiculous regulation.

Today, the banks charge heavier than ever before for some things which were formerly free services, while big business gets way without exchange on cheques. The small business pays. In short, slowly and surely the standards of big business are being forced upon the small businessman, so that without capital drawing power and advantages enjoyed by his larger counterpart he can no longer effectively compete.

This government must increase the remuneration for collecting the sales tax and speed up the taking over of the policing of towns of under 5,000 population which was approved at the last session and which would assist considerably the small businessman in our towns and villages, Mr. Speaker.

This government approved at the last session of this Legislature a provincial equalization of industrial opportunity programme, making it possible for industries to receive interest free forgivable loans in designated slow growth areas in the province. This, Mr. Speaker—which I approved—has helped a number of industries and has made it possible for some industries that I know to enlarge their operations and has increased employment in some slow growth areas in southern Ontario.

But this move has been too long in coming, Mr. Speaker. I read an article where this government approved 200 municipalities across the province as slow-growth areas. Of the 200, 63 are in western Ontario. More municipalities in southwestern Ontario feel and believe that they should be classed as slow-growth areas.

These figures are startling when we hear in this honourable assembly the great job that this government is doing. The small towns and villages are unable to build sewage systems on account of high costs. I have been informed that one village applied for a sewage system from the Ontario Water Resources Commission.

The commission was to construct the system and they would rent or lease—the cost of which would be three to four hundred dollars a year on every home in this village on top of their present taxes. This would be impossible for the people of the village to consider. I feel a new approach should be made. Why cannot these sewage systems be built like hydro?

As I understand, very few of our towns or villages have a sewage system. Even in my own riding, not one village or town has a sewage system constructed, all because of the tremendous costs of construction. Also there is the high cost of education on the taxpayers of these communities along with no new industries which were promised by past Ministers of Trade and Development, and former Ministers of Economics and Development.

Rural Ontario is being depopulated and this government has been in office for the last 25 years and should have been paying more of the cost of education if they were unable to come up with a plan to encourage some decentralization of industry in this province. Now we have great problems in our great cities—high cost of rent—shortage of housing—high prices for lots, for homes—more transportation facilities and the low wage earner unable to own his own home.

Mr. Speaker, I would like to bring to your attention and the hon. members of this assembly, the fast changing cycle that the agriculture industry is going through in this province. This past year, there has been great unrest among the farmers of Ontario in regard to the low net income, the high cost of goods needed to produce agricultural products.

We have seen the Ontario Farm Union tractor drive on Ottawa over United States corn coming into Canada. The Federation of Agriculture having tractors from England at their convention, and the Canadian Corn Growers Association fact-finding trip to Maume in the state of Ohio in regard to the difference in prices of United States fertilizers and Ontario fertilizers.

Also, Mr. Speaker, I have received a copy of a resolution passed by the Kent county

council and sent to me, which I will read, dated November 28, 1968.

This is the first time I have ever received a resolution passed on agriculture in the county that I have always lived in. I would just like to read some of the remarks of it; this is the resolution:

Whereas the price of corn, soy beans and other farm commodities recently declined considerably and whereas this decline has caused a great deal of concern to the producers in this area and whereas decline in farm prices has greatly reduced the purchasing power of the farmer and whereas the purchasing power of the farmers greatly affect the economy of this area, and we believe the county as a whole.

Therefore, be it resolved, by the Kent county council, the federal and provincial governments be requested to review the economy of the agricultural industry immediately, with the object in mind of placing this industry in a favourable, competitive position with other industries; and in the meantime, to implement whatever measures are necessary to save the agricultural industry in order that young Canadians might make farming their choice vocation.

It is unusual for me, Mr. Speaker, to receive a resolution passed by the Kent county council.

Also, Mr. Speaker, being a farmer myself and representing a riding that includes agriculture among its industries, I have been approached by individual farmers many times. Their concern is the price spread between the producer and what the consumer has to pay. Also the low net return from agriculture to the farmer.

Mr. Speaker, I do appreciate that the Minister of Agriculture did set up a special committee on farm income two years ago and the Minister has said that this committee is expected to bring down a report early in January 1969. Also the Minister agreed that, when the special committee on farm income completes its report, it will start a study on the corn industry in Ontario, which I feel is a step in the right direction and is certainly needed.

I want to say to the Minister of Agriculture that those in agriculture are looking forward to these reports, hoping that they will have recommendations that will improve conditions in agriculture in Ontario.



Mr. Speaker, one great concern to me was at the Ontario Federation of Agriculture meeting in Toronto a few weeks ago. Tractors that were brought in from England were on display at greatly reduced prices—lower in price than similar tractors sold in Canada. Why did not the farm machinery committee bring this to the attention of the public, if such conditions exist? I ask the Minister of Agriculture for an explanation. What are the duties of the farm machinery committee? Should we continue with them?

Mr. Speaker, I was invited by the Canadian Corn Growers' Association to go to Maume, Ohio, on Dec. 9, on a fact-finding experiment on the costs of fertilizers in the United States and the prices of fertilizers in Ontario.

Another reason was that, over the last two years, I have been asked many times by farmers why is it that American farmers can buy their fertilizers so much cheaper than the Canadian farmer. I was unable to answer their questions, so I went along on this occasion to get answers in regard to the fertilizer questions.

Mr. Speaker, farmers bought 21 tons of different varieties of fertilizers and brought them back to Canada. To have the potash shipped from the mine in Saskatchewan to Maume, Ohio, would cost by railroad \$17.09 per ton. So, Mr. Speaker, shipping by boat is considerably lower in price. Freight rates are something I learned to study on this trip to find ways of cutting the costs of transporting our grain and goods needed in southwestern Ontario.

Mr. Speaker, a few days ago, I asked the Minister if he would investigate the feasibility of locating a corn-processing plant in the centre of the corn belt, in southwestern Ontario. I want to say we produce 68 million bushels in Ontario—a large portion of it in southwestern Ontario.

We ship considerable quantities to Montreal to be processed and the railroad freight rates are 21 cents a bushel. He informed the farm income committee, which he set up to study income, that it would study the corn industry.

Mr. Speaker, we have the soya bean farmers in southwestern Ontario, with lower prices this year than last, wondering why the five counties in southwestern Ontario which produce 7,000,000 bushels of soya beans—the counties are Essex, Elgin, Kent, Lambton and Middlesex—have to ship the product to Toronto and Hamilton in order to get them

crushed. This costs 13 cents a bushel for freight. Then they have to pay the freight back to feed this product.

I have been informed that it is cheaper in some cases to have the crushed soya bean meal shipped in from the United States than to pay the freight both ways and, Mr. Speaker, I have been informed this has taken place. I ask, Mr. Speaker, that the Minister of Agriculture look into this to see if these conditions exist and to consider the feasibility of establishing a crusher plant in the centre of the soya bean growing area in southwestern Ontario.

The officials of the Ohio firm said that they do not buy all the ingredients for fertilizers from Canada, but they buy in off-season when they get the best prices. He said they buy phosphates in Florida and some from New Brunswick. He also said that 12,000 tons of Canadian potash will arrive at Maume, Ohio, on Tuesday next from Saskatchewan. They purchase nitrogen whenever they find it and they have purchased some from Court-right near Sarnia.

One farmer who was on the trip bought eight tons of the fertilizer and said he saved himself the price of two new suits of clothes.

Mr. Speaker, I wish to place on record the variety of fertilizers and the United States farmers' price and the Canadian farmers' price which I received from the Canadian Commercial Corn Growers' Association, who have carried on a great study and have brought to light information—some good and some not so good.

Mr. Speaker, this is the list. (See appendix, page 870.)

We were told that freight by railroad was very high to ship potash by rail from Saskatchewan to their plant in Maume. It was \$17.09 a ton where it cost \$2 by boat per ton from the Lakehead to Maume, Ohio. Mr. Speaker, this tour to Ohio has convinced me that we should have more port facilities in southwestern Ontario to ship our produce.

Mr. Speaker, at the present time the standing committee on agriculture only deals with bills or matters that are referred to it from the Legislature. I ask that the Legislature delegate more power to the agriculture committee, such as the authority to call on farm organizations, manufacturing firms—owners and officials—which the standing committee decides necessary to help solve problems which concern or affect the agriculture industry in the province of Ontario. Mr. Speaker, I feel if this were undertaken it

would improve conditions both for the manufacturer of farm equipment, the processor of farm products and the farmer.

I hope the Legislature will give this their consideration.

Now, Mr. Speaker, nearing the end of my remarks, I would like to say a few words—and I will deal with this in a little larger way after recess—in regard to regional government.

I must say that I know that in this province we have regions that are in favour of regional government, but, Mr. Speaker, I also know we have regions that are not in favour of regional government. And I understand that first regional government will come into force in the Ottawa-Carleton area on the first day of January.

I am one who feels that if an area, or a region, is not in favour of regional government, regional government should not be shoved on them. I think if regional government is good, it will sell itself without being shoved on the people. I hope that the Minister of Municipal Affairs will remember this. I take the attitude if a region does not want regional government, it should not be shoved on the people without their consent.

There are many more things I could say. I was very upset, or very surprised, listening to the hon. Provincial Treasurer speak a couple of nights ago. I must say, Mr. Speaker, he understands his department, he is well qualified to fill that position. But, Mr. Speaker, I was quite concerned when he made the statement, or left the impression with me, that we are going to have increased taxation again this year.

When we just got through the last session we had increased taxation and we are facing increased taxation again. I feel that a large segment of our population is finding taxes a real burden. I think the government should look at every place where it could economize, such as what the hon. member for Sarnia said: "Straighten up some of these things—to think that the basic tax exemption grant was granted to Governor Romney in Michigan, in the United States." I think we could adopt some things like that to cut down unnecessary spending. I think the Americans are laughing at us for giving basic tax exemption grants. I hope the government would make every effort to put efficiency into effect in this province and consider greatly before they increase or place more taxes on the people of Ontario.

With these few remarks, Mr. Speaker—I understand the session will adjourn for the

recess on Friday evening—I would like to take this opportunity to extend to you and all the members of this hon. assembly a very merry Christmas.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, I would like to join those who have congratulated you on the work you have done in the past year as Speaker of the House. I would also like to commend the Chairman of the committee of the whole House.

I do not envy the task that both of you gentlemen are confronted with, particularly when the going gets hot and heavy in this place.

With that, I would like to get into the main text. Mr. Speaker, before getting into the main text, however, I would like to make a few observations after approximately one year in office on the deplorable conditions which the members of this Legislature must work under. How members are to get their case work done, find the time to attend committee meetings and do research is beyond me.

The latter point, research, is vital to efficient government, efficient opposition, and efficient questioning, yet members have little or no time to do the necessary reading or research. Maybe there is a desire to perpetuate the inefficiency which is characteristic of the government. I do not know.

The key reason, of course, is largely due to the lack of sufficient office staff. A provincial MPP is much more involved in the every day life of his constituents than is a federal MP, resulting in a good deal more case work. Yet each federal MP has a secretary. Here, with a much heavier case work load, we have one secretary for about every three to three and a half members. The secretaries spend nearly all of their time typing, to a point where I have seen some eat their lunches at their desks, while MPs do the trivial jobs, like filing, all of the legwork for solutions for casework (some of which is simply obtaining information for constituents) and a whole host of small tasks that his secretary might be able to handle. All these minute tasks do not allow the member time to do the vital research that is necessary to become a well informed member.

Two, in this area of conditions, one must look at the quarters in which members must work. The situation is ludicrous. Five or six, or in the case of the official Opposition, I understand, eight members per office.

In the Tory headquarters I have been in, there are not even partitions in these rooms. If a member has a constituent in his office, or shall I say in his corner of the office, the other members have difficulty doing constituency work, or reading if he or she could find the time. Even the piddly little desks, or shall I call them orange crates as their surfaces are not much bigger than that, are ridiculously small. Two drawers, which hold next to nothing, make it impossible to keep pertinent material at hand and to work efficiently. The entire physical setting, as I stated earlier, is completely deplorable. As well as poor physical conditions, there are certain other problems which the members are confronted with.

Earlier I mentioned the tremendous amount of case work a member must do. In the case of members who commute to Toronto daily, or who are residents of Toronto, they can set aside certain hours for their constituents to come and see them during the week. Members, however, who can go home only on the weekend find themselves loaded with this work on weekends. Unfortunately none of these cases can be worked on until the member returns to Toronto, as all the government offices are closed in their immediate areas.

This is because we cannot get the government to move on logical change for things that must be changed.

The result is the member brings a pile of work back to Toronto involving constituents in his area. He starts to make calls to his office in the area in an effort to resolve the problem of his constituents.

The procedure is most inefficient and unfair. The members who live away from home spend most of the weekend driving around and have no time for their families. And let me make it clear many of these constituents are entitled to see their members in order to have their problems worked on. What is needed is some clear-cut time to have this opportunity, when the House is in session, for constituents to see their members.

The probable solution is for this House not to sit on Friday. Sitting on Friday is a farce anyway. The session is two and a half hours long and next to nothing is accomplished. The news media count heads to see how many members are in attendance; the people question why so many are absent, and in general the Friday sittings are ridiculous.

Therefore, I would urge this government to consider, at least for a trial period, discon-

tinuance of Friday sittings, and allow the members to get home to give their constituents the service they are entitled to, and give the members an opportunity to enjoy their families on weekends. I could go on to illustrate other conditions which make the MPP's position unenviable. With sessions that run as long as they do now—

**Hon. A. Grossman** (Minister of Correctional Services): Keep complaining and the hon. member's constituents will feel sorry for him and will not send him back here.

**Mr. Martel**: They will send me back, I am not worried about that. I think they have the right to some service.

But it is ridiculous, for example, when sessions run as long as they do now, and when the budget reaches \$2 billion, that a member is entitled for payment for only 15 trips home.

**Hon. Mr. Grossman**: Three billion.

**Mr. Martel**: Three billion?

Interjections by hon. members.

**Mr. Martel**: Maybe that was to cut the tax increase.

Well, when the budget reaches this figure, Mr. Speaker, and the session runs this long, and well it should, it is very ridiculous for a member to be compensated for 15 trips back to his riding. In fact, it is so very ridiculous that we in the north must come down now on a train that does not even have overnight sleeping accommodation. In the case of many of your own members, the member for Kenora, for instance, must fly 1,250 miles home.

**Hon. Mr. Rowntree**: He will speak for himself.

**Mr. Martel**: I do not think he will speak for himself; he certainly has not in here, anyway. Also the member for Thunder Bay who, if he takes the train home, gets home for exactly 12 hours on the weekend.

**Hon. Mr. Rowntree**: He knew all about this.

**Mr. Martel**: Do not make such small talk. Let us face the issue for a change.

Interjections by hon. members.

**Mr. Martel**: They do not want to hear it. Their own members cannot get back to their own ridings to service the people that are sending them here. If they could get back, they do not have the funds to do it.

Mr. I. Deans (Wentworth): There is always the thought that even if they could get home, they would not do anything anyway.

Mr. Martel: I could go on *ad nauseam*—

Hon. Mr. Rowntree: The member already has.

Mr. Martel: Well, it might be *ad nauseam* to you people who are so affluent in the front benches. But I can assure you, for many of your backbenchers who have spoken to me on this matter are not finding it *ad nauseam*, and perhaps you should take cognizance of this fact. Maybe this government should get into a position where we could service the people a great deal better than we are doing at the present time.

It being 6 o'clock, Mr. Speaker, I wonder if it would be in order to adjourn the debate?

Mr. Speaker: Yes, if the hon. member would move the adjournment of the debate.

Mr. Martel moves the adjournment of the debate.

Motion agreed to.

Hon. Mr Rowntree: Tomorrow we will deal with the matters of the committee of the House and particularly with reference to the expropriation bill, and such time as may be left thereafter, we will continue with the Throne debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.

APPENDIX  
(See page 867)

*Comparative discounted prices to farmers*

<i>Variety</i>	<i>U.S. farmer price bagged</i>	<i>Canadian farmer price bagged</i>
6-24-24	\$57.50 per ton	\$87.71
8-32-16	63.50 " "	97.64
5-20-20	52.50 " "	77.32
18-46-0	81.50 " "	100.57
46% Super Phos.	64.50 " "	89.67
33½% Am. Nitrate	57.00 " "	80.08
60% Bulk Potash	32.00 " "	59.00
Urea	69.00	107.72
For Bulk deduct—\$4.00 from U.S. prices		
"    "    "    5.00 from Canadian prices		









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 19, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 19, 1968

The House met at 2.30 o'clock p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: in the east gallery, Birchmount Park Collegiate Institute, Scarborough, and St. David's Senior Public School, St. David's; and in the west gallery, from Sprucedale School, Hagersville.

Presenting petitions.

The following petitions were read and received:

Of the Corporation of the City of Toronto praying that an Act may pass authorizing it to grant the right to operate means of conveyance in public parks; and for other purposes.

Of the Corporation of the City of Kitchener praying that an Act may pass authorizing special separation allowances and retirement allowances to certain employees; and for other purposes.

**Mr. Speaker:** Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

1. The 22nd annual report of the Liquor Licence Board of Ontario, March 31, 1968.

2. The annual report of the Agricultural Research Institute of Ontario.

3. The annual report of the Ontario Stockyards Board for the fiscal year ending June 30, 1968.

4. The Crop Insurance Commission of Ontario second annual report for the fiscal year ended March 31, 1968.

5. The University of Western Ontario financial statements June 30, 1968.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE SCHOOLS ADMINISTRATION ACT

**Hon. W. G. Davis** (Minister of Education) moves first reading of a bill intituled, An Act to amend The Schools Administration Act.

Motion agreed to; first reading of the bill.

## SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

**Hon. Mr. Davis** moves first reading of a bill intituled, An Act to amend The Secondary Schools and Boards of Education Act.

Motion agreed to; first reading of the bill.

## THE SEPARATE SCHOOLS ACT

**Hon. Mr. Davis** moves first reading of a bill intituled, An Act to amend The Separate Schools Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Davis:** Mr. Speaker, these three Acts relate back to Bill 44 for the purpose of some clarification and, in one or two instances, to expand the duty of the arbitrators as to fees to be paid. It was the thought that I would introduce them here today. We will then circulate them to the boards, so that they will have some understanding of those items we are trying to clarify for them. We will discuss these on second reading, and in committee some time in the new year.

## THE PROFESSIONAL ENGINEERS ACT, 1968-1969

**Hon. A. A. Wishart** (Attorney General) moves first reading of a bill intituled, The Professional Engineers Act, 1968-1969.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** This bill, Mr. Speaker represents very considerable work which has been done by the Association of Professional Engineers, incorporating a statute designed to meet the modern needs of the engineering profession in the province.

I am sure that the hon. members will recall, Mr. Speaker, this similar bill was introduced at the last session of the Legislature, just prior to the publication of the report of the Hon. J. C. McRuer. It was thought at that time that the bill should be reviewed in the light of the recommendation which Mr. McRuer made, respecting self-governing professions. During the interval since the last session, Mr. Speaker, the Association of Professional Engineers has devoted a good deal of attention to the recommendations, and the manner in which they should be applied to this particular statute.

At the same time, a draft model Act was prepared within my department respecting the recommendations in Mr. McRuer's report. A copy of that draft model Act was circulated earlier this fall to all of the self-governing professions and occupations of which we had a record.

The draft proposals indicated the manner in which the recommendations might be engrossed in a legislative form. It was contemplated that the individual recommendations in that form would be engrossed within the particular statute dealing with individual professions and occupations.

It is our view, Mr. Speaker, that because of the varied nature of the many professions and occupations affected by these recommendations, that it would be impractical if not impossible to produce a uniform statute that would deal generally with all of the recommendations. While ultimately the procedures to be followed within these groups in dealing with disciplinary matters in conducting hearings would come under the provisions of The Statutory Powers Procedure Act, there are other phases of the recommendations which will have to be dealt with individually within the statutes.

This bill, Mr. Speaker, reflects the recommendations and introduces them into a self-governing statute in a manner which we feel accomplishes the recommendations while at the same time recognizing the needs of the profession.

We hope, Mr. Speaker, that the bill will be widely circulated during the recess of the Legislature in order that the great number of professional engineers who are interested in the subject will be able to peruse it in their various chapter organizations. Any constructive comments may then be reflected when the matter comes up for consideration in the Legislature when it reconvenes.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, may I ask for a point of clarification from the hon. Attorney General (Mr. Wishart)?

**Mr. Speaker:** Yes, indeed.

**Mr. Lawlor:** As I understood the matter last year, sir, there was some primacy to be given to an Act which was being prepared and introduced by the Law Society of Upper Canada as a sort of model Act, at least a guideline with all the criteria in it. Has the Attorney General put that aside, therefore, in order to introduce this bill?

**Hon. Mr. Wishart:** Mr. Speaker, if I may answer: No, we have not put it aside, we have had discussions with the governing body of the law society and with others interested, and I actually have in my office, Mr. Speaker, a bill which I hope to introduce shortly, a new Law Society Act.

I had hoped as a matter of pride for our profession to perhaps introduce that first but we have taken time to consider it and I must say that the professional engineers were first on the scene about a year ago with their bill and we have worked with them and have reviewed with them their proposals and, as I said in my statement, we have done the drafting of this final bill which I introduced today.

We considered with them, as well as with the law society and with other professions, the recommendations which Mr. McRuer made but I did not feel it was wise to hold up any longer this bill, The Professional Engineers Act. The Law Society Act, I might say, is really ready. I have one or two things I would like to consider in it. It will probably be introduced very early when the session resumes.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, on a further point of clarification, two questions really.

The Attorney General in his remarks refers to a draft model Act which was circulated. I wonder if that draft model Act could be circulated to the members as well so that we could see what draft model sections he had in mind when he circulated it to various people. I think it would be helpful for us if we could examine that draft model Act at the time we come to discuss this on second reading.

The second point, Mr. Speaker, is this: Would the Attorney General undertake, when these Acts are being introduced—The Law Society Act or The Professional Engineers

Act, or any other professional Act—to have copies distributed to all members of those professions, because I think in that way we would be able to get a much more meaningful discussion by the time it comes to second reading or committee stage.

**Hon. Mr. Wishart:** Mr. Speaker, I might say that The Law Society Act which I mentioned I have, has gone out through the law society to every member of the profession already—the draft of course.

**Mr. J. E. Bullbrook (Sarnia):** That was sent out today, was it not?

**Hon. Mr. Wishart:** Perhaps it was today.

**Mr. Singer:** It was not in my mail this morning.

**Hon. Mr. Wishart:** You might not have got it but it is in your mail. Perhaps the Christmas mails have delayed it. The Professional Engineers distributed very widely the Act I introduced last year and I understand that this Act, if it has not gone to every member of their profession, is in the process of being distributed to them.

Now to answer the remainder of the hon. member's question, Mr. Speaker, The Statutory Powers Procedure Act has been given wide distribution, we had thought, in that area and we have done, along the line of our thinking, the sending out of that proposed Act draft to the executives or the governing bodies of the profession. I would take under consideration the thought that it might go out in a wider distribution. We will see what we can do.

**Mr. Singer:** I am only suggesting it would be wise not to—

**Mr. Speaker:** Order, order, the hon. member has the right to ask questions for clarification but there is to be no debate on these matters, I think that is agreed.

**Hon. Mr. Wishart:** Well I would like to assure members, Mr. Speaker, that we will consider a wider distribution and will see what we can do about it.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker, on a point of clarification, I wonder if the hon. Attorney General could give us some idea who the model Act was circulated to?

**Hon. Mr. Wishart:** I said, I think, Mr. Speaker, that The Statutory Powers Procedure Act which was a compendium in

legislative form of the recommendations which the hon. Mr. McRuer made with respect to self-governing professions went out, as I said in my statement, to every self-governing profession that we had a record of—optometrists, dentists, engineers, lawyers, doctors, chiropractors, and so on and so on.

**Mr. Singer:** Not to Opposition politicians.

**Hon. Mr. Wishart:** Well, of course this has not been introduced to the House yet—

**Hon. Mr. Welch:** That has practically become a profession for some of them.

**Hon. Mr. Wishart:** Members of the House will have their opportunity, I assure everyone, to consider any legislation that we introduce, but this was just a draft which affected particularly the self-governing professions, many of whom we knew were considering, in the light of Mr. McRuer's recommendations, Acts which would govern their professions.

They were peculiarly and particularly interested, so we wanted them to have, as early as possible in consideration of their legislation, the thought that they should incorporate into their legislation these recommendations. One overall Act as I have mentioned, will not necessarily fit each profession in every detail, but may need some variation; we therefore sent it out to each of the self-governing professions.

I will be bringing before the House in due course a general Act but as I have mentioned in my statement today, Mr. Speaker, the differences in the professions, in their activities, in their approach and in their functions, requires some modification so that one general Act will not necessarily fit them all in every particular.

I am sure the hon. members will have every opportunity to see what we are proposing and in this particular bill I believe you will find that the recommendations of the hon. Mr. McRuer have been incorporated in a very thorough, complete way.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I know that you are trying to restrict our comments to points of clarification, and perhaps before I make my point I would ask you to advise me further if in fact, on first reading, it is not possible to say something beyond just a point of clarification.

**Mr. Speaker:** The normal course is not to do so but I have no objection since the hon. Attorney General has lengthily explained some

of the matters. I have no objection whatsoever to the hon. leader speaking further to that.

**Mr. Nixon:** The only point I want to make is that the Attorney General's lengthy clarification is to justify his procedure in not circulating among the membership of this House his draft model Act having to do with professional legislation.

Surely there can be no excuse for not making that available to the individual members. The reasons that the Attorney General gives are completely unacceptable and if he is trying, through a lengthy explanation, to say that it affects only those people involved in the profession, this simply will not wash here. We are concerned with seeing that the recommendations of the report from Mr. McRuer are not only available in the legislation proposed for the engineers, but in the draft model Act that has been circulated quite widely among the list that the Attorney General mentions.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): You are only the Opposition. We have the right to introduce our own legislation.

**Mr. T. Reid** (Scarborough East): Oh, get that in *Hansard*.

**Mr. Singer:** That is right.

**Mr. Speaker:** Order, order.

**Hon. Mr. Wishart:** Mr. Speaker, the draft model Statutory Powers Procedure Act which we had drafted, was not intended for introduction in the Legislature in the form in which it was prepared. It was a compendium of the recommendations, prepared in a form to assist the professions in the preparation of their bills, of which this bill I introduced today is one.

I assure the hon. members, we will come forward with a Statutory Powers Procedure Act which will probably not be—certainly I expect will not be the same—but will be more of a production of what we sent out.

What we attempted to do was to assist the professions by saying these are the recommendations—and we have set them out in a rather hurried way actually—in somewhat the form you might incorporate them into your Acts. These are the things that we will be doing in the preparation of your bills as you want to present them to us. Of course, we review those bills and redraft them. These things you should not overlook.

That Statutory Powers Procedure Act—which was, I might say, a rough draft or model—was simply to make them aware that in the preparation of their legislation they should not overlook the recommendations of Mr. McRuer. It was not intended for presentation to this House, but simply to assist the professions.

**Mr. Nixon:** We should have the same assistance available.

**Hon. Mr. Wishart:** This House will receive, in due course, a Statutory Powers Procedure Act which members will have ample opportunity to consider when it is presented. I trust we will be able to do this soon.

**Mr. Nixon:** Mr. Speaker, I would just say that those guidelines and assistances would be very much valued by the members of this House as well.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, perhaps I am just emphasizing what has been emphasized considerably, but on one hand I would like to commend the government for coming up with the model bill and the proposition that, ultimately, it is going to come in with a Statutory Powers Procedures Act.

But to underline what the leader of the Opposition has been saying—if you are circulating it widely to citizens in the community who happen to be members of any professional organization, surely the first group who should be included in any circulation are members of the Legislature.

I make the point because I think the procedure that the Attorney General has adopted is a very commendable one. In fact, I would draw it to the attention of the Minister of Education (Mr. Davis). I think such a model bill prepared and circulated to the university presidents might be a very useful guide as to what should be done—without placing them all in a straitjacket—to bring their bills up to date and in keeping with modern times in the restructuring of universities. But that is by-the-by for the moment.

My point is simply that in circulating it widely to citizens who are in one professional group or another, surely the members of the Legislature, who ultimately have got to pass some judgment on it, should be one of the first groups to be circulated.

It is as simple as that.

**Mr. Speaker:** The hon. member for Ottawa Centre.



**Hon. Mr. Wishart:** Mr. Speaker—

**Mr. Speaker:** Perhaps we might have the hon. member for Ottawa Centre, because everyone is on the same point.

**Mr. MacKenzie:** Mr. Speaker, my recollection of the withdrawal of the former Engineers Act last year—when the Attorney General withdrew that Act—it is my recollection that he said at the time that he was withdrawing this Act in the light of the McRuer recommendations and that he would bring a model Act before this House and thereafter deal with the professional bodies. As I see it today, Mr. Speaker, he has changed his procedure in this matter and I think we should have been advised of it before he did.

**Hon. Mr. Wishart:** I must say, Mr. Speaker, I agree wholeheartedly with the comments made by the member for York South and with the leader of the Opposition. I agree that the House should have first, any legislation the members of this House are entitled to have, and I think they always have had any legislation which is intended to be presented to the Legislature. There has been no breach of, or deviation from that procedure.

What we sent out—perhaps I was at fault in not clarifying it—what we sent to the professions were those recommendations of the McRuer report which affected the self-governing professions. The Statutory Powers Procedure Act, which I shall eventually introduce, is, I am sure members will appreciate, a much wider piece of legislation than simply affecting self-governing professions. It deals with statutory powers in their very broad context and form.

So I did not—and I want the members to understand this—I did not send out to the executives, governing bodies, and leaders of the professions, a bill which I intended to present to this House. It was simply a compendium of recommendations composed somewhat in legislative form or in legal form, which they might consider in drafting their legislation.

Nothing has been done to deprive this House of the first look. What we have done has been in the sense of trying to assess by saying: “Here are the recommendations which should affect your profession as prepared by Mr. McRuer. We have put them together in a form in which you might find them possible to consider and incorporate in your legislation.”

**Mr. Singer:** Why can the Attorney General not show that to the members?

**Hon. Mr. Wishart:** Well, I would have no objection but I am sure a great many members will see them. As they consider each bill they will be able to relate in this bill—which I have introduced—the recommendations of Mr. McRuer. If they find any omissions they will be able to say: “Why were these omitted?”

**Mr. Singer:** The Attorney General has done it already.

**Mr. Speaker:** Order. I think the hon. Minister has entered into a sufficient explanation.

Introduction of bills.

#### THE SECURITIES ACT, 1966

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Securities Act, 1966.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to require all brokers dealing with the public to maintain sufficient insurance so as to protect their clients in case of bankruptcy of the broker.

**Hon. Mr. Rowntree:** Mr. Speaker, today the Treasurer of Ontario is meeting in Ottawa with other Provincial Treasurers and the Minister of Finance. He has made a statement there which I think should be read into the record at the earliest possible moment.

I now read the statement by the hon. Provincial Treasurer and Minister of Economics to the Minister of Finance and Provincial Treasurers at Ottawa on December 19, 1968.

**Mr. G. Ben** (Humber): Mr. Speaker, on a point of order. I understood that you are not supposed to read statements, but that is a rule that is not followed here, so, by usage, we will not dwell on that.

But is it permissible for someone to get up and make a statement on behalf of somebody else and say: “I am speaking for somebody else”? Should not everyone speak for himself in this House?

**Hon. A. Grossman** (Minister of Correctional Services): He is speaking for the government.

**Mr. Speaker:** The usages of Parliament so far as I am aware, and I am now supported in that, are that the Ministry acts for the government. Questions are asked of a Ministry

and any one of the Ministry may answer even though the questions are directed to a particular Minister. Statements by one Minister may, of course, be made by another. The hon. House leader is quite in order and he will proceed.

**Hon. Mr. Rowntree:** The opposite to the proposition proposed by the hon. member would be that we do not report to this House. That is not this government's position. We intend to report to this House and try to keep the members of the Legislature informed of all matters.

The statement is as follows:

At our meeting on November 4 and 5, we agreed to resume our discussion on tax-sharing at this time. We have come here to do just that in the hope that some progress will be made towards resolving the federal-provincial financial impasse.

We have not come looking for hand-outs but for solutions. We are not here to propound bizarre doctrines but to offer our ideas for financing a workable Canadian federalism. We are not here to pass the buck on necessary tax increases but to seek ways to contain the total tax burden, to develop priorities for the total pool of tax revenues and to co-ordinate reform of our total tax system.

Ontario's position is well known. In our view, we must have new financial arrangements to reduce the basic fiscal imbalance between our two levels of government—an imbalance that has been documented again in the 1969-70 projections developed by the Continuing Committee on Fiscal and Economic Matters. This new evidence reaffirms the findings of the Tax Structure Committee in 1966, notwithstanding the federal Finance Minister's contentions that federal transfers of the past two years had improved the provinces' relative position. It is abundantly clear that the capacity of the federal government to digest large expenditures and invent new programmes is a measure of its ability to provide more tax room for the provinces.

Our province, and in turn our municipalities, must receive more of the tax revenues provided by our own people to finance local services, many of which are recognized as taking priority over federal responsibilities. In addition, real tax reform can be achieved only through full federal-provincial participation in the redesign of the income and wealth fields which are shared by both levels of government. We believe that the best solution can be achieved through a more reasonable starting point in the division of the tax fields.

Ottawa, however, has rejected a co-ordinated approach to taxation control and declined to consider machinery for joint priority-setting. As for tax reform, the federal government already has made major changes in the death tax field without consulting the provinces and it appears to be taking the same unilateral course in redesigning the income tax base, despite our repeated requests for and federal assurances of joint consideration in this shared-tax field.

The federal government's renewed offer of a transfer of 17 points of the personal income tax, plus an adjustment payment to meet actual programme costs in three shared-cost fields, will not provide the provinces with additional revenue. This shift would enable more direct control over these expenditures but the provinces would not benefit from any cost reductions. Only Ottawa stands to gain financially from the cutbacks the provinces would be forced to administer in these priority fields of health and welfare, thereby intensifying the present fiscal imbalance. A more equitable solution would consist of a straight fiscal transfer of 20 points of personal income tax on an unconditional basis. Such a transfer would be a more realistic contribution to the costs of these programmes in Ontario.

While our need for more revenues is immediate, the recent federal budget precluded any tax-sharing considerations for the coming fiscal year of 1969-70. It did suggest that Ontario might place five additional points on the already outdated base for personal income tax but this cannot be considered as a redistribution of revenue sources. This redistribution is the essential requirement and Ontario is willing to consider any alternatives which might provide a better fiscal balance for the 1970s.

We might be prepared, for example, to leave the present income tax division where it is and share on a 50-50 basis with the federal government the future growth in income tax returns including the new social development tax. Any revenue-sharing proposal which would give the provinces elbow room to meet their jurisdictional responsibilities could be discussed. Still another possibility would be joint design of upcoming reforms in the shared-tax fields to provide revenue gains which can be allocated appropriately between the federal government and the provinces.

We offer these as suggestions because we are flexible about the means to be employed. But whatever the means, the end must be a better balance between the expenditure re-

sponsibilities and revenue capacity of each level of government.

If Ottawa's present attitude towards tax sharing does not change, then we in Ontario must chart an independent fiscal course. We do not accept Ottawa's branch plant role for the provinces, which would mean cutting back the level of our services and the range of our tax reforms. Rather, we are determined to meet our responsibilities in financing our priority government services and to press on with essential reforms.

More than that, we are prepared to establish our own income tax, if the future path of the existing system and its reform continues to be a one-way street. We find this option offers some distinct advantages to our province and our people, even though it might take two years to put an independent system into operation. With control over our own income tax base, class structure and rates, we can achieve our own financial, fiscal policy and tax reform objectives. Moreover, we can then move toward direct integration of property, retail sales and income taxes to improve redistribution and provide greater property tax relief.

Ontario is aware that there are problems associated with such a step, problems that will not be ours alone. That is why we have expressed repeatedly to the federal government our concern and reluctance at being pushed in this direction. Now, however, no other responsible course appears to be open to us unless there is significant progress towards solving the tax-sharing problem at this conference.

**Mr. Speaker:** The hon. Minister of Highways has a statement.

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, I would like to make an announcement that will be of particular interest to the members of the House representing northwestern Ontario. This concerns a change in the organizational structure of The Department of Highways that I am sure will improve the department's operations to meet the growing demands of the services required for this part of our province.

The organization of the department in northwestern Ontario has in the past consisted of four districts of Kenora, Fort William, Port Arthur, Sault Ste. Marie and Cochrane, operating under a regional establishment made up of managers who reported to their appropriate branches at head office in Toronto. With the increasing commit-

ments being undertaken by the department to improve and expand the highway network over this broad 182,000 square mile area, and the increasing involvement of the department in assisting municipalities to improve their local roads systems, there has developed the need for more direct control and co-ordination in order to maintain the efficient operation of the department's total function within the region.

To accomplish this, it has been decided to create the position of northwestern Ontario regional director which will carry with it a broad latitude of authority to direct and co-ordinate all the department's activities throughout these four districts, and deal with local situations on a direct basis. The regional director will be responsible directly to the Deputy Minister, and in effect will be the deputy Minister's representative for the region.

Under his direction it will be possible to achieve greater utilization of the department's manpower forces and equipment within the region, through flexible deployment of our resources to meet the region's growing requirements. He will be the senior contact for municipalities on all matters affecting roads planning, programming and financing. With the wide latitude of authority invested in him, and the advantage of an intimate knowledge of conditions and requirements of the area, he will be able to make decisions that will more effectively cope with regional needs and result in a higher level of service.

He will be invested with the authority to liaise and co-operate with other government departments in the region on matters requiring interdepartmental action. The regional director will be based at the department's regional office in the Lakehead and his duties will require him to travel extensively throughout the region. It is anticipated that I shall be able to announce an appointment to this post in the early part of the new year.

**Mr. Speaker:** The hon. Minister of Health has a statement.

**Hon. M. B. Dymond** (Minister of Health): The hon. leader of the Opposition has the floor.

**Mr. Nixon:** What, no statement?

**Mr. Speaker:** No statement.

**Mr. Nixon:** My questions, sir, are for the Minister of Municipal Affairs (Mr. McKeough) who is not here, and the Minister of Energy

and Resources Management. What plans is Ontario Hydro implementing to reach a settlement with its employees to avert a possible strike in January? And secondly: Does Hydro believe that the system can continue to operate if a rotational strike is called by the employees?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker I will have to take the hon. member's question as notice. I will try and have an answer for him tomorrow morning.

**Mr. Speaker:** The hon. member for York South has the floor. The hon. member for Dovercourt (Mr. De Monte) will please remember that it is always the hon. leader of the Opposition and then the member for York South, that have priority in question hour.

**Mr. MacDonald:** I have two questions for the Minister of Health: How many of the 97 per cent of the population, whom the government claims have medical insurance, are covered for home and office calls of physicians?

**Hon. Mr. Dymond:** Mr. Speaker, I cannot give this information because it will require a great deal of research and I am not even certain that I can get the information in time for the session tomorrow morning, but I will try.

**Mr. MacDonald:** To the Minister of Health also: When will the Minister issue a report on the operations of OMSIP showing for the past fiscal year the premium income, subsidies, persons covered, payments and administrative costs?

**Hon. Mr. Dymond:** Since OMSIP is a part of the department, ordinarily the report will appear in the annual statement of the department. However, in view of the interest, I am trying to get a report separately prepared for OMSIP operations and will have it as early as possible.

**Mr. MacDonald:** I have a question, Mr. Speaker, for the Minister of Financial and Commercial Affairs.

1. Is the Minister aware of the practice of slum landlords of collecting Hydro bills through rental, and then failing to pay the bills, as complained about by Toronto Hydro?

2. Can action be taken immediately to correct this fraudulent practice?

3. Will the Minister consider inclusion of protective clauses against this practice in any new legislation to protect tenants?

**Hon. Mr. Rowntree:** Mr. Speaker in answer to the first part of the question I personally am not aware of that situation but I am endeavouring to inform myself.

**Mr. MacDonald:** It was in the *Globe and Mail* on December 13.

**Hon. Mr. Rowntree:** Yes, I will endeavour to inform myself about the facts.

In answer to parts two and three; of course, this matter will be taken under advisement.

**Mr. MacDonald:** Finally, Mr. Speaker, I have a question for the Minister of Education.

Are local committees of the Ontario Insurance Agents Association generally being given the responsibility for reviewing insurance coverage under the new county boards?

Second, is new coverage being sought through public tender?

Third, where coverage is being arranged through a local committee of the insurance agents association are commissions being divided among all agents in the county whether or not they were involved in writing the newer insurance coverage?

**Hon. Mr. Davis:** Mr. Speaker, the question of insurance of property is a matter that is left strictly with the locally elected school boards. It states in Section 34 subsection 6, of The Schools Administration Act: "every board shall make provision for insuring adequately, the school buildings and equipment"; there has been no change in this provision or this policy with respect to the new legislation.

The present boards are operating under this legislation and, of course, under the new legislation the new boards must assume the existing contracts. It is a matter between the local school boards and the companies as to what their future policies will be.

**Mr. MacDonald:** Well, Mr. Speaker, may I ask by way of a supplementary question: Is there any obligation under the statutes or regulations or elsewhere for insurance coverage to be sought through public tender?

**Hon. Mr. Davis:** Mr. Speaker, I do not think there is any obligation in the statutes to seek it through public tender. I believe it is the policy of most boards—not all boards—to do it in this fashion.

**Mr. MacDonald:** Not all.

**Mr. Speaker:** The hon. member for Dovercourt has a question of the Minister of Health.

**Mr. D. M. De Monte** (Dovercourt): Thank you, Mr. Speaker.

Will the Minister table the telegram received from Norman Pike, safety director of the Labourers International Union Local 183, in connection with a case of disease in the building of the subway tunnels in the city of Toronto?

Does the Minister have legislation ready to change the law governing medical examinations for men who work under air pressure?

**Mr. Speaker:** Perhaps at this moment, I might also ask the hon. member for High Park (Mr. Shulman) to place his question of the Minister of Labour (Mr. Bales) which is somewhat similar, and then the two Ministers can answer.

**Mr. Shulman:** I have one for the Minister of Health on this subject. May I place that first?

For the Minister of Health: Has the department received a recommendation from Dr. J. A. Gamarra of the Toronto East General Hospital, and passed on by The Department of Labour, that X-rays be required before men are allowed to work under air pressure?

What action is being taken?

**Hon. Mr. Dymond:** Mr. Speaker, in the case of the hon. member for High Park, I did not receive his two questions in time to do anything about them. I, therefore, shall take both of those as notice.

In reply to the question put by the hon. member for Dovercourt, when the telegram comes to me, I will have no objection to tabling it. I got it over the telephone. I have not got the telegram, in fact, yet. But in answer to the second part of the hon. member's question, The Department of Health does not administer this legislation. It lies within the purview of The Department of Labour and The Department of Health acts as consultant to The Department of Labour in matters pertaining to industrial health.

**Mr. De Monte:** Will the hon. Minister accept a supplementary question?

Mr. Speaker, is the Minister aware of the research that has been done and the legislation that has been passed in the state of California in connection with medical examinations and other aspects of men working under pressure?

**Hon. Mr. Dymond:** Mr. Speaker, no, I have little interest personally in industrial

health and therefore do not follow it in the scientific journals. I have not seen this yet anyway. My staff, no doubt, have cognizance of it.

**Mr. Speaker:** The hon. member for Dovercourt.

**Mr. De Monte:** I am wondering, Mr. Speaker, if the Minister's department is contemplating looking at that research and legislation?

**Hon. Mr. Dymond:** Mr. Speaker, I am quite certain that my department are fully aware of this because this is part of the day-to-day responsibility. I have not had an opportunity to discuss it with them.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, apparently the Minister has taken my second question—

**Mr. Speaker:** You might place that question.

**Mr. Shulman:** To the Minister of Health: Since the cause of the Yorkville hepatitis epidemic has been established, what is the purpose of the further \$18,000 expenditure announced in the Legislature yesterday?

Secondly, what is the name of the person who recommended that this study be made?

**Mr. Speaker:** Would the hon. member for High Park then place his question of the Minister of Labour, No. 443, which has to do with the same matter?

**Mr. Shulman:** Thank you. For the Minister of Labour: Has your department received a recommendation from the labourers' union that comprehensive medical examinations be required before men are allowed to work under air pressure?

Two, what action is being taken?

**Hon. Mr. Dymond:** Mr. Speaker, I will have to take the hon. member's question as notice.

**Mr. Speaker:** This question is addressed to the Minister of Labour.

**Hon. Mr. Bales:** Mr. Speaker, the answer to the first part of the question is "yes". Since these recommendations are such that we require professional advice, this was sought and the investigation is continuing.

**Mr. Shulman:** Mr. Speaker, will the Minister accept a supplementary question?



**Hon. Mr. Bales:** Yes.

**Mr. Shulman:** When can we expect some results from the investigation?

**Hon. Mr. Bales:** As soon as the investigation is complete. We are anxious for it to be done as quickly as possible.

**Mr. Ben:** Mr. Speaker—

**Mr. Speaker:** Has the hon. member a point of order?

**Mr. Ben:** Mr. Speaker, yesterday I had a question of the Minister of Highways but the Minister was not here. Now it has been customary that the questions that would have been put to a Minister who is absent are usually put first the following day if the Minister is there.

The Minister was here today, Mr. Speaker. He made a statement to this House, and I want to go on record that I object to him flitting out of the House to avoid answering my question. This is a failure of this system where a government Minister can just pack up and leave to avoid answering questions. I say it is an affront to the Opposition when the government acts like that.

Interjections by hon. members.

**Mr. Ben:** He is a coward.

**Mr. Speaker:** Order. The hon. member for Port Arthur (Mr. Knight) has questions of the Minister of Financial and Commercial Affairs.

**Mr. Ben:** The House leader should bring him back in here to answer the questions.

**Mr. Speaker:** Order.

The hon. member for Port Arthur.

**Hon. Mr. Rowntree:** A few of your members walk out.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Speaker, I have two questions.

The first question is for the Minister of Financial and Commercial Affairs: Is the consumer protection division of the department investigating the labelling and safety of fibre glass curtains to protect the consumer, in view of recent complaints in connection with fibre glass curtains which appeared in yesterday's *Toronto Daily Star*?

**Hon. Mr. Rowntree:** The answer, Mr. Speaker, is "yes".

**Mr. Knight:** Mr. Speaker, I have a question for the Minister of Tourism and Information (Mr. Auld). It is in three parts.

First, has the Minister's department been able to determine whether the Lakehead lies at the exact east-west halfway point of the Trans Canada highway? There is a typographical error in that question, it says 'highway' and it should be 'halfway mark'; I presume the Minister understood that.

**Mr. Speaker:** And the question did not include the word "exact".

**Mr. Knight:** That is right.

The second question—

**Hon. Mr. Rowntree:** Mr. Speaker, may I ask you, sir, with the greatest respect, what is the urgency behind that question?

**Mr. Speaker:** This may be a very urgent matter for the people of the constituency of the hon. member asking the question.

**Mr. Knight:** Mr. Speaker, I am disappointed at the Minister's reaction. May I go on with the second question?

What special plans does the Minister's department have to aid the Lakehead area to derive the fullest tourist promotion value when it becomes a city of 120,000?

Third, will the department give the Lakehead assistance in a nation-wide contest for the selection of a new name for the city?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Mr. Speaker, I am glad that the hon. member has clarified the typographical error because I was a little puzzled about the question, the way I got it.

I would agree that if it is, in fact, the exact halfway point, it is not likely to change. But nobody has ever asked me this question before so I can only answer the hon. member that if, in fact, it is at the halfway point, and if he would like us to make some determination of this, we will try. I would suspect, though, that it is probably in the realm of some other department. But I just got these questions a few moments ago, so I really cannot answer this. The first time we have been asked to determine this is today.

The department has no specific plans to aid the Lakehead area to derive further tourist promotion benefit other than the plans which we presently have; the special plans of which the hon. member is aware and which we have for northwestern Ontario. I do not believe myself that the fact that Port Arthur and Fort William are going to join together and be-



come one city—the Lakehead—would change our plans at all; we would continue to exert our efforts in this connection.

We would be delighted to, as we always are, to give any municipality or community any assistance we can in a national programme or any scheme that they might have for the promotion of their area. We would be delighted to give any assistance we can if we are asked to do it by the community.

**Mr. Knight:** Mr. Speaker, just a supplementary question to the Minister. I wonder if the Minister is aware that inquiries were made by the Lakehead chamber of commerce last year, of his department, with a view to determining once and for all whether the half-way point on the trans-Canada highway—the east-west half-way point—did not lie approximately at the Lakehead.

**Hon. Mr. Auld:** I must say, Mr. Speaker, that I do not recall this. I recall some matters about where the 49th parallel crossed and a few other things like that. I do not remember this specific question but I will certainly find out.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question of the Minister of Education.

**Mr. B. Newman (Windsor-Walkerville):** Thank you, Mr. Speaker. In view of the action of the St. Catharines board of education in setting up a special committee of two school board members, five doctors and the co-ordinator of physical education, would the Minister consider setting up a province-wide committee of physical education teachers, doctors and other necessary personnel to look into the problem of athletic injuries in the secondary schools with a view to setting up standards for equipment, minimum standards of physical education, and so forth, and so forth, in order to reduce the number of injuries in high school athletics?

**Hon. Mr. Davis:** Yes, Mr. Speaker, I would be very tempted to ask really what one means by and so forth, and so forth, and so forth.

**Mr. B. Newman:** The whole aspect of athletic injuries, and so forth.

**Hon. Mr. Davis:** I was just very curious.

Mr. Speaker, I think the hon. member having an interest in this field, is well aware of the programmes the department has issued in consultation with the Ontario Federation of School Athletic Associations. They have estab-

lished guidelines of desirable practices in developing inter-school athletic programmes.

The standards for equipment, for instance—for coaching and for the playing conditions under which competition is provided—these are established to meet the needs of the students in particular sports which are played in any school in relation to the local conditions.

Also within the department the programme consultants in physical education for the department throughout the province provide continuous resource to such local committees, which are established by the teachers and medical profession, and other personnel.

The studies which have been made by the joint committee of the Canadian Association for Health, Physical Education and Recreation, and the Canadian Medical Association, with respect to the most effective protective equipment and to the necessary physical conditioning for inter-scholastic competitors, are also available to the schools as they formulate the safest playing conditions for their students.

In March of 1967, Mr. Speaker, a memo was sent out to the schools—not relating to this entire question, but to a portion of it—with respect to the maintenance of general equipment to provide for safety features, and so on, and so on.

**Mr. B. Newman:** May I ask the Minister a supplementary question? Mr. Minister, are you aware that suspension type helmets are still being used in football? I should not say suspension—concussion type helmets, rather than suspension type?

**Hon. Mr. Davis:** I have not played the game for a while, so I am not as familiar with the terminology as I used to be. I remember the member for Scarborough East is perhaps a more recent competitor; I am not aware of just what type of helmet the schools are using at the particular moment.

**Mr. B. Newman:** Well, Mr. Speaker, if I may explain to the Minister the difference between the two, then.

**Hon. Mr. Davis:** I know the difference.

**Mr. B. Newman:** May I ask then, is he aware that there were 367 athletic injuries in the St. Catharines high schools last year?

**Mr. Speaker:** Order! The hon. member is not asking a supplementary question now.

**Mr. B. Newman:** I put a question mark at the end of it, Mr. Speaker.

**Mr. Speaker:** It is not a question supplementary to his original question. The hon. member for Scarborough East has several questions of the Minister.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, to the Minister of Education. Has the Ontario secondary school headmasters' council submitted a written brief to the Minister concerning the disadvantages and costs in the current school year of the Minister's decision to extend the final day of classes from June 3 to June 13?

If so, will the Minister make this brief available to the members of the standing committee on education of the Ontario Legislature?

**Hon. Mr. Davis:** Mr. Speaker, with respect, there are two questions—really, I guess there are three—that relate to this subject.

I do not recall any such brief. We had a meeting with some members of the council yesterday and there was no written brief on that occasion. There have been discussions with the council over the past number of months on many subjects, and of course the question of the length of time of the school year was discussed.

I do not recall a written submission. There was not one yesterday.

**Mr. T. Reid:** A supplementary on that.

Was the problem relating to data processing and time needed for dummy runs of promotion results and the recording of the adjustments to marks and the promotion decisions discussed at the Minister's meeting with the representatives of the Ontario secondary school headmasters?

**Hon. Mr. Davis:** There was but a very brief reference to it yesterday, Mr. Speaker.

**Mr. T. Reid:** The second question on the same subject, Mr. Speaker.

Does the Minister agree with Mr. H. H. Mosey, chairman of the Ontario secondary school headmasters council and principal of Forest Hill collegiate institute, as reported on the front page of this morning's *Globe and Mail*? He said that Ontario schools will have to curtail final exams drastically in the current school year if the June 13 date recently established by the Minister is not changed, because exams could not start until Monday, June 16, and there would not be sufficient time between then and June 27 to mark the exams and hold promotion meetings?

**Hon. Mr. Davis:** Mr. Speaker, I think I answered this question indirectly a day or so ago.

In the decision made with respect to the termination of the school year, consideration was given to the experience of last year when we went through the experimental period of ceasing on June 3, and indicated to the hon. members that in a sampling of schools across the province we found a number that had completed their work and some of them by June 16 or 17.

There is no question there are some, Mr. Mosey being one, who feel that there should be an extended period of time available for this. But there is no question that a number of schools did, in fact, complete it within this length of time.

**Mr. T. Reid:** Would the Minister change "some schools" to "most schools"?

**Hon. Mr. Davis:** Change some to most? No.

**Mr. T. Reid:** Is the Minister aware that Mr. Mosey has said that the alternative—

**Hon. Mr. Rowntree:** This is turning into a debate, Mr. Speaker.

**Mr. T. Reid:** Mr. Speaker, if I could put my question then you can decide whether it is a debate or a question.

**Hon. Mr. Rowntree:** You are turning it into a debate.

**Mr. T. Reid:** Mr. Mosey said "the only alternative solution is to lower significantly the percentage standings required for students to be recommended". We are skipping requirements, are we not?

**Hon. Mr. Davis:** I would like to think, after proper reflection, Mr. Mosey or any other principals would find there really are far more acceptable alternatives than that one.

**Mr. T. Reid:** A final question on this subject, Mr. Speaker.

Will the Minister accept the recommendation of the Ontario secondary school headmasters' council that he accept a compromise that the final day of classes be shifted from June 13 to June 9 in the current school year?

**Hon. Mr. Davis:** Mr. Speaker, as I said, I met with three members of the council yesterday. There has not been a specific recommendation from the headmasters' council at all, other than in discussions yesterday, and I am not in a position to give any indication of it.

**Mr. T. Reid:** Thank you, Mr. Speaker. The final question on a different subject to the Minister, Mr. Speaker.

Whereas the report to the Metropolitan Toronto school trustees from the committee appointed to consider the establishment of French language classes or schools, under the chairmanship of Mr. C. T. Clifford, states: "With only 3.4 per cent of the population French speaking, committee members believe that segregating French language students into a separate school, as suggested by the Franco-Ontarian brief, would not prove to be the most effective way to carry out the current spirit of biculturalism.

"Should classes be requested under the legislation, it is the committee's opinion that these should be established in regular secondary schools so that each culture may benefit from the influence of the other. The sharing of facilities, laboratories, sports programmes, and so on, should make such schools remarkably interesting experiments in biculturalism."

Does the Minister believe that this key principle of this report is compatible with the principle he announced last year on behalf of the government concerning the "ideal" situation—that is, French language composite schools?

**Hon. Mr. Davis:** Mr. Speaker, with great respect, I do believe that I answered this question yesterday.

In spite of what one might observe from one of the editorials in one of Toronto's leading morning newspapers this morning, I believe that I made my position very clear. We felt the best way—and these conditions would vary throughout the province, because of geography, density of population, and whatever—the best approach we felt was the composite school approach. That is where the programmes would be for the French-speaking students, and it would be a completely French-speaking situation.

Let us be very frank, Mr. Speaker, there are two schools of thought, perhaps five or six, and with valid, shall we say, views supporting them. Some feel it is better to have some of the French-speaking students within the English *milieu*—if you could use this term. There are those who feel that, because the French students live in an English-speaking environment—basically—it is better in any event from an educational standpoint to have them congregated in a single school.

But I think, Mr. Speaker, that I made the position of the department in this regard clear yesterday—at least I thought I had—

that this is the best approach although we are saying that it is not necessarily the only approach throughout this province. I think this, too, has to be stated.

I must also say that I did suggest to the hon. member that he would send me—and I am sure he is in the process of doing so—the report he referred to yesterday. I have not as yet received it so I cannot comment, which was the point I tried to make yesterday on the specific problems of the Metro board. I have had, Mr. Speaker, three or four other situations with which I have had to deal in the past few hours, so I have not been able to update myself specifically with the Metropolitan school board situation. However, I am somewhat familiar with it at the moment.

**Mr. T. Reid:** Mr. Speaker, a supplementary question, on a point of clarification. I will send my copy of this report to the Minister, if the Minister would send me copies of reports he received that I requested from him.

**Hon. Mr. Davis:** The member said he would yesterday, but I have already ordered another one.

**Mr. T. Reid:** The Minister needs a first-rate executive assistant—

**Mr. Speaker:** Order.

**Hon. Mr. Rowntree:** Let us get on with the business of the House, not this delaying stuff. That is an irrelevant question.

**Mr. T. Reid:** The French-speaking people in Metropolitan Toronto do not think that is an irrelevant question.

**Mr. R. S. Smith (Nipissing):** My question is in three parts, Mr. Speaker, to the Minister of Energy and Resources Management.

First, was the agreement signed on December 17 between the municipality of Peel county and the OWRC necessary for the financing of the facilities by the provincial government?

Second, what are the reasons for the four-year delay in the signing of the agreement? Will user costs under the agreement be equal to present rates in the areas of the region presently being serviced?

Third, will the OWRC now move ahead with a total grid facility programme to supply services in all regions of the province at a set user rate cost compatible with present rates to the municipalities without the unnecessary delays of agreements?

**Hon. Mr. Simonett:** Mr. Speaker, agreements are necessary to establish the basis for financing. Only the five municipalities in the southern part of Peel are involved in this agreement.

In answer to question two: The time involved between the initial meeting and the agreement signing was only three years and four months. This was a large and complicated undertaking. The engineering associated with the development of the project, the working out of financial proposals and the preparation of agreements all were time-consuming. In reaching agreements with five municipalities in a rapidly growing area such as this, inter-municipal competition was to be expected. This did affect the time taken to reach agreement.

With reference to user cost, the OWRC does not have this information since it sells water and sewage services on a wholesale basis to the municipalities which, in turn, set consumer rates.

In answer to part three, the objective of the OWRC is to provide water and sewage services to individual municipalities or on a regional basis in areas of need and when requested. There are many areas of the province where no shortage of water exists and therefore a grid system as such is not the most economical source of supply.

The commission at the present time does not contemplate the development of projects without appropriate agreements, and service rates will vary depending on the cost of the project.

**Mr. Speaker:** The hon. member for Kent has a question of this Minister.

**Mr. J. P. Spence (Kent):** Mr. Speaker, the question I have for the hon. Minister of Energy and Resources Management is this: Is the Minister planning an investigation into the death of 250 ducks that froze on the shores of Lake Ontario at Prince Edward county, unable to fly because the feathers were caked with oil, according to the Ontario Water Resources Commission?

**Hon. Mr. Simonett:** Mr. Speaker, a preliminary conclusion indicates that the death of the ducks was due to oil having been discharged from ships in the Great Lakes. While I am concerned about this kind of situation, I can only refer it to the federal government who has jurisdiction in the field of navigation.

**Mr. Bullbrook:** That is not correct.

**Hon. Mr. Simonett:** I am therefore arranging to have a report sent to the federal Minister of Transport—

**Mr. Bullbrook:** That is not correct at all.

**Hon. Mr. Simonett:**—advising him of our findings and requesting his co-operation in dealing with the problem of oil discharges from commercial craft.

**Mr. Speaker:** The hon. member for High Park has questions of the Attorney General.

**Mr. Shulman:** Yes, sir. Does the Attorney General plan to appeal in the acquittal of Mr. Breckenridge by Judge Martin in the case which arose out of the Windfall collapse? Does the Attorney General intend to take any other action in that case?

**Hon. Mr. Wishart:** Mr. Speaker, an appeal was launched on November 7.

**Mr. Speaker:** The hon. member has a further question of the Attorney General?

**Mr. Shulman:** No, sir.

**Mr. Speaker:** Oh, I am sorry, that has been taken care of. The hon. member for Downsview (Mr. Singer) has a question of the Attorney General.

**Mr. Singer:** Yes, Mr. Speaker. Would the Attorney General advise when he will make available to the Legislature the report of the law reform commission concerning the law of the landlord and tenant?

**Hon. Mr. Wishart:** Mr. Speaker, if I had not been so busily engaged, I might have had it in here today. I hope I might have it in here tomorrow morning.

**Mr. Singer:** Well, good for him.

**Mr. Shulman:** Mr. Speaker, on a point of order, I think perhaps the Attorney General and I both overlooked the second question. Does the Attorney General intend to take—

**Mr. Speaker:** Order! The second question which I have—

**Mr. Shulman:** No, the second part of the first question. Sorry, sir. Does the Attorney General intend to take any other action in that case?

**Hon. Mr. Wishart:** Well, Mr. Speaker, in view of the fact that an appeal was launched on November 7, as I stated, I would not contemplate any other action while the appeal is pending.

**Mr. Speaker:** The hon. member for Kent.

**Mr. Spence:** Mr. Speaker, my question to the hon. Attorney General. Do the laws of the province of Ontario permit an individual to make an assignment of total debts of \$2,990.67 and still be employed between the ages of 35 and 40 years on a regular salary basis in a manufacturing concern?

**Hon. Mr. Wishart:** Mr. Speaker, quite frankly I do not quite understand the question. I am not sure whether the assignment of debts—as is stated in the question—of \$2,990.67, relates to an assignment in bankruptcy or—

**Mr. Spence:** He made an assignment.

**Hon. Mr. Wishart:** An assignment in bankruptcy?

**Mr. Spence:** Yes.

**Hon. Mr. Wishart:** I thought it might apply to The Wage Assignments Act. Well, if I might answer then on that understanding; if the assignment in bankruptcy—there is a personal assignment in bankruptcy now under The Bankruptcy Act, which, incidentally, is a federal statute—but one may sign as a person for personal debts. If that person is discharged he would be freed of the debt in the process of going through the bankruptcy and getting the discharge. Possibly something might have been paid on those accounts or something might not, I do not know the facts.

If they have proceeded through those bankruptcy proceedings, they would not be prevented from going to work. That would certainly not be the intent of the Act that they should be prevented from going to work and earning a salary or wage in any sort of occupation. But if the hon. member would care to give me further details, I would be glad to discuss it with him in detail.

**Mr. Spence:** I thank the Attorney General.

**Mr. Speaker:** The hon. member for Peterborough has a question of the Minister of Labour.

**Mr. W. G. Pitman (Peterborough):** Yes, Mr. Speaker. In view of Senator David Croll's charge in the Senate of Canada that the Thomson press "is clearly out to smash the newspaper union and does not care how it accomplishes it" and there is little doubt that a legal charge of bargaining in bad faith against the Peterborough *Examiner* could be sustained, what action can the Minister take

to bring management to the bargaining table and persuade them to bargain "in good faith"?

**Hon. Mr. Bales:** Mr. Speaker, the difficulty in this dispute does not relate to the question of getting the parties to the bargaining table. Both have been willing to meet there and, in fact, they were three in The Department of Labour offices last Sunday for some hours. The problem is in finding a mutually acceptable basis on which the two parties can resolve their dispute.

If either party believes that the other is not bargaining in good faith and wishes to deal with the matter on a formal basis, there is always recourse for this purpose to the labour relations board, where the finding will be made judicially on the basis of the evidence.

My role, and that of the conciliation officials of my department, is to give all possible assistance toward mediation of this dispute. This we have been doing and will continue to do.

**Mr. Pitman:** I wonder if I could ask a supplemental question, Mr. Speaker. Perhaps it should go to the Minister of Financial and Commercial Affairs.

What I would like to know is, how did you get around this in regard to the Oshawa *Times*? It would seem to me that suddenly something happened there and . . . here you have this—

**Mr. Speaker:** Order. Order. The hon. member is now talking about an entirely different matter and it cannot be supplementary to his question.

**Mr. Pitman:** It is related.

**Mr. Speaker:** It may be related but it is not supplementary and if he wishes to place another question tomorrow, he is quite at liberty to do so. The hon. member for Humber (Mr. Ben) has a question from the other day of the Minister of Trade and Development (Mr. Randall).

**Mr. Ben:** I do?

**Mr. Speaker:** From December 11.

**Hon. Mr. Rowntree:** Up, George.

**Mr. Ben:** But he answered that question. What number is that, Mr. Speaker?

**Mr. Speaker:** No. 326.

**Mr. Ben:** Oh, that one. Sorry, I have had so many questions of the Minister he has



not been here to answer. On December 11, did you say, Mr. Speaker?

**Mr. Speaker:** The question—if the Minister and the member will both please listen, I will save us some time here—is dated December 11, 1968, for the Minister of Trade and Development from George Ben.

Is the Minister prepared to guarantee to the tenants who are purchasing Ontario Housing units the maintenance costs on such units for buildings and grounds for one-half the lifetime of the mortgage in view of the controversy surrounding the conditions of the facilities at Regent Park?

**Mr. Ben:** Mr. Speaker, that kind-souled fellow sitting over there answered that question in my absence. The answer can be found on page 580 of *Hansard*.

**Mr. Speaker:** Again?

**Mr. Ben:** I think it was the subject of a dispute between you and me, Mr. Speaker.

**Mr. Speaker:** No, there were two of them then. Well, that is fine. We have that one cleared away.

**Mr. Ben:** I think it could be found on that page, Mr. Speaker.

**Mr. Speaker:** Thank you.

The hon. member for Windsor West (Mr. Peacock) has one from December 10. Has it been asked and answered?

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I think the Minister ought to reply to that question.

**Mr. Speaker:** The hon. member should know whether it was asked or not. According to my records it has not been asked.

**Hon. S. J. Randall (Minister of Trade and Development):** Well it just so happens, luckily I have that question with me, Mr. Speaker.

The hon. member for Windsor West asked: Why are the local offices of the Ontario Housing Corporation informing OHC tenants that none qualify for the residential property tax rebate although no regulations under section 8 (1) of the Act have been approved or gazetted?

The answer is as follows: Local offices of Ontario Housing Corporation in municipalities outside Metropolitan Toronto, and local housing authorities, were advised that, in accordance with section 8 (1) of The Residential Property Reduction Act, certain tenants could well be eligible for the tax rebate.

Those eligible were defined as tenants who on an annual basis had paid a rental rate during 1968 which was at least equivalent to the rent which would be charged for comparable accommodation in the private sector.

I understand that the hon. member made an inquiry along these lines directly to the office of Ontario Housing Corporation some time ago and was given the same information. He was also informed that tenants in "full recovery" as distinct from "rent-to-income" developments would not qualify. This was also outlined in my reply to a similar question from the hon. member for Wentworth on December 3.

**Mr. Peacock:** Supplementary question, Mr. Speaker.

Was the Minister not aware that at the time of my enquiries of the Ontario Housing Corporation's head office in Toronto, the regulations under The Residential Property Tax Reduction Act, section 8, had not been drawn?

**Hon. Mr. Randall:** That is right. The regulations are being drawn but we know exactly what we are going to do about tenants who are being subsidized.

**Mr. Speaker:** The hon. member for Downsview had a question.

**Hon. Mr. Davis:** Mr. Speaker.

**Mr. Speaker:** Perhaps—

**Hon. Mr. Davis:** I have a ministerial statement.

**Mr. Speaker:** Perhaps we could finish the questions. We have one to go for this Minister, placed by the member for Downsview.

**Mr. Singer:** Yes, Mr. Speaker, would the Minister advise:

1. If the new form of the Ontario Housing Corporation lease has been approved?
2. When he is going to make copies of it available to the members of the Legislature?
3. When the lease will start to be used for Ontario Housing Corporation tenants?

**Hon. Mr. Randall:** Mr. Speaker, I received this question when I came in. I went out and got the information by telephone two seconds ago.

I am glad to bring the member up to date. The lease has been completed. A half dozen copies are on the way to my office. I will have them in the morning. I hope to present you, at least, sir, with one tomorrow and



perhaps the other members at the first of the week and I might—

**Mr. Bullbrook:** Why should he get preference? Why should he get one?

**Hon. Mr. Randall:** I might suggest that this has been gone over by the Attorney General and ourselves and we think the lease is satisfactory. However, the law reform report on this has not been received and there may be some further changes.

**Mr. Singer:** It is going to be here tomorrow.

**Hon. Mr. Randall:** We are quite prepared to implement them, and while I am on my feet I wonder if you would send me over the new leases for Singer, Singer and Cork that I asked for last year. You know the new ones that you are going to draw up—

**Mr. Singer:** Only on payment of the usual fee.

**Hon. Mr. Randall:** Oh, I see.

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, the hon. member for Cochrane South (Mr. Ferrier) asked me a question yesterday which I took as notice. The question from the hon. member was: "What is the reason for the inordinate delay in reaching a decision as to the eligibility of Stanley Kuzik, of 131 Fifth Avenue, Timmins, to continue to receive family benefits of a disabled person? When will a decision be reached?"

Mr. Speaker, I now have the details in connection with Mr. Kuzik's case but I am reluctant to go into this matter because our policy is to treat an applicant's file as confidential. The members of this House know that my department is quite willing to assist them with individual cases but it is usually done in such a way as to protect the privacy of a client.

I have no hesitation, however, in making the details of Mr. Kuzik's case available to the hon. member in the House but I wonder if it would be reasonable to publicly discuss the personal affairs of this family here. I am willing to give the information to the member in private if he so desires so that he may be fully informed. I shall be guided by the hon. member.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, all that I really wanted was a decision in the matter and I will be quite happy to get the information privately.

**Mr. Speaker:** Now the hon. Minister of Education.

**Hon. Mr. Davis:** Mr. Speaker, a supplementary question was asked by the member for Scarborough East yesterday. I do not have the phrasing of that question and in that he has flitted out of the House, perhaps the member for Humber might go find him because I would like to answer the question. But in view of the fact that it is not my policy to answer questions for members who have had to leave, I shall make this in the form of a ministerial statement because obviously, it must have been a matter of urgent public importance or Mr. Speaker, you would not have permitted the supplementary question.

There was a statement—

**Mr. Nixon:** What kind of preamble is that?

**Hon. Mr. Davis:** There was a statement made yesterday raising the question of the payment of student grants. It is quite a serious question and this is why I wish to answer it.

**Mr. Nixon:** It was intended as a ministerial statement from the start.

**Hon. Mr. Davis:** Yes, that is right, relating to the payment of student grants during the initial term as raised yesterday. At that time it was suggested that several students who were entitled to grants support during the first term had not yet received their cheques, and I intend to clarify this today.

For the vast majority of students, the loan portion is paid during the first term, the grant portion in the second. There is a variation as mentioned in the case of larger awards; and to quote the brochure, "If a grant portion is substantially larger than the loan portion the student may receive part of his grant in the first term".

To initiate any grant payment—and I underline this: any grant payment whether first or second term—the student is asked to follow a very simple procedure. When he is given his loan certificate he is also given a statement called declaration of other awards. It is a relatively simple form. It is required since the programme is based on need and, obviously, any assistance that the student may have received after the submission of his original application will affect the size of his total award.

On this form the following statements appear in large block letters. They are right there, Mr. Speaker, about one-quarter of the

way down the form. "This form must be submitted to the student awards officer at the institution you are attending no later than October 1, 1968.

"If you receive your award statement after October 1, you should complete and submit this form immediately."

And directly below this, Mr. Speaker, and underlined to draw it to the student's attention is the following statement:

Important, this form must list any awards you have received other than from the Ontario Student Awards Programme, and must be completed and submitted before the grant portion of your Ontario student award may be requisitioned from The Department of University Affairs. Please note that the total amount of every award must be reported. Awards received from other sources will be counted.

In those cases, Mr. Speaker, where this request was met, cheques have been requisitioned and payment has been made.

When the form was not received, however, the department obviously could not proceed. It is in regard to the latter situation that some complaints are now being received.

The department, Mr. Speaker, is quite willing to assume its share of the responsibility in ensuring that payment is made to students as indicated. It is willing to acknowledge as well that in the early fall many awards officers are so busy with the many applications being submitted that they perhaps do not have the opportunity to remind students that their declaration statements are required.

On the other hand, there seems to be some reason to believe that young adult people have a responsibility to meet a relatively simple request if they are anxious to receive the assistance for which they have applied.

As a matter of information, about 1,100 students and not 10,000 as reported recently elsewhere, were entitled to first term grant cheques at the University of Toronto. About 300 of this number had in fact been issued. The remaining number had been requisitioned as the necessary forms have been received. And the department, Mr. Speaker, will issue them as quickly as possible.

Mr. Speaker: The hon. Minister of Municipal Affairs has returned, perhaps the hon. leader of the Opposition cares to place his questions.

Mr. Nixon: Thank you, Mr. Speaker. I have two questions. The first one is: Will the government support private legislation to be requested by the City of Toronto to abolish the Board of Control?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, I know from past reports that the City of Toronto council took certain action yesterday and that these resolutions undoubtedly will be on the way to us and to the government, and when they are received they will be considered.

Mr. Nixon: Thank you. A second one: Does the Minister plan to meet with Metro chairman William Allen to settle the planning jurisdiction of Metropolitan Toronto?

Hon. Mr. McKeough: Mr. Speaker, when you made the statement on December 2, I indicated that I expected to enter into discussion with Metropolitan Toronto on these matters within the next two months. See page 280 of *Hansard*. As a matter of fact, on Tuesday of this week, I wrote the Chairman of the Metropolitan Planning Board, Mr. Grant Messer and suggested an early meeting with the Metropolitan Toronto Planning Board. At the same time I sent a copy of that letter to Chairman Allen and suggested an early meeting with the Metropolitan Toronto Executive Committee.

Mr. Nixon: I wonder if the Minister would tell me if he feels that the Metro chairman misunderstands his previous statements in this regard, or if there is a real area of difference in opinion.

Hon. Mr. McKeough: Well, I think there might be a combination of those two factors.

Mr. Nixon: I am glad you came back.

Mr. Bullbrook: Before the orders of the day, I wonder if the Attorney General would have a reply to my question of yesterday in connection with the Legal Aid Plan?

Hon. Mr. Wishart: No, not yet, Mr. Speaker. I hope to have it tomorrow.

Mr. Bullbrook: Thank you.

Mr. Speaker: Orders of the day.

Clerk of the House: The third order; committee of the whole House; Mr. A. E. Reuter in the chair.

## THE EXPROPRIATIONS ACT, 1968-1969

House in committee on Bill 5, The Expropriations Act, 1968-1969.

On section 1:

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, in connection with section 1 particularly, I wonder if the Attorney General (Mr. Wishart) and yourself, sir, would consider that we go through section 1 a sub-section at a time. It is the definition section, and I feel it would be easier rather than digesting my comments now, on for example, injurious affection. Would you give me your thoughts on that, Mr. Chairman?

**Hon. A. A. Wishart (Attorney General):** Well, Mr. Chairman, yes, this is the way we actually did it in the legal bills committee. I would say that perhaps it is a better procedure, but I would like to point out that we considered every one of these definitions in section 1 most thoroughly in legal bills committee.

**Mr. Bullbrook:** It goes without saying, Mr. Chairman, that one of the preliminary remarks I was going to make is on the very effective presentation made by the Attorney General and by his deputy to us. I think a really effective effort was made by all members of that committee. I have heard the hon. leader of the Opposition (Mr. Nixon) in this House, Mr. Chairman, say many times that we need a stronger form of committee and this is a great example of the fact that when committee work is properly done, it can be very effective. I think it is going to cut down the time of this House.

**Mr. Chairman:** I would say that it is quite agreeable to the Chairman, and I will therefore deal with section 1, of the Act, sub-section 1, paragraph (a).

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, may I seek the indulgence of the chair just for a second? I will not take much time. I want to make a small preliminary statement to the effect that I want to commend the Attorney General on this bill. I will have very few amendments to move, three or four at the very most.

Some of them have been discussed, but the reason we did get up around 30 amendments between the hon. member for Riverdale (Mr. J. Renwick) and myself, and the reason we are not going to be fighting this bill to any great extent this afternoon—I hope it would go through very expeditiously—is

precisely because of what I have requested during the debate on the second reading, namely, the magnanimity of the Attorney General. That magnanimity has been shown in large measure in this bill as it stands before us today. In my opinion, it is an example of co-operative democracy.

We had nine solid hours in committee hitting away at this bill. After the second meeting, I was ready to throw in the sponge because there was great recalcitrance. The Attorney General did not seem to be very amendable to most of the things we wanted. There is no point in my opinion being there, if we are not going to be listened to. The following night, inebriated with the Christmas spirit, the Attorney General accepted practically everything we had submitted.

**Hon. Mr. Wishart:** Mr. Chairman, I am glad that the hon. member said that it was with Christmas spirit that I was inebriated and I am not sure that is properly interpreted.

**Mr. Chairman:** All right, we now get on with the bill.

Paragraph (a) of sub-section 1, carried; (b), carried.

**Mr. Bullbrook:** Mr. Chairman, I am a little concerned in connection with (c)—By way of dialogue with the hon. the Attorney General.

The word expropriation is not defined, and there was a witness before us who was concerned in connection with the definition of expropriation. We have left the word expropriation in section 46, I believe it is.

I wonder if really we should not consider the possibility that we might define expropriation also expropriate. Expropriation shall mean the taking of land.

I do not really propose to make an amendment in this connection, but it is the only place in the whole statute that I think the word expropriation is used.

**Hon. Mr. Wishart:** Mr. Chairman, I think when you define a word which may have an ending—taking expropriate and translating it into expropriation—rules of interpretation would carry on the definition. When you say “expropriate” it means the taking of land, other than with the consent of the party, or without the consent of the owner, by an expropriating authority. I think you can without difficulty move to the meaning of expropriation.

I would not feel that it is necessary to add, after expropriate, “or expropriation,” because I think a clear interpretation is that you take

from the word defined in a variation in its definitive variation.

**Mr. Bullbrook:** I will accept that, but really, to be grammatically correct, I think expropriate means to take land. Expropriation means the taking of land.

**Mr. Chairman:** Paragraph (c) carried.

**Mr. V. M. Singer (Downsview):** Mr. Chairman I have another point that I wanted to make. The Attorney General did tell us in committee that there would be a companion amendment to The Municipal Act and that obviated our further discussions of an amendment I had suggested to the committee at that time.

Just for the purpose of this record, I would like the Attorney General to give us that assurance, because with that assurance I would be quite satisfied.

**Hon. Mr. Wishart:** Mr. Chairman, as I recall the discussion in the legal bills committee, I think it arose in connection with that deferred widening of highways by municipalities. I did inform the members of this committee that we had discussed this with The Department of Municipal Affairs. My understanding is that they will be moving to amendments in The Municipal Act to meet that situation which is later referred to in this Act. Now, the particular subsection we are discussing—expropriating authority—is wide enough in its definition, I suggest, to cover the statutory authority which the municipalities have to expropriate. My assurance, which I reiterate, was that amendments are being looked at and I have a fairly firm undertaking that amendments will be made in The Municipal Act.

**Mr. Chairman:** Paragraph (c) carried. Paragraph (d) carried. Paragraph (e). The hon. member for Sarnia would like to speak.

**Mr. Bullbrook:** I yield in this.

**Mr. Singer:** No, go ahead.

**Mr. Bullbrook:** Mr. Chairman, in connection with paragraph (e). The concern that we still express from this side of the House relates to the wording at the beginning of page 2. So, (e) 2:

Where the statutory authority does not acquire part of the land of an owner (a) such reduction is the market value of the land of the owner, and (b) such personal and business damages resulting from the construction and not—

and I direct the attention of yourself, Mr. Chairman, and the hon. Attorney General to the word “not”

and not the use of the works by the statutory authority as the statutory authority would be liable for if the construction were not under the authority of the statute.

Now the reason given by the Ontario Law Reform Commission in making this recommendation is that if all owners were entitled to claim for injurious affection, both as to construction and use, the costs of expropriation may be prohibitive or at least unestimable at the time of expropriation. It is suggested that the distinction is based on whether or not the land is taken as tenuous.

An owner who suffers damage which bears a reasonable connection to the expropriation should be compensated for the damages suffered. The discussion, as I recall it in the committee, was basically that there was a remedy in common law for nuisance. We are not content with that at all because we feel—and we use the example of a 12 or 14-lane highway going through a municipality—that could never be construed by a court as a nuisance within the law, so there is no remedy available. We do feel that not only should there be damages referable to the construction but, also, the use to cover these situations.

I therefore move, sir, that the word “not” be stricken from this section, the sixth line on page 2 after the word “and”.

**Mr. Lawlor:** Mr. Chairman, we did discuss this at some length in committee.

**Mr. Chairman:** Order, please, perhaps the hon. member would wait until we get the written motion, so the chair has it exactly in front of him.

**Mr. Bullbrook:** I apologize for the delay, Mr. Chairman.

**Mr. Chairman:** It has been moved by Mr. Bullbrook that we delete from section 1, subsection 1, paragraph (e), subsection (ii) the word “not”, in the sixth line on page 2. The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, as I mentioned, we thrashed this out for quite a while in committee, and the rationale behind the position that I, at least, am going to take in being opposed to this amendment was brought forward. The Liberal Party moved this particular amendment because of the peculiar *weltanschauung* under which they operate. There is apparently only one

degree or dimension of rights, that is private property rights, and I have been trying to instruct the member for Downsview that a wider concept of community might be of some value to him in reaching some decisions on the law of expropriations.

**Mr. Bullbrook:** We promised we would stick to the point.

**Mr. Lawlor:** It could not be more to the point.

**Mr. Singer:** We can set aside an hour.

**Mr. Lawlor:** If the hon. member cannot follow it, that is one of the problems. The Law Reform Commission says on this point:

In practice, however, the commission feels that the cost of imposing such a liability is such an unknown and might be so great that the burden on the public purse would be unacceptable.

And I think the Attorney General very often during our discussions was perfectly right in terms of good conservative philosophy, to defend the public purse and defend the public weal against all these rights of the individual which seem to be absolutely paramount in the minds of some over there. It goes on:

In addition, it might prevent the carrying out of numbers of projects which are essential from the community point of view.

And that is my point of view.

For example, the use of a newly completed ten-lane highway in Metropolitan Toronto might cause damage in varying degrees to lands not only immediately adjacent to the highway but those 100 yards away, a quarter of a mile, or even at a further distance. When one considers a wide swath of potential claimants along both sides of the highway for so long as the highway is used, it is clear the potential liability could be great. I am opposed to this amendment.

**Mr. Singer:** Mr. Chairman, it is very interesting to hear the hon. member for Lakeshore go on in this vein and give us a minor lecture on socialism and to indicate what his philosophy is—I do not know whether it is the philosophy of his party as well—that the state has a right to interfere unduly and unfairly with private individual rights.

I am sorry his colleague from Yorkview (Mr. Young) is not here because his colleague from Yorkview joined with the hon. member for Armourdale (Mr. Carton) and myself in

urging as strongly as the three of us could, that there be some help to those people whose properties and enjoyment of their properties were injured when Highway 401—within the boundaries of those two ridings—was widened from six lanes to 14. And the hon. member for Yorkview was very definite in the representations that he made because he agreed at that time that it really was unfair that individuals should be forced to suffer for the general good of the whole community and not be compensated for it.

The hon. member for Lakeshore drags the usual red herring across the trail when he says: Because it may be difficult to estimate, then we should not even try at all. But this whole theory, Mr. Chairman, the whole theory of compensation as set out in this Act is to allow a fairer method of estimating damages, whether it is damage for a complete taking or whether it is damage for injurious affection of the kind which is described in this Act—or damage for injurious affection of the kind that we feel should be described in this Act.

And it would seem to me that if a person in the position as described by my colleague from Sarnia can establish to the satisfaction of a tribunal that the value of his house has been decreased by a few thousand dollars because instead of having a six-lane highway run beside him, he now has a 14-lane highway running beside him, that is a very substantial bit of damage and he should be entitled to that compensation. It is no excuse, Mr. Chairman, to say that this is difficult to ascertain. It would seem to me that the members of the socialist party—who so often pride themselves on their concern about an individual—should be amongst the foremost advocates supporting an amendment of this kind, rather than having a Marxian socialist theory spouted to us as was done this afternoon.

I would urge, Mr. Chairman, on the members of the House, that we make this reasonable expansion to the definition of injurious affection.

**Mr. Chairman:** Would the hon. Minister care to comment?

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member for Lakeshore, I think, put forward the answers I would give, in a very succinct and very effective way.

Interjection by an hon. member.

**Hon. Mr. Wishart:** Well, thought they were succinct.



**Mr. Singer:** You accept his Marxist philosophy too?

**Hon. Mr. Wishart:** To a degree, I think we legislate social reforms over here.

**Mr. Lawlor:** The hon. member does not know what Marxism is.

**Mr. MacDonald:** He complains about other people's smears.

**Mr. Singer:** But the member for Lakeshore welcomes that.

**Mr. Chairman:** Order.

**Hon. Mr. Wishart:** Perhaps, Mr. Chairman, we should allow this debate to continue first and then I can answer later.

**Mr. S. Apps (Kingston and the Islands):** Do we have to through it all now, Mr. Chairman? This was debated at length in committee.

**Mr. Singer:** Of course we do, that is what we are here for.

**Mr. Bullbrook:** The committee cannot pass legislation, this is where we pass it.

**Mr. Chairman:** The hon. Attorney General is attempting to reply to the motion put before the House. The hon. Attorney General has the floor. Order, please.

**Hon. Mr. Wishart:** Mr. Chairman, on this point that was raised: I think it is certainly in order that members—whether they were on the committee, or other members in the House who did not have the benefit of our discussion in committee—should say what they think and give us the benefit of their thinking.

However, as I say, the member for Lakeshore, I think, answered this very fully. He used the words I would have used when he quoted the recommendation and the reasoning of the Law Reform Commission which is found at page 49 in the Law Reform Commission Report.

This is the situation where no property is taken. If property is taken, the principle of injurious affection does take into account the use of any construction which may be placed upon that property taken, or where part of the property is taken.

Where no property is taken then someone on the outside, close or far away—and how far away is a great question—but close or far away—and this is one of the difficulties. The principle has been established down through the years in the cases that you could not—

should not—take into account the damages of injurious affection from the use of something constructed on someone else's property taken by an expropriating authority.

Mainly the reason would be that the expropriating authority might very well have come along and bought A's property, and constructed on it some work, the use of which would affect lands lying near and far. If that use is such that it gives a right of common law, that right still exists.

But, if you were to for a moment contemplate, or write into the legislation, damages for injurious affection for the use—not just for their construction, but to extend it to the use—on properties which are not taken by the expropriating authorities, you would be in such a hazy, doubtful area that you could not for a moment contemplate what consequences would follow. Particularly in cost to the public purse—to the expropriating authority and to the public—in making payment for injurious affection resulting from that use.

Therefore, the law reform commission which dealt with this subject, Mr. Chairman, in its report, commencing at page 43, under the heading of chapter 5, "Damages for Injurious Affection"—and it discussed it at great length—came at length, on page 49, at the foot of that page, with a recommendation which I should like to read. The commission recommends that:

In cases where there is no taking, expropriating authorities remain liable for damages caused by the construction of the work and remain exempt from liability where damage is caused by the use of the work.

And the reason they made that recommendation—it is very thorough. I would just like to say that I think hon. members should perhaps bear in mind I do not agree with every recommendation in its entirety that was put forward by the law reform commission. But on that commission you have as chairman a very eminent academic person, former dean of the law school, in Mr. Allan Leal. You have a most eminent person who was a judge of the Supreme Court of Ontario in the person of Mr. Justice McRuer. Then you have three pretty hard-headed lawyers—if I may use that expression—in the persons of Richard Bell, Gibson Gray and William Kool.

When they came to this conclusion I think they did a great deal of our thinking. They did a great deal of study, and when they make this recommendation I am certainly



constrained to follow it. To that I might add that I have been looking particularly at the authorities on this subject, which are found in the well known work, a leading work on the subject of expropriation, the book called "The Law of Expropriation", by Challies, who is a judge of the Supreme Court of Quebec, I believe; a Justice of the Superior Court of Quebec.

He comes, after a very thorough discussion on the whole matter of expropriation, and deals at considerable length with a chapter on the matter of injurious affection. He comes to exactly the same conclusion, citing the cases and the reasons which are adopted and followed by the law reform commission, and generally by the courts, because these principles are taken from the court decisions down through the years.

Many of these cases are very recent. They are not ancient law. They are modern up-to-date law, so I would have to reject the amendment, Mr. Chairman.

**Mr. Singer:** Mr. Chairman, just briefly on this.

What the Attorney General refers to in Challies' book, I know, is a very good summary of the common law, but our concern is that this statute is rewriting both the common law and the statute law. The reason for this amendment is that we feel that the common law is not adequate in this instance. That is the purpose of my colleague's amendment.

We believe that serious injury can happen to individuals who are going to be affected by the use of expropriated property and we think it is only reasonable and clear that they be provided some method of obtaining compensation for it.

**Mr. Chairman:** Those in favour of Mr. Bullbrook's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost and section (e) carried.

**Mr. Singer:** No. Before it is carried, before this section is finished, there is another point I wanted to deal with on this section.

**Mr. Chairman:** The vote has been taken on paragraph (e), subsection 1, of section 1.

**Mr. Singer:** Well no—just on that specific amendment. Surely if there is another phase and another kind of change that can be made to that section, that principle surely—

**Mr. Chairman:** Not when the vote has been taken. I am afraid that that is out of order in accordance with the procedure of this House.

**Mr. Singer:** Well, it makes it very difficult, Mr. Chairman—if we could discuss that on a point of order just for a moment. It makes it very difficult, because a number of these sections and subsections have two or three or four principles in them.

My colleague's amendment dealt with one particular one. I would hope to be able to deal with another one. If we are going to apply the kind of ruling you have just made, we are, perhaps, going to have four or five kinds of discussions on the same subsection at the same time, which does not make for a reasonable or an orderly debate.

**Hon. A. F. Lawrence (Minister of Mines):** On each word.

**Mr. Singer:** Not necessarily on each word, but there is another principle that I wanted to discuss in this subsection. I agree with you it would be pointless to further discuss the principle put forward by my colleague, but there is another principle that I want to discuss in this. If we are going to rigidly apply the rule in the manner you have just suggested, then the only alternative is each time we have two or three principles emerging from either a section or a subsection, then we are going to have to put them all at the same time and debate them all at the same time.

**Mr. Chairman:** It seems to the chairman that the procedures in the past have been that where a subsection of the bill is fairly debated by a motion of a member and that motion is defeated, there will be no further debate on that subsection.

If we are going to change the rules and permit any number of amendments to be introduced by motion in connection with any section, I wonder where we are going to draw the line.

**Mr. Singer:** Mr. Chairman, if I might just carry on for a moment. If you take a look at subsection (e) as it is presently printed, it runs through a part 1, which has (a) and (b) parts to it; a part 2 which has (a) and (b) parts to it; a qualifying paragraph at the end of that, and a further qualifying paragraph.

Surely it is not sensible—

**Hon. A. F. Lawrence:** Your amendment was to the end of that paragraph.

**Mr. Singer:** No, my colleague's amendment was line 6 on page 2, which does not bring us down to the concluding portion of it.

**Mr. Chairman:** May I say that I think the hon. member for Downsview is quite right, that the motion itself deals with section (i) (i), which is the last one. If the motion that he now wishes to introduce deals with paragraphs (a) or (b) of subsection i of paragraph (e) then the motion would be in order.

**Mr. Singer:** Well, my motion is this: that we add to section 11(e) a further subsection (iii), which would read this way.

Where the statutory authority does not acquire part of the land of the owner, such personal and business damages resulting from the threat to expropriate and incomplete expropriation or an abandoned expropriation and shall include reasonable costs of legal or other professional changes incurred by the owner because of such actions or any of them taken by the expropriating authority.

**Hon. A. F. Lawrence:** He is widening the definition.

**Mr. Singer:** Yes. Mr. Chairman, my purpose in moving this amendment is this. I think that this statute has to contain, somewhere in the definition section and perhaps later on, some method of applying strictures, sanctions and penalties to expropriating authorities who act in a dilatory fashion without having completed or taken enough action to come within the provisions of this Act.

Now there is one case I have in mind. I discussed it briefly with the Attorney General and I am not going to elaborate on it today. The essence of it is this: An expropriating authority for two and a half years has been threatening to expropriate but has never completed the actual passing of a by-law in proper form.

**Hon. Mr. Wishart:** What is the name of that creek?

**Mr. Singer:** Junction Creek—Junction Creek conservation authority which is headed by the former federal Tory candidate, the chief Tory in Sudbury.

They have run advertisements in the paper, there has been a hearing before the county court judge; there have been engineers' reports; there has been the exchange of correspondence; there have been unofficial offers and so on, and on, and on. Two and a half years have gone by and they have never com-

pleted a by-law under which the owners of the land will have certain rights in regard to it. They disturbed him and put him through substantial expense for a period of two and a half years; legal costs, engineers' costs, evaluators' costs and so on.

Under the law, as I understand it at the moment, the owner is just out of luck because the authority has never moved to the point of passing a by-law under which the owner would have some rights, in this statute and under the law as it exists before this statute in fact becomes law.

It would seem to me that where an authority has acted in this way and has disturbed the owner, perhaps affected the value of his property, the owner should have some kind of a remedy against that authority; at least, to the point of being able to recover some reasonable amount on account of the expenses that he has incurred to protect his rights.

That is the purpose of this amendment, Mr. Chairman. I think it makes good sense and it would set down, in black and white, the fact that this Legislature is not going to sit idly by and let the authorities unduly and unfairly interfere with the rights of an individual.

I would think something has to be done about this, Mr. Chairman, and this, I believe, is one of the serious lacks in this statute. I think there has to be some provision for penalizing authorities and compensating an owner who has been hurt by this kind of action.

**Hon. Mr. Wishart:** Mr. Chairman, I remember there was some discussion in committee but I do not think the hon. member presented this amendment in committee.

**Mr. Singer:** Yes I did.

**Hon. Mr. Wishart:** Did he? Well anyway then the next thing I would say is that if he did, the committee refused it. And I would like to make this point because I know that the hon. member is intensely concerned and that he had the experience of this famous Junction Creek case but what I would point out there is—

**Mr. Singer:** Continuing experience.

**Hon. Mr. Wishart:** A continuing experience which I am sure the hon. member would be the better for.

**Mr. Singer:** My clients are poorer—

**Hon. Mr. Wishart:** And you will be richer. But the point is that what the expropriating authority of which he is speaking did there, they did nothing as I can understand, nothing that had any legal import or significance. Apparently they put some advertisement in the paper which was certainly not condoned or authorized by The Expropriation Procedures Act, which we now have.

**Mr. Singer:** They drew up plans—

**Hon. Mr. Wishart:** I would think that nobody—

**Mr. Singer:** Went to the county court judge.

**Hon. Mr. Wishart:** In short nobody needed to pay the slightest attention to it, not the slightest attention to it.

**Mr. Singer:** We had to go to the county court judge.

**Hon. Mr. Wishart:** Perhaps the hon. member felt they had to, but because somebody publishes a notice in the paper which has no legal authority, has no legal—

**Mr. Singer:** That was only the first step.

**Hon. Mr. Wishart:** All right.

**Mr. Singer:** They carried on.

**Hon. Mr. Wishart:** All right. Once they take proceedings by way of expropriation under either our present law or under this law, which we hope to bring into effect, then they have to proceed according to the law and then I think the rules are laid down.

But what the hon. member's amendment suggests, Mr. Chairman, and I think this is the significant thing, "where lands", he says, "are not taken, then there must be responsibility on the expropriating authority to pay for damages that may result."

If it is just from the intention—now again the answers follow in refutation and dejection of that amendment—it would go so far, so wide, so far reaching, into such a confused and doubtful area, particularly in terms of cost that one could never know where the effect ends or begins.

I think we did consider this in committee, but no one that I can find, in any of the authorities, has ever contemplated such a wide-ranging assumption of responsibility upon an expropriating authority.

I would ask the House to vote against the amendment.

**Mr. Chairman:** Those in favour of Mr. Singer's motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it. I declare the motion lost.

Paragraph (e) of subsection 1 of section 1 is carried.

Paragraphs (f) to (n) inclusive, agreed to.

Subsection 2 of section 1 agreed to.

Sections 1 to 4 inclusive agreed to.

**Mr. Chairman:** On section 5, the hon. member for Downsview.

**Mr. Singer:** Mr. Chairman, section 5(1)(a) and section 5(1)(b) I have amendments and perhaps, Mr. Chairman, since they are similar in principle I could present them both at the same time and debate them both at the same time. Is that suitable?

Now these two sections provide that the approving authority in the case of a municipal expropriation shall be the municipality; that it is in section 1, and in the case of the board of education, the approving authority shall be the board of education.

It seems to me, Mr. Chairman, that this is a very bad concept to include in this kind of a statute.

What is going to happen? Certainly my experience on a municipal council indicates, and as I have watched boards of education it indicates too, that when a municipality or board of education decides to carry on an expropriation it comes to that conclusion after a very careful discussion and after examining reports that it has received from its officials. And often after considerable difference of opinion amongst its members, often after considerable newspaper discussion and so on, and usually, if there is any concern at all about the wisdom of a particular expropriation being effected by a council, the matter has become something of quite some public stature before the decision is finally made.

Now, presuming all this has gone on then the theme of this Act is that an inquiry will take place. The municipality or the board of education has had its discussion and then a public inquiry takes place and the inquiry officer reports back to the same body that has made its original decision.

Whatever the inquiry turns up, the inquiring officer reports back to the people who made the first decision and says to them in

effect. "Do you approve of what you have already done before?"

The appeal is from Caesar to Caesar, the same body is sitting in judgment on what it has already done. Now, in those two cases, the Act is different from all of the other cases. In all of the other cases there are Cabinet Ministers who make those decisions, by and large, who are removed from the original decision-making process.

The Minister of Energy and Resources, for instance, who is called upon to approve an expropriation made or recommended by the water resources commission, has not sat with the water resources commission or been a part of their deliberations. It comes to him after a decision has been made by the water resources commission, there is an inquiry, he looks at the decision; he looks at the results of the inquiry and then he says in his wisdom or in his lack of it, "I approve" or "I do not approve", but he has all the information before him and he approaches the matter from a different point of view than if he had originally been involved in the decision-making process.

It would seem to me, Mr. Chairman, that to carry this commendable idea through, the theme of this statute is that we cannot have a board of education approving of its own decision to expropriate, or the municipal council approving of its own decision to expropriate.

The public inquiry, to my mind, is by and large going to be a waste of time and one of the concerns that we in this House have—and which we have expressed down through the years—is that there often is or can be an arbitrary use of the power to expropriate. Now, if the municipal council is arbitrary or the board of education is arbitrary, and you—

**Mr. Kerr:** Throw them out of office.

**Mr. Singer:** All right. Then hon. member for Halton West suggests they are elected and they can be put out of office. This is true and it is a delayed remedy and if the voters carry their memories long enough they may do that.

But the purpose, surely the theme of this whole Act is that there be an inquiry in order to let someone have another look at it, except in this large, large group, two large groups, the boards of education and the municipal councils.

It would seem to me that the fair way to have this done is in the case of the municip-

pal councils that the Minister of Municipal Affairs approve these expropriations after the inquiry. The original decision then would be made by the municipal council, there would be the inquiry, the decision of the municipal council together with the report of the inquiry officer would go to the Minister of Municipal Affairs and he could make his decision for which he would be answerable in this House. The same way with the Minister of Education, he would have that power insofar as boards of education are concerned. In that way, Mr. Chairman, you would insure that there be an impartial second look at the wisdom of the expropriation.

It is for these reasons, Mr. Chairman, that I move that there be deleted from section 5(1)(a) the words in the fourth line thereof "the council of the municipality" and there be inserted in lieu thereof the words "the Minister of Municipal Affairs".

In addition, I move that there be deleted from section 5(1)(b) the words in the second line thereof "school board" and inserting the words "the Minister of Education".

**Mr. Chairman:** Does the hon. Minister wish to comment on this motion?

**Hon. Mr. Wishart:** Mr. Chairman, we debated this at some length, at quite some length, on second reading of this bill. We debated it in committee and I think the hon. member for Downsview offered this same amendment there, and he was supported by some other members of the legal bills committee. We had a very full discussion there and we could not, the committee could not, see its way clear to support these proposed amendments which are the same now offered here.

**Mr. McRuer,** in his report on this subject of expropriation, at the foot of page 1084 said in his recommendations,

Expropriations by school board should be subject to the approval of the Minister of Education.

It is true he did say that. He said:

Expropriations by the Municipality of Metropolitan Toronto should be approved by that body in the same manner as expropriations by other municipalities, and not by the Minister of Municipal Affairs.

He was at pains everywhere in his report to say that municipalities should be their own approving authority. I would point out that when he spoke of boards of education prior to the recommendation, he was generally speaking of appointed boards of edu-

cation, a situation which has been largely remedied by our legislation where school boards will now be practically all elected bodies.

The reasoning, therefore, which he used and which I adopt, which I support, not just because he said it, is the principle that an elected body should be accountable for the expropriation and as one of the steps of an expropriation the approving of the taking of the land. That is why the Minister of Energy and Resources Management should approve for something being done by the Water Resources Commission. That is not an elected body.

That is why the Minister of Education should be the approving authority for a university because the people who govern the university are not elected, they are appointed. That is why the Minister of Health should be responsible and the approving authority for hospitals, that is why the Attorney General should be responsible, if it is in his area, and he is taking property for a courthouse, or some area in the administration of justice.

That is why the Minister of Public Works, who has some large area of responsibility of acquiring property for government purposes, should be the approving authority, because he must stand up and account in this House to the elected representatives of this province for his action, and that is why the municipality which is at the local level, elected persons, is named the approving authority in this bill. And that is why the board of education, which is an elected body at the local level, is named in this bill as the approving authority.

Now, there is another reason, I think, and that is that when you think there are approximately 1,000 municipalities in this province, all of them from time to time carrying on small or large expropriations, generally small expropriations, to ask the Minister of Municipal Affairs to review those expropriations when the people have a right to come to the council, they have a right to an inquiry, to make their cases known and to make their objections known as to whether this is reasonable, necessary and just.

Why then, remove from the local level the autonomy which is so well, I think, carried on there by their local representative, bring it up to the Minister, who I think would find it impossible to review these cases and would accept the advice of the people in his department who study it. I am sure you would hear a tremendous chorus of discontent and grievance go up that the bureaucrats in Toronto have again removed from

the people their right to handle their own affairs.

I think it is a sound and proper principle which Mr. McRuer has placed in his recommendation, that the municipal council should be the approving authority. True, the appeal is, if you like, from Caesar to Caesar, but I think this also follows that it being known in this Act that there is a right to a hearing, an inquiry, and that the municipal council will be more careful in its procedure in the lands it decides to acquire, or the agency of the municipality, and the school board likewise.

I think the fact that it is known that there is a place for a public grievance, a public hearing, a public explanation of what is contemplated here, will restrain, will certainly have a restraining effect on expropriating bodies at that level.

One of the great outcries which I have observed—and I am sure hon. members have—which they thought was a defect in our present Expropriation Procedures Act was that there was nobody to complain to, there was nobody you could grieve to. You got the word your property was required, there was nothing you could do about it but fight about what you were going to get for it, negotiate or wrangle or go to court and fight. But here we have provided a public forum, and I trust that the inquiry officer will be a person or body that will be able to develop all the reasons surrounding the necessity, the fairness the justice and the need for this expropriation or on the other hand, whether there is no need or only a partial need for it.

I think that having it placed in there will have a very restraining effect on the municipality, and on the school board, these are the only two boards that are questioned in this amendment. I would ask honourable members to vote against the amendment.

Mr. G. Ben (Humber): I had occasion today to correspond with an individual and we were discussing the tactics or the techniques that were used by people—I want to be careful with my words because I do not want to cast any slur on the hon. Attorney General. We were discussing the tactics of the communists under Lenin and the tactics under Hitler, where they would use truthful statements and join them with statements that were not quite truthful to give credence to the statement that were not quite truthful. As I say I am sure the Attorney understands that I am not casting any slur on him, and the reason I mention that is because the



Attorney General is getting close to that technique.

As I understand it, Mr. Chairman, what McRuer said was, as the Minister pointed out, that the school boards' expropriation should be subject to review by the Minister of Education—it was only in the case of the municipality of Metropolitan Toronto that this situation should not pertain. That is the way I understand it, Mr. Chairman, that aside from the municipality of Metropolitan Toronto, the consenting authority should be the Minister of Education.

Now it is easy to understand why in the municipality of Metropolitan Toronto one might permit the school board to be the approving authority, because in the municipality of Metropolitan Toronto we do have a system of checks and balances. For instance, if a local school board wanted to expropriate land it would have to be for school purposes and this would be in the nature of a capital expenditure by the local board. It then would have to obtain approval of this expropriation from the Metropolitan Toronto school board because the Metropolitan Toronto school board would have to approve the capital expenditure and arrange for the necessary financing. So there is a counterbalance and a check.

The municipality of Metropolitan Toronto school board, of course, is composed of members of the school boards of the various member municipalities. So, in essence, you do have a check and a countercheck and a cross-check on what any local school board may do or desire to do.

But the same does not apply to a local board outside of Metropolitan Toronto. This government has seen fit to impose the necessary checks and balances in Metro Toronto so its people will not get too big for their britches and start dictating to this government, I presume, but evidently they do not have the same fear outside Toronto, because they have already divided them sufficiently that they have no strong unity so to speak.

So I can see the concern expressed by my colleague the member for Downsview.

We are quite willing, perhaps—or at least I should be—that the local school board—

Interjections by hon. members.

**Mr. Ben:** —that the boards in Metropolitan Toronto be the approving authority, but outside of Metropolitan Toronto, I do think that it should be the Minister of Education.

I stand to be corrected, Mr. Chairman, but I do believe that the way I stated Mr. McRuer's feelings to be correct. If I am incorrect, I do hope that the Attorney General will direct me to the passage wherein Mr. Justice McRuer suggests that all the school boards be the approving authorities throughout the province.

I still suggest to the Attorney General, through you, Mr. Chairman, that the former Chief Justice was only applying that formula to Metropolitan Toronto, and that elsewhere it should be the Minister of Education.

**Mr. Chairman:** The hon. member for Wentworth.

**Mr. Deans:** Mr. Chairman—

**Mr. Chairman:** Did the hon. member have anything further to add to this question?

**Mr. Ben:** I was just asking his—

**Mr. Chairman:** Well, perhaps we could have the hon. member's reply, if you wish.

**Mr. Ben:** All right.

**Hon. Mr. Wishart:** I cite Mr. McRuer's recommendation; it is at the foot of page 1,084. He said expropriation by all school boards should be subject to the approval of the Minister of Education, then I went on to distinguish why we did not do that, and why he was not talking about elective school boards.

He did not distinguish Metropolitan Toronto at all, anywhere. He did not distinguish Metropolitan Toronto at all. That is what is stated: "all," he said.

With relation to school boards he did not distinguish Metropolitan Toronto. He did in the municipal areas—in the municipal council areas—but he specifically mentions the municipality of Metro Toronto; he did not take it apart from the others. He said it should be the same as other municipalities, and the municipal council should be its approving authority.

So he did not make any distinction from Metro, either with respect to school boards or with respect to municipalities. What he said was "all" municipalities should be their own approving authorities, and, he said, for school boards they should be approved by the Minister of Education.

We did not accept the latter recommendation, because earlier, if you refer to Mr. McRuer's discussions, his reasons, you will see that he is talking generally about appointed



school boards. And, as I pointed out previously, the principle is the elected body, the body responsible to public opinion, which has to get its authority from the voter, the citizen voter—that is the body which is to be responsible.

**Mr. Ben:** Mr. Chairman, how can the Attorney General see much distinction between appointed school boards and elected school boards, when one considers that if they are appointed they are appointed by elected officials? In other words they are simply *persona designatum*—if that is the proper plural of *persona designata*.

**Hon. Mr. Wishart:** Well, the water resources board is appointed by elected persons—

**Mr. Ben:** The fact still remains that, as the hon. member for Downsview points out, they are acting as judge and jury and their own court of appeal.

This is the principle that we find repugnant. It is not that we want to distinguish between elected bodies and appointed bodies. We do not think that either elected bodies or appointed bodies are to act as their own Court of Appeal and sit in judgment on themselves. This is the principle, not how they come to be in office, that we find repugnant. We have been against magistrates sitting in appeal on themselves in the past, and we still maintain this position. That is why we are asking this House to support this particular amendment.

**Mr. Chairman:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Chairman, I find myself in agreement with the amendment of the Opposition.

If I might just for a moment go to section 4 and read that: "An expropriating authority shall not expropriate land without the approval of the approving authority." Who are the expropriating authorities?

The Minister states that there is, of course, the inquiry officer—that there is another step in the procedure—that we will make public the findings. But in that section dealing with inquiry officers, it states that the inquiry officer shall make his report only to the approving authority, who is the expropriating authority, and does not require that the inquiry officer make his reports to both parties.

I believe that it is necessary that there be a third party involved here—a person who can sit in judgment and review the case of both parties, and take heed of the recommendations of the inquiry officer. I do not believe

that it is right that, as the Minister says, Caesar should sit in judgment of Caesar. I think that it is very necessary that some other person listens to the arguments put forward and has the responsibility of being the approving authority.

I realize this has all been said before, but it is very necessary that if the inquiry officer is going to approach anyone other than the approving expropriating authority, that in this section there be set out some other persons to whom he should report. I would ask if the Minister would not consider making this necessary change.

**Mr. G. A. Kerr (Halton):** There is just one point that I would like to raise that has already been mentioned by the hon. Minister and that is that Mr. Justice McRuer suggested that a municipal council could be the expropriating and approving authority. And I would like the hon. members opposite, who were quoting from Mr. Justice McRuer quite often, to correlate that with their arguments regarding school boards. If you agree with Mr. Justice McRuer on municipal councils, you should not be quoting him about school boards.

**An hon. member:** But why?

**Mr. Kerr:** You are quoting him continuously.

The Hon. Mr. McRuer, on page 999, says councils elected by qualified electors are self-governing. For this reason they should be held responsible to the public for their decisions.

This is what the hon. Attorney General has said over and over again, and I would like to know how these school boards, under the new system of county boards, differ from municipalities in this respect. That is before Bill 44.

**Mr. Lawlor:** The Attorney General's argument under this heading I think is the only place in this bill now that we are going to run into loggerheads. It is the last great bone of contention which we gnaw at and we have not taken the meat off it yet.

I am in favour of the amendment. The Attorney General's argument is not an argument in logic, it is not an argument in line with our representative institutions. It is a straight argument from convenience. But convenience must give way to constitutional doctrines of checks and balances, and a division of powers. I am prepared to pay that kind of price, particularly with regional government very much in the offing.

But in any event, you know what can happen here: re the expropriating authority as you go through the later section you get a division; you get at least some quasi-independence. You finally get a third party to turn to. But in these two areas, where the expropriating authority is the same person as the approving authority, whatever on earth you are doing, I think you must admit the logic of this—I suggest that you are leaving the door wide open to turn the whole thing into one fine charade.

You bring in an inquiry officer, who is supposedly an independent agent, to review and to bring the whole thing into the open. Then you give them the squeeze between the two interested parties—who happen to be the same party. They make up their minds at the outset as to what they want. All the inquiries in the world are not going to make any change. They will hear blindly and the next day say: “No, we approve of what we approved of after we approved of our approval”.

I do not think that is legitimate—within any concept of democracy as I understand it. What I am saying, in effect, to wind this up as far as I am concerned, is that you set up a very commendable institution, an inquiry officer, as you say—someone people can go to with their grievances, and then you vitiate his role, so far as I can see.

**Mr. Chairman:** The hon. member for Kitchener.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Chairman, there is one point in this section on which I would appreciate some enlightenment.

You are aware, sir, that in our county of Waterloo we have a number of joint boards which operate various of our facilities. Perhaps we have gone somewhat more into this area than have many other counties. And the problem surely will further develop as regional governments are organized across the province.

For example, our hospital board consists of representatives from the cities of Kitchener and Waterloo and from the county, and the board of the Sunnyside home for the aged consists of representatives from the three cities in the county, and the county representatives as well.

In the matter of joint local boards, perhaps the Minister could enlighten me as to whether the approving authority as such is going to have to be based on opinions given by each of the various municipal or county councils

involved. If this kind of approval is going to be needed, where the local board is a joint one, must it therefore then come from each of the municipalities? And what will happen if one of the municipal organs whose representative sits on this board refuses to grant an approval? How will the problem be resolved then, sir?

**Hon. Mr. Wishart:** Well, Mr. Chairman, I have not addressed my reply particularly to that problem, but section 5, the section with which we are dealing, says, of course: where a municipality or a local board thereof, other than an elected school board expropriates land.

I would think that if you have a joint board—and I can see this situation—that joint board must have received its authority to do certain things from the three municipalities, or the two municipalities or more, which appointed it and have certain powers.

If an inquiry were to take place under this Act and come back, I would think those three municipalities must adjust and resolve their differences. Otherwise, I think they are in trouble. I would think, first of all, that the documents which set forth the authority of their joint board would be sufficient to circumscribe and define their powers and responsibilities.

If the municipalities are going to agree in the end, I do not think they will have any more difficulty agreeing in the end on the action of their board than they would in the beginning when they appointed it. They must have contemplated, in setting up that joint board, that it was acting for all the municipalities who had joined in its appointment.

**Mr. Breithaupt:** It seems to me that if one, shall we say, hospital board in the community, which is in a situation that ours is, decides on expansion within, and receives certain approvals to carry on with expansion, and one of the municipalities is unhappy about sharing the cost, or feels that it must give its tax dollars toward something different, how are they going to resolve themselves out of that problem before regional government is among us?

**Hon. Mr. Wishart:** Mr. Chairman, this is a rather specific problem. I think the local board or the joint board could go back to the municipality if there has to be an inquiry—and mind you, an inquiry is not contemplated in every case; and I would hope, probably there would not be any inquiry in perhaps 90 per cent of the cases. But if an inquiry varies what the board had originally agreed upon

as a necessity for expropriation, if the inquiry officer, after the inquiry that is, varies the decision then I think the board must come back—

**An hon. member:** To whom?

**Hon. Mr. Wishart:** To its creators.

**An hon. member:** It might have five creators.

**Hon. Mr. Wishart:** All right, then if they are not set up to act in concert and in agreement the problem goes back behind the expropriation, surely; or else they could not agree; they have got to find agreement among themselves.

Interjections by hon. members.

**Hon. Mr. Wishart:** I think you could think of all sorts of situations where the joint board will not agree, and not only in expropriations. But we are not out to cure those failures to agree in a joint board if that is the way they want to offer it.

**Mr. Bullbrook:** Mr. Chairman, it seems to me that the Attorney General is looking to the former chief justice to entirely support the position that the government takes in this connection.

**Hon. Mr. Wishart:** No, not necessarily.

**Mr. Bullbrook:** You do not? Well, I just want to lay this to rest, and get it into the records of this House, I read from page 999:

The inquiry procedure which we later recommend should apply to municipalities, and the final approval power should not be taken from them, except where the power to expropriate is exercised for purposes other than the immediate purpose of the municipal body.

And it goes on. It says,

We think that in such cases the exercise of the power of expropriation by a municipal body should be subject to the approval of the Minister of Municipal Affairs.

Well really you do not stand on all fours with Mr. McRuer but what I want to convey, if I might, Mr. Chairman, to the non-legal people in this House is what is going to happen in effect to every citizen in this province. They are going to come to their lawyer and say, "The school board wants my land, what can I do about it?" and the lawyer says to them, "The Attorney General of this province has provided a statute that gives you the right to

go before a forum—he said so himself, a forum, an inquiry officer—and look into whether the school board should take your land from you". And the clients says, "Mr. Lawyer let us go and have our day in court, so to speak, before that forum". And we go and we have our day there and we put forward our position before this inquiry officer. And after we walk out the door the client says to us, "When will we get a decision?" And you say, "I am not sure". And he says, "Who makes the decision?"

**Hon. Mr. Wishart:** There is no decision.

**Mr. Bullbrook:** I am not talking about the inquiry officer. I say, "In effect, who makes the decision?" and you say to him, "the board". Now is there anything more incongruous than that? Is there anything more ridiculous? I ask the hon. member for Wellington-Dufferin, not necessarily trained in the law, but a fair man, is there anything more ridiculous than that?

**Hon. Mr. Wishart:** It is not ridiculous at all, Mr. Chairman.

**Mr. Bullbrook:** Well in my opinion it is.

**Hon. Mr. Wishart:** The principle is there, that elected representatives of the client who went there have the right to make his case, to point out the grievances, to point out the unnecessary features of this expropriation. And he comes to the elected people to make the decision.

**Mr. Singer:** To the same people.

**Hon. Mr. Wishart:** I cannot stress this too much. First of all I think that the fact that there is a public inquiry—the right of grievance—will restrain and restrict expropriations. This is one of its great purposes.

**Mr. Bullbrook:** Agreed.

**Hon. Mr. Wishart:** And I think it most unlikely that a municipal council or a school board will lightly toss aside or set aside the findings of an inquiry. True, they can but they must stand up and justify to the people who elected them, their reasons for so doing. That is not ridiculous at all.

**Mr. Chairman:** Will those in favour of Mr. Singer's motion, please rise.

Interjections by hon. members.

**Mr. Chairman:** Those opposed to Mr. Singer's motion will please rise.

**Clerk of the House:** Mr. Chairman, the ayes 33, the nays 55.

**Mr. Chairman:** I declare the motion lost; section 5 will form part of the bill.

On section 6; the hon. member for Sarnia.

**Mr. Bullbrook:** Mr. Chairman, in connection with section 6, I would just like to record that there was adequate discussion in the committee in connection with this but we will note that in the section itself there is no mandatory provision, for the name and address of the approving authority being included in the notice. There is no provision in the section, you recall we discussed, about the name and address of the approving authority being included in the notice. We felt that ordinary people might not know who that authority was, and, as a result, I believe the hon. Attorney General undertook that the form would include that.

**Hon. Mr. Wishart:** So recorded.

**Mr. Chairman:** The hon. member for Kitchener.

**Mr. Breithaupt:** Mr. Chairman, in order perhaps to save some time of the House, I am wondering if the Attorney General might briefly look at the amount of time which he feels may elapse through the provisions of sections 6, 7 and 8.

I am just suggesting, Mr. Chairman, that if a municipal engineer states that he requires a certain amount of land and the municipal council instructs the purchasing officer to acquire the same, then that council would be informed by the purchasing officer that he may have contacted the owners, that there has been some dickering going on back and forth and possibly three weeks may have elapsed at this point. Once council instructs the city solicitor to proceed with an expropriation, it will take several weeks again no doubt, to make the necessary searches and prepare and serve the various notices, and of course to wait for this 30-day period to run.

Let us presume that after that 30-day period is almost finished, the ratepayer gives notice that he desires a hearing. Now, the solicitor might notify then the chief inquiry officer and request an appointment.

**Mr. Chairman:** Order, please. There are numerous private conversations taking place which makes it very difficult to hear. Perhaps the hon. members would afford the hon. member for Kitchener the courtesy of listening to him.

**Mr. Breithaupt:** Mr. Chairman, thank you. At that point, once the inquiry officer has been appointed and fixes a time and place for the hearing, of course, notice of this is going to have to be given to enable the solicitor to give five days notice to the various parties. And perhaps a month now again has elapsed.

Once the hearing has been held and a written report given, this, too, is going to take several weeks. Then written reasons are going to have to be given if the expropriation is ordered as a result of the inquiry officer's report. Now, if a plan is provided and registered and various notices are given, possibly a further two weeks is going to elapse. It might seem to me, Mr. Chairman, that under the provisions in these three sections, it may well be that some four months will be taken to cover all of the proceedings.

Now, if, then, our construction period within a community is possibly a seven months term over the year, and the decision is made to expropriate, say some time in July or August, by the time any effective work can be done we have really gotten ourselves into the winter season and the project, indeed, may well be a year getting under way. I am just wondering if the Attorney General could possibly enlighten me as to whether he feels that this time period of about a four-month term to go through the proceedings is a reasonably accurate assessment of the required time; whether he thinks it may be shortened or whether he feels that there may be any hardship to either the expropriating authority or to the citizen because of the time that might possibly elapse?

**Hon. Mr. Wishart:** We did consider this both in the drafting of the legislation and with reference to the recommendations which were made both by the Law Reform Commission and Mr. McRuer, although he did not perhaps spell out a particular time. But there is the reference to the section 6 on the application for the hearing that must be made within 30 days, as the hon. member has perhaps noted. Then in section 7, once the application is made, the inquiry officer on appointment shall forthwith assign an inquiry officer who shall among other things fix the time and place.

Then in section 8 the decision must be given within 90 days of the date—that is, the approving authority must consider the report and make the decision within 90 days. Now, perhaps, taking it over all and taking the full amount of time allowed, it would work out

perhaps to approximately four months, but I think we have to bear in mind that some expropriations particularly are pretty complicated, pretty difficult for appraisal, and some time is needed perhaps for early negotiation to see if matters can be adjusted before you need go to inquiry. I think we had to provide reasonable time for persons to act in all expropriations and I would hope that it would be possible to foreshorten many of these times in the ordinary expropriation.

But I do not think we can do much better than we have done in the times set forth and perhaps the hon. member might note that in section 8—no, I was going to say perhaps we had amended the 90 days as to time, but those have been very thoroughly considered. I do not think that we would be wise to start trying at this moment to adjust those times to make them shorter or longer. I think they are reasonable.

**Mr. Breithaupt:** It may well be, Mr. Chairman, that if an expropriation could be handled in four months, no doubt all the parties would be very pleased because that is a short period of time, but I appreciate your comment. I was just wondering if this term and the set-up of timings that I had made was probably what we might expect on the average. If this is reasonable to you then this is satisfactory.

**Hon. Mr. Wishart:** We had some benefit of studies, as I say, of the law reform commission in this, and our own experience in expropriations was pretty close to that with our board of negotiations and so on. These times were considered in the drafting of the legislation.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** On section 6, the Attorney General will not take offence, I am sure, if I remind him, and place on the record the fact, that in this section and in a number of other sections, we discussed what should be contained in these notices, and that we were advised that the forms would be adequate and elaborate, and even more so, as I remember them in McRuer.

**Mr. Chairman:** Section 6; agreed to.

On section 7; the hon. member for Wentworth.

**Mr. Deans:** Mr. Chairman, in section 7 I have an amendment that I am sure the Attorney General would be agreeable to.

Section 7, subsection 6, add thereto "which report shall be delayed within a period of 45

days from the date of the hearing and a copy of which shall be served on the parties who appeared at the inquiry hearing"—moved by myself, seconded by Mr. Lawlor.

**Mr. Chairman:** Mr. Deans moves that subsection 6, of section 7, be amended to read "which report—

**Mr. Deans:** It is added thereto.

**Mr. Chairman:** And added thereto at the end of section 6 after the word "therefore"—"which report shall be made within a period of 45 days from the date of the hearing, and a copy of which shall be served on the parties who appeared at the inquiry hearing".

**Hon. Mr. Rowntree:** Can we take the same vote as before?

**Mr. Deans:** I am quite sure that the hon. House leader would not want to deprive us of an opportunity to express our reasons.

**Hon. Mr. Rowntree:** This has already been done.

**Mr. Singer:** What has that got to do with it?

**Mr. Deans:** That has nothing to do with it.

Interjections by hon. members.

**Mr. Chairman:** Order, please. The hon. member for Wentworth has the floor.

**Mr. Singer:** The House leader cannot sit and be quiet for 20 minutes.

**Mr. Deans:** Mr. Chairman, it seems abundantly reasonable that a time limit should be set on the inquiry officer having to hand his report down. And the matter of making the report available to the parties that appear also seems very reasonable. In one instance, or in two instances where the expropriating authority and the approving authority are the same person, this report will be made available to one of the two parties but not to the other, and it seems to me that any people appearing before any inquiry board should have the courtesy of receiving a report of the findings of that board.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, in the context of what my confrere has said, I believe this to be an oversight. I think a copy of the report should be served upon the interested parties. We did not discuss that. We will leave that just as it stands, I will leave it to the Attorney General as to whether he thinks so too.



As to the time limitation, 45 days, I think it was discussed a little bit—I do not remember precisely what we said but this is the one weakness left. We filled in the time limitations all the way along but for one reason or another we omitted to tie the inquiry officer down a bit. If the inquiry officer has an illimitable time in which to present his report, then your whole expropriation thing is out of kilter; you can sit on it and many of the benefits of the Act may be lost. I would suggest some time limitation should be placed on it.

**Mr. Chairman:** Does any hon. member wish to speak to the amendment before the hon. Minister replies? Does the Minister wish to reply?

**Hon. Mr. Wishart:** Mr. Chairman, particularly with reference to the time limit, I do not think that wise any more than we should put in a court procedure a requirement that they must deliver the judgment within a certain time. Forty-five days might be ample in most cases; it might be altogether too short where you are considering a very complicated, sophisticated project of, say, a conservation authority, or an industrial plant is being expropriated in the area, which might be required by the expropriating authority—I think that might be altogether too brief.

I would not like to restrict the inquiry to that time. If we found in the experience of the working out of this Act that too much time was being taken then I would certainly be glad to—after, say, a year's experience—consider an amendment to bring some reasonable time into play. I do not think we will face that problem and if it should arise we will deal with the same.

In the matter of the furnishing of the report to both parties, we simply followed the recommendation of, I think, Mr. McRuer, that the report should be furnished to the expropriating authority, so it may make up its mind as to whether it needs that property, and that is the purpose of it. The party who is probably being expropriated has said, "I do not think this is just, reasonable or necessary". It is for the expropriating authority—the approving authority, rather, not the expropriating authority necessarily, although as has been pointed out in some cases it would be the same—it is for it to decide as to whether, after that inquiry, expropriation is still necessary in its original form, or whether it can, if the inquiry officer has so recommended in his report, modify it in some respect. I do not think it is necessary that it be served upon the other party.

**Mr. Chairman:** Those in favour of Mr. Dean's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the nays have it.

I declare the motion lost.

Section 7, subsection 6 shall carry. Shall the remainder of section 7 form part of the bill?

Sections 7 and 8 agreed to.

On section 9.

**Mr. Breithaupt:** On section 9, I just have one brief question to ask of the Attorney General. Might it not seem, sir, that in many instances where a municipality is involved, the majority of expropriations will be for road-widening purposes?

In this case persons are often knocked out of their homes, or of their businesses in any way; and as well there may be certain kinds of easements which are taken back. It seems to me that to go through the full routine of the Act in order to acquire a ten-foot frontage along 20 or 30 properties is a bit extreme. I am wondering if any thought has been given to any changes which might allow this kind of a project to be done in some kind of an *en masse* or block fashion.

**Hon. Mr. Wishart:** Mr. Chairman, the Act does not require the full routine, as the hon. member says, to be followed. This Act is designed to cover—and I say it again—every expropriation. But there is nothing to prevent it and I would hope that this would happen in many cases. The expropriating authority will make a sudden or quick agreement with the party whose property is being taken. If that does not follow, there is the board of negotiation which we have been used to calling the "kitchen table committee"—it may be resolved there. Now, there may not be any inquiry, for instance, and I say, I hope in the majority of cases it would not be necessary. But if it is, and there are differences on the necessity or on the compensation, then on appeal we have all those procedures in there. But I would hope that a great many of the expropriations, particularly such as the hon. member mentions, will be settled very quickly and I think this will be the fact. But this is, of course, true of all legislation. You have to contemplate and make the procedures fit every situation that may arise, as best you may.



**Mr. Chairman:** Section 9 agreed to.

On section 10:

**Mr. Lawlor:** Mr. Chairman, on section 10, it may be argued—I am not moving an amendment on this, I am just bringing it to the attention of the hon. Attorney General. Again we will keep close scrutiny as to how this Act actually operates. But a traditional date upon which compensation has been set in the past has been either the date of vesting, on one side of the fence—or registration of plan I should say—or on the other side of the fence, the date that possession is taken.

In this Act possession is left out completely, and the reason for it is because we introduced the idea of the expropriating authority making an offer. And if you are going to make an offer—one does not know when he makes the offer what date possession is desired in many cases. So you set up three alternatives as to the time that will determine the date of compensation.

Under the old Act a great disservice was done to people. We know of cases—I have a case in my office starting from 1959, and it still is not settled—that has nothing to do with me, nobody could be more amenable in these things. The recalcitrance is all over there. In any event this has gone on for many years, and I think we are all aware of this, that these things do drag out, and by the time the man gets his dough, he is getting it on the basis of a registration made many years previously; and on a rising market this does the gravest disservice. Part of the reason for this Act which has not been stressed up to this point is precisely to avoid deficiencies to expropriated home owners or others because of the impact of a rising market.

The time limitations perhaps may be sufficiently tight here that what I am going to be talking about will possibly not arise. I am just bringing it to your attention that some afternoon we may have to amend this in terms of the date of possession. As this thing develops, as I see your time limitation, you could easily go over a year and on a stretch, maybe two years, under the present legislation. Not likely now because you have tied it down much better than anything that has been done previously, but it is still conceivable and if that were so, and if it happened in any number of cases, then we very well might have to bring back the concept of the old statute and common law as to the date of possession being the determining date, so that injustice be not done.

**Hon. Mr. Wishart:** I would like to speak briefly to that although the hon. member is not moving an amendment, Mr. Chairman.

There was, in the recommendation, I think it was, of the law reform commission or of Mr. McRuer—I am not too sure at the moment which—the fourth time which was the date of possession. We did leave that out of account and deliberately so for the reasons that the hon. member has perhaps indicated. We felt there was some difficulty in the way of using that. We think that payment should be prompt and this makes it definite, that one of these three, a, b or c makes it definite and makes it reasonably prompt. And if possession is not taken, if possession should not be taken, may not be required perhaps for a year or two years, there would be nothing to prevent the expropriating authority having taken it in the sense that it includes the expropriation, paying for it, then entering into a lease-back or a lease arrangement with the person whose property is taken. He can be a tenant so that he is taken care of, but he gets his payment. I again have some regard here for the public purse, because if you think forward from the date the expropriation is concluded and not in the sense of possession, and do not take it for three or four or five years, there may be a great inflation in the price. As I say, the payment can be made now when the expropriation is concluded, leaving out of account for the moment possession by the expropriating authority, and then an arrangement can be made with the owner to leave him in possession. He may very well want to stay there for two or three years, if he is a farmer or business man, and he can pay a reasonable rent that the parties can agree upon. I think we have that taken care of.

**Mr. Chairman:** Sections 10 to 12 inclusive, agreed to. On section 13; the hon. member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Chairman, I have a question for the Attorney General. Some years ago, when The Department of Highways on 401 was going through Wellington, they bought a farm—at least they expropriated a farm—and after they got under construction of the highway, they used the gravel from that farm to put the base of Highway 401 in.

What is the position now of the person who sells the farm? Does he get the potential from that farm if it is gravel, for instance, or is it just bought as raw farm land?

**Hon. Mr. Wishart:** They get the market value as set forth in section 13 and those things are "market value of the land". That is defined as the price which a willing buyer would be willing to pay to a willing seller on the open market, then the damages—but these things do not concern the question. If the farm has a gravel pit, and if it is in an area where gravel makes it valuable or if the gravel is valuable by reason of the location of that farm, it would therefore be included in the market value and be taken into account.

**Mr. Worton:** Even though the gravel operation has not been in operation?

**Hon. Mr. Wishart:** This is my understanding, I think I am right. I would say that if there is gravel there then the value of the farm would be increased by that fact. There is a situation, I think, where the farm is for the large part rock and there is no particular value in that property at all. If a highway was coming by, and in expropriating that farm they use that rock for fill or road base or whatever, I would think in that case under the terms of this Act that that rock would not be specially paid for, although once the highway is under construction it might be very valuable, especially if there is no other rock available in the area.

The farm would be paid for with these features as set out in the Act: its market value and damages for disturbance, relocation, dislocation, injurious affection and so on.

**Mr. J. P. Spence (Kent):** Mr. Chairman, I would like to ask the Minister a question in regard to mineral rights in the province. What protection has the farm owner? We have pockets of oil and pockets of gas found in the province. What protection do those landowners have in regard to expropriating their land when there is proof that there are oil or gas deposits on the land that is going to be expropriated?

**Hon. Mr. Wishart:** It is without question a part of the market value. I am taking the hon. member's own words that it is proven that it is there. A mere speculative suggestion that there might be gas or oil under this land, I think would have little bearing, but if it were proven there had been drilling or testing, that would definitely be in account if the farm or the property lay next to a gas well or gas area. I would think this would have increased its market value in the speculative market between buyer and seller. If

I might perhaps mention this and this may also relate to the question asked by the hon. member for Wellington as well—if you would look forward just for a moment with me at section 14, subsection 4. I think it is fairly clearly spelled out there, in determining the market value of land, no account shall be taken of (a) the special use to which the expropriating authority will put the land so you do not build up the market value because The Department of Highways or The Department of Public Works, or The Department of Education is going to build a university there, and increase that land or some works upon it which will make it valuable.

Then, (b), the language of this section, no account shall be taken on any increase or decrease in the value of the land resulting from the imminence of the development in respect of which expropriation is made. So you measure the market as it is taken at the time, then—as you will note—take no account of any increase in the value of the land resulting from the land being put to a use that could be restrained by any court.

I do not think you are concerned with that as your question at this moment, but the special use to which the land is put by the expropriating authority or the imminence of the development are not to be taken into account in examining the market value.

**Mr. Worton:** I do not wish to labour the point but—

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Well you are.

**Mr. Worton:** You think I am, eh? Well, the point that I am trying to bring out, sir, is gravel is there and it was brought about by a court case here in which The Department of Highways had considerable time settling it. The fact is that there was a potential gravel area there for which she got nothing but about \$500 or \$600 an acre, but The Department of Highways made itself \$40,000 or \$50,000 out of that land by using the gravel that came out of it, and—

**Hon. Mr. Rowntree:** The people of Ontario did that.

**Mr. Worton:** Yes, that is right.

**Mr. Singer:** Mr. Chairman, can you not keep that fellow quiet and let the debate continue?

**Mr. Worton:** I am sorry. I got the run-around here at the time, and this lady had a very sensible argument. I am just trying to

find out if this is going to protect future people in similar circumstances. It is a very legitimate argument, and some of our legal friends tell me that it does preserve this, but I do not think it does.

**Hon. Mr. Wishart:** I think it does in the market value. If that case could not be settled by agreement that that was the value which the owner thought it was worth to the expropriating authority — and in your case The Department of Highways — it would be taken to the Land Compensation Board. I am quite certain that under the terms of this Act they would say this property has a very considerable value—I would think close to what the owner would be able to establish—by reason of the fact that it has on it a valuable deposit of gravel.

**Mr. Chairman:** Section 13, agreed to.

On section 14.

**Mr. Lawlor:** Mr. Chairman, on 14, just a question to the Attorney General. I never was quite clear about our position throughout the hearings when you get down to that “contrary to law” clause. We discussed there the situation where the zoning in a particular area was one way, but everyone knew the surrounding area had been rezoned over a period of time and the owner had not bothered getting his rezoning, yet he was entitled to it. The fact of the matter is, although it is contrary to law; the *de facto* use at the time of the expropriation was contrary to law, that is to use the property for certain purposes, say a rooming house, is contrary and yet they ask the expropriating authority to pay them for a rooming house. The expropriating authority is going to bounce back onto this clause, I suggest, and perhaps you can clear my mind on it and say: Oh no, it is contrary to law, you are going to get a much lower value than all your neighbours around here would enjoy in a similar circumstance. Did we ever resolve that?

**Hon. Mr. Wishart:** I thought we did. We had a noted example as I remember in committee. Someone used the example of a bawdy house being carried on. You would not compensate for that, but the principle, to be serious, is that if someone is carrying on something that you could restrain them from doing—that is the language of the section—if it could be restrained by a court of law, the simple principle is you do not compensate them because they are doing something unlawful.

Now, I would think that if someone in an area which is owned for residential use—and perhaps on this famous list of Metro Toronto, the city of Toronto is carrying on something that they could be restrained from doing the principle is that they should not be compensated if they are doing something contrary to law.

But I would think if it were a rooming house which has been winked at in the residential area, the revenue from that property would probably be taken into account although, on the strict interpretation of the subsection, it—

**Mr. Singer:** It could not.

**Hon. Mr. Wishart:** Well I think perhaps by a compensation board or even before it got there, the expropriating authority would perhaps be generous enough to make some settlement.

But on the strict language of the subsection, I must admit—and I think it is a sound principle—that if someone is carrying on an unlawful—and that is what it amounts to, an illegal or unlawful operation, or illegal or unlawful use of the property—surely you cannot ask this Legislature to legislate that they should be compensated for doing something unlawful?

**Hon. Mr. Rowntree:** It is as simple as that.

**Mr. Ben:** Mr. Chairman, I was going to ask what would be the situation of a legal non-conforming use?

**An hon. member:** Then it is legal.

**Mr. Ben:** It is legal, but what would happen in a legal non-conforming use of it?

**Hon. Mr. Wishart:** Did the hon. member say he was going to ask me to define that?

**Mr. Ben:** No.

**Hon. Mr. Wishart:** I hope not.

**Mr. Ben:** What would happen? For instance, certain uses can be perpetuated, even though they are unlawful because they are not illegal. They are what are called legal non-conforming uses.

**An hon. member:** They are all illegal.

**Mr. Ben:** Now that is a specialized use. If you discontinue that business according to the basis of the law, the case law, your right—the owner’s right to continue to use that land for that purpose lapses.

Second, it is quite feasible that if a person were to discontinue that particular use, the next user would have a less offensive use of and thereby the owner would lose the full use of that land.

What would happen if you want to expropriate a business which was, let us say, a C4 use, the lowest category there is and it was legal non-conforming use? How would you pay that man? Would you pay him on his present use, or would you say to him: "Well, look you are using this land for C4 use in a C1 area?" You would have to stop using it so—or if you sold it you would have got that money for it, because you would have to find another buyer for C4 use. How are you going to pay him for it?

**Mr. Kerr:** On your example, he never had a use.

**Hon. Mr. Wishart:** If the hon. member would think for a moment I think he quoted a legal non-conforming use. If it is legal, it is legal and, therefore, it must be paid for. If it is non-conforming and illegal and can be

stopped, the court or any of his neighbours could restrain him the next day and put him out of business. You do not pay him for that, because the expropriating authority comes along and takes him out of business. They pay him for the proper legal use.

As I say, if it is legal, he will get paid for it. But the principle of this subsection is that if you are doing something a court could restrain you from doing, you are not going to get compensated under this Act.

**An hon. member:** While the Minister is on his feet—suppose he had been there 20 years?

**Hon. Mr. Wishart:** I think perhaps if he had been there for 20 years, on the strict language of the section it probably could be argued that you should not compensate him, but I think that circumstance would be taken into account and something would be allowed him. That is all I can say.

**Mr. Chairman:** Section 14 carried. It being 6 o'clock, I do now leave the chair. We will resume at 8.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, December 19, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 19, 1968

The House resumed at 8:00 o'clock, p.m.

## THE EXPROPRIATIONS ACT, 1968-1969 (concluded)

**Mr. Chairman:** Shall section 14 stand as part of the bill? Carried.

On section 15—the hon. member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, under this section, I think I can clear up the rest of my difficulties with the Act right on the spot. This is the so-called “home for a home” or “equivalent accommodation” section. This is the breakthrough in the law of Ontario which may give some leadership to other jurisdictions in the world under this head. Still, while we went over it to some extent, there are some doubts which remain in my mind and I would very shortly like to resolve them.

It seems to me that there are possibly three categories under this section. The first one would be, where an individual really has no equity, where, when he first bought a house, he might have put \$500, \$700 into it and then, due to market conditions and to the fact that he has a blown up mortgage with a big balloon at the end, he ends up without a dime on the expropriation.

Our legislation at this stage has saved him from coming out of that situation without any money in his pocket or a home. We have made a major move and this is where I give the Attorney General great credit in at least eliminating any further debt from his shoulders; he does not come out shackled.

But, nevertheless, under the circumstances here, he very easily could come out without any money, therefore, he is not in a position to buy another house and this legislation—these remarks are for the future, not so much for the present—the direction of this legislation as it comes into perfection, as it really becomes valuable legislation in the full possible sense, will be that provision will be made for such an individual.

I suggest that this section does nothing for him at all. Curiously enough this section

would do something for somebody who came out with say \$500, after all his creditors were paid off, he could then reinvest that \$500 in something new. Quite where he is going to get the initial financing puzzled me somewhat, because no provision again is made under the legislation whereby pools of money are available for financing or certain kinds of short-term loans are available but I will come to that in a moment.

Margaret Campbell, the controller, has had something to say about that, so has the commission itself. Without delaying this debate unduly, I shall make brief references to some solutions to that particular problem.

The last situation, the third category, is where some one comes out of the expropriation with \$2,500 to, say, \$10,000, in their pocket after having paid off their mortgages, liens and executions. That individual then would invest his money, give back a mortgage probably, and if he fell a couple of thousand, three thousand dollars short of a house in roughly equivalent status, would appeal to this board, and probably or possibly get some portion of it, or all of it to put him in similar accommodation.

That is fine, that last category is the one that is going to be benefited by legislation. The first category is not going to be benefited at all. It is the second category that interests me as to where it all leads.

If this man has \$500, \$700 at the end of the day, he wants to buy another house. Suppose he has to give back a purchase money mortgage then again he is going to run into an inflated situation. Is it the intent of this legislation that to the extent of the inflation, for instance, if he is going to buy a \$20,000 home and he has to pay \$22,000 because he is only putting \$700 or \$800 into it.

Is it the intention, in terms of hard cash, to give him a couple of thousand bucks so that he can get a mortgage that is not inflated on the one side; or on the other, is it the intention to provide mortgage funds so that he will not have to have a blown up mortgage, or is there, thirdly, the possibility that you will in some way enter into the situation with respect to the mortgage itself, to

take all the water out of the stock, so to speak. That is a curious situation.

All these things I do not think were particularly gone over in committee, possibly because of time. Our problems were largely technical. This, is a problem of straight policy and interpretation and I wonder if the Attorney General has any remarks?

**Hon. A. A. Wishart (Attorney General):** Well, Mr. Chairman, I do not relate this section at all to a mortgage situation, whether there is a mortgage or whether there is not a mortgage, I relate it particularly and definitely and simply to market value. I think perhaps if I were to give an example as I understand it, the principle of equivalent reinstatement would cover situations of this kind, and I think you would leave mortgages out of account.

You talk about market value. Let us say that in an urban renewal project or perhaps in a farm property or a property which stands out by itself in a municipal expropriation, you find a home, a small home or something of that nature, perhaps a nice little brick home with three bedrooms, bath, kitchen and so on, which has been standing there for a good many years and a couple who are quite satisfied with it. It affords them a roof over their head and it is comfortable, snug, and the market value of that place in the location where it is, particularly in an urban renewal situation, may be, say, \$8,000; that would be all you could get for it.

The expropriating authority comes along and the market value, the price which anyone would pay for that property offered in that situation is \$8,000. That is the best that could be obtained; you give those people when you take their property away, that market value, with the additional items, the dislocation, the disturbance and so on, but they cannot go out and purchase a home, a brick home or a frame home, or whatever it may be, with that accommodation, anywhere for \$8,000. Possibly they will have to pay \$12,000 to get equivalent accommodation.

In that case—and you do not need to take a mortgage into account here at all, you take the market value, in that case the expropriating authority, and if it goes to the land compensation board on application, shall—the section reads, “shall”—make some compensation over and above market value to put those people in a position to enable them to get a home equivalent, reasonably equivalent, in the language of the section, to that out of which they are dispossessed.

That is my understanding of the section, call it home-for-a-home if you like, but you could never—if you wanted to be particular as to detail—you could never find a home that exactly matches. It is going to be different in some ways, a different number of doors or windows, it is certainly going to be in a different location, it is certainly going to vary in some respects.

But the principle laid down in this section 15 is that people who are dispossessed when there is a market value situation out of which they come and it is not going to be sufficient to give them equivalent accommodation, then the land board, particularly the board, “shall” provide additional compensation above market value to enable them to be placed in a home reasonably equivalent to that from which they are dispossessed. This only applies, of course, to the residence situation.

**Mr. Lawlor:** Mr. Chairman, just a word or two. This is really complicated, we could go on for a long time—

**Mr. J. E. Bullbrook (Sarnia):** Yes, that is true.

**Mr. Lawlor:**—but I will not. I have just one point. What the Attorney General is talking about is a fourth category, it strikes me. This is where a person has no mortgage, liens or anything else. They pick up hard cash for the valuation, say \$8,000, and pay out \$12,000 for the other place which is fairly equivalent, and pick up \$4,000 through the board.

I suggest that that is the ideal situation, that is very seldom the case, the situation that would be more analogous to what you are going to run into is where they pick up the \$8,000 but owe \$6,000 on a mortgage. And they have \$2,000 left over, and they have to buy the \$12,000 place; so they have to finance \$10,000. If they go to the purchase money mortgage situation, they will not get a \$10,000 mortgage from the purchase. He will set it up to \$13,000 and take an \$11,000 mortgage. Well that may be okay provided that the board is willing to countenance that sort of thing.

On the other hand if he is not willing to take back the purchase money mortgage and you have to go and arrange it on the market, then I think you may run into grotesque interest rates and I do not think that you are contemplating really picking up the difference in the interest rates for mortgagors, although you are very gratuitous with mortgagees.

In other words the ramifications of this is

very great, and I am prepared to abide the event. Let us see what happens, but there is a good deal to this.

**Mr. D. A. Evans (Simcoe Centre):** This section deals with "a house for a house" or "a home for a home". What about "a farm for a farm"?

**Hon. Mr. Wishart:** Same thing.

**Mr. Evans:** Does this really mean that?

Interjections by hon. members.

**Mr. Chairman:** Shall section 15 form part of the bill?

Sections 15-17 agreed to.

On section 18, the hon. member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, during the previous readings of this bill in the House I made mention of accommodation for accommodation. Now the bill as it is here, I do not think provides for this at all. It provides for financial remuneration within limits. The individual may have been living in a home that is going to be expropriated and had been paying, say, \$85 a month and has lived there for a long period of time, say a year or two. Now where is he going to get accommodation at that \$85 per month price in today's market?

He had been well housed where he was. Now you are dislocating him, and I do not think you are making compensation enough for him to provide accommodations. I think you should try to provide some type of accommodations. Could the Minister answer this?

**Hon. Mr. Wishart:** Is the hon. member speaking to section 18?

**Mr. B. Newman:** 18 (2).

**Hon. Mr. Wishart:** 18 (2)?

**Mr. B. Newman:** Yes.

**Hon. Mr. Wishart:** First of all I will read 18 (1) because it does speak, of course, of an owner other than a tenant, and brings into reckoning the allowance to compensate for inconvenience, the cost of finding another residence, and allowance for improvements, etc. Then you will note that (b) is cost of finding premises to replace those expropriated where it is not the residence, relocation costs, moving cost, legal and survey costs. Then

when you come to (2), "shall pay to a tenant occupying expropriated land in respect of disturbance, so much of the cost referred to in subsection (1)," so you go back and relate first of all subsection (1) as is appropriate and then you bring these back into play about the length of the tenancy he has—and that applies to a written or oral or parol lease—the portion of the term remaining, and any rights to renew he may have.

At that point you would consider how long he had been in possession under the terms, how much longer he might stay, and whether he had a right to renew. In addition, as I stated, those factors are enumerated in subsection (1), if it is a type of business he has been carrying on, and whatever investment he himself had made in the land, which means land or buildings, of course. I think you have covered almost every item that one could think of when you displace a tenant.

**Mr. B. Newman:** Mr. Chairman, the government is providing him with money only, but does not provide him with the means of accommodation, and where is he going to get accommodation? Once you take his accommodation away, where there is a shortage of accommodations in a given community—

**Hon. Mr. Wishart:** You have in section 1 (b) the cost of finding premises to replace those expropriated. The member cannot surely expect an expropriating authority to go out and find for a displaced tenant another place of residence.

**Mr. B. Newman:** No. But there could be a substantial financial difference between the rent here, and the rent in the new place.

**Hon. Mr. Wishart:** This may very well happen, I would be quick to admit. This may very well happen, but on the other hand, there are so many things that you might say would happen. Perhaps the business that he will find in the new place will be double or triple of what he is doing. Maybe it will be less, and this provision in this Act would make up his business loss, after a review of a three-year period of time. I think we have gone a long way to offer him very generous compensation.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** It goes too far now.

**Mr. Bullbrook:** Gone too far? Is that really your attitude?

**Hon. Mr. Simonett:** Well, what is yours?

**Mr. D. C. MacDonald (York South):** Cheer up, he was outvoted in the Cabinet.

**Mr. V. M. Singer (Downsview):** The Minister of Energy and Resources Management has most advanced views on this sort of thing, like "Damn the people and let the government get ahead."

**Mr. B. Newman:** Mr. Chairman, may I explain?

**Hon. Mr. Wishart:** If I could finish, I think we have covered in this section almost every feature that could be taken into account. I do not think you can expect any expropriating authority to go out and actually find the premises and relocate the tenant. You offer him relocation expense, you offer him legal appraisal costs, the cost of finding new premises and then you take into account how long he has been there and how long he may stay, whether he can renew the lease. As I say, the business loss is provided for. What more you could do, what the hon. member might suggest, I really do not know.

**Mr. B. Newman:** Mr. Chairman, I am not looking at it from the business point of view. I am looking at it from the tenant's point of view. He has lived in the area now for ten or 12 years and the property is being expropriated. All of a sudden he has to find new accommodations. He had been satisfied where he was. He had been paying \$50 a month five years ago and now it is up to \$85. He is content, but the going rate in the community might be \$155 now. Will the expropriating authority pay \$155 a month, his now rental, for just as long as he lives in the new accommodation, and maintain the new rentals as they increase—that is, payment of the new rentals?

**Hon. Mr. Wishart:** I see what the hon. member is speaking of now. In other words, we have nothing for a tenant equivalent to the home-for-home—

**Mr. B. Newman:** That is right.

**Hon. Mr. Wishart:** No, we have not, and I do not think you could ask that the Act should go that far. I would not want to appear unsympathetic for the tenant's plight or position; the tenant, after all, is subject to dispossession, if I may use that term, by notice that his lease is over, and if he has a long term then that factor is taken into account. But if he has a monthly lease he could be dispossessed anyhow by his landlord and he has got to find new—

**Mr. B. Newman:** Take a father to a son.

**Hon. Mr. Wishart:** Father to a son?

**Mr. B. Newman:** Yes.

**Hon. Mr. Wishart:** I think we are getting into perhaps a limited area, for one thing, and a rather specialized situation. I think the father is giving the son a low rent—

**Mr. B. Newman:** Let us say the going rent?

**Hon. Mr. Wishart:** I could only say that the father would have to assist him in the new location, that is all. That is about all.

**Mr. B. Newman:** Thank you.

**Mr. Chairman:** Section 18 agreed to.

On section 19:

**Mr. H. Peacock (Windsor West):** Mr. Chairman, on section 19 I move that subclause 2 of clause 19 be deleted and the following substituted therefor:

2. Where business is located on the land expropriated and the owner of the business decides that it is not feasible to relocate the business, the compensation shall include an amount equal to the value of the goodwill of the business:

Mr. Chairman, this amendment which I propose arises out of the recommendation of the report of the law reform commission on page 38, which I gather the Attorney General and legal bills committee have decided not to follow as it is there set out.

I would just like to refer to the paragraph preceding the heading "Recommendation" at the foot of page 38 in which it discusses the likelihood that many of the expropriated owners carrying on small business may well be unable or unwilling, because of poor health or advancing years, to carry on in a new location. Yet, the present subsection 2 puts it in the opinion of the board as to whether or not it is feasible for the owner to relocate. I think that is a determination, Mr. Chairman, which should not be left in the hands of the board, but one which should be placed directly in the hands and thoughts of the expropriated owner as to whether he considers himself fit to carry on in another location.

I think this is particularly true of the kind of proprietor-owner that the law reform commission discussed. They said there will be occasions where the business has been carried on by persons who cannot obtain

financing for the new business or who do not have the energy or desire to start up again in a new location.

The American experience has been that as a group, elderly businessmen have been hardest hit by expropriation. The problem is not great for the successful, well-established businesses involved, but the effects are quite serious where small businesses are concerned. These are usually retail stores run by the owner-proprietor.

While a programme of relocation assistance might go some way to ameliorating these situations, there will still be owners who are willing or unable to relocate because of age or health. These persons would in most cases have continued to operate the businesses they had if the lands had not been expropriated. They would receive some compensation in the form of a termination allowance.

The recommendation is that a termination allowance be paid. The allowance should consist of a portion of the value of the good will, and should be paid to owners of businesses who are unable or unwilling to relocate their businesses. These are the very persons, Mr. Chairman—the corner grocery store operators, the cigar store operators—who in a redevelopment project, for example, are expropriated out of a community where they have carried on business for some time and the good will on which their businesses rest is suddenly removed. As provided for in subsection 1, where he has the capacity to continue, some account is taken of the loss of that good will in the interval between the conclusion of the expropriation and his re-establishment in business elsewhere.

However, in subclause 2 it gives no regard to the person who is not willing, or not able, for certain reasons, to carry on. I think that subsection 2 would be much more equitable in its provision towards owner-proprietors, particularly of small retail establishments in communities undergoing redevelopment, or even rehabilitation, if it provided that they themselves should be entitled to declare to the board that their declaration, their feeling, is that they will not carry on, and therefore file their application for compensation on that basis.

A second point I would like to make about the amendment, Mr. Chairman, is that it goes somewhat further than the recommendation of the commission in regard to the termination allowance. That recommendation says that the allowance shall consist of a portion of the value of the good will. In my amendment it is proposed that the compensation

shall include an amount equal to the value of the good will of the business. To a small proprietor, Mr. Chairman, the good will may well represent the sum of the person's savings. It could very well be a very substantial portion of the savings that are accrued to the proprietor in that business, and I think that with the other provisions in the bill on assessment of good will, there is no reason why the compensation payable on account of good will should not be equal to the total of the assessment of good will.

I hope the Attorney General will find it possible to accept this amendment. I do not believe it has been given consideration in the legal bills committee, but while there is still time this evening perhaps he can consent to its acceptance.

Mr. Chairman: The hon. member for Halton West.

Hon. Mr. Wishart: Mr. Chairman, while the hon. member for Halton is speaking, I wonder if I could see the amendment?

Mr. Chairman: The hon. member for Halton West will proceed.

Mr. Peacock: Excuse me, Mr. Chairman, I had thought I had sent copies across—

Mr. Chairman: The Chairman is sending a copy to the hon. Attorney General now.

Mr. G. A. Kerr (Halton West): Mr. Chairman, I am not quite sure just what the amendment of the hon. member for Windsor West amounts to, but if I understand his remarks correctly, instead of the decision being left to the board as to whether or not it would be feasible for the owner to relocate, I believe the hon. member suggested that decision should be left to the owner or the proprietor of the business. I was wondering if this decision was left in the hands of the owner, how would you prevent, for example, that owner at some later time relocating his business and starting up again? Would you require him to sign an agreement not to go into business again? If he has collected under this section the benefit for the value of good will, does this mean he is precluded and excluded from carrying on business in another location in that community?

Mr. Peacock: Mr. Chairman, in answer to what I think is a question, I do not think any exclusion or prevention of the owner-proprietor who has cashed out his good will, claiming he will not recommence business,



has anything to do with it. Once he has obtained the compensation under subclause 2 for the recognition of the good will of his business, he is entitled to do what he pleases. If he wishes, at some later date, to get into business again, what claims does he have on the land compensation board? And why should he have to make any commitment not to carry on? Should his health improve, and should his compensation still be intact, and should he decide that that provides him with the means of re-establishing himself, why not let him do so without restraint?

I am suggesting in the amendment, Mr. Chairman, and I think I set it out rather clearly, that the determination of whether or not it is feasible for the owner to relocate should not be under the discretion of the board, but that of the expropriated owner himself.

**Mr. Kerr:** Mr. Chairman, I am submitting that the owner's argument, regardless of who has the final decision, would be to the effect that he is not able to relocate and therefore he gains an added compensation because of that. In fact, he sells his business including the good will and then, 'if in a few months' time, because the decision was left with him, he is able to relocate and start the same business again, in my opinion that is an extra charge on the public purse which should not be allowed to him, and that is why I say that the decision should be left with the board.

**Mr. Peacock:** Mr. Chairman, if I might reply to that; I do not see it as an extra charge. As I said in my first round of remarks, the Attorney General may wish to comment on this. I believe that in subclause 1, clause 19, it is provided that account will be taken of the losses of a businessman where he is willing to relocate. In some form or another, account is going to be taken of the loss of good will, where he is willing to relocate, because that loss of good will will be reflected perhaps in reduced earnings in his new establishment, or higher costs reducing the income that he would have normally derived in the former location, so I do not see it at all as an extra charge.

**Mr. Bullbrook:** Mr. Chairman, at first blush, I must say that personally I felt that I was attracted to the argument made by the hon. member for Windsor West, but I sway towards the hon. member for Halton West for a moment. I am wondering if you would permit that I direct a question to the hon. member for Halton West, or rather for Windsor West. Perhaps I am missing a point.

Suppose the man's good will was assessed at \$10,000—the good will of his business as a going concern—and he said of his own volition, as you visualized, "I am now going out of business". There is no partial dislocation here, so we have given him out of the public purse the maximum availability for his good will, saying in effect: "You are now going to terminate your business and all the good will that accrues to it, and we are going to compensate you for that."

Is it not open to him, as the hon. member for Halton West suggests, to recommence the business three months later? So he has been compensated for a complete cessation and deprivation of good will that really will reaccrete to him to a certain extent—perhaps not fully, but to a certain extent—three months hence.

**Mr. Peacock:** I have certain particular situations in mind and I know they have been discussed by the hon. member for Riverdale in connection with redevelopment in Trefann and Don Mount, where there simply does not arise the suggestion that a proprietor of a small business is going to re-establish himself with any ease at all; he is going to be in an extremely difficult position. Again, as the Attorney General suggested, this may take us rather a long way down the road, but most of the people affected by subclause 2, as it now stands or as it may be amended, are going to find themselves in the position of those owner-proprietors discussed on page 38 of the law reform commission, and who, the law reform commission said, should have the discretion to declare whether or not they wish to continue in business and should therefore receive in their compensation some recognition of the loss of good will.

**Mr. Bullbrook:** Would my hon. friend agree, Mr. Chairman, that his amendment is susceptible to the abuse contemplated by the hon. member for Halton West?

**Mr. Peacock:** Yes, Mr. Chairman, in the same degree that the Attorney General has admitted that some provisions are—

**Mr. Bullbrook:** I agree.

**Mr. Chairman:** The hon. Attorney General.

**Hon. Mr. Wishart:** Mr. Chairman, subsection 2, which this amendment offered by the hon. member for Windsor West is designed to replace, is premised clearly on the foundation that this is going to be a termination allowance where there is not going to be relocation, where for one reason or another



it is not feasible or practical for the owner who is dispossessed to relocate. That is right in the subsection that we have in the Act. It is in the subsection which the hon. member proposes in his amendment:

Where a business is located on the land expropriated and the owner of the business decides it is not feasible to relocate the business . . .

In that case, the compensation shall include an amount equal to the value of the good will of the business. Our subsection 2 uses the same language—"it is not feasible for the owner to relocate"—that is the premise it is based on, and it says the board "may", in determining compensation, include an amount, not including the value of the good will.

The hon. member says the compensation shall include an amount equal to the value of the good will; they are not really so very far apart. Our amendment says, "The board may include an amount not exceeding the value of the good will," and, as I say, the hon. member's amendment says, "Compensation shall include an amount equal to the value of the good will." But both his amendment and the present section contemplate no relocation. I think the hon. member for Halton made a very cogent argument, that you could be leading right into a situation where you would have double compensation, because you have no assurance as to the future. This is premised on the fact that there is going to be no relocation, and that fact we take as a base for compensation on the basis of good will. If you are going to say "put no safeguard around that," you could be paying twice. There certainly could be advantage taken of it.

**Mr. Bullbrook:** Everyone would take advantage of that.

**Hon. Mr. Wishart:** I think so; I think I would have to reject the amendment.

**An hon. member:** What about the rights of the individual now?

**Mr. Chairman:** Those in favour of Mr. Peacock's motion will please say "aye". Those opposed will please say "nay".

In my opinion, the "nays" have it. I declare the motion lost. Section 19 will form part of the bill.

Sections 20 to 24, inclusive, agreed to.

On section 25:

The hon. member for Sarnia.

**Mr. Bullbrook:** Mr. Chairman, I am sure the hon. Attorney General did expect me to rise in this connection, because we did not have a meeting of minds relative to this section at the last meeting of the committee. It is relative to subsection 2, sir, that I am bothered.

I would move that section 25 (2) be amended by adding after the word "report" in the second line, the words "or reports", and adding after the word "report" in the last line the words "or reports".

Mr. Chairman, I suggest this amendment because of what seems to be an obvious difficulty that could arise, and that is, that the expropriating authority could avail itself of more than one report at this particular time of the proceedings. And yet, in making their offer, they are only called to substantiate that with one report.

For the purposes of example, perhaps I exaggerate, but I put it to you that if there is an offer made to the expropriatee of \$10,000, and this is supported by an appraisal report of \$10,000, but also at the same time the expropriating authority has a second appraisal report that recommends the value at \$18,000, in effect the situation would be that if the expropriatee does not want to continue on—albeit I agree that at this time he has had the opportunity of availing himself of his own expert opinions—but if in point of fact he does not want to continue on to the ultimate tribunal envisaged under this statute, then you have the possibility of a authority on the basis of one appraisal report as disclosed. They full well know that another qualified appraiser hired by them has appraised the subject property much in excess of the one report they released.

I feel here that there must be full disclosure called for by the expropriating authority to the expropriatee in substantiating the offer.

Now the Attorney General before the committee had said, and he will correct me if I misquote him, that the expropriating authority would be foolish not to make available the larger of the reports because, in point of fact, when they come before the tribunal at that time, they would be making this available and public knowledge.

The point that concerns me, as I mentioned before, Mr. Chairman, is the possibility it might never get to the ultimate tribunal. So I suggest here, in this connection, that we should assure the expropriatee that the offer made to him is a reasonable one. If, in point of fact, we have two appraisals, one of

\$10,000, one of \$18,000 then the logical thing that we can assume is the expropriating authority will make an offer somewhere around \$14,000 or something of that nature. They do not necessarily have to. They can make the offer of \$10,000 but at least we made sure under this statute that the expropriatee knows that the expropriating authority has a further valuation much in excess of their offer.

**Mr. Lawlor:** Mr. Chairman, I fully support the member for Sarnia. I did in committee. I think that the full disclosure principle should be operative here. It could avoid grave injustices and I would urge again upon the Attorney General to revamp that clause.

**Mr. Singer:** Mr. Chairman, I do not understand why the Attorney General resisted this logical, reasonable change. Because in one aspect of his character he pretends to be the great liberal—small I liberal, and I would not put a capital on it. He is generous. He is kind; he is sympathetic.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): He has never said that in this House; never said it.

**Mr. Singer:** I could get along much better in this debate, Mr. Chairman, without the opinions of the House leader. The Attorney General and I can get along very well in this, and we can get on with this debate if the House leader will just leave us alone. We will get the Act through tonight.

But I am really surprised, Mr. Chairman, that the Attorney General would not accept as logical a thing as this. Because one of the principles, and it is a good one, that he has is that there shall be disclosure.

Why does he not go the whole hog? Why does he not really accept what he has almost said in another half dozen sections? Why does he not accept the reasonable amendment proffered by my colleague from Sarnia?

**Hon. Mr. Wishart:** We did discuss this, Mr. Chairman, at very considerable length in committee and I thought we had almost reached a consensus. Apparently, we did not.

**Mr. Singer:** Not quite.

**Hon. Mr. Wishart:** The offer of the expropriating authority has to be made within a prompt time and it has to be based upon a report which must be furnished. Now it is all together likely, I think, that other reports, other appraisals might be made and received by the expropriating authority. But my think-

ing is that you get the offer forward on the appraisal which you have received, and if you were to accept the amendment and put in "report" and add the words "on reports", it seems to me that later on, if you do get another appraisal and you have not used it as a basis of your offer, you are going to be charged with having got a low appraisal, perhaps, for the first round. Then you have got something else which you kept in your hip pocket—

**Mr. Bullbrook:** You are supporting my argument.

**Hon. Mr. Wishart:** I would support it up to this extent. I think that is what is going to happen when you put the expropriating authority in an invidious position, as if it were hiding something or was planning to get something later that may vary its first position.

Now if this is so, if other reports are obtained and I think very well they might be—properly, should be—they will have to be brought to light if the matter goes to arbitration or before the land compensation board. But this section is designed as a basis to get forward the offer on which the expropriating authority says, "this much we will pay."

We have an appraisal as to what we consider the market value. We add these other items called for by the legislation and then there is a right of refusal or negotiation or whatever.

I think that is enough. To say "more reports" I think could—I will not say it would in every case—but I think it could cause confusion and some doubt as to whether the expropriating authority—as it moves along, as it gets additional information of value—must submit every bit of it to the owner. I do not think that is the intention. The intention is to get the business underway with the offer based on an appraisal report I would not like to see those words go in. I see some merit in the amendment and I see some merit in the argument which supports it but I see, on the other side of the scale, consequences which I think outweigh those which favour it. I have to reject it.

**Mr. Bullbrook:** Might I say, most respectfully, I do not believe, frankly, that you have either your heart or your mind in your own position tonight. Really, I think you are more attracted to our position. However, I may well be wrong but might I say—I am just wondering if you would direct yourself to the question.

Here you have got an equation that is bothering you. You are saying, in effect, you are going to put an obligation on the authority here to disclose all the information they have in their hands at the time. Now the amendment that I suggest to you, Mr. Attorney General, in no way restricts the authority from going ahead and getting additional reports; we come to that in a further section. Right?

An hon. member: Right.

Mr. Bullbrook: So they are not restricted one tittle. All we are saying, in effect, is if they have got more than one report, the expropriatee is entitled to know both of them. But does not this invite the very—you talk about insidious or perhaps it was invidious?—but does it not invite the very insidious thing that we are trying to do away with? Disclosure must be made. It has to be made.

This is the entire backbone of this legislation. We are now saying in effect to the people of the province of Ontario "From now on, our fellow citizens, the expropriating authorities, must tell you and they must be fair to you." And yet, this is the only section that remains where we do not compel them to do that.

An hon. member: Not full disclosure.

Mr. MacDonald: Mr. Chairman, I was content to let my colleagues carry the burden of debate on this bill but I am afraid that this little exchange has provoked me into it.

One of the exasperating features of our experience with expropriation has been the guessing game and the inevitable horse-trading kind of approach to expropriation or settlement of expropriation, and I think this is what has bedevilled the picture more than anything else. That is the reason why I reacted so favourably to the full disclosure aspect of this bill. And I, along with the hon. member for Sarnia, and others, am a little puzzled as to why the Attorney General, at this stage, is not willing to live up to the basic principle which I think has motivated the rest of this bill.

Let me try to illustrate it with an experience I happen to have had first-hand contact with recently, to indicate how you are going to defeat the objective that motivated your bill if you do not have full disclosure of all of the particular appraisals that may have been got. I have been rather intrigued, in talking to lawyers who are engaged in assisting people who have to cope with expropriation to discover the extent to which there are

consistent variations among appraisers. I do not suggest that they are people without the full integrity of their professional responsibility, but some achieve a reputation of being a low appraiser or a high appraiser, or a middle bracket appraiser, lawyers have them categorized. Indeed, a lawyer will say, "Well, now, just a minute, I want to get an appraisal to counter the one that has been offered by the expropriating authority". And he will pick his appraiser, as some lawyers pick their judge, if they can, knowing that they might get a more favourable judgment because of his inclinations.

That being the case—and I do not think that can be disputed—what the Attorney General has done is leave the door open for an expropriating authority to play the same old game, in a somewhat different way. For example, when they are going to seek the price that they will offer, they make a point of having one appraiser, who has the reputation of coming in with the \$10,000 appraisal—to follow the example that was cited by the hon. member for Sarnia—and they get another appraiser who will come in with a more generous figure at \$18,000.

But your bill will permit the expropriating authority to engage in the same old horse trading, the same old refusal to disclose and put all information on top of the table and the net result will be that it will perpetuate the kind of attitude we have had in the province of Ontario with full justice up until now, of people saying, "Well, I cannot really have confidence in the offer that has been made to me because experience suggests that these people are going to operate in the old fashion and present me with a horse-trading low-offer to begin with and I would be a sucker if I were to accept it."

Mr. A. B. R. Lawrence (Carleton East): What does the member propose?

Mr. MacDonald: What I propose is this, that if the expropriating authority sees fit to get two reports rather than one or even to get three or four reports, let them put them all on the table—

Mr. Kerr: Even if they are ridiculous?

Mr. MacDonald: Even if they are ridiculous.

Interjections by hon. members.

Mr. MacDonald: If one appraisal is \$10,000—they have gone to professionals in the field and they have a \$10,000 appraisal. But they

may have an \$18,000 offer, they may have a \$15,000 offer—so they have to choose, they have to make up their mind when they have this diversity, they have to choose what their offer will be. But if they make an offer, in face of a 10, 15 or an 18 thousand appraisal, if they make an offer of, say, 15,000, the person whose property is being expropriated is going to say, "Well, that looks rather fair, one man said 10, one man said 18, and you are offering me 15." I think he is likely to respond positively to that kind of offer.

But, if he learns over the years, as he has learned on the basis of past experience with expropriation, that the first offer is not one to be trusted—and this is what worried me about this section. This section makes it possible to perpetuate the old procedure, of starting with an offer that is lower than you think you really will ultimately have to pay. So, let it be all on top of the table with all the reports and appraisals available, and if the expropriating authority wants to be ornery from that point forward, ultimately it will go to the board and get a decision, then, fine, the expropriating authority will have to take the consequences.

On occasion it will find that the board will not agree with the \$18,000 offer, it will stay with to the \$14,000 offer. It may even be like that man down in Glengarry who, in a highway appropriation took it through to the final court and discovered that he got four or five thousand dollars less than he was originally offered by The Department of Highways.

**Mr. A. B. R. Lawrence:** The member's proposal would not stop them from picking the lower figure.

**Mr. MacDonald:** This is true. Both the member for Sarnia and my colleague indicated that subsequent courts can deal with subsequent appraisals and what shall be done with them.

All we are talking about is that the initial offer—let them make available all of the appraisals available at that time. Now, if it goes on for a long time, other appraisals may come into the picture and we will have to deal with them in the subsequent sections of the bill.

**Mr. Deacon:** Mr. Chairman, I will not go very much longer on this part of the section but it is a very important section, this matter of disclosure, and I am sure the hon. Attorney General will find support from the Minister of Financial and Commercial Affairs, who has been very strong on this matter of full

disclosure. Disclosure, whether a seller or a buyer, whether it is annual reports or whether it is prospectuses, this is a very important thing, and when you have something that is so basic as appraisals, appraisals that have been done by those selected as competent by the expropriating authority, I feel those reports should definitely be included and made available at this early stage of the proceeding.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, the experience I have had in the matter of expropriation, it is not great, but I have had some, and it seems to me that one of the big problems with expropriating authorities is the fact that sometimes they can play one landowner against another landowner, and this works to the disadvantage of all concerned.

In the one case the expropriating body will go to the landowner and say, "Your neighbour down the road has agreed to take so much for his property, we think that your property is of comparable value so therefore we suggest that you take our offer." In actual fact, in many cases at least, the offer which has been given to the neighbour down the road is substantially higher than was indicated in the second instance.

I think this is a real problem and I think the Attorney General, being the fair-minded man that he is, will realize that if the expropriating body is fair and is being honest and open and frank about the whole matter, that they will welcome this type of disclosure. I suggest to the Attorney General that it is a very important amendment and one which I would hope he would accept.

**Hon. Mr. Wishart:** The hon. members opposite are very persuasive but I must say that while I am almost persuaded, I am not persuaded. I must still reject the amendment.

As I pointed out, and it is interesting to note, that this subsection (2) was an amendment we arrived at in committee. This was after discussion in committee and this was an amendment I think put forward by hon. members opposite, some of them, in the committee, and we accepted it. We had discussion upon it.

**Mr. Bullbrook:** Oh, no, but I took this position in committee.

**Hon. Mr. Wishart:** Perhaps the member did, but this is what the committee has reported back to this House in any event.

**Mr. Singer:** That is not conclusive.

**Hon. A. Grossman** (Minister of Correctional Services): What is the use of having committees?

**Hon. Mr. Wishart:** Well, I do not say it is conclusive, but I think it is persuasive that this committee, having considered this matter, came back with this amendment. This is a new section in this Act, a new subsection, the work of the legal bills committee. And I suggest you might have suggested it. But I repeat my argument, if I may briefly, that the purpose of this subsection, the purpose of this section really, up to this point at least, was to provide a basis upon which the expropriating authority might make an offer and we have legislated here; we have proposed in this legislation that it shall be based upon an appraisal report. I have said this; if you add the words which seem perhaps harmless and perhaps seem meritorious, better expressions or this, "or reports", I think you do things that you perhaps are not contemplating at this moment. You would say to the expropriating authority having got an appraisal, "if you get any more, or if you have any more"; it does not say, "those that you have in your hands at this time," it does not say that.

Interjections by hon. members.

**Hon. Mr. Wishart:** No it does not. It does not say that. It just says "shall furnish an offer upon report or reports", now—

Interjections by hon. members.

**Hon. Mr. Wishart:** Well, on the line of this section, I am sure an owner might say, if he got one for a lesser amount or a greater amount later on, "You had that information, and you should have let me have it too." I think that the expropriating authority must have the right to go out and get additional information as it sees fit, or to have information at hand.

I would like to direct your attention, if I might for a moment, to section 29, and I make a point of this, that if this matter of compensation comes to a hearing before the board, then, and at that time under section 29, every report upon which the parties intend to rely, those upon which they intend to rely, must be before that board.

Interjection by an hon. member.

**Hon. Mr. Wishart:** All right, if he settles, that is fine. Do not forget also that in this Act we have provided that costs including

legal and appraisal costs shall be paid to the owner if he reached within 85 per cent of what is offered. If the expropriating authority put forward an offer which is inadequate, and it must know these new provisions in this Act, then it is likely to be fixed with all the costs if it has not disclosed fair and reasonable information in making its offer. I think we have put extra safeguards in this Act, in the matter of payment of costs. You are not going to find expropriating authorities trying to make offers which fall short of what is reasonable and proper, because in such case they are going to be fixed with the costs of the owner in total.

I do not think I can add anything more about that matter; that is my feeling.

**Mr. Bullbrook:** Mr. Chairman, I do not intend to discuss the merits of my amendment, but relative to what has been mentioned, that this is a new section recommended by the legal bills committee, may I suggest that this be recorded: We in the Opposition voted against it; and secondly, the legal bills committee, of course to a certain extent, can be an instrument of government intention, since the majority of members are members of the government side.

**Hon. Mr. Wishart:** I must point out for the record, it was offered by the Opposition members.

An hon. member: Oh no.

**Hon. Mr. Wishart:** I think so.

**Mr. Singer:** Mr. Chairman, let me correct that. Let me read to the Attorney General the amendment that we did offer. It is amendment No. 19, which was presented, and it was to add to section 25 (2) at the end thereof the following:

Provided that if the authority intends to rely on more than one appraisal report, it shall serve copies of all such reports relied upon on the owner at such time.

With great respect, that is the amendment that we put forward. My colleague from Sarnia has perhaps improved upon the legal phraseology but certainly the intent is exactly the same. That is the amendment we put forward. It was rejected by the majority of the committee, and this came in a sort of a compromise. If the Attorney General suggests that we accepted this or that we put it forward, with great respect to the Attorney General, that is just not what happened last night.



Mr. Chairman, I think the time has come to say this. I have heard from the House leader, from the Minister of Correctional Institutions and earlier from the member for Kingston that there was no point in having a legal bills committee unless we accepted every decision that it made. Let me say, as was said earlier in this debate, that the legal bills committee functions, I think, very effectively. It winnowed down from the 30-odd amendments that we presented, and from the 20-odd amendments that our colleagues here presented, a minimum of amendments that are being presented here tonight. And I think it did a very useful and effective function. It was illustrative of the functioning of this Legislature at its best.

But, Mr. Chairman, if the attitude of certain members on the government side is going to be that all of the available opportunities for debate are going to be denied because there might have been an earlier one, then let me say, sir, that we could have, and perhaps we will on a subsequent occasion, fight every single one of these amendments over again on as many opportunities as we get, and force a division of the House on every opportunity that we get, in order that we would drive our points home.

We thought, in the official Opposition—and I am sure that I am not putting words in the mouths of my colleagues here on the left, they thought as well—that by working the concentrated period of time, I think it ran more than 14 hours, in our sorting these things out, and coming to a series of reasonable compromises, we were advancing a sense of achievement that could be gained by intelligent discussion of this bill. But, if certain members of the government are going to hurl back at us that we are repeating or delaying or lobbying or filibustering, then sir, we are going to do it, because there are certain points we want to achieve. The House leader is doing exactly the thing that I am complaining of, and I would not now be making these remarks if the House leader had not proved himself to be thoroughly obnoxious during this whole debate.

Interjections by hon. members.

Mr. Singer: All right, I will take the advice of the member for York South.

Interjection by an hon. member.

Mr. Singer: I suggest very simply, sir, that the amendment offered by my colleague for Sarnia makes abundant good sense. I urge its acceptance by the Attorney General.

Mr. Chairman: We are dealing with a motion proposed by the hon. member. The hon. Minister is replying to the—

Hon. Mr. Wishart: Mr. Chairman, maybe an example will bring home my thinking more than I have been able to make it clear in my remarks. Supposing we would accept the amendment proposed, let us say the expropriating authority gets three appraisals, I would say one of \$45,000, one of \$50,000, and one of \$60,000. It is, I am sure, in our experience, quite usual for appraisers to differ by at least that amount, maybe much more. The expropriating authority comes up with an offer, which it thinks is fair and reasonable and even generous, of \$55,000. Do you think for one moment, with all those appraisals having been disclosed, that there is likelihood of settling for \$55,000?

No. I think that that owner will hold out, and will hold out for \$60,000, and carry it to the ultimate degree. He feels that there is an appraisal of that amount and he will try to prove it.

Interjections by hon. members.

Hon. Mr. Wishart: Anyway I cannot see the amendment. I do not think it will serve the purpose for which it is intended. I appreciate that it is offered sincerely, and with belief that it has merit.

Mr. Chairman: Those in favour of Mr. Bullbrook's motion, will please rise.

Those opposed to Mr. Bullbrook's motion, please rise.

The "ayes" are 31, the "nays" 46.

I declare the motion lost.

Section 25 agreed to.

Sections 26 to 29 agreed to.

On section 30, I believe there is an amendment.

Hon. Mr. Wishart: Mr. Chairman, with respect to section 30, I move that section 30 of the bill be amended by adding the following subsection:

(4) The board may prepare and periodically publish a summary of such of its decisions and the reasons therefor as the board considers to be of general public significance.

Motion agreed to.

Mr. Chairman: Sections 30 to 32 agreed to.



On section 33:

**Hon. Mr. Wishart:** Mr. Chairman, I move that section 33 be amended in subsection (1) by changing the figure "90" to "85", and in subsection (2) the figure "90" to "85".

Motion agreed to.

**Hon. Mr. Wishart:** May I ask whether what we had written down was agreed upon in committee and that it was a misprint in the printing that it was overlooked?

**Mr. Chairman:** Shall the amendment carry?

Amendment agreed to.

**Mr. Chairman:** Shall the amended section 33 form part of the bill?

Section 33 agreed to.

On section 34, the hon. member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, I move that we amend section 34, subsection (1) number (4) in the sixth line thereof by deleting the words "a rate exceeding six per cent per year, but not exceeding 12 per cent per year", and inserting the words "average NHA rate of interest in force on the date of expropriation, to the date of payment".

First of all, Mr. Chairman, I am pleased to see that the hon. Attorney General did put more flexibility than was originally in that clause. But I suggest that we should give some guidance to the board in this case, as to what rate of interest should apply. I did some investigation to try to work out or get a standard which would be fair under the circumstances. Although the other night we discussed possibly using the bank rate—the prime bank rate, or something of that sort—really the rate that applies in this instance is the mortgage interest rate because, probably, the funds are required for the purchase of real estate. The NHA rate in this case would, therefore, perhaps be the fairest and easiest criterion to use.

It would be quite simple because it is a standard rate recognized and published and available and can be calculated for so many days at one rate. As it is adjusted it can be changed and the amount of interest can be calculated quite readily when the board makes this award. After all, it is only going to be used where there has been evidence of undue delay on the part of the expropriating authority, but I do feel it will probably compensate the person whose property is be-

ing expropriated for cost that he would be incurring during this period.

**Mr. Chairman:** The hon. Attorney General.

**Hon. Mr. Wishart:** Mr. Chairman, the amendment offered by the hon. member is that section 34, subsection 4, be amended in the sixth line thereof by deleting the words "a rate exceeding six per cent a year but not exceeding 12 per cent a year" and inserting the following words "the average NHA rate of interest in force from the date of expropriation to the date of payment".

**Mr. Chairman:** Order! Just a moment, Mr. Attorney General. May I point out that my copy of the bill includes those words at the fifth line.

**Hon. Mr. Wishart:** The sixth line in the—

**Mr. Chairman:** Fifth line in the bill, sir.

**Mr. Deacon:** It is fifth and sixth.

**Hon. Mr. Wishart:** Mine just says sixth but I take it should include also the fifth.

The intent, anyway, is clear and I would note that the hon. member's amendment does not refer to the interest rate in subsection 1, which is six per cent—a fixed rate—but does refer to the subsection 4. My thinking here is that the amendment should not be accepted, because in the first place I suppose the board can determine a rate just as well whether it is a floating rate—the NHA rate—because that can be determined.

But the intent of subsection 4 is that this is in the nature of a penalty to be imposed against the expropriating authority where there has been delay on its part. Therefore there is room to move between six per cent up to 12 per cent, to make the expropriating authority aware that delay may cost money.

I think it is a good idea to have in this subsection something which could be used as a whip to encourage prompt action and as a penalty if there is delay, which I think is better than having a set rate which does not vary. This is a penalty and that is the thinking behind this subsection; I think it is a better and more logical approach than would be contemplated by this amendment. I would reject the amendment.

**Mr. Lawlor:** Mr. Chairman, we are opposed to the change, I believe, over here. In committee it was discussed and at various interest rates. As the Attorney General says, six has stuck through subsections 1 and 2;

one half of one per cent above the current NHA rate was talked about as being fairly flexible formula. I think this amendment gets into undue complications and removes the element of doubt that may very well exist in the penalization aspect of the thing.

**Mr. Deacon:** Mr. Chairman, I am sorry, unfortunately I did make an error in saying it was subsection 4. I had it originally as subsection 1, and why I changed it at the last minute was because I did intend this change to be made in subsection 1 because of the fact that the flexibility of the NHA rate would compensate for the difference in economic and cost-of-money conditions. I felt that the six per cent is too rigid and that we should try to make this legislation so that it will be more enduring.

**Mr. Chairman:** Those in favour of the motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost and section 34 carried.

Sections 34 to 42 agreed to.

On section 43; the hon. member for Downsview.

**Mr. Singer:** Mr. Chairman, this was an objection that we put forward yesterday concerning the ability of the expropriating authority to dispose of excess land. It often happens whether by design or by accident—and let us hope most frequently it is by accident—that the expropriating authority takes more land than it actually needs. The purpose of this section is to direct the first opportunity to repurchase that land back to the person from whom the land was taken, and that is a good principle. However, the fault in principle is the saving and accepting clause that unless the expropriating authority deems otherwise it shall not be done.

So that where an expropriating authority, for reasons of its own, might decide that the person from whom the land was taken (if there is an excess of land taken) shall not have the opportunity of first refusal on a resale then the expropriating authority can say "we are going to use it for another purpose".

I do not know how many members of this House are familiar with the Critchel Down case, which was the classic case in England, where the government were almost defeated because they had acted just in this manner

that we are discussing. The government, during the war, had taken a large piece of land for a certain purpose and found after the war was over they did not need all of the land. Instead of directing it back to the owner who still wanted it, they transferred it to another government department which was able to use it for different purposes and to substantially profit from the fact that excess land was kept by government and not returned to the owner.

Now that certainly resulted in the dismissal and defeat of a Cabinet minister, and almost resulted in the dismissal of the whole government. It would seem to me that this government should lean over backwards to avoid the possibility of such an eventuality. Therefore, I would suggest, Mr. Chairman, that the discretion, and I recognize that there are difficulties in insisting that on every occasion an offer be made back, but that the discretion rather than being left with the approving authority be given to the Attorney General.

For these reasons I would move that section 43 be amended by deleting the words "without the approval of the approving authority" and substituting the words "without the approval of the Attorney General". I think this makes abundant good sense, that the Attorney General will have the discretion when this eventuality arises of waiving the necessity of offering it back to the person from whom the land was taken, but that it not be at the behest of the approving authority.

I think the Attorney General as the first law officer of the Crown must be trusted with this kind of responsibility. It should not rest on the shoulders of the approving authority. I think this makes good sense. It is a change to what we suggested last night, and I think it is a reasonable change, and I would hope the Attorney General will accept this new line of thought.

**Mr. Chairman:** The hon. member for Humber.

**Mr. Ben (Humber):** Mr. Chairman, I am also bothered by the last line of that particular section which speaks of the "terms of the best offer received by the expropriating authority". We all hope that this Act is going to be properly exercised but as worded the situation could arise where an expropriating body can refuse to sell land which was taken in excess of the need of the expropriating body to the person to whom it was taken, and offer it to another person for a higher sum.

I suggest that if land was taken from the owner (a) and more land was taken than necessary, then the land—the surplus land at least—ought to be returned to the former owner (a) at the same price for which it was expropriated. I do not believe anyone else ought to have the right to offer the expropriating authority a larger sum for the land than that which was paid to the party from whom it was expropriated.

I do not know, Mr. Chairman, whether I can move an additional amendment to the amendment of the hon. member for Downsview, and I take my seat and ask for your guidance.

**Mr. Chairman:** The hon. member for Humber was not speaking to the motion before us?

**Mr. Ben:** Yes, I was speaking to the proposed amendment to—

**Mr. Chairman:** You are speaking to section 43, but not the amendment.

**Mr. Ben:** I am on section 43. I am suggesting that the hon. member's amendment should have gone further than it did, and I am asking guidance of you, Mr. Chairman, whether or not I can move an amendment to the amendment.

**Mr. Chairman:** Well I see no reason why the member cannot. If he will provide the chair with a new amendment including not only the original amendment, but his additional amendment.

**Mr. Ben:** Oh. All right. All I would add is that the section be further amended by deleting the words "terms of the best offer received by the expropriating authority" and substituting therefor the words "same terms as that on which the lands were obtained from the party expropriated".

Interjections by hon. members.

**Mr. I. Deans (Wentworth):** On a point of order, Mr. Chairman, may I ask whether the votes would be taken in order—the amendments one by one, or whether they would be placed together.

**Mr. Chairman:** I think we will take the amendment to the amendment then we will place the amendment. We are just waiting for the written amendment to the amendment. Perhaps I should put the motions before the House so—

**Hon. Mr. Rowntree:** We want it explained what the whole deal is all about.

**Mr. Chairman:** I will just put the two motions. Mr. Singer has moved that section 43 be amended by deleting the words "without the approval of the approving authority" and substituting the words "without the approval of the Attorney General".

Mr. Ben has moved that section 43 be further amended by striking out the words following the word "the" in the second last line and substituting the following: "On the same terms as that on which the lands were obtained from the party expropriated".

**Mr. A. B. R. Lawrence:** That is not a further amendment, Mr. Chairman, it is another amendment. It is not further to the first amendment. It is a distinct amendment. There are two separate amendments here—not an amendment of an amendment. They are mutually exclusive.

**Mr. Chairman:** No, we are going to deal with the second amendment to the motion first.

**Mr. Ben:** Mr. Chairman, somebody from there echoed the question, what about the improvements to the land? This section speaks of surplus land, and it raises the presumption that being surplus it was not improved because it was not needed for the purposes of improvement or for the original purpose for which the land was expropriated. I said there is a presumption. I would suggest that the hon. member listen.

The fact remains that the situation could arise where more land is expropriated from an owner than is needed. There is another owner adjacent to the expropriated owner who would like to have a piece of that land, and it would be rather simple for a government to expropriate the first owner, take the land it did need for its purpose, and then offer it to the adjacent owner at a price which it knew the original owner could not meet. Now why should that happen?

If the government, as an expropriating body, takes more land than is needed for its purpose I say it is morally bound and should be legally bound to offer that land back to the original owner for the price for which it took it from him.

An hon. member: It will be.

**Mr. Ben:** It will be, because according to this it says that the original owner must match

the best terms or best offer received by the expropriating authority. If, Mr. Chairman, you take your mind back to a Mrs. Burgess who owned some land which was desired by a company named Greenwin Construction, this one woman, with her husband, had actually put together the bricks and the mortar which erected that house.

Interjection by an hon. member.

**Mr. Ben:** At least I am proving that on this side we can still stand on our own feet.

Anyway, this company tried to acquire this property from the woman and she refused to sell because she did not want to sell. She wanted to spend her remaining years in the house that she and her husband had, with their own sweat and muscle, put together. As it turned out she did own that house until the day she died. They proceeded to build around her.

But you can see what could happen with an unscrupulous government, when the government was fascist, for instance. They could expropriate more than was necessary to be in a position to sell the surplus to a friend of theirs who tried to buy the property from the original owner but the original owner was not willing to sell. He had to sell to the expropriating authority because the expropriating authority had the power to expropriate.

**Mr. Kerr:** What about the sections dealing with necessity?

**Mr. Ben:** I am proving that you have got to be careful about this government and make sure that they cannot pull anything sneaky, so you have got to look at every little dot and make sure that every "t" is crossed and every "i" is dotted.

An hon. member: Why not visit the committee?

**Mr. Ben:** Well, I am afraid I was not put on a committee this year with such a distinguished counsel like yourself to look after it, and it appears that you are up to it.

This is why I move this amendment. I say that government should be morally and legally bound to offer the land to the party from which it was expropriated at the same price at which it was expropriated. If you are talking about interest and improvement, the government expropriating authority ought to be shrewd enough to take only that which is needed.

**Mr. Kerr:** They cannot take any more.

**Mr. Ben:** Do you see the asinine remarks that come from over there, Mr. Chairman? If they cannot take any more, you could have this section in to cover the situation where you do take more.

**Mr. A. B. R. Lawrence:** You are all in a fog.

**Mr. Ben:** Oh for goodness sake, you have been out there in the fog so long you cannot even find your way to the Chamber.

**Mr. Chairman:** The hon. Attorney General has a comment on the amendment?

**Hon. Mr. Grossman:** Where did the hon. member have his dinner tonight?

**Mr. Ben:** What makes you think I had dinner?

**Mr. Chairman:** Order.

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if I might be permitted to speak to both the amendments since they refer to the same section?

I would like to deal first with the amendment moved by the member for Downsview. The words which he asked to be deleted, "without the approval of the approving authority", are put in there for a safeguard. I know he substitutes "the Attorney General", which would have the same effect. We did discuss this also—as I am sure the hon. member will recall—in committee, at some length. The deletion of the words "requiring the approval of the approving authority"—

**Mr. Singer:** At that time without any—

**Hon. Mr. Wishart:** Right. Not the expropriating authority, the approving authority, which may be the same but not necessarily the same.

**Mr. Singer:** It should not be that way.

**Hon. Mr. Wishart:** Could we direct our minds to this situation, Mr. Chairman: If property is expropriated and it is found after a lapse of time—it may be months, it may be a year, it may be a number of years as is often the case in highway situations—that some of the land originally taken for a right-of-way—which may go half a mile this way or half a mile that way, so a large area is expropriated—is not required, in the meantime, the land will have changed in value. Original owners may have gone.

I think the policy which the hon. member for Downsview mentioned, which almost

brought down the government in Britain, was a denial of the principle which we have included in this section. That is, if the land should not be required we have put in this Act that it shall be offered back to the owner.

**Mr. Singer:** Except that it can be waived by the Attorney General.

**Hon. Mr. Wishart:** But with this safeguard. I say we come to this situation: Let us say for a moment that five, six, ten years have elapsed. This section calls for an offer to the owner, that is the owner from whom it was expropriated. That owner has gone, he has died, he has moved. The property may have been sold a number of times.

It may be impossible, or it may be unreasonable to expect—and I think in many cases it would be a very onerous task—to find the owner. Therefore the safeguard to remove that necessity, called for by this section, of offering it back to the owner from whom it was taken, is the approval of the approving authority. In the case of a university, it would be the Minister of University Affairs. He says, "Well, it is unreasonable to expect you to find those owners. I will approve the sale to anybody." And in the case of a highway, it would be the Minister of Highways. His people tell him, "There are 16 owners. Five of them have disappeared from the scene, we cannot find them." Probably the best offers they would get would be from the contiguous owners, or those persons owning that property then adjoining the highway, but not necessarily the original owners who may have gone from the scene. So the safeguard is the approval of the approving authority.

I would not particularly object to the amendment offered by the member for Downsview, except that I think it is onerous for whatever Minister does it. If it is the Attorney General he has then to be informed by the Minister of Highways or the Minister of Education or by the municipality. The municipality of Kenora, let us say, must get in touch with the Attorney General and recite to him all the story about some little expropriation and how there is a piece of land left over which it would like to offer to the owner if he can be found, but he cannot be found and the municipality wants to sell out at the best price for the public purse for the protection of the taxpayers. So they say, "May we sell it?" and they have to recite all the story to the Attorney General and sitting in Toronto he is expected to make that decision.

Now the approving authority there is the municipality and I think that again they are

elected persons, they are responsible and responsive, I think, to their electors and they will do what is fair and right within the meaning of this section.

I do not like the thought of again asking one Minister when we think of the various expropriating agencies there are, having to exercise this; I think he would be spending a lot of his time—if he is to be fair and judicial about the matter—reviewing it and getting all the facts, and then making a decision far away from the scene, so I do not like it for that reason. As for the amendment offered by the hon. member for Humber, I cannot for a moment follow his reasoning that you should offer it back at the price at which it was expropriated.

Again let us say ten years have passed and in the natural course of events the property has increased in value, or perhaps it has decreased. This section provides for it to be offered to the public—a price obtained, a bona fide offer obtained, and then the proviso that it be offered to the owners unless the approval of the approving authority is obtained to permit it being sold to somebody else.

I think the public interest deserves that property in those circumstances be sold at the best price obtainable, whether it is to the owner, or whether it is to a member of the public. We have gone a long way here to look after the owner whose property is taken—and I think we have to bear in mind that on the other side of the coin is the public interest which we must also serve. I would reject both amendments, Mr. Chairman.

**Mr. Chairman:** The hon. member for Lakeshore.

**Mr. Lawlor:** I think it goes without saying that we reject out of hand the sub-amendment, if you can call it such, from the hon. member for Humber. Enough said. As to the amendment proposed by the hon. member for Downsview, I think we are in favour of it.

In England, this whole matter of approving authority is handled through the office of the Lord Chancellor. He has to censor plays—up until recently at least—and he has a lot of other jobs to do but he finds time to make these petty, numerous and onerous approvals. Now if the Lord Chancellor can do so, perhaps the Attorney General of Ontario might give some consideration to the task.

I suggest that it will not be—your argument may have some validity with respect to the



numerousness, the quantity of work that may be involved in some of the earlier occasions touching municipalities—but I suggest it has very little relevance in this context; that the number that would come before you would be relatively small; that it is a case of how to dispose of surplus lands. There may be alternative public purposes for it. Surely you as the chief law officer of the Crown might sit on some disposition of what those alternative purposes might be. It might not be in the same area; it might be public works, it might be a diversity of other departments that could utilize those lands, and you should act, I suggest, as the arbiter over that destiny, and not some local authority.

Secondly, that this very thing points up the difficulty that we had at an earlier time of the authority being invested in the same individual, and that that particular level is not really beholding in the way that you would be beholding in the disposition you make of these lands.

I am wholly in favour of the fact that first opportunity to repurchase is given to the previous owner—if that is possible, and there are, as you pointed out, a number of difficulties in locating him perhaps and in disposing it to him even if he is easily locatable. In the situation that arose in committee last night where a highway was not widened and the 20 feet—the house had been sold off and what not—but the 20 feet in front was given to be re-vested in the previous owner, thereby effectively cutting the man with the house off from his access to the roadway.

We talk in terms of landlocking and what not, and I believe the common law would allow him egress on that in any event, but the fact is, should not you in your high office be the one to determine that, and not some local school board trustee?

**Mr. Ben:** Mr. Chairman, I am very appreciative of the statement made by the hon. member for Lakeshore. I would like to be able to quote these words at some future date that express his concern for the common man.

**Mr. Chairman,** it is a recognized principle that land adjacent to improvements goes up in value by reason of the improvements being brought in. That is, land will go up in value because the government puts a road through a given area—

**Mr. R. F. Nixon:** (Leader of the Opposition): Or a hydro plant.

**Mr. Ben:** A hydro plant or a school, or such other improvement. Now if my land

today is worth \$500 an acre and the government comes in and expropriates all of my land to make an improvement on it, the land might double in value. And if my land happens to be just adjacent to this improvement and the government does not take it, I reap the benefit of that doubling or tripling in value. If the government expropriates the land at \$500 per acre they forcibly take it from me and they set a value today of \$500 per acre, even though I know that in five or ten years that land may be worth, by virtue of the improvement coming in there, \$1,500 per acre, I will only get the \$500 per acre. Five or ten years later, according to the people over there to the left, the government may decide they do not want the land—and I would throw out any doggone government that took five or ten years to make up its mind; but I guess they feel that some day they are going to get into power—with them it is going to be quick work, five, ten years.

**An hon. member:** How many in your party are supporting it.

**Mr. Lawlor:** Don't fall into slander, George!

**Mr. Pilkey:** Don't cry!

**Mr. Ben:** Five to ten years hence, the government says, "Well we made a mistake, we do not need this land," and then they say to me, who still has the adjacent land, "Look, we will give this land back to you for \$1,500 per acre." And I say to them, "Well wait a minute fellows. You took this land when you should not have taken it from me; it was surplus to your needs, you took it from me for \$500 per acre. If you had not taken this land I would have it today, and it would have been worth \$1,500 an acre to me. Now why should I pay you \$1,000 an acre more than for what you took it from me for." And they are going to quote the hon. member from Lakeshore, and say, because he said so. Now is this what you consider equitable? I know they do on the left, but is this what you consider equitable?

Now take the other situation with the hon. member from Halton West, and also the hon. Minister of Correctional Services; They echo the question, well what if the land drops in value? Fine, if the person from whom it was expropriated wants it back, let him pay for it what it was taken from him for. Because if he had held the land—if the land had not been taken from him and he had held on to it—on the day that the surplus was



offered to him it would have been worth less than what the government paid for it.

**Mr. Lawlor:** Your own party disagrees with everything you are saying.

**Mr. Ben:** But for the members of this House to say that they could deliberately take more land than they need and after five or ten years—which is an asinine statement, only worthy of a defrocked Jesuit—to say that they have come to the conclusion that they do not need it—five or ten years later—what a government! And then say you must pay an increased value if you want back what we took forcibly from you. You call that justice? Nonsense!

**Mr. Lawlor:** You lack both support and conviction.

Interjections by hon. members.

**Mr. Ben:** I do not care if anybody supports the motion or not. I will make my point.

**Mr. Chairman:** Order, please! Order!

Before I place the amendments before the committee I want to make certain that I understand exactly what the intention of the hon. member for Humber was when he made the amendment to the amendment.

Do I understand correctly that the hon. member for Humber intends his amendment to include the amendment of the hon. member for Downsview as well? Because if the second amendment is defeated, the section will carry.

**Mr. Ben:** Mr. Chairman, I ask your guidance. I do not recall an amendment of this nature having been offered during my short term in this House, and I ask your guidance.

**Mr. Chairman:** I believe that the amendment is in order. But I understand that you want the section altered, firstly as suggested by Mr. Singer, plus the additional words.

I am going to put the amendment to the amendment. Then I will put the amendment to both sections.

**Mr. Singer:** They are two separate amendments; they are not one amendment. They do not modify each other.

**Mr. Chairman:** Order!

Interjections by hon. members.

**Mr. Chairman:** With the concurrence of the House I will place Mr. Ben's motion,

which is an amendment that section 43 be amended by striking out the words following the word "the" in the second last line and substituting the following, "on the same terms as that on which the lands were claimed from the party expropriated". That is Mr. Ben's motion.

Under normal circumstances, the position of the House has been that an amendment to the section would carry the section. With concurrence of the House, then, I will further put Mr. Singer's motion.

Those in favour of Mr. Ben's motion please say "aye"; those opposed please say "nay".

I declare Mr. Ben's motion lost.

Those in favour of Mr. Singer's motion please say "aye"; those opposed please say "nay".

I declare Mr. Singer's motion lost.

Sections 43 to 45, inclusive, agreed to.

On section 46:

**Mr. Lawlor:** Mr. Chairman, just one question to the Attorney General under this heading. We revamped that at a late hour the other evening and as we run through the sections as to what they include and note what they exclude, a good deal of what they exclude is included in the present Act, The Expropriation Procedures Act and therefore, need not be included here and, therefore, is excluded here. Since that Act, although it is repealed, is kept in force for its procedures there are a lot of antinomies here you see. It is difficult, and I have one question.

Why have you not retained section 24 of the new bill within the confines of this section here? I suggest it would be a benefit. Section 24 has to do with the agreements that may be reached between statutory authorities and people, cutting off the need for all further procedures. They can come to terms.

Why could they not just as easily come to terms, whether they are within the terms of this particular Act or under The Expropriation Procedures Act? It comes to the same thing. The Expropriation Procedures Act does not contain such a provision.

**Mr. Singer:** Let us deal with that one first.

**Mr. Chairman:** The hon. member for Downsview wishes to speak to this?

**Mr. Singer:** Let the Attorney General speak to it.

**Mr. Chairman:** All right, the hon. the Attorney General.

**Hon. Mr. Wishart:** In The Expropriation Procedures Act, Mr. Chairman, I think there is a similar section in the Act to section 24. If there is not, I see no reason why section 24 might not be included.

I might say, Mr. Chairman, perhaps our language in the present section 24 is more clear and definite than anything we have in the present Expropriation Procedures Act. But I would have no objection to that being included in the sections that we have noted there.

I would say this that in drafting—redrafting—this section, as the hon. member knows, we have to do it rather hurriedly in the committee. It is an amended section as you will note from the reprint before us.

I would have no objection whatever to having 24 included, Mr. Chairman. I would move that section 24 be added in the last line of section 46; after the figure 23, the figure 24 be inserted.

**Mr. Singer:** Mr. Chairman, before we deal with that motion I am going to try to convince the Attorney General to further amend that amendment by including sections 25 and 29, after the figure 23.

Section 25, if the Attorney General will bear with me and look at that section, deals with an offer, with the furnishing of the appraisal report, the extensions of time and what happens if there is a failure to serve.

Section 29 deals with what happens before there is a hearing before the board. Now let us go over to section 46. If you look at section 46 you make this Act apply except in certain instances after a plan has been filed and before there has been any determination of value or before first steps have been taken.

You should cut it off at that stage. If there has been no agreement on value and there has been no reference of evidence heard before the board or the municipal board or whatever authority it is under The Expropriation Procedures Act, then you are in the position where all that has been done is that the act of expropriation has been completed. The plan has been filed but the parties have not agreed as to a value.

There is still a lack of consensus. If there is that lack of consensus why then should not the provisions in 25 begin to apply? You look at the first line of 25; the first line of 25 says "where there is no agreement as to compensation made between the owner and

the authority" and then, certain things happen. The appraisal report should be given; there can be an extension of time, and what happens if there is a failure to serve and so on. Surely that is not in conflict at all with you have set out?

Then look at section 29. Section 29 contemplates how you are eventually going to determine it if the offer is rejected. Then you go before the board, and this is what happens before the board.

Those are procedures and those are important procedures that I think should be made available in those instances, Mr. Chairman, where the parties have not agreed as to compensation and when no hearings have taken place.

**Mr. Lawlor:** How about the time limit? It is hard to work it in.

**Mr. Singer:** It may be hard to work in, but I think we have to lean over backwards to try to adjust this thing, because you are trying to put the people who have not settled, or where a hearing has not started, or evidence has not been heard, in the same position as the people who are going to benefit from this Act.

Having come to that position, then surely the people who have not settled, and where there has been no hearing started or finalized or decision reserved, should be entitled to the same kind of benefits as all other people. They should have the privilege of getting offers, supported by evaluation reports, and if they cannot agree on that offer, they should be entitled to cost if they come within the 85 per cent figure or not, and if that fails and they go on to a hearing then they should be entitled to all the benefits of section 29. Surely that makes good sense.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member for Downsview was good enough some few minutes ago to send me a note—

**Mr. Singer:** About section 25; I have since added 29.

**Hon. Mr. Wishart:** —to tell me that he was going to suggest that 25 be included. I sent him back a note to say that I thought to include section 25 and section 46 would greatly confuse the situation. Those are not the exact words I used.

**Mr. Singer:** No, I know, but I will not even quote the exact words.

**Hon. Mr. Wishart:** I think he got my meaning. And I still feel that to include

section 25 would confuse the procedures which are under way and even on short consideration I can see where to do that would create a lot of difficulty and real practical difficulty, if we were to include 25.

**Mr. Singer:** Why?

**Hon. Mr. Wishart:** Well, because the proceedings in expropriation under the present Expropriation Procedures Act would have reached certain stages which you would either have to retract and start all over again or they would not jibe, if I may use that expression, with the ongoing procedures of this Act.

**Mr. Singer:** No, but will the Attorney General not agree with me that you have to start with the first line of 25? At that point have you not reached the point where no agreement as to compensation has been made?

**Hon. Mr. Wishart:** That is right, but a number of things have been done. Perhaps I could pacify the hon. member if I tell him that I am prepared to include 29 because this is the disclosure of reports—

**Mr. Singer:** All right, good enough.

**Hon. Mr. Wishart:** I will compromise with him. I will accept one, I will not accept the other—

**Mr. Singer:** Okay, we have made a deal.

**Hon. Mr. Wishart:** —Mr. Chairman, and I move therefore, if I may, that the section 46 be further amended by including the figure 29 after 24.

**Mr. Chairman:** The hon. Attorney General has moved that section 46 be amended to include the figures 24 and 29 after the figure 23.

Motion agreed to.

Section 46, as amended, agreed to.

On section 47:

**Mr. Bullbrook:** Would the Attorney General explain something to me? I discussed this with him privately and there is obviously an answer that has not come through to me. If we are going to continue with the procedures as set forth in The Expropriation Procedures Act where a plan has been filed under section 4, relative to section 46, and we are going to repeal the Act in section 47. This is the point I made to the Attorney General

privately last night, and he felt there was an answer to it. Perhaps he could advise me of the answer. Am I making myself clear?

**Hon. Mr. Wishart:** Yes. I am informed that where you preserve in the section 46, certain procedures under The Expropriation Procedures Act, that you preserve those and that the repeal of the—

**Mr. Bullbrook:** Oh, I see. In other words, the effect of section 46 is to preserve the procedures notwithstanding the repeal of the Act itself?

**Hon. Mr. Wishart:** I understand that to be correct.

**Mr. MacDonald:** I think I follow that.

Sections 47 to 49, inclusive, agreed to.

Bill 5 reported.

**Mr. Lawlor:** That was not too bad, was it?

**Hon. Mr. Grossman:** A historic document.

**Mr. Nixon:** No, I will not go as far as that.

**Hon. J. P. Robarts** (Prime Minister) moves that the committee of the whole House rise and report one bill with certain amendments.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Robarts:** Mr. Speaker, tomorrow I would like to give third reading and Royal Assent to this bill. In view of the fact that with the time available tomorrow it would appear to be impossible to complete the Throne debate, I would suggest that we have a normal Friday sitting starting at 10.30 a.m. tomorrow morning and going until 1 o'clock, and then we will adjourn for the Christmas recess.

I had hoped to complete the Throne debate before the Christmas recess but with the number of members who wish to speak this is impossible, so we will complete it some time in February.

**Hon. Mr. Robarts** moves the adjournment of the House.

**Mr. Speaker:** Perhaps before the motion of the hon. Prime Minister is accepted, we would have to have a motion to have the House sit at 10.30 tomorrow, because there is a motion on the books of the House that last Friday and this Friday this House would sit at 10.00 o'clock.

**Hon. Mr. Robarts:** Perhaps we will leave it as it is. We will sit at 10.00.

**Mr. R. Gisborn (Hamilton East):** I would ask, Mr. Speaker, does the Prime Minister

mean when he says "the normal Friday" that we will have a private members' hour?

**Hon. Mr. Robarts:** No, Mr. Speaker. We had agreed to dispense with that and we will pick that hour up at some time later in the session.

So in moving the adjournment of the House, I move we adjourn until 10.00 o'clock tomorrow morning.

Motion agreed to.

The House adjourned at 10.20 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, December 20, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 20, 1968

The House met at 10.00 o'clock, a.m.

Prayers.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

**Hon. J. P. Robarts** (Prime Minister) moves that when the House adjourns today it will stand adjourned until Tuesday, February 4, at 2.30 p.m.

Motion agreed to.

**Hon. Mr. Robarts** moves that the last day for presenting petitions for private bills be extended to Tuesday, February 18, 1969; and that the last day for introducing private bills be extended to Tuesday, February 25, 1969; and that the last day for receiving reports from committees and private bills be extended to March 18, 1969.

Motion agreed to.

Mr. Speaker: Introduction of bills.

## THE COUNTY JUDGES ACT

**Hon. A. A. Wishart** (Attorney General) moves first reading of bill intituled, An Act to amend The County Judges Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, I would just like to say that the amendments would increase the junior judges in Carleton county from one to two, and in York from 10 to 14—the new judges in the county courts.

**Mr. V. M. Singer** (Downsview): I wonder, Mr. Speaker, if the Attorney General thinks that the county court judges might be handling divorces pretty soon?

**Hon. Mr. Wishart:** Mr. Speaker, we discussed this, I recall, last year when the new divorce Act was about to be brought into effect. It was thought, on the advice of the judges, I believe, that we should have perhaps a year's experience in this new area, with this new Act in the courts that have been used to handling it, before we could

ask the county judges to take it on. In the interim, we have had some experience of the new Act. The workload of the county judges has increased very considerably.

There was a recommendation in the report of the law reform commission with respect to mechanics' liens that all that jurisdiction be with the county court judges; and that would have made quite a change, particularly in York county, so there has been no decision yet that we should ask county judges to take on new work by taking on divorce. Perhaps when that time comes I can ask the Minister of Justice to take that into account and get some more judges.

## THE WORKMEN'S COMPENSATION ACT

**Mr. D. Jackson** (Timiskaming) moves first reading of bill intituled, An Act to amend The Workmen's Compensation Act.

Motion agreed to; first reading of the bill.

**Mr. Jackson:** Mr. Speaker, this amendment provides that the total disability allowance paid to a workman will not be reduced where disability becomes partial, until suitable employment is reasonably available.

## THE CHILD WELFARE ACT, 1965

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Child Welfare Act, 1965.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to prevent children leaving the province for adoption unless adoption opportunities have been exhausted in Ontario and the adopting home meets Ontario's standards.

**Hon. Mr. Wishart:** Mr. Speaker, I beg leave to table the interim report on landlord and tenant law applicable to residential tenancies, submitted by the Ontario Law Reform Commission.

As I have indicated to this House on previous occasions, the Ontario Law Reform Commission had initiated a study concerning the law of property some time ago. While this study was underway it became apparent that

it would be most desirable if we devoted a special task force to the study of the problems related to the law of landlord and tenant.

I, therefore, discussed the matter with the chairman of the Ontario Law Reform Commission. A special task force was directed towards this aspect of the law, and the report which I am now tabling represents the results of the study. The report, of course, contains the recommendations of the commission which I now commend to your attention.

I would ask the hon. members to bear in mind, Mr. Speaker, that this report deals with the most urgent problems in this area of our law, but the study of the entire area of the law of landlord and tenant will continue and the results of that continuing study will be reflected in the ultimate report on the law of property.

There are 24 recommendations which will be of interest to us all but there are certain of these which are particularly important because of their significance to the tenants of this province, as well as to the landlords.

It is recommended that security deposits should be made unlawful in the future but that the landlord should be permitted to request payment of the last month's rent in advance, on the condition that any sum so paid will be treated as security for the payment of rent only.

Existing security deposits would have to be dealt with on a special basis. But recommendations are made setting forth the manner in which existing security deposits should be dealt with by the parties. These conditions would include such matters as interest being payable to the tenant on the deposit which would have to be returned to the tenant after the termination of the lease. If the landlord should seek to retain all or any part of the security deposit in satisfaction for alleged damage, the landlord would be compelled to commence an action against the tenant for the amount, which would be forfeited within ten days of the date of termination of the lease, unless the tenant consented in writing to forfeit that part of the security.

If the claim was not instituted within the courts within the period of time, then the claim would be deemed to be extinguished.

There are many recommendations which deal with various covenances ordinarily found in leases and I will leave these to be reviewed by you, at your convenience, as you peruse the report.

However, one other major recommendation, which I feel is worthy of special note,

is that the commission recommends that municipalities should be authorized to establish, within their discretion, leasehold advisory bureaux. Landlords or tenants having problems arising out of a tenancy could then seek advice at these local offices, and the staff in the office would be authorized to attempt to negotiate the problems which might be thus referred. These offices would in fact be conciliation organizations attempting to negotiate the problems of the landlord and the tenants. It is contemplated that there would be an official in such an office who would deal with rents and who would attempt to negotiate fair and just settlements of disputes relating to rents.

If a rent review officer in such an office was not considered, by the municipal council, to be adequate to deal with the problems in this way, then the municipality should be authorized to establish rent review boards.

These boards would then act on the application of the rent review officer and would re-investigate the cases and make recommendations which would be forwarded to the parties involved. If the landlord did not act in accordance with the recommendations of the board, then the municipal council will be authorized to publish the report.

In the event that these measures do not prove sufficient to resolve the difficulties which are presently encountered in establishing reasonable rents, the commission recommends that consideration might then be given to some more stringent system of control.

The report enlarges upon all of these exceedingly important principles, Mr. Speaker, and while I hesitate to take the time of this House to go into this detail on the report, I did wish to ensure that all the members would have copies of the report, in order that they may consider the proposals during our recess.

I am sure that we will all benefit from a study of the report. Certainly it is the intention of the government to review the recommendations in the light of the existing problems in order that we may come to some conclusion as to what steps, if any, should be taken by this government in bringing recommendations before the Legislature.

Mr. Singer: Mr. Speaker, on a point of clarification, I wonder if the Minister means, by the last paragraph of his statement, that there has been no decision made as yet as to whether any of the recommendations will be implemented by a statutory change?

**Hon. Mr. Wishart:** Mr. Speaker, I am sure the hon. member knows that this report has just been received. We have not held this report up, and I think we have been fairly busy in this session of the Legislature. We need to study it, too. The last paragraph means exactly what it says.

**Mr. P. D. Lawlor (Lakeshore):** I wonder, in clarification of this matter, whether, on the recommendations contained in the interim report—and in drawing the same—you were in consultation with your confrère in connection with housing, and particularly in connection with the Ontario Housing Corporation lease placed before us yesterday. I would trust that in case of repairs—

**Mr. Speaker:** Order! The hon. member is asking for clarification and he has done so. Now would he let the hon. Minister reply, if he wishes to.

**Mr. Lawlor:** With deference, Mr. Speaker, there are two points of clarification.

**Mr. Speaker:** The hon. member is making a speech, not asking a question.

**Mr. Lawlor:** If I may complete my question, Mr. Speaker: The two areas on which I wish the Minister to comment are connected with the repairs clause and with respect to subletting. Both of those cases, I would suggest, with the present leases are as iniquitous as the old—

**Mr. Speaker:** Order!

The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Is the Minister going to answer?

Mr. Speaker, along the same line, I wonder if I might inquire—

**Mr. Speaker:** Has the hon. member a question with respect to clarification of the Minister's statement?

**Mr. Deans:** Regarding the lease that was distributed in the House yesterday—

**Mr. Speaker:** Order! If the hon. member is going to ask the hon. Minister a question with respect to clarification of the statement which he has made on tabling this report, he is entitled to do so; but he is not entitled to make a speech about another matter, which he is proposing to do. There are other opportunities for that.

**Mr. Lawlor:** Could he have sufficient quiet—

**Mr. Shulman:** Yesterday you allowed the leader of the Opposition (Mr. Nixon) to make certain comments about a statement. I do not see why there should be discrimination against other members.

**Mr. Speaker:** There is no discrimination.

Interjections by hon. members.

**Mr. Speaker:** Order!

The hon. member is not making a statement about the statement which the hon. Minister has tabled. He is making a statement about a certain other document. Now if the hon. member for Wentworth wishes to ask the Attorney General a question of clarification with respect to the statement which he has just made on tabling this report, he is entitled to do so. But if he is going to address questions or a speech to the House or to the hon. Minister with respect to a certain lease form, then he is completely out of order and should not have the floor.

The hon. member has the floor for a question.

**Mr. Deans:** Thank you, Mr. Speaker. I will re-word it. Will the provision in this Act covering security deposits affect—

**Mr. Singer:** There is no Act.

**Mr. Deans:** Pardon me, pardon me. Will the provision in this statement the Attorney General has just made covering security deposits also take into consideration security deposits requested by the Ontario Housing Corporation in their new lease?

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member is, perhaps, somewhat confused. What we do here is to present the report of the law reform commission on the area of landlord and tenant law containing a number of recommendations for your study. Now what may come forth in the way of implementation of those recommendations and how it may touch the particular subject of which the hon. member enquired is something that cannot be answered at this moment.

**Mr. Deans:** On another point of clarification. Does the new—

**Mr. Speaker:** The hon. Minister had the Speaker's eye first.

**Hon. S. J. Randall (Minister of Trade and Development):** When I distributed that lease

last night it was because it was available. That lease is drawn up within the limits of the landlord and tenant—

**Mr. Speaker:** Order! Order!

Is the hon. Minister about to make a statement before the orders of the day? If he is, then the matter could be—

**Hon. Mr. Randall:** No, sir, I was just—

**Mr. Speaker:** Well, then, the hon. Minister is out of order. The hon. member for Lakeshore.

**Mr. Lawlor:** Mr. Speaker, to the Attorney General, if I may. Does the new interim report take any cognizance—

**Mr. Speaker:** Order! This is not a matter of clarification. Clarification means will the hon. Minister explain something which is not clear in the statement, not whether there is something in it or whether there is not.

If the hon. member wishes to ask a question of clarification, he may do so. Otherwise, there is an appropriate place for debating what is, or is not, in the report.

**Hon. A. Grossman** (Minister of Correctional Services): After he reads the report!

**Mr. Lawlor:** I will try it another way. Many of us are concerned with the legal status of—

**Mr. Speaker:** Order!

Interjections by hon. members.

**Mr. Lawlor:** I wonder if any provision is made for the legal status of tenants groups in the course of this report?

**Mr. Speaker:** I hope the hon. Minister was able to hear the member, because I did not hear what he said. If the hon. Minister did hear, and it was a proper question, perhaps he would comment. If not—

**Hon. Mr. Wishart:** Mr. Speaker, I did not really hear what he had to say, but I thought I might offer this in addition. Since the commission has been good enough to summarize its recommendations and deals with these points very carefully and succinctly, I would be glad to offer this to the hon. member and I think it might be helpful. I will send it over to him.

**Mr. Speaker:** The hon. leader of the Opposition has a question from the other day of the Prime Minister?

**Mr. R. F. Nixon** (Leader of the Opposition): Yes, Mr. Speaker, the question is as follows:

Has the Premier received representations from Englehart concerning the closing of the hospital there?

Shall I go ahead with it?

**Hon. Mr. Robarts:** Yes, go ahead.

**Mr. Nixon:** Can the Premier explain why the 2,000 people of Englehart are required to raise \$264,000 in order to keep their hospital, but the 12,000 people at Kirkland Lake are required to raise only \$150,000 to keep their hospital as directed by the Ontario Hospital Services Commission?

Finally, is the Premier aware that the closing of the Englehart hospital would probably mean the closing of the Ontario Northland Railway terminal there?

**Hon. Mr. Robarts:** Mr. Speaker, I have not received any such communication from Englehart, and the Ontario Hospital Services Commission informs that it has no recommendation to close the hospital in Englehart. In actual fact there are certain plans being considered to replace the hospital at Englehart, not to remove it.

Our method of financing the cost of hospitals has been that the community itself would be responsible for one third, and I am informed that the preliminary estimates for a new hospital at Englehart are about \$1.25 million and the preliminary cost estimate for Kirkland Lake is \$6.5 million. So that on this basis the people of Englehart would have to raise \$416,666, while the people at Kirkland Lake would have to raise \$2,166,666.

Where the \$150,000 comes from I really do not know. It may be that it is the portion in Kirkland Lake which is going to be raised by voluntary subscription, other than by the municipality itself; but I really do not know. In light of these questions I think the last portion of the member's question has no significance.

**Mr. Speaker:** The hon. member for York South.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, my question is to the Prime Minister.

Has the Prime Minister received a night letter from Cesare Chavez, director of the United Farm Workers of America, requesting that grapes sold in Ontario retail outlets be marked as to their country of origin?

**Hon. Mr. Robarts:** Mr. Speaker, the member's sources of information must be very good. I believe he asked this question yesterday when I was not here. I received the telegram this morning.

Interjections by hon. members.

**Hon. Mr. Robarts:** There may or may not be some significance in this, I do not know. But in any event the answer to the question is yes.

**Mr. Speaker:** The hon. member for Humber now finds the hon. Minister of Highways in. When they are both in, perhaps he would place that long-awaited question.

**Mr. G. Ben (Humber):** Of the Minister of Highways, Mr. Speaker.

Is Lake Shore Road running through the city of Toronto part of Highway 2? If not, when was the designation removed and what is the number of the Order-in-Council?

As Lake Shore Road leads to the Gardiner Expressway, is it deemed an access road?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer to (a) is no, and never has been. As a result (b) is answered in the above; and I cannot answer the (c) question until I know which section of Lake-Shore Boulevard he refers to.

**Mr. Ben:** Will the Minister accept a supplementary question?

Is the Minister aware that the typical green and white signs used by The Department of Highways of the province of Ontario are posted, marking that route as Highway 2?

**Hon. Mr. Gomme:** Mr. Speaker, in answer to this, I was very interested the other day, and I thought of that myself. I had it looked into and I am advised that there are no signs placed there by the department, saying it is Highway 2.

**Mr. Ben:** Would the Minister like to come with me and see one?

**An hon. member:** When did the hon. member put it up?

**Mr. MacDonald:** Mr. Speaker, I am sorry, the hon. member for Humber was in quick like a bunny. I have both a supplementary question and another question I would like to put to the Prime Minister.

With regard to the question on the receipt of the telegram from Cesare Chavez, I assume the "yes" from the Prime Minister

was that he has received the telegram. My supplementary question is: Is the import of the telegram going to be followed through? In other words, are the regulations of The Department of Agriculture and Food, stressing that there should be an indication of origin, going to be implemented now rather than ignored?

**Hon. Mr. Robarts:** I think, Mr. Speaker, that the Minister of Agriculture and Food (Mr. Stewart) gave rather a full reply to a similar question and I think I would—as far as what the government proposes to do—refer the hon. member to the Minister of Agriculture and Food's statement in this regard. It is on page 691 of *Hansard*.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question.

Is the Prime Minister aware that the Minister of Agriculture and Food said that they applied the regulations only if they are in competition with domestic products when the regulation states specifically that the information should be indicated on any product?

**Hon. Mr. Robarts:** Mr. Speaker, I sat here and listened to the Minister of Agriculture and Food's reply and his final comment was, "All I can say is that we will look into the matter." That is what he is doing. That was his answer then and that is the answer this morning.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. MacDonald:** Mr. Speaker, if you will permit me. I have another question for the Minister of Financial and Commercial Affairs (Mr. Rowntree) and I am wondering, Mr. Speaker, if you will permit me to send a copy of it to the Prime Minister since this is the last day of session. It is a question asking whether or not the Minister has turned anything up in the investigations which I asked for on Tuesday with regard to Phillip Wynn and his unwillingness to return security deposits, even after court judgments. I think, since this is very widespread, that in the next six weeks there should be some action.

**Mr. Speaker:** The hon. member has now made the House acquainted with his problem. If he would send a copy of the request to the Prime Minister I am sure it will be dealt with.

**Hon. Mr. Grossman:** The Minister is writing a book.

**Mr. MacDonald:** I hope there is more in the next book than in the last one.

**Mr. Speaker:** The hon. member for Peterborough has two questions of the Attorney General and Minister of Municipal Affairs.

**Mr. W. G. Pitman (Peterborough):** Yes, Mr. Speaker. To the Minister of Municipal Affairs:

Has the Minister received by now the report of the Eric Hardy consulting firm in which charges are made that the town of Trenton has used assessment advantages and other illegal methods of attracting industry? If so, what action has been taken?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, we now have received the report of the Eric Hardy consulting firm. Perhaps I might review this situation very briefly, for the benefit of the other members of the House and for the record, because the hon. member and I have perhaps been engaged in a dialogue about this for the last several weeks.

In June, 1968, the town council commissioned a study by Mr. Hardy of the land use needs of the municipality in relation to a general consideration of the municipal economy. One of the related issues to the study which Mr. Hardy decided to examine was appraisal of the methods recently employed to obtain industry, including the suitability of their use in future.

The four methods used by Trenton, as reported by Mr. Hardy, are: 1. Town acquisition of land for industrial use re-sold to industry at a fraction of its purchase price; 2. Installation of urban services charged to the general rate rather than benefitting property holders; 3. Forfeiting a reducing proportion of normal taxation in each of the first four years commencing with 80 per cent in the first year and reducing to 20 per cent by the fourth year; 4. The rate of assessment of industrial properties is light by comparison with assessments placed upon residential properties.

The report then went on to point out that section 248(a) of The Municipal Act denies municipal council the right to grant bonuses in aid of industrial enterprise, and the Trenton practices constituted a breach of the law. It also stated that this had been officially drawn to council's attention by The Department of Municipal Affairs in response to an enquiry that the clerk comptroller directed to the Minister at the request of a member of the Trenton council. There was some

correspondence in January, February and March, 1968, on this matter.

The report goes on to state that the tax reductions are illegal under section 248(a) of The Municipal Act and section 131 of The Assessment Act and that the auditors' report of March, 1968, drew this to the council's attention. The Hardy report goes on to state:

While bonusing of industry has been illegal, it has so far brought no penalty, despite the full knowledge of the provincial government, the town council and, we presume, a number of Trenton citizens.

I assume that these are the references to which the hon. member makes mention and with which he is concerned.

This report situation had been drawn to our attention. As I stated, we had drawn it to the attention of the municipal officials in the spring. The report itself has just been submitted to us. We were led to understand that the previous practices have stopped. Perhaps the report, which is dated October, indicates that they have not. I do not know that yet.

I have not had the opportunity to examine the contents in any detail. I intend to pursue this matter with the officials of the department studying the report and with my colleagues in government, and to consider any appropriate action which may require to be taken. I do not dismiss the idea of having an enquiry into these purported illegal actions.

**Mr. Pitman:** Thank you. I wonder if I could address a supplementary question to the Minister.

I wonder if he has questioned the Minister of Trade and Development (Mr. Randall) as to whether, as well as the four forgivable loans involving many hundreds of thousands of dollars of the taxpayers of Ontario's money, these companies have also received these advantages from the town of Trenton?

**Hon. Mr. McKeough:** Mr. Speaker, I am led to believe, and I do not know this, that the practices which Trenton carried on in the past have ceased and I would assume that they would not have been applicable to these four industries. I suppose it can be said that Trenton, now having received the assistance which it has through the EIO programme, perhaps decided what it was doing in the past was no longer necessary. But we would make it our business to look into this as well.



**Mr. Pitman:** Mr. Speaker, I wonder if I could address a question to the Attorney General.

Has The Attorney General's Department launched an appeal on behalf of the Crown, as requested by The Department of Correctional Services, in the matter of the 30-day sentence imposed by Magistrate Baxter in Cobourg on November 20, on an inmate of Millbrook Reformatory as a result of an attack on a guard?

**Hon. Mr. Wishart:** Mr. Speaker, we obtained a transcript of this case and I have reviewed it with the officials of my department. In our opinion, there is no point of law which would permit leave to appeal and we so advised The Department of Correctional Services.

**Mr. Pitman:** Mr. Speaker, I wonder if I could remind the Attorney General of his statement on—

**Mr. Speaker:** Order. The hon. member is entitled to ask a supplementary question but not to remind the Minister.

**Mr. Pitman:** The supplementary question is related to the statement which the Minister made on that day and perhaps, if I might, I would just read a word or two of it. I think it is—

**Mr. Speaker:** Order. The hon. member is not entitled to read that. He is entitled to incorporate reference to it in a supplementary question if he wishes.

**Mr. Pitman:** In view of the comments of the Minister on November 20, I am wondering whether the Minister recognizes the degree to which this sentence might very well affect the morale of the staff at the Millbrook Reformatory, in view of the fact that this was a serious attack with a weapon—an unprovoked attack, so I understand—on a guard in that institution.

**Hon. Mr. Wishart:** Mr. Speaker, I am aware of all the facts, of the sentiments surrounding it and of possible consequences, and I am also aware there is considerable misunderstanding. I am also aware this incident has been blown up to a considerable degree, by uninformed persons. I might just mention very briefly that one fact is that while this was an unprovoked attack, and was with a weapon—a stick—the superintendent who was injured was back on the job the next day. He then did complain of some soreness and the reformatory's doctor sug-

gested he take some days off. I think he had a week off. But having reviewed the matter, and I have reviewed it completely myself, I have to repeat the answer I gave the member, that there is no point of law which permits leave to appeal in this instance.

**Mr. Speaker:** The hon. member for Scarborough East has questions?

**Mr. T. Reid (Scarborough East):** I have two questions for the Minister of Social and Family Services. I will ask them both at the same time.

Does the Minister require municipal welfare departments to inspect the passports of landed immigrants who apply for family welfare assistance in Ontario? Does the Minister allow municipal welfare departments, or their representatives, to process an application when such a request has been received?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, the answer to the first question is that there are no regulations requiring the inspection of passports. As to the second, they are required to accept an application unless it is obvious from the persons' own statements that they are not eligible.

**Mr. Speaker:** The hon. member for Timiskaming.

**Mr. Jackson:** Mr. Speaker, my question is for the Attorney General. Since in a recent court case, *Regina vs Gary Perly* held in provincial courtroom 31 in Metropolitan Toronto, it was indicated that police constable Woodhead did not tell the complete truth while giving evidence in court under oath, what action will be taken against PC Woodhead by The Attorney General's Department or its agents?

**Hon. Mr. Wishart:** Mr. Speaker, I have been advised by the Crown attorney that a transcript of the evidence in this case has been ordered and the matter is being fully investigated at this time.

**Mr. Speaker:** The hon. member for Sudbury East has a question to the Minister of Energy and Resources Management.

**Mr. E. W. Martel (Sudbury East):** Can the Minister advise the House when a pollution control office will be opened in the Sudbury area?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker,

it is the objective of the Ontario Water Resources Commission to provide an office in northern Ontario to serve the district of Algoma, Cochrane, Nipissing, Parry Sound, Sudbury and Timiskaming. The location and establishment of a regional office have not been finalized.

**Mr. Speaker:** Perhaps I might draw to the attention of the member for Sudbury East question 471 submitted by him to the Minister of Mines. When it was presented this morning to the Ministry, we were advised that this did not fall under that department and there was no person of the name mentioned with any connection with the department. Perhaps the hon. member would do a little more research and redirect the question to the appropriate department.

**Hon. Mr. Simonett:** Mr. Speaker, in answer to questions by the hon. leader of the Opposition yesterday, in two parts.

The first part of his question is: "What plan is Ontario Hydro implementing to reach a settlement with its employees to avert a possible strike in January?" The answer: The commission has conveyed to the union what it believes is a fair proposal. This proposal is to be placed before the union membership for their consideration.

The second part of his question: "Does Ontario Hydro believe that the system can continue to operate if a rotational strike is called by the employees? And the answer: It would depend upon the nature and extent of the revolving strike and the sensitivity of the areas affected. Certainly the commission must regard with great concern any strike that impairs its ability to meet the electric power needs of Ontario.

**Mr. Nixon:** May I ask the Minister if the proposal that has been sent to the Hydro workers' union is different from the one that had been put before the most recent negotiations?

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry, I cannot answer the question.

**Mr. Speaker:** The hon. member for Simcoe East.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, I have taken the liberty this morning of passing out some cigars to the hon. members of this House and to yourself. I realize that it is sometimes not a normal procedure to announce a pending birth, but on this occasion I thought that perhaps the

cigars would be in order, inasmuch as the House will not be in session when the new one arrives in Simcoe East.

Of course, this morning I would like to draw to your attention, and to the attention of the members of this House, that on Jan. 1, 1969, the town of Orillia becomes Ontario's 34th city.

When there is change in municipal status, it is an historic moment in the lives of the community, particularly a community as well known and as well regarded as Orillia. It is a community that is well known to many from having visited there personally, and to many thousands who have known something about the background of the little town through reading "Sunshine Sketches of a Little Town" which was penned by the late Stephen Leacock, who made his home there.

Then, of course, Mr. Speaker, you will recall that my predecessor, the late Lloyd Letherby, when he extolled the many virtues of the purity of the air of Simcoe East, suggested that the government should consider moving the Legislature to the town of Orillia. I might say that we have even more to offer as of Jan. 1.

As a resident of the municipality for 25 years, I have watched Orillia grow from a town of less than 10,000 to a bustling city of 25,000. The city is recognized as an outstanding tourist centre, as well as an important industrial and business community.

This morning, I would ask you, Mr. Speaker, and the hon. members of this House, to join with me in extending our sincere congratulations to mayor-elect Mr. Burton McIsaac and the new city council who will take office as of Jan. 1, as well as to the citizens of the new city of Orillia.

I would like to extend my sincere congratulations to them, and may I suggest that our wish should be—may Orillia's future be as richly rewarding as its past.

Thank you, Mr. Speaker.

**Mr. Speaker:** The hon. member for Cochrane South has a question of the Minister of Health.

**Mr. W. Ferrier (Cochrane South):** Yes, Mr. Speaker, my question is of the Minister of Health:

In light of the complaints by the Timmins and Cochrane labour council, concerning inadequate emergency medical care in Timmins, especially weekend hours, what action has the Minister taken or does he propose to take on the resolution submitted to him by

this labour council demanding that the Timmins medical profession make arrangements to have a qualified medical practitioner available during all weekend hours?

**Hon. M. B. Dymond:** (Minister of Health): Mr. Speaker, I did not get this question in time to see it. This is the first I have heard of it and, therefore, since this is the last day of the sitting, I will try to answer it from what knowledge I have.

I am sure the hon. member realizes, as we all do, that the government does not control the practice of medicine or the practice of any professions. This matter has been one that has given us a great deal of concern. We have tried to impress upon the professions concerned the need for organizing services so that at least emergency services will be provided for in every community. In most communities this has been undertaken by the professional people on their own initiative. In some instances we have asked the Ontario Medical Association to give encouragement to organizations of this kind, and I believe they are working on this at the present time.

**Mr. Speaker:** The hon. Minister of Health has a statement.

**Hon. Mr. Dymond:** Mr. Speaker, I stated a little while ago that we envision more strict air pollution control measures on motor vehicles in the next model year. I would like to announce today, sir, that the province intends implementing those stricter controls on the 1970 model year vehicles. All motor vehicle manufacturers in Canada, as well as importers, were so advised.

The current 1969 model vehicles are required to control both crankcase and exhaust emissions. New requirements will effect an additional reduction of approximately 30 per cent in exhaust emissions.

The new requirements for passenger cars in the most popular size range limit the exhaust emissions to 23 grams of carbon monoxide and 2.2 grams of hydrocarbons per mile. Previous requirements were 34 grams and 3.3 grams of carbon monoxide and hydrocarbons respectively.

If such vehicles were not controlled they would emit 73 grams of carbon monoxide and 11.2 grams of hydrocarbons per mile.

The present standard for crankcase emissions requiring 100 per cent control will remain in effect. Large trucks and buses will also be included for the first time. The new requirements will limit diesel smoke emissions to a faint flume and require slightly more

than a one-third reduction in exhaust emissions of carbon monoxide and hydrocarbons from gasoline-fueled heavy trucks and buses.

It is anticipated that control of evaporation losses from carburetors and gasoline tanks will be required on the 1971 models. Such systems are available but have not yet been proven.

The individual vehicle owner can materially assist in the control of air pollution by having his vehicle tuned up at regular intervals and having the air pollution control system serviced in accordance with the manufacturer's recommendations.

**Hon. Mr. Robarts:** Mr. Speaker, before the orders of the day, I want to make a statement regarding the Toronto International Airport.

As you are aware from discussion in this House and public debate, proposals have been put forward by the federal government related to the future of Toronto International Airport.

Toronto International Airport is Ontario's gateway to the world. As such, its economic and social importance to the people of Ontario must be given the fullest consideration. Because of its responsibility to the people of Ontario in this regard, this government has necessarily been directly involved in considerations affecting the airport and the surrounding communities.

It is apparent that the facilities at Toronto International Airport for handling both incoming and outgoing air traffic are now being used to the maximum. The difficulties which passengers now face will be greatly aggravated when the jumbo jets begin to operate in 1971. Both the terminal facilities and the runways must be enlarged to accommodate the requirements of the next decade.

The federal Department of Transport has had lengthy consultations with this government about the future of the airport. The government of Ontario has been analyzing the ramifications of the various proposals made by the federal government. Meetings have been held with ratepayers in the area surrounding the airport. We have watched and listened carefully to the various arguments in the current public controversy over the proposals for expansion.

There are a number of important considerations. I would like to place them before the hon. members so that they may have a full understanding of what is involved.

First of all, it must be recognized that

transportation is the science of moving people and goods from one point to another. For instance, goods are moved from a factory by truck to an air terminal, flown from there to another air terminal, and then go by truck to their ultimate destination and this is also true of people. Time is the significant and costly factor. The variable in the costs involved is for truck transportation from the factory to the airport. This varies materially depending on the location.

If the airport was to be removed to a distance of, say, 50 miles from Toronto, this would materially increase the cost of transportation. This is why an industry which plans to ship by air tends to locate near an airport; to keep its transportation costs to a minimum.

The arguments about location also apply to passenger travel, but in this case time is usually of greater importance than cost and distance.

Should Toronto International Airport be moved, there could well be a serious economic impact on the industrial development of northwestern Toronto in areas such as Malton, Bramalea, Rexdale and adjacent areas. Counterbalancing this is the stimulus for an economic base for a new community which would result from relocating the airport.

It is estimated that if the ultimate proposed development of Toronto International Airport is reached, it will generate up to 144,000 jobs either directly or indirectly. If the expansion should take place elsewhere than at the present site, a significant number of these jobs—perhaps more than half of them—would move with the airport.

Thus, while it might appear desirable to move the airport to a more remote location, it must be remembered that thousands of jobs would go with it. In turn, a new community of some 300,000 people would be generated in the vicinity of the airport, wherever it might go. The social and economic problems of creating a new community of 300,000 would be great and must be considered when any decision is made regarding relocation.

Another consideration is the existing investment in ground access to the airport. Further developments will undoubtedly be required to accommodate the expansion envisaged at the airport wherever it is. This will not be limited to highways alone, but will require some form of rapid transit. The costs of these developments must be con-

sidered as a part of the overall cost of the future development of the airport.

In addition, the further the airport is located from the heart of the Metropolitan area, the longer these lines of communication must be and, therefore, the greater the cost in providing them. This is an important consideration for the government of Ontario because the province would be heavily involved in providing such services.

Of great importance in considering the future of Toronto International Airport is the possibility that all of the international air travel might be concentrated at the proposed new Montreal airport. This would mean the shifting of the potential jobs out of the province. Furthermore, Ontario would be left without direct international air service. This we cannot accept.

Ontario, and particularly the Metropolitan Toronto area, generates the largest volume of international travel in Canada. However, the existing policies of the federal government force this travel to be directed through other airports, such as Montreal and New York. Removing the airport to a more remote location would only aggravate the existing inconvenience, particularly if the international airport were to be removed from this province.

The implications which I have just mentioned are very important to the future growth and development of the province of Ontario. This government is giving them every consideration and is prepared to press its case with vigour.

At least six departments are directly involved in our considerations: The Departments of Municipal Affairs, Health, Highways, Transport, Energy and Resources Management and Trade and Development. However, the ultimate decision affecting the future of the Toronto International Airport lies with the federal government. The role of the government of Ontario is to protect the interests of the people of the nearby area within the limits of our jurisdiction and, in a broader context, the economic strength and future of the entire province.

The current public debate has been restricted by and large to other equally important aspects: The social implications of increased noise levels which would follow the enlargement of Toronto International Airport, the natural concern of nearby residents for public safety, and the appropriate and most judicious use of the land occupied by, and adjacent to, Toronto International Airport.

I should like to assure the hon. members once again that this government is concerned about the living conditions and safety of the people who reside in the area affected and the effect an expanded airport will have on land values.

Because it is true that noise problems and safety factors will exist, no matter where the airport is located, these problems will not be eliminated merely by moving the airport. Technical advances have made aircraft travel one of the safest of all means of transportation. There are also indications that significant improvements can be expected in the noise levels of large aircraft. Hopefully, we can look to the aircraft industry to do much to reduce the noise problem.

The debate surrounding the wise use of land will continue. It could be urged, however, that one of the prime reasons for the vigorous development in the northwest sector of Metropolitan Toronto and in Peel county is because of the location of Toronto International Airport.

Having taken these matters into consideration, and recognizing that much more detailed research is required before a final decision should be made on the future development of Toronto International Airport, the government of Ontario today has made two interim recommendations to the federal government:

1. Because of the critical situation which now exists at the Toronto International Airport with regard to facilities and runway accommodation, the government of Ontario urges that the federal government proceed immediately with the development of the first stages of its expansion programme. This would provide an additional passenger terminal and the lengthening of two existing runways.

2. While it is recognized that additional airport capacity will become necessary beyond that provided by the first stages, the government of Ontario urges the federal government to establish immediately a joint federal-provincial co-ordinating committee to assess the social, economic and operational characteristics, including complete cost estimates, cost sharing and supporting ground transit, and of future alternatives. In other words this would be an examination of whether this airport is to be expanded further or whether we should be looking at alternative sites and alternative facilities.

In this manner, we believe that Toronto International Airport will evolve to meet the requirements of a dynamic and growing prov-

ince, the people who depend upon air transport for their livelihood and those who live in the vicinity of the airport.

**Mr. MacDonald (York South):** Mr. Speaker, I rise on a point of order before we get to the orders of the day. In the course of last night's debate there was a statement made in this House which I think should have been challenged at the time, and the more I have thought of it since I have regarded my own neglect as one that I could not let go any further than this morning.

In the course of a heated exchange between the hon. member for Humber (Mr. Ben) and the hon. member for Lakeshore (Mr. Lawlor) in discussion on the expropriation bill just after 10 o'clock, the member for Humber referred in his objections to the comments from the hon. member for Lakeshore as being from a "defrocked Jesuit". I have checked *Hansard*. The description is somewhat garbled, but it is there, and I am certain in a checking of the tapes immediately after 10 o'clock you will have its confirmation, because we all heard it here.

I suggest to you, Mr. Speaker, that that was a malicious statement that was not only highly personalized but was indicative of a religious prejudice which has no place in this House. I am not going to ask the hon. member, Mr. Speaker, to withdraw the statement because last year people from all sides of this House, including his own party, sought to have him withdraw what was generally regarded as a racially prejudiced statement. I would choose to have it stand on the record as a documentation as to how the hon. member's mind works, and I raise it as a point of order now so that you, the House and the public, will know that it is on the record.

**Mr. Ben:** Mr. Speaker, on a point of personal privilege, would the hon. member for Lakeshore rise and tell this House whether I have ever used that phrase to him before.

**Mr. Lawlor:** Well may I say, Mr. Speaker, so far as I was concerned I missed it—I would have been rather delighted than aggravated with it, I think. If he had called me a discolled Carmelite I might have been even more moved, and if he wants me to remove my collar, I will do so. I will leave it up to the other member. I did not hear him say this.

**Mr. MacDonald:** Mr. Speaker, I suggest to you that if there is any doubt about it, it is on the tape and can be heard—



**Mr. Ben:** There is no doubt about it. I used the phrase, Mr. Speaker, and I have used it in endearing terms to the hon. member for Lakeshore on a number of occasions because when I was not here for a while earlier this year I had the occasion to read the member's Throne Speech and I was amazed by the phrases that he used there.

**Mr. Lawlor:** Why unfrocked though?

**Mr. Ben:** He was never a Jesuit and I have used it in jest with the hon. member as an accolade to his ability to use theological terms. Now if the hon. member for York South wants to be vicious and rise here, let him rise. I say I have always used it to the hon. members here, both inside and outside of the House.

**Mr. MacDonald:** Mr. Speaker, I invite you to listen to the—

**Mr. Ben:** It is on the tape, I do not deny it.

**Mr. MacDonald:** And in listening to the tape, Mr. Speaker, if you can construe the mood and the temper and the whole atmosphere of that as a comment of endearment—

**Mr. Speaker:** Order.

The hon. leader of the party has made a sufficient declamation with respect to this matter and I think all of us are well enough acquainted now with the hon. member for Humber to know that at times he does get carried away and at times he uses expressions of endearment, as he says, which do not appear to the rest of us to be so. I am quite content to take the averment of the hon. member for York South as to what was there and the acknowledgment by the hon. member for Humber that it was so said, and also to have it stand in the record as it is.

Today's discussion will explain to those who are avid readers of *Hansard* in what manner the hon. member for Humber meant it to be used, and the way in which the member for Lakeshore took it. And I think it was in very good part. I myself was listening to that debate, and I was not at all surprised—because in this House it has become customary to refer to other members in terms which really are not parliamentary and are not suitable, but it has become the custom and apparently we all have that failing.

I would hope that this matter could be closed on that note of friendly discussion—quite out of order indeed—between the hon. member for Humber and the hon. member for Lakeshore.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, before the orders of the day, I wonder if the Attorney General does have a reply to my question of two days ago relating to the legal aid plan.

**Hon. Mr. Wishart:** No, I am sorry. In the pressure of the things we have been doing in the last day or so, I just have not got it.

**Hon. Mr. Dymond:** Mr. Speaker, before the orders of the day, I have the answers for some questions which were asked of me yesterday.

The hon. member for York South (Mr. MacDonald) asked how many of the 97 per cent of the population whom the government claims have medical insurance are covered for home and office calls of physicians.

Mr. Speaker, I would emphasize that the government does not claim this. We claim it on the basis of the latest survey of voluntary health insurance in Canada, prepared by the Canadian Conference on Health Care, which states that 97.3 of Ontario's population as at December 31, 1967, have medical services insurance coverage. Of that number, and from the same source, we estimate that 95.6 per cent of the population are covered for medical services insurance benefits for home and office calls.

Mr. Speaker, the hon. member—he is not in his seat so I will not answer this question.

**Mr. Speaker:** The hon. member is a little late in rising, but perhaps he would care to direct his question to the Minister of Health. He was not in when questions were being asked.

**Mr. J. R. Smith (Hamilton Mountain):** I have a question for the Minister of Health: What steps are being taken to eliminate the air pollution condition frequently caused by the heating system of the Hamilton psychiatric hospital?

**Hon. Mr. Dymond:** Mr. Speaker, the air pollution control officers are presently studying this source and seeking the cause with a view to correcting it. I cannot go into the technical details of what will be done. Whatever is necessary will be done.

**Mr. Speaker:** Orders of the day.

### THIRD READINGS

**Clerk of the House:** The first order; third reading of Bill 5, The Expropriations Act, 1968-69.



**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, in moving third reading of this bill, I should like to just take a moment to offer a word of recognition and commendation, if I may say so, to all those who worked so strenuously on this bill in order that we might complete it in this short session. And I am indebted—and I think the public is indebted—to the efforts of all who worked on this quite important piece of legislation in order that it might be completed so that the people of the province would have the benefit of it without delay.

In this respect, I should like to mention particularly the members of the committee on legal bills, who worked long hours and late hours and who gave their attention to the legislation, with full attendance and with many helpful and critical suggestions which we were able to consider and take advantage of in the preparation of the bill in committee.

I think generally in our debate here in committee of the whole House we had the same regard for the need to get the bill forward, but without the curtailing of discussion and criticism of its provisions. I think it is well to place on the record the fact that the House did treat this particular piece of business in this way.

And I should not like to forget, Mr. Speaker, that the foundation of this legislation was the Ontario Law Reform Commission. I am not sure that members of the House always appreciate the great work that that commission is doing in the revision of our laws. I consider it as a continuing research foundation or body to upgrade and modernize and bring our laws into line with our needs as we move forward in this society which is changing so rapidly.

I am glad to have an opportunity, particularly on this legislation, to pay tribute to that commission, which is doing many things which will be beneficial to our society in the area in which they are engaged.

But above all, Mr. Speaker, I should like to say that there are some unknown persons who worked very quietly—and who worked, I think, really beyond the requirements of their engagement—to assist in the preparation of this type of legislation. I speak of the legislative counsel, who worked long hours in very tedious work in the preparation of this legislation. Even though you have recommendations from the law reform commission—and in this case from the hon. Mr. McRuer—to translate those into legislation is long and tedious and requires careful work and consideration and you have to cast your mind forwards and back-

wards to know the consequences of those recommendations and to use the language which will carefully express what it is intended to say, always having regard to the consequences of how that legislation will work in practice.

Particularly I say, as we were dealing with this bill under pressure one might say, as to time—particularly in the legal bills committee—we were agreeing occasionally to an amendment, the legislative counsel were assisting in framing those amendments; and I would like to point out that when one changes one clause of a bill one has to look at every other clause which precedes it or follows it to make sure that that change does not affect the other provisions of the bill; or if it does so, then to change those. That is painstaking work and long after the committee had concluded its work—and we worked some late hours—I know that legislative counsel worked through the night to perfect the things which we had agreed should be inserted in that bill.

And finally, Mr. Speaker, I should like to say that my own staff, and particularly my Deputy Attorney General, gave a tremendous effort; not just in the hours of this session, but in the long hours that went into the preparation of this legislation before we came to this House, and of course since and through this session.

Without the invaluable assistance that I received from those I have mentioned it would not have been possible to have accomplished this piece of legislation in this time. I wanted, Mr. Speaker, to take the opportunity to say that in moving third reading of this bill, which I now do, Bill 5.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, in commenting on the presentation of this bill for third reading, let me say that I hasten to associate myself with the remarks just made by the Attorney General. I think the Legislature was functioning at its best in dealing in its various ways with this bill.

The debate on second reading, I thought, was one of the better debates—perhaps one of the best debates—I have ever heard in this House. The hard work done by the committee on legal bills, which was productive work and unselfish work by the members who were there, the work done yesterday in committee of the whole House; all of them put together were examples of the functioning of this Legislature at its very best.

I think all members who participated in it feel that it is their bill, it is not just a

government bill. For myself it is the culmination of some 10 years of presentation of suggestions to this House that we have a better Expropriations Act in Ontario. I think we now have one.

There are some things in it that I would have done another way, and perhaps in time I should be proved right or I should be proved wrong. But I think we have made, collectively, a very substantial contribution to the betterment of our system of laws in the province of Ontario and I agree, with great pleasure, to support the motion the Attorney General has just put forth.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, I hasten also to join herein. Very often we on this side of the House experience frustration in the case of perhaps certain types of legislation, and maybe questions of personality too. It makes our work seem very little worthwhile if we come up with what we consider reasonable, just, enlightened recommendations and they are cast aside as worthless. One may as well be somewhere else doing something else.

But in this case I was much taken, and I said this yesterday, with the openness and with the intelligence exercised by the Attorney General; and I do wish personally to extend my congratulations to Mr. Dick in this regard too. He was excellent throughout, coming incisively with the main points of law when they were needed, having the cases at his fingertips. Nothing could be more valuable insofar as people in the Opposition who may feel a little ennui now and then, than to have one's recommendations and thoughts, particularly as far as I was concerned with section 17 and the relations between mortgagors and mortgagees, accepted beyond what I had believed was possible at this time in our evolution. It was a most gratifying experience and it heartens me to plunge into The Mechanics' Lien Act now to see what we can do about that one.

May I also say, Mr. Speaker, in this regard, that the House leader yesterday was not quite as gracious as he might have been. We spent, as I estimated it, a little over 11 hours in slugging work in committee. Now, of course I would like this House to know that that was child's play as to what we did with the Smith committee all summer. We used to spend 14 hours a day doing the stuff, and I would suggest somewhat more difficult and entangled stuff than this

concentrated portion of the law which opens itself up rather easily.

So some of us have become habituated to the way this organization is run and for any who felt a slackening of pace or something, well then I would suggest that they get on a committee on taxation; anything else after that will be rather, you know, child's play to deal with. We spent 11 hours on it, Mr. Speaker, in committee and thereby the value of committees for the purpose of this House, I think, were proven conclusively.

We came back here and spent a little over four; and we need not really to have spent that time, give a little take a little, we could have cut it back another three-quarters of an hour and got it through in a little over three hours. Had that been discussed in this House, it would not have been four hours and it would not have been the 11 hours we spent in committee, it would have been 17 hours. Because we would have wrangled in the House, and the give and take and people speaking twice and four times on an issue would have occurred.

Whereas that was all obviated, all the underbrush cleaned away, certain salient points which we felt rather strongly about were left over, but we resolved them, such as we did yesterday. And I again, in winding up what I have to say, say that it has proven the value of these committees and I would make a very strong point on that with the Prime Minister (Mr. Robarts). The work—hard work—done by a number of people on the committee does deserve commendation.

It is a tangled portion of the law—the complexities of injurious affection would bedazzle you—and therefore we get very little public accolade, nothing mentioned in the press—not that I think it is very important that it should be so. But the fact of the matter is that when you come to the really hard work of this Legislature that is all iceberg stuff and nobody really gets to know about it, except in its superficialities.

Bill 16, An Act to amend The Ontario Hurricane Relief Fund Act, 1955.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, with your permission I will ask His Honour if he will come into the Chamber and give Royal Assent to these two bills.

**Mr. Speaker:** I wonder if the hon. Minister has some distinguished guests he would wish to introduce while the Prime Minister is here; would he wait?

**Hon. J. Yaremko** (Minister of Social and Family Services): Thank you, Mr. Speaker. With your permission, with the kind indulgence of the members of the House I should like to direct the members' attention to a very distinguished delegation sitting in Mr. Speaker's gallery.

Mr. Speaker, this weekend in Toronto there is meeting the secretariat of the World Congress of Free Ukrainians, an organization which unites Ukrainian organizations around the world. The secretariat is headed by a number of very distinguished Canadians, known to many in the House. They are the most Reverend Maxim Germaniuk of Canada, Archbishop and Metropolitan of the Ukrainian Catholic Church and Monsignor Doctor Basil Kushnir of Canada. They are joined with representatives from Argentina, England, the United States and I think will be met by other representatives from Belgium and Brazil and other parts of the world.

I know their deliberations will inure to the benefit not only of those who come of the stock of Ukrainians but all men and women who desire to live in peace and freedom throughout the whole world.

The Honourable the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Ross Macdonald** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed bills to which, in the name and on behalf of said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 5, The Expropriations Act, 1968-1969.

Bill 16, An Act to amend The Ontario Hurricane Relief Fund Act, 1955.

To these Acts the Royal Assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to these bills.

The Honourable, the Lieutenant-Governor was pleased to retire from the Chamber.

**Clerk of the House:** The third order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. E. W. Martel** (Sudbury East): Mr. Speaker, if you can recall, in my opening remarks I made certain suggestions regarding the physical conditions which the members must work under—the clerical staff available—and I suggested that on Fridays the government should consider not sitting. I think today has probably given us ample proof as to why the Friday sitting is rather a waste of time. Outside of the third reading for the expropriation bill we got very little done except the question period, and I think it would be much more beneficial if the members could be back in their ridings on this day, doing constituency work for the people who send them here. Of course, this would involve, as I attempted to outline earlier, the necessity for this government to look into the travelling situation, which is more than deplorable in this Legislature.

We have members who travel 700, 800 and 900 miles. Firstly, they are allowed 15 trips home; and in this modern day and age I think it is about time this government considered air flight not just for the Opposition but for its own members—one of whom happens to be the farthest from this House, at 1,250 miles. Certainly I think he, like the Toronto members, should be able to see his constituents at least once a week and have some time with his family. The same goes for my colleague, the member for Thunder Bay (Mr. Stokes), or the member for Port Arthur (Mr. Knight). I think it is time that this government started to give this matter some consideration.

There are other factors which, as I said the other day, we could go on at great lengths discussing among the problems confronting the members in this Legislature. A few of these are things like OMSIP and Ontario hospitalization. We passed legislation here last year, Mr. Speaker, to cover the teachers. The civil service, I understand, is covered, and the union people are covered; but the members of this Legislature do not receive any coverage. They pay the full shot, holus bolus out of their pockets. But this is just the typical treatment of this government to the people that are in it.

**Hon. J. H. White (Minister of Revenue):** We are trying to keep taxes down!

**Mr. Martel:** Oh if I ever heard a red herring, Mr. Speaker, that is one. "Trying to keep taxes down," he says. Maybe we should not have given E. P. Taylor the \$1.8 million for the racehorses.

**Hon. Mr. White:** Those socialists try to treat themselves very well; we have the people in mind.

**Mr. Martel:** Yes, Mr. Taylor and company with the horse rebate!

But I would ask this government, Mr. Speaker, to consider whether the members are investments too, and to consider improving the lot of MPPs around this Legislature.

With that, Mr. Speaker, I would now like to get into my main remarks in a field that I am intimately involved with—education.

Two landmarks in education were reached in 1968. These were, firstly, the establishment of larger units of administration for the two publicly supported school systems in Ontario, and the completion and tabling of the Hall-Dennis report "Living and Learning." Both were hailed as moves to provide equal educational opportunities for all—and in my speech I have underlined the word "all"—for the students of all the parents in Ontario. Unfortunately, pious platitudes and reality differ greatly.

During the estimates of The Department of Education in the last session I criticized the system of training teachers for the elementary system, and the Minister chose not to reply. I, as a teacher, felt it was constructive criticism of a profession with which I have been involved for so many years.

Obviously the Minister and I were not on the same wavelength. I will attempt to get on the same wavelength as the Minister on this occasion. The primary ingredients to supply equal educational opportunity are money and all its ramifications, and qualified personnel in every area. I want to deal with this last point first.

The Minister advised me, through a series of questions in the last session, that the number of unqualified high school teachers for the province was 13 per cent, and that the number of high school teachers who are unqualified in northern Ontario was 18 per cent. I have it from a headmaster who teaches in northern Ontario that the figure is closer to 28 per cent.

If we consider the provincial average of 13 per cent, and the northern Ontario average

—and I will use the Minister of Education's (Mr. Davis') average of 18 per cent—I do not think we have equal educational opportunity in northern Ontario with southern Ontario. Education, consequently, is treated no differently than other fields in regard to Tory policy toward northern Ontario. The government is now in the process of building another Ontario College of Education and, of course, it is being built in southern Ontario. Then they have plans for even another one, to be built in Ottawa, with nothing for northern Ontario. I guess we do not count for much up there, and our students can be taught by unqualified personnel.

A third college of education could be, should be, and must be, located in northern Ontario immediately. This Ontario College of Education could in fact be opened to students in the fall of 1969. I will outline how in a few moments.

It must be started in the fall of 1969 for very valid reasons. One, which has been outlined already, is the 18 per cent rate of unqualified teachers. The number of unqualified personnel will increase, because the emergency summer courses, for all practical purposes, ended in 1968. This means that complete reliance will have to be placed on the existing college of education for the majority of teachers to supply the secondary level. This source is inadequate at the present time.

Coupled with this is the fact that the secondary schools will receive their greatest influx of students in the next seven years. One can readily see that we are in for tough times, not just in the north, although primarily in the north, but in southern Ontario as well. As if this were not bad enough, Mr. Speaker, we in the north cannot get graduates from the Ontario College of Education in the south. They just do not go north. I believe in our area in the year 1967-1968 we were successful in getting 14 graduates, and in the north as a whole we were successful in getting 65 graduates out of 1,000 graduate students from the Ontario College of Education.

Even those university graduates from the north do not return in great numbers on graduation from the Ontario College of Education. To substantiate this, Mr. Speaker, I would like to quote from a study recently done in England on regional colleges of education. It has revealed that students travelling long distances to colleges of education do not tend to return to their place of origin in significantly large percentages but

tend to stay and accept positions in the immediate proximity of the college of education.

A paper in the magazine *Education for Teaching* in the autumn of 1967, called "Regional Origins of Students in Colleges of Education", by William Taylor, refers to a study made of a college of education in the Bristol area in southwestern England. The study was made over a period of years and it was noted that approximately 80 per cent of the students attending it came from within approximately 50 miles radius. Of this 80 per cent, two thirds accepted positions in local schools within that area after graduation. The other 20 per cent came mostly from Wales, approximately 100 miles away. Of this 20 per cent it is significant, Mr. Speaker, that only three per cent returned to Wales to teach upon graduation.

The author of the report argues that the low rate of mobility for the 80 per cent of the students was a direct result of the regional nature of the college. Had the college been farther away from the area the local schools would have been much less well served. For the purpose of this report we could call this a factor of loss by osmosis. This osmosis might be the result of a practice teaching experience in local schools, the pressure exerted by salesmanship of local school boards, and by principals during the period of training and a natural tendency by students to locate for their early years of teaching in a known educational environment.

**Hon. Mr. White:** The hon. member must have been on the wrong side of the leadership race—

**Mr. Martel:** Well I think I can manage the situation quite nicely. I do not need any support.

It is obvious, Mr. Speaker, when we take all of these matters into consideration, that unless a college of education be opened up in northern Ontario we are in for very grave problems, even graver than we have at the present time. It follows then, Mr. Speaker, if an Ontario college of education is to be located in the north, one must assess the situation to determine where it should be located and how it must be financed.

I want first to consider the location for an Ontario college of education for northern Ontario. In doing so I want to turn to what has become almost overnight the Bible of education to support the site I want to advance. On page 129 of "Living and Learning"

the point is made as to where future institutes of learning should be located, and I quote:

In 1966 the Minister's committee of training of elementary school teachers, under the chairmanship of C. R. McLeod, Director of Education for the city of Windsor, presented its report to the Minister of Education.

The McLeod committee submitted 47 recommendations concerning major changes in teaching education and proposals for means by which they should be implemented. The most fundamental of the proposed changes had to do with the location and duration of teacher education. The committee recommended that:

(a) The programme for teacher education be provided by the universities.

(b) The programme be of four-year duration, leading to a baccalaureate degree and professional certification.

(c) Elementary and secondary school teacher education be offered within the same university.

Well Mr. Speaker, at "the same university" and by a university! The McLeod committee and the Hall-Dennis committee have agreed and recommended that complete teacher training should be offered at "the same university." If we are to offer this type of training then we should be prepared to establish it, in the north, in an area where such a complete complex can be developed.

By this I mean the training should be for elementary and secondary teachers, and whether it is to be divided or not I suggest this to mind: That it be offered both in French and in English—starting probably with the academic training in the fall of 1969. And if time and funds allow, it should be expanded to commercial and then science and technological courses. The location must be one where honours degrees are offered at the university.

There are those who will say I am being parochial when I suggest that the Laurentian University should be the site of the French-English complex I have outlined. This is not the case, and I will note briefly why I recommend Laurentian.

Sudbury is most centrally located for the three major areas of North Bay, Timmins and the Sault. I realize I have left out Fort William and Port Arthur, but this was not an oversight. To locate there would mean it would be closer for students in northeastern Ontario to come to Toronto or to Kingston,



and this would defeat the purpose of having this type of complex developed in the north.

Second, Laurentian offers honours courses and a variety of subjects in the arts; and we are hopeful that in the future the sciences—engineering in particular—will be included. This would satisfy the need for the variety of teachers required in the high schools system. The third point—very fundamental, Mr. Speaker—at present a new \$5-million “*école normale*” is being constructed on the campus of Laurentian University, in Sudbury. This college will have a number of seminar rooms, a closed-circuit TV room, cafeteria, auditorium, gym, library and offices. If the type of complex I have outlined is to become a reality, it should be constructed around the structures that are now being erected at Laurentian. Furthermore, until such time as classrooms for the remaining portion could be speeded up the existing facilities, such as the gym, TV room, cafeteria, could be shared by all. We should develop a complex of this type around what has already been started for the benefit of the north.

Finally, a point of economics, to minimize the cost and to allow at least the academic aspect of a college of education to start in the fall of '69: I have talked to the officials at Laurentian and the “*école normale*” and all facilities in existence at Laurentian would be made available to an OCE for the fall term of 1969. These include gym, cafeteria, library, etc.

The only thing an OCE needs to open up in the fall in Sudbury is classroom space and staff. The university itself has been using portables for quite some time and an OCE, I am sure, could make use of portables for a few years until the necessary capital was obtained.

Those of use who attended Laurentian in its early years had the unique pleasure of taking lectures in such places as the local funeral home, over a theatre, over a pool-room. I can not see why a college of education, using portable classrooms could not get along, situated on the campus site and using the facilities offered by Laurentian University at the present time.

I do not think, Mr. Speaker, we can allow money or other such considerations to deter the development of such a project. It is in keeping with the Hall-Dennis report, in keeping with McLeod committee report and it is in keeping with the French college of education project which is being established at Laurentian now. I think we should go the rest of the way and develop the whole type

of complex which would be in keeping with these various reports.

Mr. Speaker, I have been informed that portables and the teaching administrative staff would cost approximately \$750,000 for the year 1969. If \$750,000 could give us 100 to 150 graduates in the north by the spring of 1970, this would be the best \$750,000 this government has spent in northern Ontario in a long, long time. I ask the government to move on this immediately.

I would like now to turn to another aspect in the field of education which I have raised in this Legislature on two previous occasions. It too involves Laurentian University.

On March 11, 1968, I asked the Minister of Education the following question:

What has caused the delay in Laurentian University being granted a department of engineering? Secondly, can the Minister advise the House when Laurentian University will be granted an engineering department?

The Minister indicated at that time that Laurentian indicated they wished to extend their engineering programme. Later, the Minister stated that a formal submission to the committee on university affairs was still forthcoming.

Mr. Speaker, although no formal submission was made in writing with respect to cost, number of students, and so on, on Monday, Oct. 16, 1967, a very strong verbal request was made to the committee on university affairs which was visiting in the city of Sudbury. Those in the Sudbury area who attended the meeting made it abundantly clear that they were, in fact, making this a formal request for the assistance needed to implement such an undertaking.

As I understand it, the Deputy Minister of University Affairs was in attendance. One would expect that something more positive than “Submit a submission which will be considered,” when such a request was being made. One would have expected a spirit of excitement from the committee on university affairs when the request for assistance to establish such a course was made.

What other university offering engineering degrees sits right in the very heartland of the greatest mineral bearing rock in the world? Where else in Ontario could the engineering students find summer employment so accessible? Where else could they find first hand practical experience while studying? Where else could they visit mines, smelters and refineries at the very doorstep of the university? Where else could they find such ready employment on graduating?



I am advised International Nickel alone could take 50 graduates per year. The variety of courses that could be offered to meet the demands of industry in the north is unbelievable. There could be mining engineering, chemical engineering, metallurgy, and so on.

**Mr. R. D. Kennedy (Peel South):** The hon. member was knocking the north 10 minutes ago, and now it is a good place. Which side is he on?

**Mr. J. E. Stokes (Thunder Bay):** He is talking about the potential in the north.

Interjections by hon. members.

**Mr. Martel:** I am saying what the potential is if the government will move; to the Minister through you, Mr. Speaker.

But, as usual, a request from the north is met with indifference, such as "submit a brief and we will consider it", rather than encouragement and assistance that the matter be moved ahead immediately.

What is even worse than the indifference, Mr. Speaker, was the opposition to the plan. I reiterate, the opposition to the request. One thing that seems to be part of our way of life is that once something is established in an area it becomes the sacred cow of that area and no one should seek to infringe on the divine right of the area in question, or to even suggest that someone else would have the same rights.

Putting it more bluntly, Mr. Speaker, one member of the committee on university affairs which visited Sudbury, one Dr. Wright, was opposed to an extension of the two-year engineering course now offered at Laurentian to the third and fourth years. Dr. Wright, I am told, was responsible for the establishment of these courses at Waterloo and it appears as though his main interest is in retaining these courses for Waterloo.

As I am told, he gave a variety of reasons as to why third and fourth year courses should not be taught at Laurentian. I cannot buy any of them, Mr. Speaker. The university of Laurentian will present its submission shortly and I do hope it is studied with enthusiasm and given favourable consideration.

Just as a side line to this, Mr. Speaker, the university of Sudbury, in its original charter had, and still has, the ability to move ahead with this type of facility without permission. But in the type of spirit that comes from northerners, we want to do things in

the proper way. We are hopeful that our submission will be given a good deal more consideration than other problems dealing with the north have been given to this date.

Because turning to the third point of education that I wish to discuss, I want to remind the House that Bills 44 and 168 were passed in Ontario to provide equal educational opportunities for all the students in Ontario. This has not been done to date in Ontario and it will not be achieved with the implementations of Bills 44 and 168, nor the Hall-Dennis report. Certain groups will not derive the benefits from these bills for a very simple reason—lack of funds.

I might state here, Mr. Speaker, that I am not talking at this time of an extension of provincial help to Grades 11, 12 and 13, to public, separate high schools. And I want it made abundantly clear that I am referring to these as public, separate high schools and not private schools as people like to categorize them, erroneously. There will be other occasions to debate extension of provincial assistance to Grades 11, 12 and 13. For now, however, I want to deal with Grades 9 and 10 in the public, separate schools.

There has been a great deal of talk about equal opportunity. I would like to know, of the Minister of Education, how this situation can exist at the Grades 9 and 10 level for all students in Ontario when the students in Grades 9 and 10 at public high schools get higher school grants than those in Grades 9 and 10 in the public, separate high schools of Ontario.

Of course, the difference is very slight, Mr. Speaker—about one-half. When the Minister goes around the countryside talking about equal education opportunity up to the level of education that existed at the time of Confederation—which was Grade 10—I find it rather strange, Mr. Speaker, that he cuts off the high school grant, or he does not give the high school grant as it is given to the public high schools, to the public, separate, high schools of Ontario.

I think it is high time this government found out what Article 93 of The BNA Act implies. The government should set up a committee to find out what system existed at the time of Confederation; what levels of education were attainable in these systems; and, finally, who authorized, in 1915, one member of The Department of Education to issue a regulation stating that all separate schools were to be cut from 12 to 10 grades.

If we hope to resolve the problem once and for all, and if this government hopes to

eliminate the bitterness which evolves around public, separate schools, and if we are going to talk about human rights and so on, it is time all the facts, Mr. Speaker, were put on the table to clear the air in Ontario and eliminate the prejudices which have arisen over the years.

**Mr. L. Bernier (Kenora):** Prejudice has disappeared!

**Mr. Martel:** When you are on the side that gets double the grants, it is easy to say that prejudice has disappeared; but when you are on the side that gets one-half the school grant, then it is another story. It depends what side you are sitting on, Mr. Speaker, as to whether prejudice has disappeared or not.

What I am looking forward for, Mr. Speaker, I am not asking for an extension of grants—let me make that clear—I am asking that a committee be set up to study this whole situation and present the facts to the citizens of Ontario as they are, if we ever hope to get rid of the prejudices which have existed around separate schools in Ontario.

I do not think it is asking too much of this government to have the facts presented as they really are.

I now want to turn to a favourite subject of mine, Mr. Speaker, one on which I believe I am as well equipped to talk about as anyone in here. Having worked for the International Nickel Co. for approximately a year I know first hand, the conditions that the men are subjected to daily. The plant is the dirtiest place I have ever been in my life, Mr. Speaker. One can live with the dirt; however, life is unbearable because of the gas.

In fact, when I worked at Inco, Mr. Speaker, we used to make bets at the lunch hour as to who would be the first one to throw up his lunch. My lunches frequently consisted of a thermos of milk and nothing more.

If one can envisage for a moment an aisle, approximately the length of the hall from the east door to the west door, down on the main floor. When one stands at one end, he cannot see the other because of the gas; then one realizes how much gas is present.

Another example might be put forth: From the overhead cranes, which operate from near the tops of the buildings, on many occasions, Mr. Speaker, it is difficult to see the floor.

What might one expect from such a high concentration of gas? Vomiting, nausea,

bleeding noses and spitting are just a few of the very obvious effects. The number of chest ailments in the Sudbury area is evidence there is something wrong. The statistics quoted by my colleague from High Park (Mr. Shulman) indicate that the mortality rate among males over 55 in this area is greater than anywhere else in the province.

One has only to look at the countryside to see what it does to vegetation, and I do not imagine man is any more immune to the gas than is the vegetation. I have been told by doctors in the Sudbury area that the lungs of the people in the area are black.

What has the government done to alleviate the problem during 25 years of Tory government? Virtually nothing.

The Prime Minister (Mr. Robarts), just prior to the last election, came to town and he described the area as one having a rugged beauty of its own. The Minister of Health (Mr. Dymond), just prior to the 1967 election, in great sweeping headlines in the local press announced that Inco and Falconbridge had six months to submit plans to him outlining what they intended to do regarding the problem. Fourteen months later—and 25 years besides that—the Minister, when questioned about the matter, advised that the company hired by Inco could not bring in the plans before the end of December.

And of course, Mr. Speaker, the health study going on at the present time is being done from facts and figures here in Toronto. No one has been examined yet or questioned in the immediate vicinity where the problem prevails. There is a possibility, however, that Inco personnel from the office in Toronto might be examined, if we are lucky.

Mr. Speaker, the next Cabinet Minister who came to town was none other than the Minister of Mines (Mr. A. F. Lawrence). I must admit that the Minister is making an effort to learn the mining industry, and for this I compliment him. I might state that some of my remarks are not going to be of quite that nature though.

When confronted by the questions and remarks I have been making regarding safety and health, the Minister announced that the union was trying to put itself in a better position for the next contract negotiation, that its concern for safety and health was really immaterial. Mr. Speaker, that such a statement could come from the Minister of Health or the Minister of Mines after having been in that area and after having seen those con-

ditions, was in my opinion completely unforgivable. It is indicative, I really believe, of where the Ministers' interests lie; and I believe that has to be with the company. It makes one wonder who is running this province, Mr. Speaker.

It is interesting, as an aside, that the member for Sudbury (Mr. Sopha) sides with the Minister occasionally when it comes to safety records. Mr. Speaker, I just want to outline some of the injuries and the length of time these men were off before they went back to work. It is very interesting, Mr. Speaker.

We have Jerome Lemieux: Date of accident March 6, 1968; injuries to head, left shoulder and face; admitted to St. Joseph's Hospital, March 9, and back on light duty on March 9.

And we have Omer Pinet: Date of accident May 28, 1968; injury broken left foot; light duty May 30, 1968.

Hnat Kohut: Date of accident November 9; injury, right arm broken below the elbow; light duty November 10—the next day.

Mr. M. Makarchuk (Brantford): Miracle cures!

Mrs. M. Renwick (Scarborough Centre): In Hernando's hideaway!

Mr. Martel: Kerry Size: Date of accident April 6, 1968; injury broken left ankle; light duty, April 9.

I have many of these, Mr. Speaker. This is just indicative of the type of treatment the men receive from that company. They are injured and back to work. But that is not the worst part of their treatment of people, nor is it the worst part of the Minister's actions.

In a recent visit to the Sudbury area—when after all the statistics and information had been presented to this government on the fact of the concentration of gas, which should be maybe four to five parts per million and they range as high as 250 and 300 parts per million—a union member, on Mr. Ken Valentine, said to the Minister: "What has to be done, just what has to be done to prove to this government the seriousness of the gas situation?" And, lo' and behold, we get this reply: "Well, you have not proved it yet."

We have not proved it yet; that the gas is detrimental to the people, nor the area? Talk about moon shots—they could film a whole series of the moon right around Coniston. And the Minister has the audacity to say that it has not been proven yet—with the vegetation the way it is, with the statistics which have been presented showing the concentrations of gas, much, much in excess of what is safe.

But we have not proved it yet!

Well, what must we do to force this government to move against Inco? I am just wondering, Mr. Speaker, if an American firm, International Nickel, is bigger than this government. I am beginning to believe that it is.

One final point, Mr. Speaker, on the Minister's action in his last visit to the nickel basin. At a meeting with the union the Minister told the union they were playing politics by submitting materials to me which I would use in the form of questions and as such they could expect to be treated politically. Well if that was not a fine statement by the Minister, Mr. Speaker! The companies have been doling out great piles of money to the two old line political parties and I am wondering what their motivation has been in doing so.

What has been their motivation in doing so? Is it because the tills of money are overflowing and they have nothing else to do with it that they pass it on the parties? I do not think so. I think it is because they like to have policy brought in to their liking; or in the case of Sudbury, with Inco, to have the *status quo* retained so they can go on polluting the area year after year after year. And this government has allowed them to do it for 25 consecutive years. It is quite obvious, Mr. Speaker, that something must be done to curb the gas and to protect the people of the area from its effects.

I would like to show you what can happen, Mr. Speaker, as a result of excess gas from just a couple of compensation files.

There is one which involves Mr. Natale Domenico and he says:

I was working on the flue at the second opening from the furnace. The furnace was in operation, I was suddenly hit with a wave of air that contained a heavy concentration of some foreign gas or substances that caused the injury and symptoms related in question 4. I also had a strong taste of sulphur in my mouth, especially when I threw up.

And what were the symptoms? Burning sensation in the eyes, very heavy watering of the eyes, dizzy, feeling of extreme fatigue, heavy coughing and sneezing spasms, accompanied by drooling, choking, sensation or paralysis of the breathing system. Strong burning feeling in the respiratory system, followed immediately by nausea, vomiting and massive bleeding through the nose, then severe headache and giddiness.

Now, Mr. Speaker, Mr. Domenico was sent

to a doctor and he received considerable treatment. In a letter directed to the workmen's compensation board it says,

Enclosed is some additional information in connection with the question of Form 6D, Question No. 6.

As indicated in my answer to this question, I had a similar disability before. The details are as follows:

In 1960 I was doing some drilling in hot mass and was again exposed to heat, dust and sulphur dioxides.

These conditions brought on a fairly heavy nosebleed and I reported to first aid where the bleeding was stopped after about an hour and a quarter. On many other occasions I have had evidence of bleeding of the nose because of blood showing on my handkerchief. Initially I reported my injuries to the first aid attendant at about 3 p.m. at which time I was given a couple of aspirins.

This is in relation to the second injury.

I insisted that I wanted the incident formally reported and recorded by first aid, and I was then referred to my supervisor. I then went to see my supervisor in his office and reported the incident and it was at that time and place that the labour boss, Mr. Bertoli, heard me make my report. My supervisor asked me if I had an accident such as bumping my nose and my reply to that was no, I didn't have an accident such as bumping my nose.

At that time I stressed that I was exposed to a heavy concentration of gas from the flue of No. 4 furnace. At that time my supervisor made out a very brief report which I was asked to sign and he then referred me back to the first air room.

At the time that I signed this report I was suffering nearly intolerable headache and extreme light-headedness with giddiness. I returned with this report to the first aid and at this time the first aid attendants were changing shifts and the name of the attendant who was succeeding the day attendant was Mr. Gautier.

Mr. Gautier suggested that I could go home and if the pain necessitated a visit to a doctor, I was to contact him and he would forward the necessary papers to a doctor. I insisted that the pain was so severe that I wanted to see a doctor immediately. He then filled out some forms and gave them to me to take to the doctor. After leaving the first aid room, I then went into the dry to shower and change clothes and I saw Mr. Bertoli, the labour

boss, and he made some remarks about how bad my colour looked and suggested I had better go and see a doctor. I replied telling him that I was on my way.

In addition to the above I wish to make a few statements. There was an interval, Mr. Speaker, of some time between this and the date of injury, this being June 11. From the time this incident occurred to June 11th, Natale Domenico lost 15 pounds. One of the doctors involved wrote a rather interesting little note on July 5 as Mr. Domenico was getting ready to go back to work.

I had seen the above mentioned patient at my office recently and suggested that he resume his regular duties providing he be allowed to work in an environment free from excessive gases. I trust you will cooperate in placing this patient in such an environment.

Well that is one example.

Now this other man, Mr. Vic Akkenan, was not quite as fortunate, Mr. Speaker. He too suffered greatly. He is a fitter's helper and on the date of his injury he ate lunch at about 6 p.m. and he had the job of changing, starting about 8.30 p.m., from No. 2 scrubber line to No. 1, and both scrubber fans were in operation so there would be pressure on both lines. The temperature of the gas was 120 degrees and Mr. Akkanen, after 15 or 20 minutes exposure to the gas, began to get sick. And Mr. Akkenan was rather unfortunate, as I say, in that I believe after he got poisoned by this gas he needed blood transfusions for something like 11 days.

But the Minister of Health and the Minister of Mines say gas conditions are not bad enough yet.

Then there is the question I raised with the Minister just the day before yesterday regarding Gary Slessor.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, may I ask that you have the hon. member correct that statement. The Minister of Health has never made any such statement that the gas conditions are not bad enough.

Mr. Martel: Mr. Speaker, be that as it may, if they are not bad—

Hon. Mr. Dymond: Mr. Speaker, this is on my point of order. I am not saying anything about them, I am simply stating that the hon. member has put in the public record that the Minister of Health and the Minister of Mines have said the gas conditions are not

that bad. I have never made such a statement.

**Mr. Speaker:** I think the record will probably stand corrected in view of the Minister's statement, and the hon. member will not continue such remarks in connection with allegations made by the hon. Minister.

**Mr. Martel:** Mr. Speaker, if there is such vital concern on the terminology of the word I will withdraw it. Unfortunately, Mr. Speaker, if the gas is bad then I suggest that this Minister years ago should have ordered something done to rectify the situation. Now he gets up and he tries to justify a little wording when the conditions which have existed for years have been ignored. He gets very touchy on wording.

**Hon. Mr. Dymond:** Mr. Speaker, once again on a point of order; I think the hon. member has heard many times from my own voice, as well as from that of my colleague the Minister of Mines, that The Department of Health is not responsible for the health of miners, that this is a direct responsibility of The Department of Mines. We are the medical consultants to The Department of Mines.

**Mr. Martel:** Mr. Speaker, we can pass the buck, we can do anything we want; the point is the situation has not been rectified under 25 years of Tory government.

I go back to the case of Gary Slessor, Mr. Speaker—Gary Slessor, who was told to go to work in an area where he did not want to go; who as a result of going into this area passed out and who fortunately was picked up out of the water by a couple of fellow employees; who was faced with this sort of sickness, this same gas condition. I ask the Minister, would it be possible—a very simple request, Mr. Speaker, by the union—that if the men feel there is too much gas in a specific area, that they ask that a gas test be taken. A gas test is a very simple thing, Mr. Speaker; they have a unit and they take ten little whiffs of air with it and if the gas in the tube turns white it means that the level is not a safe level. This can be taken in front of the men very quickly.

If the concern shown by the Minister of Health was that genuine, what would be wrong with saying, "All right gentlemen, you have the right to demand that a gas test be taken if you feel there is too much gas in this specific area." That would not be asking too much of this government. It would not rectify the gas situation, Mr. Speaker, but it would at least protect the men from having to work

in an area where the gas concentration was not healthy.

The hon. members heard the answer we got the other day—they were looking into the matter. When you get recordings of 300 parts per million instead of five, Mr. Speaker, I do not think much research has to be done. This whole thing has been gone through again and again, and 25 years of it has gone on and we cannot even get them to consent to this much.

Mr. Speaker, I have to compliment Inco and Falconbridge; they are not pikers when it comes to pollution, they are not satisfied with just air and soil pollution. They want to ensure that they are polluting the water in every stream in the Sudbury area; and, Mr. Speaker, I might say that this is not my finding but it is the finding of the Ontario Water Resources Commission in its report which was just tabled recently on the work that it did in June, July and August of 1967. Mr. Speaker, there is a tabulation of the places under the jurisdiction of the International Nickel Company, and I am quoting from the document:

From the table, and as discussed in the body of this report, those industrial operations which were capable of causing severe water impairment or contamination in the receiving streams were:

1. The pyrrhotite storage pond in Copper Cliff;
2. The Copper Cliff smelter;
3. The Stobie section of the Froid-Stobie mine;
4. The Murray mine;
5. The Totten mine;
6. The Crean Hill mine.

Those complexes requiring close surveillance by frequent sampling, or which required some improvements in the waste handling procedures, were:

1. The Garson;
2. The North mine;
3. The Creighton mine and mill;
4. The Copper refining division;
5. The effluent from the P and Q tailing disposal area in Copper Cliff;
6. The iron ore plant cooling pond overflow to Kelly Lake.

The operations not seriously impairing the receiving watercourses, as a result of the liquid waste effluents discharged, were:

1. The Levack mine;
2. The Froid section;
3. The Coniston smelter;
4. The MacLennan mine.



As a result of a trip that we made to the MacLennan mine area with two gentlemen from the Ontario Water Resources Commission, there is some reluctance now on the part of the commission to admit that maybe the MacLennan mine is not doing a good deal more than had been first anticipated, because there is not even any aquatic life at all, Mr. Speaker, in either one of these creeks; there is not even a bottom!

As I say, they are not pikers you know, they are not satisfied with soil and air, they want to get the whole bit. Mr. Speaker, let us just see what Inco is doing. I am going to relate these, Mr. Speaker, under four headings: The name of the area, the treatment provided, the receiving stream, and the comments of the Ontario Water Resources Commission as to what should be done, or how.

In the first one the name of the installation is Totten mine; treatment provided, very small settling pit; receiving stream marshy area to Victoria Creek; comments, improvement treatment required.

I must comment before I go on, Mr. Speaker, that the Ontario Water Resources Commission did a very good job. It is a case, of course, of the government moving these people, because if it does not, we have a committee in Sudbury that is going to.

Levack mine and concentrator; treatment provided, large settling and impoundment area; receiving stream, Grassy Creek to Moose Creek; OWRC comments, the mine water combined with mill tailings for settling in the tailings impoundment area; high winds affected the quality of the decant.

The Crean Mill mine; treatment provided, settling; receiving stream, small tributary of the Vermilion River; comments, the high nickel concentration should be reduced.

Garson mine; settling; receiving stream is Junction Creek; settling should be provided on a continuous basis.

Kirkwood mine; waste treatment facility under development.

Frood-Stobie mine; receiving stream is Junction Creek west branch; lime neutralization should be continued on a permanent basis.

Stobie section, treatment provided, settling; receiving stream is Junction Creek west branch; comments, neutralization and removal of nickel required.

Little Stobie mine; waste treatment alternatives under study.

Frood-Stobie concentrator; tailings were to be impounded in the central tailings area, an emergency tailing area on Nolin Creek was also to be used; receiving stream, ultimately Copper Cliff area from Nolin Creek during start-up and emergencies; comments, close surveillance of Nolin Creek and the discharge to Nolin Creek is required.

Next installation Murray mine; treatment, settling; receiving body, Nolin Creek—you notice these creeks really get it from both barrels—comments, neutralization and nickel removal facilities required.

Copper Cliff, north portion; underground neutralization and settling proposed; the receiving body—and these next 12, Mr. Speaker, are very interesting because the same creek receives effluent from the 12 different plants—the receiving body for Copper Cliff mine is Copper Cliff Creek; the nickel concentration should be reduced.

Copper Cliff concentrator; settling and impounding is the treatment. The receiving body is Copper Cliff Creek; comments—nothing.

Copper Cliff smelter; segregation and settling; receiving stream, Copper Cliff Creek; a larger clarifier was to be installed; the waste was very objectionable, containing high concentrations of suspended solids, copper and nickel and having a low PH value.

Copper Cliff refining division; the receiving body is Copper Cliff Creek; treatment provided, none; comments, the waste was of fair quality.

The storm sewer; treatment provided, none; Copper Cliff Creek was the receiving body; the copper content was high on the one grab sample, the PH was approaching low values.

Acid plant pond overflow; treatment, neutralization; receiving body, Copper Cliff Creek.

It is all leading to something I can assure the hon. Minister; I am leading up to something.

**Hon. A. Grossman** (Minister of Correctional Services): No, I was just—

**Mr. Martel**: I am not just reading for the sake—

**Hon. Mr. Grossman**: The hon. member has me confused. I do not know which creek he is up.

**Mr. Martel**: I am up Copper Cliff at the present time.



**Mr. W. G. Pitman (Peterborough):** It is the government that are up this creek.

**Mr. D. C. MacDonald (York South):** At least he knows what creek he is up.

**Mr. Martel:** On the nickel content in this creek the comment was "high", Mr. Speaker.

Silver refinery; the receiving body is Copper Cliff Creek; the PH was very low during one sampling period and should be maintained at a higher level.

As fine a document as this is, the one word in here that disturbs me—disturbs me greatly—is not "must"; it is always "should". It is always "should" and this disturbs me.

Iron ore recovery plant; treatment provided, settling and impoundment in tailing area; receiving body, Copper Cliff Creek; the waste was of fair quality.

The pyrrhotite storage pond overflow; receiving body Copper Cliff Creek—

By the way, Mr. Speaker, Copper Cliff Creek is really what it says it is, a creek about 10 feet wide, maybe 15, and it is receiving all of this stuff so generously from the International Nickel Co.

Copper Cliff Creek pyrrhotite plant; this waste was of extremely poor quality.

The cooling water reservoir—well this is relatively unimportant.

The "P" and "Q" tailings impoundment area decant; treatment provided, none, receiving body, Copper Cliff Creek; oxidation of the sulphides in the waste to acid sulphates may be occurring after discharge to the receiving stream.

Mr. Speaker, there are six more areas of Copper Cliff concentration, and to cut it down I am just going to read the comments for each one. The comments: The water in Copper Cliff Creek was of very poor quality; the outflow from Kelly Lake was also of poor quality; sufficient pumping capacity to pump all wastes to the tailings disposal area should be provided; not must, should—the water leaving Mud Lake contained high concentrations of nickel; there may be a phenol pollution problem in Bowlands Bay—one I suggested earlier—investigations must be continued; and the last one, Coniston smelter, the waste was of fair quality, although the nickel concentration exceeded OWRC objectives.

Now, it really bothers me that we would allow one company to do this sort of thing. It is interesting, Mr. Speaker, that, in face of the study that was being done of International Nickel, as late as two months ago

they started to dump in the Moose River—in the face of a study being done! I am told, and I have it written, that they are dumping directly into the Moose River at the present time.

How flagrant can you get? To them, the government does not exist! When does it stop?

**Mr. J. W. Snow (Halton East):** They pay taxes to it.

**Mr. Martel:** They do not even pay that. They do not even pay that.

Interjections by hon. members.

**Mr. Martel:** Mr. Speaker, I want to read the summary; and as I say the job done by OWRC here is commendable. The one word throughout upsets me, and I am hoping that maybe we can get that word changed from "should" to "must".

**Mr. W. Ferrier (Cochrane South):** The hon. member for Wellington-Dufferin will see to that.

**Mr. J. Root (Wellington-Dufferin):** Mr. Speaker, would the member let me ask a question?

He realizes that many of these mines were started many years ago? There are two ways of dealing with the problem. You could lead people or you could drive them. Is he suggesting that we should get an injunction and close these mines down?

**Mr. MacDonald:** Well that is the old, old gag!

**An hon. member:** It may be old, but it is the truth.

**Mr. Root:** Mr. Speaker, I was asking a question of the member for Sudbury East before I was rudely interrupted by the member for York South.

We have a problem in the Sudbury area that is related not only to mining but to sanitary wastes. Hon. members are probably aware that the city of Sudbury is the dirtiest or most polluted city in Ontario; nearly 90,000 people pour raw sewage into the lake.

**Mr. Speaker:** This speech is being made by the member for Sudbury East, not by the member for the resources commission. If he has a question I will be glad to have him place it. If he has not, then he will make his speech at the appropriate time.

**Hon. Mr. Grossman:** It was an improvement though, Mr. Speaker.

**Mr. Root:** Mr. Speaker, the question I wanted to ask is: Does the member want us to give mandatory orders to the mines and to the city or to accept a staged programme where we are gradually bringing this problem under control?

**Mr. Martel:** Mr. Speaker, I do not mind something staged for the city of Sudbury, but this company made \$104 million clear profit in the first nine months of this year. That is \$104 million in the first nine months!

Since 1955, when I worked at International Nickel, those earnings have never been under \$86 million a year. It is time that we held the big stick, and that the rules of our tradition—

Interjection by an hon. member.

**Mr. Martel:** Who is going to do it? They are not investing in the Sudbury area with the prospect of closing down tomorrow. And the profits they are making certainly justify forcing them to clean up and clean up immediately.

Interjection by an hon. member.

**Mr. Martel:** Mr. Speaker, have you ever heard anything so ludicrous!

Interjection by an hon. member.

**Mr. Martel:** Well, Mr. Speaker, I could adjourn the debate but I am not finished, because I am going to be on in the 1969—

Interjection by an hon. member.

**Mr. Martel:** You think I could adjourn it now and come back? You think the House leader would allow that?

Interjection by an hon. member.

**Mr. Martel:** Well Mr. Speaker, in summary—and as I say I want to compliment OWRC for the fine job that they did in drawing this report together—the result of the industrial waste survey conducted at International Nickel Co. of Canada Ltd. in the Sudbury area reveals a number of industrial waste effluents that were unsatisfactory for discharge into natural water courses with respect to one or more constituents. In general, the characteristic of most importance was the low PH of many of the discharges. The acidity of these discharges was unusually high and indicated very little buffering action and the presence of mineral acids. This problem is

not unique in the Sudbury area and may be attributable to the oxidation of the salt-soluble source compound. I am going to be a little generous and not read all that, just what—

Interjection by an hon. member.

**Mr. Martel:** The last step in the waste control programme of the International Nickel Co. Ltd. would appear to be the company-wide adoption of a neutralized system at those locations requiring treatment. "Should" be, "must" be!

Not only would this form of treatment raise the PH to a more satisfactory level, but it would also be designed to precipitate all the metal values for subsequent removal from the waste stream.

However, it is emphasized that waste having objectionable characteristics should not be allowed to enter a water course at any time, particularly from new developments. I concur with this, but I say the old developments have to be cleaned up as well.

As I said, the one statement that does disturb me, and I want to read it into the records, is the company should also take all reasonable steps to minimize the effects of the material on the quality of water. And to that I take great exception, I cannot apply the word "must". And I do not think this government can afford to put the word "should" in there any longer.

In the end, Mr. Speaker, it is the people of Ontario who are going to pay for this. It is not going to be the International Nickel Co. It is going to be the taxpayers.

I want to go on the second part and I drew your attention to the fact that there are 12 areas of industrialization in the Copper Cliff complex that pollute Copper Cliff Creek. I have over the last year, on a considerable number of occasions, raised the fog condition. Of course, this is a joke to some people, but it is not to people that are getting killed. It is my people; 11 of them in eight years in 168 accidents. Maybe it does not matter to you people but it does to me.

We have been successful at last in getting a committee together made up the Ontario Water Resources Commission, a representative of International Nickel, a representative of the town of Copper Cliff and, of course, a representative from the Sudbury Conservation Authority.

Finally, after meeting, I was successful in getting a candidate on—and for a very good reason. I knew that if I did not get

somebody on that committee who is going to have a little backbone, Inco would snow job this thing so bad it would not even be funny.

This is what, in the first two meetings, they have already attempted to do. At the meeting that we had this summer at the Ontario Water Resources Commission office it was decided that certain things were impractical. The Department of Highways had done the best they could do, and this was agreed by all. Then the idea of trying to lift the fog was eliminated. They came up with a new thing in Sudbury. A warning system—you know you get to ring a buzzer—and that will really solve the problem.

Interjection by an hon. member.

**Mr. Martel:** We are going to give the hon. member the job. He can be the official button pusher when they have fog.

Interjection by an hon. member.

**Mr. Martel:** I asked the Minister of Energy and Resources Management (Mr. Simonett) yesterday if we could get the dates on which International Nickel cleans out its waters. We never could figure out why it is polluted.

We did not have fog regularly; there is something that causes fog at certain times. We do not know what it is. But International Nickel dumps its water every so often, and the water is 212 degrees. Mr. Speaker, that is boiling water dumped into this 30 degrees stream. And when Mr. Falkowski asked International Nickel to provide them with a date on which they had cleaned the boilers in the last number of years—to see if we could relate the fog condition which exists on those days to the fact that the water was being dumped from the boilers—the International Nickel reply was, "That is confidential information".

Well, Mr. Speaker, I worked for the railroad and we dumped boilers and there was nothing confidential about it. What is confidential about the days you are going to have your boilers cleaned?

This is confidential because, Mr. Speaker—

Interjection by an hon. member.

**Mr. Martel:** Let's not talk about something else I am talking about boilers.

Mr. Speaker, as sure as I am standing here, the day on which this company dumps those boilers—if we can get that information—we will find out that it is the same

day that we have fog on the Copper Cliff highway. And that is only part of it, Mr. Speaker.

Interjection by an hon. member.

**Mr. Martel:** We are trying to build it up; hon. members opposite are trying to tear it down.

Interjection by an hon. member.

**Mr. Martel:** Mr. Speaker, there is one other interesting sidelight; no one ever thought about what might happen in this.

I was talking to an elderly gentleman not long ago, his name is Mr. John E. Nelson, and he tells me that when he was a boy, 12, 13 or 14 years old when he used to skate—you recall the article states that the creek does not freeze—but he used to skate from Copper Cliff down to Kelly Lake on the creek.

Interjection by an hon. member.

**Mr. Martel:** If hon. members do not mind, it is not an excuse for—

Interjection by an hon. member.

**Mr. Martel:** Mr. Speaker, I really sympathize with you.

Mr. John Nelson—and I want this on the record—lived in the area all his life. He was born in Copper Cliff on Balsame Street. When he was 10, 11, 12 or 13 years old, back in 1913 to 1915, he skated on Copper Cliff creek, from Copper Cliff to Kelly Lake during the winter months. Mr. Nelson states that all the children did this because it was fun.

About 1929, when Inco built a big concentrator, he said, a lot of water was dumped into that creek and ever since that time it has not been used for skating.

Up until recently there was no fog; until Copper Cliff installed a sewage disposal plant—and that's 1959 I believe, 1958-59 that it went into effect—and we have been suffering from the fog condition since about 1960.

So, Mr. Speaker, the argument by the International Nickel Company that it is atmospheric conditions that cause this—well, why did the atmospheric conditions, on a certain given day, only start in 1960?

Interjection by an hon. member.

**Mr. Martel:** Why does the hon. member not be a little sensible.

**Mr. Speaker:** Order, order!

Perhaps the hon. member would find a suitable place now in his address to move the adjournment.

**Mr. Martel:** Yes, I will just finish this section of about half a page, Mr. Speaker.

So you see, the water did freeze in the past, but dumping of water and pollutants into the creek has caused it to remain open year round. The fog is Inco's problem, even if it costs \$1 million, and that is the answer. If it costs \$1 million—their estimates have run this high to run a culvert over that creek—then let it cost International Nickel \$1 million to culvert over the creek.

If they do not want to do that then let them clean up the pollution, but let us get rid of the problem once and for all.

I want to save the tax dollars—I direct this to the Minister of Revenue—and not one cent of expense for this should be charged to this province or the citizens of Ontario.

**Hon. Mr. White:** Listen now, is the hon. member not a little ashamed that he is knocking everything in northern Ontario?

**Mr. Martel:** Mr. Speaker, I am not finished; oh, I am not finished, Mr. Speaker. I might advise the Minister of Revenue I am not nearly finished!

Interjections by hon. members.

Mr. Martel moves the adjournment of the debate.

Motion agreed to.

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, in moving the adjournment of the House in the Prime Minister's absence, I am quite certain he would have me express to you, sir, and through you to the hon. members of this House, warmest greetings for the holiday season. I hope that when they return they will be in fine fettle.

Hon. Mr. Dymond moves the adjournment of the House.

Motion agreed to.

**Mr. Speaker:** Before I declare the House adjourned, may I also, on behalf of the chairman of the committee of the whole House and myself, thank the members for a great deal of assistance, even at difficult times this session, and wish you and yours a happy Christmas-tide, a safe and prosperous New Year and a return reinvigorated on February 4.

The House stands adjourned until 2.30 o'clock, Tuesday, February 4 next, 1969.

The House adjourned at 1.00 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, February 4, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 4, 1969

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our visitors today, in the east gallery, are students from Highland Heights Public School in Agincourt and Saltfleet District High School in Stoney Creek; and in the west gallery from Dalewood Senior Public School in St. Catharines.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports: First, the public accounts of the province of Ontario for the fiscal year ended March 31, 1968; second, the Provincial Auditor's report of the province of Ontario 1967-68; third, the annual report of the Minister of Agriculture and Food (Mr. Stewart) on the Ontario Telephone Services Commission, 1967; fourth, the annual report of the Ontario Food Terminal Board for the fiscal year ended March 31, 1968; and fifth, the annual report for 1967 of municipal statistics of The Department of Municipal Affairs.

**Mr. V. M. Singer** (Downsview): That will put the Minister back in first place—

**Mr. Speaker:** Motions.

Introduction of bills.

## THE SECURITIES ACT, 1966

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Securities Act, 1966.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to require that shareholders of public corporations be notified of material changes in corporate affairs that may affect the value of their shares and that such notification be made within ten days of the beginning of the month following that in which such change occurred.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, on this my first opportunity in the

resumption of the session I would like to extend to everyone a warm welcome back. I can see from the colour of faces that some people have had southern adventures since we last met; and some of us are carrying marks of other adventures we had during the Christmas break.

I was very interested to see, Mr. Speaker, when I looked at the list of questions today, that while the number has not been reduced, the hon. member for Grey-Bruce (Mr. Sargent) did not have any on the order paper. I was rather surprised to see him in the House when there were no questions from him.

However, no doubt he will rectify this omission as the days of this session go on.

Interjections by hon. members.

**Hon. Mr. Robarts:** Before the recess, Mr. Speaker, questions were asked of the government on several occasions as to what we might be going to do in regard to the problem of student unemployment. To forestall questions that will come in the future, I might just mention briefly that we have established a Cabinet committee to deal with this problem and we have done a good deal of work, since I last answered questions in the House.

It is a problem of growing magnitude for several reasons. One, the actual number of young people in our educational institutions is increasing; and two, the rate of retention in our educational institutions is increasing as well. Formerly the question of student employment was a benefit to those who wanted particular employees during the holiday season and it also gave our young people a chance to help finance their own education.

We are very anxious, as a government, to ensure that our young people, particularly in the post-secondary area, have opportunities for employment in order that they may participate in the financing of their own education; because as a government we do not support the principle of free education for everyone right through the educational system.

I would say to you that we have had consultations with many private groups in order that we may, in the first place, develop a

consciousness of the problem among those who are in a position to employ students. We have had very close consultation with the federal government, which operates the manpower offices across the province. In due course we will be able to lay before this Legislature—prior to the time when these young people will be looking for work—a concrete plan to see if we cannot increase the number of employment opportunities.

In examining the government position as an employer, we do not think it is proper or wise that we should enter into any make work programmes; in other words just create jobs for the sake of having jobs. On the other hand, we have gone through every department to make sure that where there is an opportunity for young people to have a meaningful job—meaningful to them and to those for whom they work—we will as an organization employ as many as we can.

We think the other approach that might very well be taken is that if we can make the general public fully aware of the social implications of the problem then we can involve a number of employers. It may not be a great deal in terms of numbers for individual firms, but if you can get 10,000 employers to perhaps employ two people in the summer, you can go a long way to solving the problem.

I think the real answer to it will lie in creating among those who are employers an awareness of the fact that this problem is not going to just go away taking into account the educational institutions that we are creating as part of our system. Indeed the problem will not only not go away, but it will intensify in the years that lie ahead. Therefore we must take concrete steps.

As I say, I hope we will be able to impress upon those who have the means and the facilities to employ students, the seriousness and the need so that before the summer recess from school we will be able to lay before this House a more detailed programme than I am able to give this afternoon. But I want members to know that we are working on it very vigorously.

Mr. Speaker, before the orders of the day I would like to table answers to questions 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 standing on the order paper. (See appendix, page 1005).

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker on a point of clarification as far as the Prime Minister's statement is concerned, I wonder if he can explain to the House whether the administration is looking

forward to providing an agency to put these young people in touch with employers or whether they are looking forward simply to an education programme to enlarge the field of employment.

Hon. Mr. Robarts: Mr. Speaker, the agency with which we are co-operating is the Canada manpower organization which has offices right across Ontario and which listed a great many students last year. There is no point in our attempting to set up an arrangement which duplicates that. These offices are strategically located across the province and we feel that by working in conjunction with them—and we have already had discussions with them—we can use their services for this purpose.

Mr. Nixon: Mr. Speaker, I have two questions for the Prime Minister:

One—Has Ontario agreed to the revised agenda for the federal-provincial conference next week?

Two—Which probably is related to the first—will the Premier explain why he supports a move by western Premiers to have the constitutionality of the federal Official Languages Act reviewed by the Supreme Court of Canada?

Hon. Mr. Robarts: Mr. Speaker, in answer to the first question: Yes, we have agreed to the agenda.

The Prime Minister of Canada wired me yesterday asking if it would be agreeable if he were to table the correspondence in the House of Commons, which I assume he has done this afternoon; and I will table copies of our correspondence dealing with the agenda here in order that this may be available for anyone who wishes to examine it. But in answer to your question we have approved the agenda.

I would simply say this, that I do not think our approval of the agenda necessarily constituted a hard and fast agreement as to the order in which the items in the agenda are listed. It is a rather full agenda, and like anything else it has to have a beginning. We made some suggestions which were automatically put on the bottom of the agenda as originally published, so that I do not think our approval of the agenda necessarily indicated that we agreed the items on the agenda would be taken in the order in which they appear.

We have no strong feeling about this. Probably the conference itself would make that decision when it convenes.

In answer to the second question concerning my support of a move by western Premiers. I got a transcript—this came out of a press conference I had yesterday, all of which was recorded—I got a transcript of what I in fact said.

It was not my intent to say that I supported the position of the western Premiers. As far as this government is concerned we do not think it would be necessary to challenge the constitutionality of this particular bill. On the other hand, what I did say was that if there is doubt in anyone's mind, in my personal opinion it should be resolved. In other words if there is a difference in legal opinion as to whether the bill is constitutional, it is such an important bill and it is going to have such an effect on this country, that in my humble opinion this matter should be settled so that we proceed on the basis that it is a piece of legislation that is in all respects constitutional.

I did say, and perhaps this is where the misunderstanding came in at the press conference, I said if the bill were challenged Ontario would, of course, be represented before the Supreme Court when the Supreme Court dealt with the bill. I did not say that we supported their position. I assure the House that as a government we would not institute a challenge to the bill on the basis of its constitutionality.

**Mr. Nixon:** Mr. Speaker, if the Prime Minister would permit a supplementary question, I wonder if he has had advice from his own law officers casting some doubt on the constitutionality, and if there is going to be a review by the Supreme Court, would he have a participating brief in the review?

**Hon. Mr. Robarts:** It has been indicated to me that there might possibly be some doubt that could be raised. Now I believe—

**Mr. Nixon:** This is the Premier's own advice?

**Hon. Mr. Robarts:** Yes. But the advice that I get from our own people is they do not think it is a strong ground. Now it seems to me, and I have read some discussion in the press, I believe Mr. Justice Thorson at some stage said that he thought it was unconstitutional—

**Mr. E. W. Sopha (Sudbury):** Not much authority!

**Hon. Mr. Robarts:** Well that is the opinion of the hon. member; that is his opinion of the judges of our courts.

**Mr. Sopha:** That is the Exchequer Court.

**Hon. Mr. Robarts:** Is that not a court of Canada? In any event, I am not here to discuss the capabilities of Mr. Justice Thorson. I simply say that Mr. Justice Thorson expressed an opinion with which the hon. member for Sudbury does not agree, and that of course is his privilege.

I understand that the federal government has been advised that it is constitutional. I do not know what advice the western Premiers have had.

**Mr. Sopha:** Would the Premier's people present briefs?

**Hon. Mr. Robarts:** I am inclined to doubt that we would. I am quite certain if it does come before the Supreme Court this government will be represented there, but we will not necessarily take a position one way or the other.

This is our position, for whatever it may be worth. But my point is simply that if there is doubt and if there are opinions honestly and truly held by lawyers that there is some possibility that it is not constitutional, it is a very fundamental matter to our country and I would hate to see the whole thing started out on a base that could be considered by some people to be not constitutionally sound.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Minister of Energy and Resources Management, which I will ask in a moment after I question the Attorney General.

Has the Attorney General investigated the case of Michael Gordon Finnis with a view to providing assistance more humane than the due processes of the law in this case?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I received a very full report on this case from the Crown attorney for Metropolitan Toronto and I have perused the report which I have before me; I am entirely familiar with the circumstances.

I would like to point out, Mr. Speaker, at the outset, that a great deal of the delay, if it may be called delay, was due to our concern—concern of the Crown attorney, the concern of the court and the concern of counsel for the accused, about the condition of this man. It was our initiative actually which led, I think, to this matter being delayed so he might have a full psychiatric examination.

It has been noted in the press that three months of the delay were with the full agreement of the individual concerned and of his

counsel, because that period was necessary to carry out the necessary psychiatric examinations. Those psychiatric examinations were directed by the court.

Upon the return of the accused man to the court in the late summer of last year, arrangements were made for the preliminary inquiry which was held on September 19, after which the accused was committed for trial. There was no further communication with the accused's counsel until the end of November of last year, and then the trial could not be arranged because of the grand jury situation—it was necessary to have the matter considered by the grand jury—in the matter of the indictment.

When the true bill was returned, counsel for the Crown suggested to counsel for the accused that the Crown would accept a plea of guilty to be included with the offence of theft. At that time counsel for the accused indicated that he intended to fight the case, or defend the case on its merits, and possibly was considering a plea of insanity.

**Mr. Nixon:** Was that on the charge of robbery or theft?

**Hon. Mr. Wishart:** They would accept a plea on a charge of theft, counsel for the Crown suggested the acceptance of a plea on theft. Counsel for the accused indicated that he intended to defend the charge on its merits and would possibly consider a plea of insanity.

It was pointed out by the Crown—and I make this point—that such a plea of insanity, if accepted, would result in this man probably being incarcerated in an institution such as the hospital at Penetanguishene for a long period of time.

When the man came to trial eventually, the plea of guilty on theft was accepted.

Mr. Speaker, having reviewed the matter to this extent it is my view that the matter did proceed with full and complete consideration of what was best for the accused; I would say having his best interest, considered by the court, by Crown counsel and by his own counsel.

As to the matter of bail, there was no application made by his counsel for reduction in the amount of the bail which was fixed on the original application. I would suggest that bail in the amount of \$1,000 was a reasonable, usual amount of bail for a charge of this kind. No application was ever made to have it reduced. Had that been done I am sure it would have met with full consideration. It was never suggested that it be reduced.

Now, Mr. Speaker, I would like to say that sentence is to be passed in a few days' time. I think it will be our obligation—the obligation of all concerned—to determine the type of institution for this man who has to undergo psychiatric examination. It is a rather difficult complicated case, but in view of the circumstances there has not been undue delay.

**Mr. Nixon:** Mr. Speaker, if I might put forward a supplementary question, and we can perhaps pursue this on another occasion—surely the Minister cannot agree that in the circumstances of this case, as they have been divulged, where the unfortunate chap with the mental age of seven or eight is the accomplice of a child in a stick up, and is so unsensible as to try a hold up with a toy pistol, that the humane approach has been to maintain the \$1,000 bail and keep him locked up on charge for that period of time? I am talking about a humane approach. Surely our system could have done better under the circumstances?

It may well be when the judge brings down his findings and his verdict, that society, or some other department of government, will accept this problem; but I feel that The Attorney General's Department has been remiss in this, that they are treating it just the same as any other case.

**Hon. Mr. Wishart:** To the question, Mr. Speaker, I think—and this is my private opinion—I would perhaps partly agree with the hon. member, that in the particular circumstances of this case something might have been done in the matter of bail to let this man have some sort of freedom, perhaps in an institution so a psychiatric examination might have been continued. But I would point out on the matter of the delay that after the true bill was found, some time at the end of last year, it was not possible, largely through the inability of his counsel to find a new date, to fix a trial date for him until January 27 of this year.

**Mr. Nixon:** So his counsel was to blame!

**Hon. Mr. Wishart:** Well his counsel had a very full docket of cases on his hands and could not find a suitable open date. Furthermore, I think it is fair to say, and I did not say this in my first reply, that on January 27 this same defence counsel was speaking to and suggesting a further delay, to which Crown counsel strenuously objected.

**Mr. Nixon:** While this gentleman sat in jail!



**Hon. Mr. Wishart:** It was Crown counsel who insisted that this matter get on for trial.

Now I am prepared to say that, perhaps to agree, to some extent, something might have been done having regard to the circumstances in which the man was kept. But since he had eminent counsel; one would have thought he might have made an application for reduction in bail or tried some other means. That was not done.

**Mr. Nixon:** Last question, Mr. Speaker, to the Minister of Energy and Resources Management: Does the system of rotated work stoppages by the Hydro employees seriously threaten the supply of energy, in view of the fact that the unions have emergency crews available?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I will have to take the hon. member's question as notice. I will try to give him an answer in the morning.

**Mr. Nixon:** Mr. Speaker, the Ontario Hydro has been making a number of statements with regard to this; surely the hon. Minister is aware of the facts of the case, or should be.

**Hon. Mr. Simonett:** Mr. Speaker, I am not aware of the facts. I have some statements from both sides.

I might say that I was unable to get any of the officials after I received the question, so I would like to get it from the officials of the Ontario Hydro.

**Mr. Nixon:** Okay!

**Mr. Singer:** The lights could be going to go out and this Minister still does not know about it.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have two questions for the Prime Minister.

The first one: When did the province of Ontario sign a new tax rental agreement with the federal government, what period does it cover and how do its terms differ from the agreement in effect for the past two years?

**Hon. Mr. Robarts:** Mr. Speaker, dealing with tax rentals *per se*, the first tax rental agreement was signed, I believe, in 1941, as a wartime measure. It lasted until 1956; payments on that tax rental agreement were on a per capita basis. That is where the provinces first lost control of their share of the field of direct taxation.

Then between 1957 and 1961 there was a second stage of this operation. It is not known

as tax rental agreements, they are called the federal-provincial tax sharing arrangements. By the end of that agreement we were receiving an abatement of 13 percentage points. This is where the abatement approach began and by 1961 we were receiving abatement of 13 percentage points of the personal income tax and we passed legislation here to provide for a tax collection arrangement—the hon. member is, I presume, referring to the whole total of all these matters—which is the third phase.

The 13 percentage points of the personal income tax went on until 1961. Then we negotiated a five-year—well we did not negotiate, we were handed—a five-year tax sharing arrangement which covered the period 1962 to 1967. It was varied during the course of its operation, but by 1967 it had reached an abatement of 28 percentage points of the personal income tax.

In 1967 the arrangement was projected for two years only, if members will recall, in order that we could get the results of that ill-fated organization called the tax structure committee, which results were completely ignored by the federal government in the arrangements we made. So we undertook an extension for two years, which is to 1969.

Arrangements have not been changed since that time, so we are working under that latter arrangement now. We have no indication when or how we will get down to negotiate after this two-year period is complete which will be in this year, 1969. At the present time we have 28 percentage points of personal income tax being abated, and I believe 11 percentage points of corporation tax. Then of course, also in the agreement are all the arrangements for the federal government to collect those taxes and remit to us.

**Mr. MacDonald:** Mr. Speaker, do I understand the Prime Minister correctly, that the tax rental, sharing, collection agreement—whatever you want to call it—that has been in effect for the last two years is still in effect, or has a new one been negotiated in the very recent past?

**Hon. Mr. Robarts:** There has been a tax collection agreement to provide for the mechanics of tax collection, but on that portion of the agreement itself under which abatement figures are set up, we are still continuing with the arrangement that we established for a two-year period.

**Mr. MacDonald:** There is no change?

**Hon. Mr. Robarts:** No.

**Mr. MacDonald:** My second question to the Prime Minister, Mr. Speaker, is a three part question.

Is it correct that elevator operators and telephone switchboard operators were locked out from the Hydro head office, 620 University Avenue, this morning? Second, does this action by Hydro management represent government policy in the present labour dispute? Third, if not, what steps will the Prime Minister take to prevent similar provocative action by Hydro management?

**Hon. Mr. Robarts:** Mr. Speaker, this is a new type of strike that is being conducted by the employees of Ontario Hydro. What happened in this instance was certain personnel that the member mentioned—I believe elevator operators and telephone switchboard operators—went on strike for one day and so Hydro, in order to maintain its service, replaced them. Then three hours before the next day was due to commence these people—the strikers—reappeared and said: “We want to work today.”

This is the rotating strike the union has developed to meet this situation.

Well of course Hydro was left with the employees that they had hired for the previous day when the strikers were not there and, given only three hours’ notice, they left the new people whom they had hired on the job. As far as I can understand, the other employees will come back when the replacements’ period of employment comes to an end, which I assume will probably be tomorrow.

That is in effect what happened. If the hon. member can call that a lock-out of the employees who went on strike one day and then wanted to come off strike and back to work the following day, I do not think the term “lock-out” is exactly correct.

The second question: “Does this action by Hydro management represent government policy in the present labour dispute?” I can only say, Mr. Speaker, that government policy in labour disputes, unless the law is broken, allows the two parties to work out their own arrangements—it is their dispute, they do not want the government to interfere and we do not want to interfere, so there is no question of government policy being involved in this; it is a question of the employer and employee dealing with the situation in which they find themselves in industrial disputes.

Thirdly, “what steps will the Prime Minister take to prevent similar provocative action by Hydro management?” Well, I can only say that we do not intend to interfere in this dispute unless and until the public interest

is affected, and we hope that it will not be affected and that the usual processes of settlement of these affairs can be followed. We have no intention of interfering in the strike one way or another, other than offering the services of The Department of Labour and their mediation people in order to attempt to bring about a settlement. I think that covers the third question.

**Mr. Speaker:** The hon. member for York South has a question left over from the previous portion of this session addressed to the Minister of Financial and Commercial Affairs. It was mentioned in the House on December 20 and I have it marked: “Sent to the office of the Prime Minister”. It is in connection with Mr. Philip Wynn. Has that been dealt with in the recess and should it be withdrawn?

**Mr. MacDonald:** I think, Mr. Speaker, that it should be withdrawn, unless the Minister is in a position to indicate that he has developed tactics to cope with this character?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I would simply say that there is no provision in The Consumer Protection Act which would enable personnel in my department to enforce judgments.

However, the fact is, as all hon. members are aware, that the recommendation of the Ontario Law Reform Commission dealing with landlord and tenant relationships were tabled recently in the House, and these recommendations are under study by the government.

**Mr. Speaker:** Perhaps if the hon. Minister has any other answers we will come to them at a later time. The hon. member for Sudbury has a point of personal privilege?

**Mr. Sopha:** Mr. Speaker, I rise on a point of personal privilege and with very deep feelings of anger to protest to you the scandalous treatment accorded to me as a member of this assembly. I speak as one of 117 members elected to this Legislature to attend to the business of the sovereign people of Ontario.

I rise, sir, to protest in the strongest possible language against the grossly inadequate facilities provided for me, presumably by you, sir, as custodian of my rights, and as the servant of all of us, to carry on my work as the elected representative of 80,000 citizens in the city of Sudbury.

I was simply aghast to find on my return to my legislative duties a few days ago that someone without any prior consultation with

myself transported my desk, telephone, and personal belongings and papers from its previous location in the west end of this building to a narrow partially partitioned cell measuring 5 ft. x 7 ft. in the east end of the building. There I find myself herded in with sixteen of my colleagues who, like myself, are expected to do our executive work as legislators of this province.

I say to you, Mr. Speaker, that an inspection of the fire marshal of Ontario would probably have held you responsible for placing our very lives in jeopardy. I go further and say that the health authorities of the province, and I have drawn this matter to their attention, could only find that we are subjected to a dangerous health hazard. But above all, in giving your sanction, if you did so, to these squalid arrangements, we have been subjected to humiliation and insult. Is this the measure of our importance as members of the supreme body of this province that we should be committed to a space less than that usually allocated for the housing of sheep and cattle, while so inconsequential a person as an executive assistant to a Minister without Portfolio is provided with a private office?

After all, sir, I share one thing in common with you. We are both elected representatives of the people. The rest of us have exalted you to the role of servant of all. Therefore, sir, just contrast the surroundings and material comforts and secretarial staff provided for you with the miserable facilities provided for us.

Contrast the luxurious quarters provided for the Ministers across the way with wall-to-wall broadloom, private bars, and refreshment refrigeration with the rabbit warren to which we have been committed. It is a case of everything for the gentry and nothing for the commonalty. Contrast our facilities with the opulence of those provided for Milton Carmen of the arts council—the cultured czar of Ontario in the Britannica Building—with what has been foisted on us.

Contrast our quarters with the corner office suite and mini-skirted secretaries provided for Mr. William Kinmond, social engagements secretary to the Prime Minister. Indeed everyone of the Prime Minister's staff, and there are seven or eight of them have private offices. Contrast our quarters with the fancy and elaborate offices placed at the disposal of the free holders on the government side; pardon me, the freeloaders—there is a typographical error—the freeloaders. The Vice-Chairman of Hydro, the member for Dufferin-Simcoe, the member for Wellington-Dufferin,

and many others, and indeed the Chief Government Whip, who without so much as a by your leave sequestered to himself what formerly served as a mere cloakroom for the use of all 117 of us.

Mr. Speaker, private offices are even provided for the ladies and gentlemen of the press. I say to you that these so-called offices assigned to us are simply the measure of the low esteem in which the Opposition members are held by the government. I want to make it clear to you and to the government that under no circumstances will I demean myself by accepting this humiliation. Under no circumstances will I risk my health and my life and above all my dignity in this prison-like environment, and I hope that the others will follow my example.

Mr. Speaker, there has been a great exodus from this building in recent days. The west end of the fourth floor, and a portion of the east end of the building has been vacated. Mr. McRuer, Mr. Leal, the solicitors of the Attorney General has been moved to luxurious and expensive offices down town. Why has not that vacant space been placed at the disposal of the members instead of providing additional private snuggeries for the Ministers?

By what right does the Minister of Social and Family Services claim another office in this building when he nestles in the lap of luxury in the new complex—two minutes' walk across the way? And the same goes for the Minister of Correctional Services—and the Minister of Labour, and the Minister of Agriculture and Food. Why should they have two suites of offices while we as private members are squeezed into a space 5 x 7 ft.? Why so much luxury for the mediocrity?

Mr. Speaker, only a few days ago the government broke into the press with the announcement that a further increase in members' salaries is in the works. It was further suggested by the ubiquitous Whip that all parties were agreed that there should be such an increase. Well, Sir, this is news to me because I was not consulted. I have said on more than one occasion from my place in this House that the matter of first priority with members is the provision of adequate offices and secretarial assistance in order to carry out efficiently the responsibilities entrusted to them.

I am in complete agreement with the editorial in the *Globe and Mail* of this morning which in its totality questions our importance. It is patent that we are of little importance because we are herded into a

space 5 x 7 ft., and expected to carry out our duties in the prayer stall and not complain. If those quarters are the measure of our importance then perhaps we should give the tax payers a refund of our indemnity.

Finally, Mr. Speaker, I say to you, with the greatest respect and in deference to you in knowing that you realize it full well yourself after the many years of experience you have in these Chambers, in knowing your deep affection for membership in this Chamber, that my first function in this House with the other 116 people with whom I have the honour to be associated doing the business of the second largest organization in Canada, spending more than \$3 billions is to serve the interests of the people of Sudbury, and beyond them the whole of the body politic of Ontario. What has been done to me is the perpetration of an indignity upon those who sent me here and over the weekend I was made aware by almost all I came in contact with in my own constituency that they resented it. They know of me that in Sudbury I rent a thousand square feet of office space; that I pay \$340 a month and I employ four people. I have adequate space and I am asked to come down here to conduct a \$3 billion business in a cubicle 5 x 7 ft.

To conclude I charge upon the government a wilful and cynical attempt to demean and humiliate the Opposition and to downgrade the role of the private member. The government has in effect informed the citizens who elected us to this assembly that our status is below that of a junior clerk in the civil service, many of whom have quarters far superior to our own. Nothing, sir, will satisfy me less than being provided with office accommodation commensurate with the role that I play in the legislative process of Ontario.

I challenge the Prime Minister, and his colleague, the Minister of Public Works, that when they hold the gala event they have planned for February 17 next to mark the opening of the new buildings across the way, they invite all of those who attend, to walk over to this building to see what has been provided to Members of the Supreme Legislative body of Ontario. Those who respond to the invitation will draw the only conclusion that must follow from a view of those premises.

**Mr. Speaker:** Well I may say to the hon. member, and to the other members of this House, that the matter which he has raised is one that is not unknown to those of us who have been in this House not just in this

Parliament but in preceding Parliaments, and that Mr. Speaker, as well as the officials of The Department of Public Works, are well aware of the situation.

I can assure the hon. member and all members, that insofar as space is available, it is being re-assigned and will continue to be re-assigned for the use of the members in this building.

I would also point out something which we all know; that it is not possible to do everything we wish at the time we wish it and whether we like it or not, we must progress at a rate which the accommodation services apparently can manage.

The matter is certainly, as far as Mr. Speaker is concerned, not closed. I took the occasion yesterday to go over the new quarters with the appropriate officials of The Department of Public Works and I have formed my own conclusions with respect thereto. I have discussed this with them, not with the Minister, but with his officials who are in charge of this problem. I have discussed it with the leader of the official Opposition and I shall discuss it with the leader of the government and I can assure the hon. member that there is a great deal of truth in some of the matters which he raises and that there are things which must be dealt with and which will be dealt with.

I would, therefore, respectfully, suggest to him and to the other members concerned in this particular move, that until Public Works are able to provide some better accommodation, this might usefully be employed by those who do wish to continue to work in the buildings.

Further than that, I have nothing at the moment, that I can usefully say. I will also take the opportunity of having the whole matter discussed by the Speaker's House committee, which I shall be calling to meet either this week or next about many matters. They have been kept in touch pretty well, I think, by Public Works with what is going on and I shall invite the department to send its representatives to this meeting so that the members, through their committee, may be informed as to not only future plans, but progress which is anticipated.

**Mr. L. M. Reilly (Eglinton):** Mr. Speaker, the hon. member for Sudbury has made mention of some things concerning the chief Whip and I think that it is only fair at this time that—

**Mr. Speaker:** Order. If the hon. member has a point of privilege he is entitled to speak;

he is not entitled to debate with the hon. member who has raised the point of privilege.

**Mr. Reilly:** Thank you, Mr. Speaker. I would say, first of all, I would like to lend support to many of the statements that the hon. member for Sudbury has made. I think that most members in this House agree that the space that has been provided for members is inadequate.

**Mr. Speaker:** Order. The hon. member is now debating the point. He is not speaking to a point of personal privilege.

**Mr. Reilly:** Mr. Speaker, the hon. member for Sudbury referred to the elaborate and fancy premises that were occupied—and as a matter of fact, sequestered, he suggested—by the chief government Whip. What I would like to suggest, Mr. Speaker, is that there is nothing fancy or nothing elaborate about the offices of the chief government Whip.

**Mr. G. Bukator** (Niagara Falls): We will trade places with you.

**Mr. S. Lewis** (Scarborough West): These things are relative—

**Mr. Reilly:** Mr. Speaker, I doubt if there was another construction modification in this building that was as cheaply done as the chief government Whip's office. Do you know what is done in the chief government Whip's office, Mr. Speaker? The cheapest of materials—

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Reilly:** Mr. Speaker, may I remind some of them who may know very little about construction materials, that there is gyproc sheeting used as a partition, seven feet high under 15-foot ceilings. If you want to compare what has been done in some of the Liberal offices with false ceilings, with flush lights—

Interjections by hon. members.

**Mr. Speaker:** Order.

**An hon. member:** We have flush lights in the washroom.

**Mr. Speaker:** Order, order!

The hon. member is now getting into a debate again. I would be glad to listen if he has anything further to say with respect to the matter of privilege on his own quarters.

**Mr. Reilly:** Thank you, Mr. Speaker. What I was pointing out to the members of this

House is that the lighting that you see in the chief government Whip's office you will see in most factories in Toronto, and the partitions that you see, instead of going to the ceiling, are only seven feet high.

May I suggest to you, as fair-minded members of the Legislature, who are interested in the economy and efficient use of space in the Legislature, that over there, there was room and accommodation for 117 members in the cloakroom. The attendants told me that there were approximately six to eight of those used by the members.

**An hon. member:** That is nonsense.

**Mr. Reilly:** All right, it is nonsense. Let me tell you that we have accommodation in the entrance to the west lobby right now, in which there is provision made for 30, but if you were to go out there now, six of them are in use.

**Mr. Speaker:** Order! I would point out to the hon. member that the Speaker's House committee and Mr. Speaker gave up that accommodation for the purpose of providing an additional committee room in these buildings and it was not so provided. However, the additional committee rooms are now being provided and it was upon that basis I presume that this change was made. I think this matter has been sufficiently debated. I do not think the hon. member has anything further that he can usefully add.

**Mr. Reilly:** Mr. Speaker, I know you want to be clear. As far as I am concerned, I had indicated to the hon. Minister of Public Works that we did not care where this space was, and we were not married to the space and we would move anywhere. But bear in mind there is a wall three feet thick between our centre office and the former cloakroom. This wall has a door opening through it leading into the adjacent premises and lends itself to "natural" expansion and is the business-like thing to do.

One other thing I would like to point out, Mr. Speaker, is that the hon. member for Sudbury has indicated that he had charged the government with a wilful and cynical effort to demean its members.

Interjections by hon. members.

**Mr. Speaker:** Order, please. The hon. member may speak with respect to anything that impugns his privileges as a member of this House; he has done so. Now he wants to speak on the point that has been raised by the member, which may affect all of us,



or all members of the government, if not all members of the House. I do not think it is in the order of things that the hon. chief government Whip should reply to that, at this time, in any event.

**Mr. Reilly:** Mr. Speaker, only to this point, that he involved me, and as I understand it, anything that comes before our caucus we discuss as a caucus. I know that anything that goes before the New Democratic members, they discuss as a caucus. I assume that the members of the Liberal Party discuss them as a caucus. If so, those things were approved by the members of the Liberal Party and if the hon. member for Sudbury was not there at the caucus, well, that is another matter.

**Mr. F. Young (Yorkview):** Mr. Speaker, I do not want to prolong this so-called debate unduly, but we have a House committee in this Legislature which deals with certain matters. It just seems to me that that House committee is the committee which should have allocated the space. Out of the remarks of the hon. member for Sudbury came the question as to how the Whip was able to appropriate this space for himself. We have not got that answer. Where did the permission come from? The House committee—

**Mr. Speaker:** Order! The hon. member is now attempting to debate or question a matter which is not before the House for purpose of debate. The only thing that is before the House is the matter of privilege raised by the hon. member for Sudbury, and the hon. member for Eglinton is quite within his rights to speak to the matter of privilege as his privileges were infringed, in his opinion, by the statement of the other member.

Therefore, at the moment, unless there is a point of privilege affecting any member at this time, this matter is closed.

**Hon. Mr. Robarts:** Mr. Speaker, I have a question or point of privilege of the government and perhaps I can speak to that.

I recognize the difficulties the hon. member for Sudbury points out, and the members might be interested in the approach of the government to the overall problem raised here. Without going back into any ancient history, it is not so many years ago there were offices in this building for probably 12 or 14 members, and no more, out of the total number who sat in the Legislature at any particular time. As a backbencher, I did all my dictating from my seat right in this Chamber. That was my office. I recognize that things change, but it is not easy to

provide—overnight—100 private offices with accommodation for secretaries.

The government's long-range plan—and we have been working on it for some time, although it does not have absolute, complete, supreme priority in everything the government may do in the area of providing accommodation—the plan to which we are working and why these changes have taken place and why civil servants have been moved out of this building, is that we will have enough space in this building to look after the interests of the members and of those who are associated with making this Chamber an efficient working body. Of course, these changes come about very naturally with the increase in the length of the session, and the increased workload individual members are expected to carry compared with former years.

Eventually we hope to take over the entire north wing, which used to house The Department of Education. We hope to be able to provide there, accommodation for the members a good deal better than that which presently exists. These plans are made and they will take some time to carry out.

**Mr. MacDonald:** But they were made and broken.

**Hon. Mr. Robarts:** I do not think they were made and broken. I do not wish to enter into an acrimonious debate; I know the hon. member for Sudbury had his opportunity to berate us and with that I am quite content. But I would point out that these plans were submitted to the leader of his party before the moves were made. If these places are unhealthy, we may reverse the whole situation and put it back where it was before.

What The Department of Public Works is in fact trying to do is to provide temporary accommodation in order to give more space to the members as fast as space becomes available. Perhaps they move too quickly, and if you do not want it that way, I suppose we can move everything back to where it was previously and we will wait until we can do it in a more orderly and a more permanent fashion. Because it was never the intention of the government that these offices—which the hon. member for Sudbury is complaining about, and I can understand his point, because five by seven feet is not very large although it might be better than three in one office—should be permanent. It is a temporary arrangement. If it is not suitable as a temporary arrangement, we will make some other arrangement.



The Department of Public Works is simply trying to bridge this gap until we can get sufficient space. It may be small consolation to those involved, but with a little patience I think we will work the problem out. I lay before you the fact that this government has long-range plans to provide what we consider adequate accommodation not only in this area but in dining facilities and things like that.

**Mr. A. B. R. Lawrence** (Carleton East): Mr. Speaker, briefly to come back to the point of privilege as originally raised, I would like no impression to be left in the minds of the media or the public from the remarks of the member for Sudbury that the Opposition situation or conditions are any different, as far as I can see, from those of a private member of the government side.

**Mr. O. F. Villeneuve** (Glengarry): Better.

**Mr. A. B. R. Lawrence:** In other words, I would like to have it clear to the public, certainly of my own riding, that our conditions are the same. We are not in more luxurious surroundings than the member for Sudbury.

**Mr. Speaker:** We perhaps will now return to questions before the orders of the day, and today we follow the list of the Ministers by their appointment. The first question is from the member for Yorkview, of the Prime Minister.

**Mr. Young:** My question of the Prime Minister, Mr. Speaker, is this:

In view of the Prime Minister's statement yesterday that he favoured a lower voting age, and in view of the refusal of the Conservative members on the select committee on election laws on two occasions to recommend lowering the voting age, will the Prime Minister comment on this apparent policy division at government level?

**Hon. Mr. Robarts:** Mr. Speaker, I can say in the first place I am not privy to the deliberations of the election committee so I was not aware there had been two votes by the Conservative members one way or the other. I do not know whether he is referring to the previous election committee or the present election committee.

**Mr. Young:** The present one.

**Hon. Mr. Robarts:** But that is up to the committee itself, and I do not think it is a question of government policy or government position, whatever the committee may do, or

even whatever it recommends. Committees make recommendations to the government; they do not originate legislation or policy, so that there is no connection between what any member of that committee might do and what the government might eventually decide upon.

I might say that I have altered my opinion. There was one stage when I had great doubts about lowering the voting age, and I have changed my mind at least to the extent I indicated yesterday on this question. It may be that some other members may have been in the same position, come to some conclusions some time ago and have changed their minds, but they are all free to have their own opinions. When the time comes to revise The Election Act, the government will have to make up its mind what it is going to do and stand or fall on that decision.

**Mr. S. Apps** (Kingston and the Islands): Mr. Speaker, on a point of order, I would like to query the member for Yorkview in connection with his statement that there were several members of the election law committee who disagreed with the lowering of the voting age. I am a member of that committee and I do not know of anyone who has any disagreement with the lowering of the voting age.

**Mr. Young:** Mr. Speaker, this matter was thoroughly debated, a vote was taken and every Conservative member voted against the recommendation to lower the voting age to make that recommendation at this time.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Apps:** That is not correct.

**Mr. Speaker:** As hon. members see, this is what happens when a little leeway is allowed in these matters.

**Mr. Apps:** Well Mr. Speaker, I cannot let him get away with that statement.

**Mr. Speaker:** Order!

Will the hon. member resume his seat when the Speaker on his feet, please!

The hon. member for Kingston and the Islands asked if he could put a question to the hon. member; and of course what should have been done was that that permission should have been refused because it is not allowed by the rules. On the other hand, it seemed advisable to clear the matter up.

It has not developed into a debate, and I now rule that any further investigation of the matter at this time is out of order.

The hon. member for Windsor-Walkerville has a question of the hon. Minister of Health.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, my question to the hon. Minister reads as follows:

In view of the fact that psychiatric facilities for children in the Windsor area are grossly insufficient and that plans to remedy this situation will be delayed for approximately two years, will the Minister reconsider the decision to postpone the implementation of a children's psychiatric unit in Windsor?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I have not made any decision to postpone the development of a regional children's centre in Windsor. My staff will continue to promote the development and assist in the further development and expansion of this service as rapidly as possible.

**Mr. Speaker:** The hon. member for Scarborough Centre has a question of the Minister of Financial and Commercial Affairs.

**Mrs. M. Renwick** (Scarborough Centre): A question of the Minister of Financial and Commercial Affairs:

What was the purpose of the Minister's recent luncheon at the Skyline Hotel; how many people were invited; what particular groups were invited; and how much did it cost?

**Hon. Mr. Rowntree:** Mr. Speaker, the luncheon on January 29 last at the Skyline Hotel was part of a one-day consumer protection conference sponsored by The Department of Financial and Commercial Affairs. The intent of these conferences and the reasons for inviting delegates to lunch or dinner are outlined in an answer given to a similar question on page 266 of *Hansard* under date of December 2, 1968.

The second part of the question: The luncheon was attended by 630 persons who represented 187 different organizations.

The third part of the question: The conference was attended by individual consumers, representatives of the clergy, consumer organizations, trade unions, service clubs, the judiciary, senior citizens, welfare organizations, credit unions, the automobile and credit industries, the banks, federal government agencies such the Canada Manpower Office, home and school associations, local boards and local government; and in fact interested per-

sons from what could be described as a broadly-based cross section of community life in the west end of Metropolitan Toronto.

The answer to the fourth part of the question is \$2,242.50.

Now Mr. Speaker, there is outstanding a question from the hon. member for High Park having to do with—

**Mr. Speaker:** The hon. member has a supplementary question, I think.

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

I was wondering if the \$2,000 was for the overall conference? I was speaking, of course, only of the luncheon.

**Hon. Mr. Rowntree:** No, there were other expenses, probably involving the rental of rooms and so on.

**Mrs. M. Renwick:** Then Mr. Speaker, may I ask of the Minister: The \$2,240 was the cost of the luncheon?

**Hon. Mr. Rowntree:** That is correct and that was the question asked of me.

**Mr. Speaker:** The hon. Minister has an answer to a previous question.

**Hon. Mr. Rowntree:** Now with respect to the Nairn matter and the question from the hon. member for High Park (Mr. Shulman): Let me say this, Mr. Speaker, that I am not empowered to intervene in the manner suggested by the hon. member.

Regulations under The Used Car Dealers Act provide for forfeiture of the \$5,000 dealer bond: (a) where an offence has been committed under the Act; (b) where an offence involving fraud or theft or conspiracy to commit an offence involving fraud or theft has been committed; or (c) where a judgment based on a finding of fraud has been given against a registered used car dealer or where proceedings have been taken under The Bankruptcy Act.

Mr. Speaker, none of the conditions outlined were found to be applicable in the Nairn case. A judgment against Oakclair Motors Ltd. specified clearly that in the opinion of the court fraud was not evident. On November 22 of 1966, the registrar of used car dealers informed Mr. Nairn's solicitors with respect to the regulations covering bonding and the forfeiture of bonds. The registrar noted in writing that unless the dealer made an assignment in bankruptcy, the only methods through which the bond could be forfeited would be in accordance with subsection (b) of section 12, which involves the finding

of fraud. Steps were not taken to put the dealership into bankruptcy.

It is only fair to point out that this is a rare case, which though regrettable does not lend itself to solution within the framework of existing regulations for forfeiture of bond.

Mr. Speaker, forfeiture provisions under The Used Car Dealers Act and other consumer related Acts are currently being studied and revised in the hope that even isolated instances similar to the Nairn case may be eliminated. There is an—

**Mr. Shulman:** Mr. Speaker, would the hon. Minister accept a supplementary?

**Hon. Mr. Rowntree:** Yes.

**Mr. Shulman:** In view of the letter that was sent by the registrar of used cars dealers, the first letter in which he assured the solicitor for Mr. Nairn that the bond would be held and the money would be made available to Mr. Nairn, would the Minister not agree with me that the good name of his department at least entails that he should make some effort to carry out the assurances of his department?

**Hon. Mr. Rowntree:** Efforts have been made, Mr. Speaker, to endeavour to negotiate a solution to this matter. To this moment they have not proven successful, but we have not given up our efforts toward finding a solution that would meet the situation.

I might say that there are some other factors involved in this case which, if the hon. member would like me to record them in this House, I would be pleased to prepare a further detailed statement which puts an entirely different light upon the matter, particularly with respect to the handling of the legal proceedings. I would be glad to do that if the hon. member so wishes.

**Mr. Shulman:** Yes I would, please.

**Hon. Mr. Rowntree:** Mr. Speaker, the last outstanding question has to do with one from the hon. member for York South (Mr. MacDonald). It has to do with reference to an arbitration board in the province of Manitoba dealing with used car repair bills. As I interpreted the question the inference was that it was an official arbitration board. Now I think it is only fair to point out, Mr. Speaker, that the board referred to by the hon. member does not have the support of the government of Manitoba and in no way involves the expenditure of public funds in that province. It is being established on a voluntary basis by the Automotive Trade

Association of Manitoba, whose 1,000 members make up only about 50 to 55 per cent of all garage and service station operators in the province of Manitoba. Citizens who have complaints against a non-member firm will not be able to appeal to that voluntary board to which I made reference. As far as I am aware, there is no consideration being given to the establishment of such a board in Ontario at this time.

**Mr. Speaker:** The hon. member for Huron-Bruce has a question of the Minister of Agriculture and Food.

**Mr. M. Gaunt (Huron-Bruce):** My question, Mr. Speaker, is to the Minister of Agriculture and Food.

In view of the department's letter of January 13, 1967, wherein it was indicated that the extra ARDA grant would be applicable to all municipal drains where the application for the grant was made after April 1, 1966, and which would be effective until March 31, 1970, will the Minister reconsider extending the programme to this latter date?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker with regard to the question, I believe the hon. member should have said it was made after April 1, rather than before April 1.

**Mr. Gaunt:** I am sorry, Mr. Speaker. It should have read after April 1.

**Hon. Mr. Stewart:** Well, Mr. Speaker, I regret very much that action was necessary to be taken to indicate that the grant would be withdrawn. However, the problem which generated the withdrawal of the grant is under discussion and I trust favourable consideration with the government of Canada. I hope these considerations will result in the fact that we may be able to reconsider withdrawal of the grant, but I would doubt very much that it would be possible for us to reinstate the grant for the period to which the hon. member refers, right up to the end of the programme. I think that his question related to a longer period than that which I believe most municipalities would be quite happy to live with.

**Mr. Gaunt:** Mr. Speaker, may I ask a supplementary question? Would it be fair to say that the province will not go it alone in the event that the federal government does not reconsider?

**Hon. Mr. Stewart:** I would say this, I would hope the federal government would

go along on that, which is an obligation which they accepted some time ago, and I would hope very much that we could look forward to favourable consideration by the federal government of our request.

**Mr. Speaker:** The hon. member for Brantford.

**Mr. M. Makarchuk (Brantford):** A question of the Minister of Agriculture and Food:

In view of the recent report to the Barber commission regarding the increase in farm machinery accidents, what steps will be taken by the department to remedy the situation?

**Hon. Mr. Stewart:** Mr. Speaker, I assume that the hon. member is referring to the study that was done by Prof. Graham Donaldson of Wye College, the University of London, England, for the Barber commission. This is a most interesting report. I have received it with some concern. This is a report to the Barber commission and until the Barber commission reports, I would think it would be difficult to know what the disposition of this particular report would be.

There is one thing that does stand out in that report, and that is the fact that there are so many youngsters who are suffering fatal accidents involving farm machinery. Mr. Speaker, it seems to me that the member has raised a point which I feel all of us who are interested in promoting farm safety, as far as the operation of equipment is concerned, should consider, in that Prof. Donaldson states in his report that 12 per cent of the total, fatal farm accidents involve children under five years of age. To me, that is nothing that the farm machinery companies can do very much about, but it does fall very definitely upon those who operate farm equipment to see that small children are not around and involved with it. It seems to me, Mr. Speaker, that we would be well advised to take it upon ourselves, in every way, at every opportunity we can, to promote farm safety and the safe operation of equipment. As a matter of fact, the Ontario Farm Safety Council is meeting at Guelph this very day, and these are matters which are under active consideration by that very distinguished group.

**Mr. Makarchuk:** By way of a supplementary question; from the Minister's answer I take it that the department is not doing anything about it? Is that correct?

**Hon. Mr. Stewart:** Mr. Speaker, if the hon. member had been listening to what I said, he would have heard that I said the report

is simply a study paper presented to the Barber commission. The Barber commission is charged with the responsibility of dealing with this matter, and I assume that it will be referring to that paper when the report is brought down.

**Mr. Speaker:** The hon. member for Windsor-Walkerville has a question of the Minister of Trade and Development.

**Mr. B. Newman:** Yes, Mr. Speaker, the question to the Minister is as follows:

Has the Minister arrived at a decision as to the date at which homes in the Bridgeview subdivision in Windsor will be put up for sale to the tenants?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, we have not as yet arrived at a decision on that, because we have just completed the one up in Guelph, and we are waiting to see how that works out before we proceed with the next one, which I would assume would be in Windsor. I am informed by the Ontario Housing Corporation this morning that we have made a preliminary survey, done as to the value of the home and the land, and I would hope very shortly we will proceed with that down there.

**Mr. B. Newman:** May I ask of the Minister a supplementary question? Is he aware that deterioration continues in the homes because the OHC is not doing any type of repairs? As a result, the homes are going to depreciate considerably, so when the time comes to resell them, the government may not be able to get what it expects to get for them.

**Hon. Mr. Randall:** I think we would follow the same course as we did in Guelph, where we sent in a repair crew and looked over the amount of work that had to be done to bring them up to good standard before they were sold to the tenants. I think if this is happening in Windsor, it would not be too bad, because only a few months ago we made this decision that we could fix up the homes to make sure that the tenants do not have to bear the load of repairs.

**Mr. B. Newman:** Could the Minister be a little specific in his answer as to a date? Would it be before the warm weather sets in, before the summer holidays?

**Hon. Mr. Randall:** I would think so, yes.

**Mr. Speaker:** The hon. member for Scarborough Centre has a question for this Minister.

**Mrs. M. Renwick:** A question of the Minister of Trade and Development:

1. What was the purpose of the rent survey conducted by OHC since the rent freeze last May? 2. Has the survey been completed? 3. Was the survey conducted by OHC staff? 4. If not, who conducted the survey, and what was the cost?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member, it was a survey for two purposes—first of all, to gather the information with reference to paying of the basic tax exemption which is taking place; secondly, as you know we froze the rents last May and we wanted to get some information whereby we could sit down with Central Mortgage and Housing Corporation and arrive at new bases for tenants' rents.

I would think now that having completed the survey, we will be talking to our friends at Ottawa, I hope by the end of this month, when the matter will be discussed with them.

The survey was conducted by the Ontario Housing Corporation staff and the branch office of Central Mortgage and Housing Corporation. Our day-to-day operations have now allocated expenses for this.

**Mr. Speaker:** The hon. member for Sarnia has a series of questions of the Attorney General.

**Mr. J. E. Bullbrook (Sarnia):** Thank you, Mr. Speaker. Could the Attorney General advise, relative to prosecution under The Residential Property Tax Reduction Act, as follows:

1. When has this department instructed Crown attorneys throughout the province to prosecute charges laid pursuant to the statute?

2. Is the public responsible for charges—by that I mean fees, sir—payable to justices of the peace in the laying of information pursuant to such statute?

3. How many informations have been laid pursuant to such statute to February 1, 1969?

4. How many trials have ensued as a result of such information prior to February 1, 1969?

5. Has the legal aid plan been involved in the prosecution or defence of any such charges?

6. Does the Attorney General agree with the statement reportedly made by the hon. Minister of Municipal Affairs, that tenants are legally entitled to set off tax rebate amounts owing to them by landlords against rent going to such landlords?

If I might be permitted, Mr. Speaker, I recognize that questions 3 and 4 and 5 might take some time.

**Hon. Mr. Wishart:** Mr. Speaker, the question is six questions in one. The answer to the first part of the question as to whether we gave instruction to Crown attorneys to prosecute charges, the answer is, no. And I would say in answer to the second part of the question, that the informant is responsible for the cost that may be required to be paid under the statute or under the regulations.

As the hon. member has been good enough to say—regarding parts 3, 4 and 5, as to the informations that have been laid under the statute, how many trials have ensued, and whether legal aid has been involved—I think we do appreciate that to answer a question I received around 1 o'clock today, it is just not possible to get that information. I shall try to get it.

As to part 6 of the question, I am not sure just what my colleague, the hon. Minister of Municipal Affairs, said in this regard. I would say this, that on questions as to whether a tenant is entitled to set off against his rent the amount of the tax rebate, I think it would be difficult to give a firm opinion at this moment. If he refused to pay his rent or refused to pay the rent in the full amount, relying on the amount of the rebate, I think he might very well leave himself open to an action for collection of his rent. But I would think further that if the landlord were so ill advised as to commence such an action, he would be met with a set-off—which I think would be a thorough defence—for that part of the rent which was equivalent to the tax rebate. That would be my opinion on the matter.

**Mr. Bullbrook:** Mr. Speaker, if the Attorney General would entertain a supplementary, in connection with part 6 of the question, would I not be correct in assuming that if section 6 of the Order-in-Council or the regulations to the statute were amended to give the tenant the reciprocal rights that the landlord presently has, then the hon. Minister of Municipal Affairs might well be right?

**Hon. Mr. Wishart:** This is possible, Mr. Speaker. I think we should bear in mind that we have now before the House, tabled at the end of last session, the report of the law reform commission on landlord and tenant. As we are considering that, perhaps in this whole matter of review we can work out something which will affect the situation—



**Mr. Bullbrook:** It was the unilateral aspect of things, Mr. Speaker, that I thought was unfair.

But in connection with part one, would the Attorney General permit a supplementary?

**Hon. Mr. Wishart:** Yes.

**Mr. Bullbrook:** Now the Minister said no to my question. Would he mind explaining why the department does not feel an obligation to undertake the prosecutions? After all, this is a public statute and protects the rights of public!

**Hon. Mr. Wishart:** We have certain statutes; other provincial statutes such as The Liquor Control Act and certain offences under The Highway Traffic Act which are of a minor nature, on which we do not instruct our Crown attorneys to act. We feel they can be carried on without the intervention of a Crown attorney.

I would be glad to look at that and discuss it with the Minister of Municipal Affairs if the situation is serious. My impression is that there have not been many prosecutions or charges laid.

**Mr. Speaker:** I believe the hon. member for High Park has questions of this Minister.

**Mr. Shulman:** Why has Coroner Cantelon ruled that no inquest is to be held into the deaths of the eight persons in the family of David Haskell, which occurred December 10, 1968, in West Lorne, Ontario?

Is it true that there are no fire inspectors for that area of the province? And if there are no inspectors, why?

**Hon. Mr. Wishart:** Mr. Speaker, the information I have is that Doctor C. B. Cantelon, who is the coroner, was assisted in his investigation of this matter by Inspector R. P. Kaufman of the office of the fire marshal at London, along with Mr. H. E. Steels, the area inspector of Ontario Hydro and Detective Sergeant Allsop of the Ontario Provincial Police.

It was Doctor Cantelon's conclusion that the fire was caused by an over-heated wood stove in the kitchen of the dwelling, one of the stoves of this type which was used to heat the home. Doctor Cantelon could see no purpose in holding an inquest as the cause of the fire had been ascertained and there was no evidence to indicate that it was other than an accidental fire. I would say further, that Mr. Peter Gloin, the Crown attorney, reviewed the matter and confirmed the opinion that an inquest was not indicated.

As to the second part of the question enquiring as to whether we have any fire inspectors in that area, we have had a fire inspector in that area for many years. He is located in London and he investigates all fires in that area, which includes the village of West Lorne.

**Mr. Shulman:** Would the Attorney General allow a supplementary question?

In view of the fact that there have been a number of deaths of this nature, would the Attorney General not agree with me that an inquest into a series of deaths such as occurred in this case would help to prevent future deaths by outlining the dangers of this type of stove and of the circumstances under which it was used in this case?

**Hon. Mr. Wishart:** No, Mr. Speaker, I could not agree with the hon. member for the reason he states. I think every situation where death has occurred deserves a full investigation. The question as to whether an inquest will help or not is a matter which I think the coroner and those who advise him, such as a Crown attorney and the fire inspector, must determine. I do not think it is possible to make a general statement of agreement that inquests are always necessary in such cases.

**Mr. Shulman:** I was asking about this specific case.

**Hon. Mr. Wishart:** Well on this specific case I have answered.

**Mr. Shulman:** Mr. Speaker, through you to the Attorney General, why were no charges laid nor an inquest held into the death of Marchelle Rayburn Rule, age 16, who was killed when struck by a car on Highway 48 on September 22, 1968?

**Hon. Mr. Wishart:** Mr. Speaker, this matter was investigated by the members of the Ontario Provincial Police. They consulted with the Crown attorney and it was on the decision of the Crown attorney, after the investigation by the OPP, that no charges were warranted.

First of all, the facts are that this was a motorcycle proceeding on the highway which was struck in the rear by an automobile. The coroner at the time discussed the matter with the Crown attorney and it was agreed that there would be no purpose in holding the inquest because there were no independent witnesses of the accident or at the scene.

**Mr. Shulman:** Would the Attorney General allow a supplementary question—two supplementary questions?



First of all, is the Attorney General aware that the family is extremely upset that an inquest has not been held and they feel that the facts are being suppressed?

**Hon. Mr. Wishart:** Mr. Speaker, I can understand the family being upset at the loss of a son 16 years of age. I do not perhaps accept the fact that they are upset because an inquest was not held.

An inquest, unless it can serve some purpose, adds nothing to the matter except to prolong the grief and the feelings of the family. I have discovered that in some cases where certain persons pursue these matters suggesting that inquests be held families do not understand all the considerations that apply to inquests, and we have had cases where they have been stirred up unnecessarily. I think this may be one of them.

**Mr. Shulman:** Mr. Speaker, I must answer that allusion. That family has come to me requesting I approach the Attorney General, just in case the Attorney General has any misunderstanding on that score.

The second supplementary question: Would the Attorney General not agree with me that the purpose of an inquest is to prevent similar deaths? This type of death has occurred time and time again on highways. Surely there should be an inquest in this case, even if it would not do anything about this death, at least to prevent other deaths in the future.

**Hon. Mr. Wishart:** Mr. Speaker, I do not want to debate this matter. I have accepted the supplementary question, but when the hon. member says would the Attorney General not agree with me that an inquest would help to prevent this kind of thing, I ask the hon. member, "How does an inquest affect a situation where a motorcycle is proceeding on a highway and someone driving a car runs into it from the rear?" I do not know how the finding of a coroner's jury is going to stop that in the future.

**Mr. E. W. Martel (Sudbury East):** Follow the recommendations.

**Hon. Mr. Wishart:** Well I am not going to debate the matter, Mr. Speaker.

I presume there are ways one could answer; say reduce the speed limit, keep motorcycles off the highway, put them on a certain part of the highway, or something else. But I do not think a coroner's jury is the body to decide those things.

**Mr. Shulman:** Mr. Speaker, we will pursue this in the estimates.

I have another question for the Attorney General.

What was the result of the investigation mentioned by the Minister on July 8, 1968, by the director of public prosecutions of the kidnapping of Valery and John Martin?

What charges were laid by his department?

Has any action been taken against the Ontario detectives who kidnapped the children?

**Hon. Mr. Wishart:** Mr. Speaker, there was a very full and complete investigation made into this matter by officials of my department and I also directed there be an investigation through the Ontario Provincial Police into the whole matter.

There was an order of custody—these are some of the facts—there was an order of custody made by the court in California giving the mother custody of the children, who were in Ontario. In attempting to carry out that order, which was really not effective in Ontario, there was unfortunately an assault upon the grandmother of the children by these two American or two United States citizens who entered this country and then got out of the jurisdiction before they could be apprehended.

The individuals involved in the occurrence could be charged with an offence if they were within our jurisdiction but the offence is not of a nature for which they could be brought back to Ontario to stand trial. For this reason it was not contemplated that any charges would be laid.

As to the Ontario investigators who were retained by the Americans, they were brought before the appropriate official of the department responsible for security guards and investigators, and the whole matter was inquired into. As a result of that inquiry no conduct was disclosed which would warrant an interference with their licenses, which were issued to them out of the provisions of our own statute. They were warned that their action was doubtful and they were reprimanded and asked to be more careful in the future. I think that was a reasonable decision in the circumstances.

The facts are, as I say, that the American people entered and engaged the services of local investigators to guide them and assist them to some extent, but there was no assault by an Ontario-licensed person and no action on which we could establish a basis to lay a charge.

**Mr. Shulman:** Does the Minister suggest that a kidnapping warrants only a reprimand to a detective who is licensed in this province?

**Hon. Mr. Wishart:** The "kidnapping" was not carried out by any Ontario official.

**Mr. G. Ben (Humber):** On a point of order, Mr. Speaker, it has been your practice to edit these questions. I am rather disturbed by this particular question and the way it was phrased. I think it is time that members in this House arose when words are used as loosely as they are in this instance.

Mr. Speaker, everybody knows that kidnapping in a common sense involves the taking of an individual, depriving him of his liberty and offering to restore that liberty in exchange for money.

The hon. member for High Park has twice used a phrase that these people have been guilty of kidnapping.

Mr. Speaker, you are a lawyer and also Speaker of this House. I can only presume that you concur that there has been an instance of kidnapping here or you would have disallowed the question; or else the Minister would have risen in his place and said there has been no kidnapping. Nobody ought to use the sanctity of this House to libel somebody in the manner they have been libelled, if there has been no kidnapping.

**Mr. Shulman:** May I speak to the point of order, Mr. Speaker?

**Mr. Speaker:** The hon. member for Humber really is not the most consistent member, because he has repeatedly objected to Mr. Speaker editorially correcting or changing questions. The Speaker has not been doing that for some time and I feel that it is the right and the privilege of the members of this House to express themselves as they wish in their questions as well as in the House provided parliamentary wording and procedures are followed. Therefore, so far as I am concerned these are the words in which the question was submitted. It has been asked in those terms and answered by the hon. Minister, and I think that ends the matter at that point.

**Mr. Shulman:** Mr. Shulman, I would like to speak to the point of order, or if I may, on a point of privilege—

**Mr. Speaker:** I do not think that any further point of order is involved here. The hon. member has perhaps further questions of this Minister, he might proceed with them.

**Mr. Ben:** I take it that this House goes on record as saying that these two members have been guilty of kidnapping?

**Mr. Speaker:** Order, order. The House goes on record, or the records of the House will only show that the hon. member for High Park asked a question couched in the terms that the hon. members have referred to.

**Mr. Shulman:** Mr. Speaker, I wish to speak on a point of personal privilege. The hon. member for Humber has suggested I use my words loosely and under those circumstances I wish to elucidate. I used the word "kidnap".

The circumstances were that men came from the United States and employed Ontario detectives. These men then, by violence, grabbed two children off the street, put them into a car and rode them over the border. After they were safely over the border, the Ontario detectives then went to the police station and told what they had done. If this is not kidnapping then I never heard of it.

**Mr. Speaker:** Order, order. Now the hon. member has explained it and explained his use of the word and I think that finishes that particular area.

Interjections by hon. members.

**Mr. Speaker:** Order, order. The hon. member for High Park has further questions of the Minister.

**Mr. Shulman:** The Liberals are very touchy today, Mr. Speaker. I have a question for the Attorney General.

**Hon. Mr. Wishart:** Mr. Speaker, referring to the question which the hon. member asked previously and which I answered, he has added now a further statement of fact.

I simply want to go on record as saying that the facts as he has just stated them are not as I understand them, I do not believe they are correct.

**An hon. member:** Then they are not facts!

**Mr. Shulman:** Mr. Speaker, may I invite the Attorney General to correct the facts which I have mis-stated?

**Mr. Speaker:** The hon. member will continue with his questions and I would suggest that perhaps the hon. member and the hon. Minister might get together—not on the floor of the House—and get the facts determined between them.

**Mr. Shulman:** Perhaps the estimates are the place again, Mr. Speaker.

I have a question for the Attorney General, Mr. Speaker. Has the Attorney General investigated the actions taken by the Crown Attorney in the John Ferguson case as promised in this House on July 2, 1968?

What was the result of that investigation?

**Hon. Mr. Wishart:** Mr. Speaker, I got about nine questions, I believe, from the hon. member today. I was able to find time since I got them to prepare the answers to seven. I think I shall have to take this one as notice and answer it as soon as possible.

**Mr. Shulman:** I have a question for the Attorney General, Mr. Speaker. Did Mr. Cruickshank's appointment as a consultant to the supervising coroner expire on September 30, 1968, as stated to the House on June 19, 1968?

(2) What role is Dr. Cruickshank now playing at the coroner's office?

(3) What salary is he receiving?

(4) Is it the intention of the government to appoint a chief coroner for Metropolitan Toronto?

**Hon. Mr. Wishart:** Mr. Speaker, Dr. Cruickshank's appointment as consultant to the supervising coroner was renewed until the 31st day of March, 1969, and he is still consultant to the supervising coroner's office.

His salary is \$1,500 per month.

It is not my intention at this time to proceed with the appointment of a chief coroner for Metropolitan Toronto.

**Hon. A. Grossman** (Minister of Correctional Services): He is waiting for the hon. member for High Park to be defeated.

**Mr. C. G. Pilkey** (Oshawa): Do not hold your breath.

**Mr. Shulman:** I have a question for the Attorney General, Mr. Speaker.

Has the Minister given consideration, as he promised the House on June 27, 1968, to recompensing the legal expenses of those individuals who are innocently involved with Royal Commissions and are found innocent by the Commission?

**Hon. Mr. Wishart:** Mr. Speaker, this matter has been considered. It is not my intention to recompense the persons involved in the judicial inquiry respecting certain magistrates. The cases have to be decided upon their individual merits and I make no statement of general policy as to these matters.

**Mr. Shulman:** Is it the intention ultimately to have a general policy on this matter?

**Hon. Mr. Wishart:** I say each case has to be decided, Mr. Speaker, on its individual merits, and I do not propose to make a statement of general policy.

**Mr. Shulman:** Mr. Speaker, finally I have a question for the Attorney General of great import.

Has the Attorney General looked into the matter of non exercise of the law in reference to docking horses' tails as promised in this Legislature on July 3, 1968, and what was the result of that investigation?

**Hon. Mr. Wishart:** This is the other question of the nine that I was not able to check. I have not checked on horses' tails. I will have to get that later.

**Mr. Speaker:** The hon. member for Wentworth has a question of the Minister of Municipal Affairs?

**Mr. I. Deans** (Wentworth): Yes, thank you, Mr. Speaker.

To the Minister of Municipal Affairs:

Will the Minister reconsider his decision not to reimburse municipalities for expenses incurred in the administration of the municipal tax rebate?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, it is not my intention to recommend payment to the municipalities for their very excellent co-operation in helping reduce the level of the municipal tax bill.

**Mr. Deans:** Mr. Speaker, may I ask a supplementary question? Have you received any requests for reimbursement from the municipalities?

**Hon. Mr. McKeough:** No. When I got your letter I wondered about that and we had a very quick look through the files. There may be one or two. There would probably be 10 or fifteen letters from municipalities—from clerk-treasurers of municipalities—saying how little trouble it was and how much they appreciated it.

**Mr. Speaker:** The hon. member for Sarnia.

**Mr. Bullbrook:** To the Minister of Municipal Affairs:

Could the Minister advise this House and the people of Ontario when they might expect a statement of government policy respecting the continuance or otherwise of the tax shelter programme?

**Hon. Mr. McKeough:** Mr. Speaker, in reply to that question I would say that that information is expected to be made available to the members of this House and the people of Ontario when the Treasurer brings in his Budget on February 19 next.

**Mr. Speaker:** I apologize to the Minister of Highways. I have demoted him. The hon. member for Cochrane South has a question of the Minister of Highways.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, to the Minister of Highways.

Has the pre-contract engineering been completed on highway 577? When will the proposed reconstruction programme for this highway between Ansonville and Monteith get under way?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer to the first part is "no", and to the second part I cannot give a definite answer until the engineering is done.

**Mr. Speaker:** The hon. member for High Park, I believe, has a statement.

**Mr. Shulman:** Mr. Speaker, during our recess, a memorable anniversary occurred, and I would like to take this opportunity for us, the citizens of a free and independent nation, to join the peoples and descendents of the Ukraine on the anniversary of their independence.

It was just two weeks and 51 years ago that freedom was so claimed at Kiev. However, its freedom was short lived; by 1920 Red army troops had again put the courageous Ukrainians under the yoke of subjugation. There reside in my riding many persons of Ukrainian extraction. These industrious and honourable people are proud to be citizens of Canada, yet they agree that their brethren are denied the freedom which they so readily enjoy.

The seed of freedom, once planted, cannot be destroyed. It will flower despite those difficulties and obstructions which may be put in its path. The hearts and minds of the Ukrainian citizens both within their native land and in other nations around the world still nourish the thought of regaining independence.

On this anniversary it is well to remember that the spark of freedom still burns and burns brightly.

We express our hope that in the future these people will again be able to exercise their freedom. In doing so, I am sure we are in a small way helping to sustain and encour-

age the spirit of freedom among the Ukrainian people and among all other captive nations.

**Mr. Ben:** It is a pity they have been subjugated by your system.

**Mr. Speaker:** May I say for the information of the members something which they all know—

**Mr. MacDonald:** Talk about libelous remarks.

**Mr. Speaker:**—and that is, that while questions are received by Mr. Speaker's office before 12 noon and are telephoned almost immediately they are received, they sometimes do not necessarily reach the Minister personally until he is coming into the House. So it is quite important for members to realize that a question will not always have reached the Minister in time for him to prepare a reply, even though it may have come in to Mr. Speaker's office at 10 in the morning and been relayed, because the Ministers are very often out of their offices.

May I give the members notice that the annual dinner of Mr. Speaker will be on Wednesday, March 26, so perhaps if you would mark that down and reserve that date Mr. Speaker will be able to have again the pleasure of being host to his fellow members—Wednesday, March 26.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, the longest speech in history will go on.

On the last occasion we had for discussion, Mr. Speaker, we were talking about a favourite topic of mine, International Nickel Company. I had hoped to not come back to this topic, but unfortunately some of the incidents which have occurred in the month and a half that we have been away make it necessary for me to bring to light a few more interesting facts about this wonderful, benevolent company that occupies the area around Sudbury and Sudbury East.

An hon. member: They had a visitor.

**Mr. Martel:** Yes, to the member here, we had a visitor, who came in by request and toured that swamp; but that is not what I want to talk about. I am sure that the member, when he has an occasion, will speak about his visit in the smelter.

Mr. Speaker, I was speaking on the fog condition last day and I just want to finish up that part with several letters that were written, one to the hon. Minister of The Department of Energy and Resources Management (Mr. Simonett) on December 6, 1968:

Dear Sir:

On December 3, 1968, I attended a meeting regarding the fog condition on Highway 17 near Copper Cliff, caused by polluted water. Mr. John Luyt was present for the Ontario Water Resources Commission. The discussion during that meeting, I believe, will not bring results in corrective action and life may be lost again. No one at that meeting was able to deny the fact that the water in Copper Cliff Creek is polluted.

And I believe I outlined this quite well from the report of the Ontario Water Resources Commission on International Nickel Company.

I go on in this letter:

On May 6, 1968, our committee presented resolutions endorsed by municipalities in this area—to Mr. Caverly, General Manager of the OWRC—asking him to eliminate the hazard created by polluted water in that location. Copper Cliff Creek carries polluted water, it will not freeze during winter months, and temperatures are as low as 40 degrees below zero, therefore, this creek may be responsible for the dense fog condition during the winter months. Persons have lost their lives when accidents occurred during dense fog periods and it was stated during the meeting that it may be too costly to cover that creek, which may not even be responsible for creating the hazardous driving condition, but we do know that the water is polluted, therefore the Company responsible for the pollution should be ordered to take immediate steps to correct this pollution problem.

And this is what I took exception to in the report, if you will recall. The report said International Nickel "should" clean up; not "must" but "should".

This would serve (1) to eliminate existing water pollution and (2) to determine whether that creek is responsible for the fog condition during the winter months.

I have no other choice but to request very strongly that water pollution in that creek be eliminated as soon as possible, since it was suggested that it may be too costly to cover the creek.

Cost should not enter where human life may be lost on account of a pollution problem, created by the International Nickel Company.

I hope to hear your comments soon.

Paul Falkowski,  
Chairman,  
Water Pollution Sub-Committee.

On the same occasion Mr. Falkowski wrote a letter to me respecting this matter, and he starts out:

I am sorry that you are not able to attend the meeting in Copper Cliff regarding the fog conditions on Highway 17. You missed expert maneuvering by Mr. Caswell and Mr. Saddington.

To be brief about it, I must say the responsible persons present avoided the issue. An alarm warning system, increased light, and fog dispersion system or equipment were some of the methods suggested and discussed. It was also stated by Mr. Saddington that the fog in other areas is similar to the fog condition on Highway 17; I don't share that opinion. Mr. Caswell was elected chairman and John Luyt, secretary. A study programme will be undertaken by collecting water and air-temperatures to determine the cause of the fog. I don't agree with that study, because we are in bad need for corrective action in order to prevent future loss of life in that location.

No one was able to deny the fact that the creek is polluted. In my opinion, our good friends (?) are stalling; therefore, pressure will have to come from other sources.

Well Mr. Speaker, this is indicative of the government's action whenever it comes in contact with anything respecting International Nickel Company. There just does not seem to be any way by which this government can force International Nickel to move. It seems that this company can dupe Cabinet Minister after Cabinet Minister into believing a lot of hogwash.

I make reference to the meeting which the Minister of Mines (Mr. A. F. Lawrence) attended last fall in which he suggested that the coal plant—an issue which I have raised on many occasions in this House—was washed down every Sunday. International Nickel has advised him of this. And yet sitting at that

meeting, Mr. Speaker, was a man who worked every Sunday in the coal plant and he kind of sneered when he heard the comments from the Minister, because he said: "I have been in the plant for the last three weeks and it has not been washed once on a Sunday".

But this goes beyond just the Minister of Mines, Mr. Speaker. I want to make reference to another problem which again involves the Minister of The Department of Energy and Resources Management, and I am afraid that he too has been taken in again. Unfortunately some of the Cabinet Ministers are susceptible to this company.

I make reference to a letter dated December 31. It is interesting, Mr. Speaker, when you find out that this problem has now been in existence for over a year and it still has not been rectified, to hear International Nickel's lame excuse, which the Minister accepted, holus-bolus.

Mr. J. R. Simonett, Minister,  
Department of Energy and Resources  
Management

Dear Sir:

During the month of February, 1968, the overflow from a process water reservoir caused a well pollution problem as a result of equipment failure in the iron ore recovery plant. The Villeneuve family was forced to carry their domestic water supply for a distance of one half mile from the time when the problem occurred until about July 1968.

On May 28, 1968, I was advised by the Ontario Water Resources Commission that it had been determined through contact with the International Nickel Company that a complete revamping of all hydraulic systems will be undertaken immediately—

And the word "immediately" is underlined.

—to eliminate in future the necessity of having to use the pond for containment of process water in the event of mechanical breakdown, as was done in February 1968.

On July 11, 1968, a report by Dr. Vance stated that the International Nickel Company will replace the existing woodstave pipeline to the tailings disposal area with a metal pipeline, and in addition install standby pumping facilities as a precautionary measure. Since December 23, 1968, the holding pond has been overflowing at full capacity—

Overflowing once again.

—at full capacity of the 24-inch overflow pipe. The International Nickel Company did have enough time to install any equipment that would have been necessary to

control the overflow. It indicates to me that the recommendations made to the aforementioned firm by the commission have not been followed. I am requesting that immediate steps be taken to ensure the control of the holding pond. Will you please advise me what action will be taken by your department to have an effective overflow in that location.

Well, Mr. Speaker, the Minister replied. I also wrote to him in this matter and he replied to me, and he states:

In reply to your letter of January 14, 1969, I am enclosing a copy of my reply to Mr. Paul Falkowski which contains the information requested in your letter.

Since I have the International Company's assurance that they are proceeding with the required work and that delays presently being encountered arose from a labour dispute rather than any unwillingness on the part of the company to comply with the requirements of the Ontario Water Resources Commission, the suggestion of prosecuting the company seems to be entirely inappropriate.

The members can note from that, that Mr. Paul Falkowski and myself were after some action to force the company to install the pipeline and that the International Nickel Company advised the Minister that it could not be done because of labour disputes involving two unions. This is a lot of nonsense too, Mr. Speaker.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Is the member saying that there was not a labour dispute?

Mr. Martel: I am going to prove that there was not a labour dispute.

Mr. D. C. MacDonald (York South): The Minister walked into that one.

Hon. Mr. Simonett: Oh, I did not walk into anything.

Mr. Martel: From a letter of January 31, 1969, Mr. Speaker, from Mr. Falkowski to the hon. Minister of Energy and Resources Management:

Honourable Sir:

In reply to your letter of January 16, 1969, I might say that the excuse given for the delay for the completion of the pipeline is not correct.

The Ironworkers and the Pipefitters Union have an agreement regarding handling pipes, which is very clear. I am enclosing



a copy of this agreement for your convenience.

I have discussed this matter with the representative of the Ironworkers, Local 786, in Sudbury, and the Pipefitters Union, Local 800, and they know nothing about such a dispute as you have mentioned in your letter.

I did not think that was sufficient, Mr. Speaker, so I suggested to Mr. Falkowski that he get me some correspondence from the unions. I did not think that people might believe Mr. Falkowski and myself, so we went to the unions involved. I have one letter already from one of the unions and it is to Mr. Falkowski, at my request, signed by Mr. R. James, business manager, Local 800, of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada:

Dear Sir:

This will advise that the pipeline in question was installed by members of our union working for the company, McConnell Plumbing and Heating Limited.

Further to this, our relations with this company have been very good, and to date there have been no work stoppages. However, employees of Foundation Company remained home during December 16, 17 and 18, 1968, which employees were working on the company's project at the iron ore plant, Copper Cliff, Ontario.

This action, to my knowledge, in no way interfered with the McConnell pipeline installation.

Mr. Speaker, this one year later, and the excuse we get from the Minister was that there was a union dispute, and yet the unions supposedly involved are not even aware of the dispute. I suggest that, just as with the case of the Minister of Mines when he was advised that they washed down the coal plant every Sunday, with the Minister of Energy and Resources Management this company continues to lead the government down the blind path, and the government accepts it, and it is high time it stopped. They are only making—well, to be quite frank—fools of some people in this House, and if I were a Cabinet Minister I would rather resent it, that a company would make me the goat, so to speak. I think they should be trampled on.

Mr. Speaker, I wanted to leave the company game, and Falconbridge and the whole pollution problem, but unfortunately, as I indicated the last time I was speaking, neither one of these companies in our area has much

respect for the people who live in the area. I am hopeful that the Minister of Energy and Resources Management will act in this case I am going to outline, and act immediately, to ensure safe drinking water, should the need arise, from Lake Wahnapiatae or the Wahnapiatae River. There is a great amount of evidence that Emery Creek is polluting the Wahnapiatae River and the future source of water for Sudbury will have to be the Wahnapiatae River and Lake Wahnapiatae.

Our friends in Falconbridge, like our friends in Inco, have no compunction about polluting any area. I know that I have the backing of the member for Sudbury in this matter when it comes to preventing any future pollution of the Wahnapiatae River or Lake Wahnapiatae. I want to outline the stand taken not only by the pollution committee, Mr. Speaker, but by the city of Sudbury. Just to keep the record straight, I do represent a large portion of the city of Sudbury; if people think I am infringing on the member for Sudbury's riding, I do not feel I am. They have written the hon. Minister of Energy and Resources Management the following letter:

Regarding Lake Wahnapiatae, the Sudbury city council and the Sudbury and District Pollution Committee have the desire to have the waters of Lake Wahnapiatae defined as a source of public water supply. It must be protected for the following reasons:

An assured supply of water is an essential requirement for any thriving city. Sudbury is no exception and for over 70 years, Lake Ramsay has been able to meet all the demands placed upon it. However, in the last ten years, it has become apparent that the city was outgrowing the yield of this lake. The key factor in the provision of future water supplies is the determination of the future population. This, in itself, is difficult, since the rate of increase may vary for many reasons. Water consumption per capita is increasing and provision must be made for this in future projections of water demand.

According to a report published by the engineering firm, Gibb, Albery, Pullerits & Dickson, the population of Sudbury within the city limits was 77,500 in the year 1960. In 1965, the population was estimated to be 80,392, and in 1966, the Dominion Bureau of Statistics figure was 85,000. The city planning department has established that the future population which could be accommodated within the present boundary is approximately 185,000. An extension

of the present trends of increase indicate that a population of 120,000 might be expected in 20 years, and that the 185,000 population might be reached in the year 2016. The planning for this report has been based on a population of 120,000 in 20 years time.

The present water consumption in Sudbury is estimated to average 69 gallons per day per head, and this is low compared with many cities. In Sudbury as in other cities, the increasing use of automatic domestic equipment is leading to a slowly increasing water consumption. An increase in demand to 82 gallons per head per day in the year 1986 is possible and it may be 90 gallons per head per day in the year 2000.

Therefore, a source for future water supply has to be found. The source, or combination of sources, should be capable of supplying maximum daily demand for extended periods. The quality should be such that any treatment required should be minimal and economical with feasible watershed control.

An examination was carried out of all the watersheds, rivers and lakes that might feasibly be developed as a future source. This also included development of the ground water sources in the northern district of the city. The choice of new sources to supply the city is restricted to either Wahnapiatae Lake or the Wahnapiatae River. Both of these offer the prospect of development, beyond the turn of the century, to the capacity likely to be adequate to the needs of Sudbury.

In general, the waters in this area are of good quality and it is desirable to meet present-day standards in the Ontario Water Resources Commission objectives for water quality. In order that such a supply of water may be provided for human consumption, it is necessary that the pollution of the source is restricted. However, since human consumption requires the highest quality of water of all other uses, it is the water supply authority which must exercise control.

From reports of occasional high iron content, one phenol content at high concentration and the appearance of green water in Bowlins Creek, it would appear that there may be an intermittent industrial activity in need of elimination.

Emery Creek, which is a tributary of the Wahnapiatae River is the receiving stream for the industrial wastes produced by the operations in the Falconbridge area.

The construction of the proposed iron ore recovery plant along with the associated sulphur plant will produce two new waste streams and the Wahnapiatae River will be the receiving stream.

Most trees and buildings in the area around Bowlins Bay are covered with a layer of red dust which is the product in the operation of the Falconbridge Nickel Mines and it finds its way airborne with the wind, to the areas of Lake Wahnapiatae.

I have reason to believe that this dust has a low sulphur content and in my opinion, it should not enter into the water shed that may be the future source of water supply for the city of Sudbury. In fact, it should not enter any body of water. Therefore, the future water supply for the Sudbury area has to be protected from any damaging activity that may impair the present water quality.

New industrial plants should be planned and constructed in such a way that the effluents will not impair the quality of the water of the receiving stream. Existing, operating industrial establishments must receive instruction from the Ontario Water Resources Commission to install water pollution control equipment and meet a certain time limit to control the industrial effluent.

In short, the discharge process water of any industrial installation must be of good quality in order to prevent impairment of water quality of the receiving stream.

It is important, in my opinion, that the waters in Lake Wahnapiatae be protected from any damaging activity.

The Department of Lands and Forests advise me, on May 28, 1968, that the remaining Crown land with water frontage on Lake Wahnapiatae has been withdrawn from further dispossession.

The Sudbury city council was concerned and passed two resolutions with the desire to have the waters of the water shed of Lake Wahnapiatae and the Wahnapiatae River protected from any damaging activity that may impair the water quality.

I have discussed this matter with the officials in the Ontario Water Resources Commission and they advise me that it will be impractical to define Lake Wahnapiatae as a source of public water supply under section 28 of the Ontario Water Resources Commission Act, because there are other interests involved. If the other interests involved happen to be Falconbridge Nickel, this is un-

fortunate, but they are going to have to control the pollution.

They are going to have to clean up and not, as this report, I read at great lengths, on the Copper Cliff industrial wastes or the one respecting Falconbridge Nickel Mines, which says, they should clean up. Mr. Speaker, I cannot agree with that bit that they should clean up. I am saying they must clean up and I think it is high time that this government told them exactly the same thing.

To listen to the malarkey that was batted around the last time I spoke on this matter, that—you know—"what do you want to do, close them down?" Well, that is just about as silly as an argument you can find anywhere. Companies making the fabulous profits that they are making are not going to close down because they have to clean up a little pollution. But, they will delay it as long as possible by using threats and any other type of method to control government.

It is unfortunate the government does not control them. One official stated, and I am quoting again from the Ontario Water Resources Commission:

If the city wants to have Lake Wahnapiatae defined as a source of public water supply then they should do it by themselves and notify us. We will then come to Sudbury and decide, at a public meeting, whether it is practical or not.

Well, the city of Sudbury did that, Mr. Speaker. They advised the Sudbury and district pollution committee of the resolution they passed on November 26, 1968 and also, one on August 6, 1968. The one they addressed to the Ontario Water Resources Commission reads as follows:

The following resolution No. 68-646 was passed by city council at a meeting held November 26, 1968. That this council requests the Ontario Water Resources Commission to take steps immediately to protect the waters of the watershed of Lake Wahnapiatae and the Wahnapiatae River from any pollutants from industrial sources with immediate attention being directed to the Emery Creek watershed.

Now, as far as I know, nothing has been done on this and that was November 26. Well, that is just about three months and we never seem to be in too much of a hurry to disturb the industrial giants of the north. We just let them keep going their merry way. Well, I do hope, Mr. Speaker, that the Minister who has listened to this today will do some-

thing about this and do something about it immediately.

With that, Mr. Speaker, I would like to leave International Nickel and Falconbridge for the time being anyway and go on to another topic involving another Minister.

In fact, I have got four or five lined up for the afternoon. I hope they stay around.

Mr. Speaker, I would like to talk about the Sudbury housing authority. I do so because I want to set the record straight which was something I attempted to do, but I am afraid I did not get much assistance from the local news media in my area. Quite understandable!

On October 30 or thereabouts, I issued a press release regarding six couples who were living in two-bedroom unit houses under the Sudbury housing authority and none of these couples had children. In Sudbury there are approximately 200 families waiting for two-bedroom units of which there are approximately 20 in number.

Before I issued this release I had done a considerable amount of investigation. I was concerned with how six couples were in two-bedroom units without children and that the same situation prevailed in the three-bedroom units. I also wanted to know how these people acquired these facilities.

I contacted a variety of people and as a result of my questioning, I came across quite a few names of people who had occupied three-bedroom units and who seem to have been placed in them rather quickly. These people I then contacted personally. They were willing to discuss the matter quite frankly and I learned some interesting facts.

One gentleman in question had returned from Sault Ste. Marie and a banker was living in his house and when he suggested he needed his home the banker said, "Well, I cannot find a place to go. If I could get you into the Sudbury housing authority would this be acceptable" and the gentleman in question said "Certainly." So, through a telephone call he was able to acquire a three-bedroom unit for this man in question.

I want to come back to this question in a few minutes because you are going to see some of the red "herrings" that were run across the stage, Mr. Speaker, in order to cover up the real issue involved here.

When this appeared in the newspaper, luckily several people phoned me long distance to advise me that they too, had received three-bedroom units under similar circumstances. If you had a connection in the right

place, you could get a house in one or two days. In fact, these people are so disturbed about it that they are willing to come back to Sudbury and swear an affidavit.

But they did in fact, get a house in from one to two or three days. And I can show you, Mr. Speaker, that they were the ones that contacted me by long distance call.

Well, after checking this far, I then decided to approach the Housing Authority's manager. But, before doing so, I outlined the situation to a prominent Liberal, in the city of Sudbury, and because there was no connection between him and myself, I asked him if he would phone the—

Interjection by an hon. member.

**Mr. Martel:** Yes, prominent—but anyway, this man consented to phone the manager of the Housing Authority and he used the names which I had given to him, to determine if these people were in fact, in these six homes, and yes, they were.

So then I checked with the manager, myself. Well, Mr. Speaker, the manager told me that the reason the people got in was that there were a certain amount of pressure exerted on him. I really do not know if that is true or not; it is really immaterial, the fact is that people were getting in and in rather strange ways.

Just to show you, Mr. Speaker, the type of people that were not getting in, I had a family phone me; they had ten children, and two of them are confined to wheelchairs. They lived in one room in the basement—10 by 14 ft. They ate and slept in that one room.

They applied to the Sudbury Housing Authority, Mr. Speaker, and their application was in over one year ago and they did not get in.

Well this is all gone by, Mr. Speaker, so I want to straighten the record out. When this matter was raised the chairman of the Sudbury Housing Authority, one Mr. Barbeau, started to throw in the red herring to hide the real issue. In his newspaper reply, and I want to read an excerpt from it, he states:

Mr. Martel mentioned a businessman who returned from the Sault and his bank manager called the housing manager and got a house for him. He did not mention that the man was a union organizer and that as soon as the board found out about it he was asked to leave, and did so.

Well, Mr. Speaker, I never said he was any kind of man, because this was not the issue.

The issue was the man got in. But this was just one of the red herrings thrown in. You know: "He was a union man and this bird Martel did not want to let anyone know, so he turned businessman."

Well this was not the case at all, Mr. Speaker. Throughout the entire matter, just for the record, I did not disclose any names of anyone because I did not feel that I would want it known who these people were. So I was right!

But this is the type of red herring.

Another interesting thing, Mr. Speaker: The one New Democrat who happened to sit on the board found out that this gentleman, this union man was in the house, and she was the one that asked him to leave. But this does not happen when other people are involved.

Well then, Mr. Speaker, the game really got interesting. Out of the five families, three had to have separate bedrooms according to the doctors, for a variety of reasons. It turned out that one had a heart disease and had to have a separate bedroom; and one was a cripple and had to have a separate bedroom. But I checked with specialists in the Sudbury area, Mr. Speaker. I consulted a variety of specialists in the Sudbury area to find out if this was the case. What type of disease makes it imperative that a husband and wife have a different bedroom?

Well one of the specialists—and by the way one of the specialists, Mr. Speaker, has just received quite an appointment by the Conservative government so he was just telling the truth—stated to me that it was a disgrace that any doctor in Ontario would fill out a form saying that a husband and wife would have to have separate bedrooms.

He said even in the case of infectious diseases, such as tuberculosis, they could share the same bedroom. He said that if the infectious disease was so bad that it necessitated separate bedrooms then the one with the infectious disease would be in the hospital.

But this is the type of red herring, Mr. Speaker, that we got from the chairman of the housing authority in Sudbury as they tried to cover up this sham.

But then he let it out of the bag, Mr. Speaker. In the same article, he states:

The team from the Ontario Housing Corporation has examined each allegation. There will be a new manager soon, and we hope the new broom will sweep clean.

Well, the manager is now gone, but the local newspaper certainly was not adverse to picking up this sort of tidbit, Mr. Speaker, because the editorial page the very next night, the very next day, says: "Storm Over Public Housing Due to Poor Communication."

Indeed—it says—it might have saved the socialist member from some small embarrassment had he discovered the man for whom the bank manager got a house was the union organizer.

Well they were correct to pick up that tidbit, Mr. Speaker. The interesting thing was I had interviewed the man who had been ejected from the house, so I knew who he was. But as I say the local paper was quick to pick up the tidbit.

The whole matter would be the proverbial tempest in the teapot but for the importance in present-day Sudbury for strict adherence to the rules in allocating public housing. The city's serious housing shortage is bound to create stress and demands upon public officials from every level. To make a political football out of the housing authority will not accommodate any new family, but can only aggravate the distress of those in need.

Well, Mr. Speaker, again the *Sudbury Star* was 'way out on a limb.

It was not my intention to give false hope, what I was attempting to do was to ensure that people who are entitled to housing had it and to discover if political favours or gimmickry could not be used to get someone a house. This was what was going on.

It is interesting to note, Mr. Speaker, that of the six names that were given to the Sudbury Housing Authority, three are going to be kicked out and two moved out without giving the housing authority notice; just up and moved out. They knew they were wrong. But as I say the *Sudbury Star* was quick to pick it up.

When these people moved out without giving notice I feel it pretty well indicated what means were used in this matter. Well then I tried to straighten this matter out. The story that was written by the reporter never did make it to the newspaper.

The real reason, Mr. Speaker, that such a situation can exist in Ontario or in Canada, is that we just do not have enough houses. We have the Tories blaming the Liberals federally; the federal Liberals blaming the Tories provincially; and out of it all nobody gets any houses.

Mr. P. D. Lawlor (Lakeshore): We are not going to get any from Hellyer either.

Mr. Martel: No!

We have several task forces running around the countryside. Everyone knows the problem, Mr. Speaker; there are not enough houses. So we go out and build some; it is as simple as that. But it does not seem that simple to the Tories or to the Liberals that you go out and build houses.

Mr. G. A. Kerr (Halton West): It is really not that simple.

Mr. Martel: Oh, it really is!

As long as you are not out in the cold it is not simple, but I have a family right now, Mr. Speaker, living in a bus—an old bus. Rather expensive—\$30 a month just to heat the bus.

Mr. J. W. Snow (Halton East): It is a mobile home.

Mr. Martel: It might be mobile, but it is not very conducive to little children. That smuggery is just the type of thing you expect from the right—in this case the left, but the right type of Parliament.

Now Mr. Speaker, I want to go on to another case. It is unfortunate the Minister of Lands and Forests (Mr. Brunelle) is not here, because I have about 30 letters in this one case on which I have been trying to get the Minister to come around to my way of thinking; but it is rather difficult. He did at the beginning, but now he has recanted and is no longer willing to make the same move that he made last fall.

Mr. and Mrs. Napoleon Dumont, of Warren, are beekeepers. They have worked hard and invested a considerable amount of money in establishing their apiaries.

In June of this year evidence indicated that there would be a very large bear population around Warren. To beekeepers, bears mean trouble. The Dumonts sought out The Department of Lands and Forests officials in the North Bay detachment to ascertain how they might protect their nine apiaries, which are spread out on their fields and the fields of their farmer friends. It was evident that they would need assistance to protect their apiaries, and to their request the following communication was sent:

As a result of our recent discussion in North Bay we have examined your problem and conclude that there will be no difficulty in your carrying a gun in your truck in travelling to and from your beeyards, or in shooting bear in defence of your bees,



providing the following conditions are adhered to:

1. No person shall have a loaded firearm in or on, or discharge the same from, a motor vehicle.

2. During the period from one half hour after sunset to one half hour before sunrise, i.e. the hours of darkness, a gun must be encased in an area in which game inhabit.

3. Bears should be killed only in defence of your property and you should have permission of the owners of the property on whose land your bees are located. This is necessary since those tourist outfitters who guide and board spring bear hunters also have a right to a livelihood.

If these rules are followed there will be no problem with enforcement officers.

That was the first in a series of letters, Mr. Speaker, and throughout the summer the Dumonts took a severe beating as a result of the bears. In fact, over a three-month period their losses came to in the neighbourhood of \$6,400. All this time they tried to get The Department of Lands and Forests to issue them some document which would give them the authority to hire a hunter, but the department did not see fit to allow them to hire a hunter. On September 6, after the losses had mounted considerably, the Dumonts again wrote The Department of Lands and Forests, only this time in Toronto, and it is addressed:

Department of Lands and Forests,  
Parliament Buildings,  
Toronto, Ontario.

Dear Sirs:

We are requesting that a bounty be placed on bear in this farming area and/or a subsidy be paid for the damages done to crop and livestock by these animals.

We realize the tourist trade and the livelihood of the outfitters and guides would be seriously affected, but some common sense should be used in certain areas.

We lose part of our livelihood in feeding the bears and paying for a licence to kill the bears that are taking our crops, stock and honey, and all this so the tourist can hunt bear and the government get fees from the licences. No matter which way you look at it we lose and have to pay.

In the St. Charles, Noelville, Hagar, Verner and Warren area you have farms, crops, livestock, beekeepers, who rely on their crops and stock for their livelihood.

Battling the elements is sufficient problem without having to continually worry about the damage being done by the bears.

We request some intelligent consideration and immediate action.

The Dumonts followed this up on September 11 with a letter to the Ontario Department of Agriculture and Food:

Dear Sirs:

Our problems with marauding bears are mounting. We moved to the Warren area to relieve the congested southern Ontario areas, only to find at the peak of the honey season, we were plagued with bears classed as "game animals". The American tourist licence is \$101 and the outfitters and guides are making a good living, while farmers and beekeepers lose their shirts. Cattle, pigs, grain and honey (30 colonies as of this a.m.), bees and equipment are lost.

Anticipating a problem, we went to see The Department of Lands and Forests in June and had quite a fight to get a letter with permission to kill bear in defence of our bees. This letter was so worded that the only time we could actually kill them was when we could not find them. The Department of Lands and Forests have made a pretence of helping us but since we obtained their assistance we have lost another 11 colonies.

A petition was sent to The Department of Lands and Forests requesting a bounty and/or a subsidy for our loss which now stands—

And this was on December 11—

—at \$2,705.10. The OPP in Warren have many reports of damage, and have seen ours, but appear unable to help us due to the game laws. A councilman and a noted veterinarian, Dr. Seguin, arranged for the newspaper to get the story but the attitude is apathetic in this area regarding the farmer.

If the persons in authority are only interested in those having fun and the outfitters making money while the farmers lose their shirts keeping the bears fat for the kill, then the farmers should be subsidized.

I am sending a copy of this to the Ontario Department of Agriculture, Parliament Buildings, Toronto, and trust that some intelligent action will be forthcoming soon. Battling the elements is sufficient problem without having continually to lose to marauding bears.



Here is a copy of the letter which had been given to the Dumonts and which allowed them to partially protect their property:

To Whom it May Concern:

Mr. Napoleon Dumont, unable to protect all his apiaries against the attacks of bears, has accorded me as his agent in the protection of his property and with permission of the farmer involved.

That was September 13, 1968. By September 16, 1968, the Dumonts finally had a reply from The Department of Lands and Forests.

Mr. Napoleon Dumont,  
Warren, Ontario.

Dear Sir:

Your petition dated September 5 regarding a request for a bounty on bear has been received at this office for acknowledgement.

The bounty system, including the bounty on wolves, has never demonstrated that it effectively reduces the population of any species. The number of bear killed each year is numbered at 1,000 to 1,500 animals. This is without a bounty system. You would have to pay for all of these animals under a bounty system before having one more animal taken than we now have.

It is difficult for us to state the actual value of a bear to the tourist industry but we have records which range from \$100 to \$500 for one bear. In addition, we have records of an average pelt value of \$21.04 with large prime hides bringing as much as \$75 on the North Bay Fur Market.

There is one factor that you and other bee-keepers may have overlooked, and this is the right provided in The Game and Fish Act for a person to destroy a bear by any means at any time in preservation of his property. There appears to be a higher population of bear being experienced throughout Ontario this year. We do not favour the establishment of a bounty on bear for the above reasons.

Yours very truly,  
C. H. D. Clarke, Chief,  
Fish and Wildlife Branch.

And then two days later, the Dumonts were very fortunate—they got a letter from The Department of Agriculture:

Dear Mr. Dumont:

From time to time, we have reports from beekeepers in some parts of the province

that they have suffered losses of colonies from damage done by bears. It is my understanding that there has been little or no difficulty in having bears hunted down and destroyed.

This, of course, is a relatively easy matter in areas such as Grey, Victoria and Hastings counties where such trouble has been caused and where the bear population is low. I suspect that in your vicinity the bear population would be relatively high, and therefore you would have greater incidence of such trouble.

You did not mention in your letter as to whether you had tried some form of electric fencing around your apiary. This may be very helpful in deterring the bears, but I understand it is almost essential to have the fence set up and operating before the beeyard is established. A width of chicken-netting type wire could be placed along the outside of the fence and connected to the fence grounding system to improve the ground.

I have heard that the beekeepers in British Columbia set up electric fences with a minimum of wire and coat the live wire with animal fat. The bear is attracted to this material, and of course when it contacts the wire it gets a severe jolt.

It could also be of some assistance to you to locate your apiaries close to buildings and away from direct contact with the bush, as the bears would be less inclined to invade an apiary in such a location.

Members can see this is very helpful to these people. All of this is very, very helpful, but you know, the losses continue to mount.

Then on September 18 they got another letter, this one from H. E. McGill, livestock commissioner, Department of Agriculture and Food:

Dear Sir:

This will acknowledge receipt of your letter advising of the damage that has been caused by bears in your area. As I am sure you realize, the matter of paying a bounty has been the responsibility of The Department of Lands and Forests. I can assure you, however, that we will look into this matter and give consideration to your request.

When the Dumonts received these three letters—which were all very helpful—within two days, they decided it was time to write a few

more letters, and this one they wrote to the editor of the North Bay *Nugget*:

Dear Sir:

We find the controversy arising out of the damage caused by bear in the Warren area rather disturbing.

For those of you receiving a weekly or monthly income, it is surely difficult for you to understand that the farmer relies on his crops and livestock for his "bread and butter".

An outfitter and guide recently made a remark concerning a registered trapper, in our area, that killed five bear in a farmer's corn field. The remarks of "wholesale slaughter" and "murder" that were made, were asinine and no thought was given to what the farmer had lost. Even the most naive, inexperienced citizen must realize what five bear could do to a corn field.

The tourist outfitters and guides make their living lodging and guiding people who "kill for kicks". They have a lot of fun killing bear, deer, moose and sometimes each other. We don't want to kill for fun, but to have a bounty placed on bear to protect our very living. We like to eat; we have children that go to school, have bills to pay and depend on our crops to get the money for these things.

The Department of Lands and Forests have made a pretence of helping us. We have been offered an abundance of platitudes and sympathy, but the attitude toward the farmer in this area is one of apathy, so no real constructive consideration or action is taken.

Surely in this vast northern region there is some person of authority who can do something to protect us; surely they are not all just "pen pushers" and "buck passers." We want consideration and constructive action and we don't really care what department can give it. An intelligent control on bear in farming communities would be the answer.

You have a bounty on wolf, and bears can do just as much damage as wolves, when overpopulated. This is predominantly a farming area, so would an intelligent person wielding authority, who is not just a "pen pusher," please step forward.

Then on September 21 the Dumonts took the trouble to write to The Department of Agriculture and Food again:

Dear Sir:

The Department of Lands and Forests have ignored the petition of the farmers

in this area—who are a majority—in favour of a minority group, tourist outfitters and guides, who lodge tourists who kill bear, deer, moose, and sometimes each other for fun. We have received an abundance of platitudes, sympathy, statistics, (as to why the tourist trade is so important) and inanities.

The Canadian farmer is, according to all departemnts, of no concern. The word "subsidy" is completely ignored. We must fatten the bear for the tourist, give up our living for the tourist trade, but no one wants to pay for it.

This is a populated area, so the bear attack after dark when, of course, you are not permitted to kill them. We can't patrol nine apiaries and are not permitted to have responsible assistants aid us at night when the bears are attacking.

It appears the governmental departments want to have their cake and eat it too; no bounty, no subsidy, no progress in farming, no intelligent action whatsoever.

Any assistance you can afford us will be sincerely appreciated. You know, it has become so bad in this area where the different departments are concerned that the farmer feels there is no one to turn to.

On the same day Mrs. Dumont also wrote another letter to The Department of Lands and Forests:

Dear Sirs:

Re your letter of the 16th instant. This is predominantly a farming area and the tourist outfitters and guides are a minority group. As of this date we have lost \$6,354.60 so we are no longer amused by statistics referring us to the tourist trade, as we are Canadians attempting to make a living in our country as farmers.

We have nine registered apiaries and are unable to be in all of them at the same time and cannot have assistants, as the bears attack at night when the farmers, tractors and dogs are all asleep.

If we have to fatten the bear for the tourists to kill, then subsidize our loss or give us permission to have other responsible persons assist us in protecting some of our nine apiaries at night when they are being attacked.

Mr. Speaker, this is the crux of the whole matter. Either these people be subsidized or they be allowed to have someone to help them track down these marauders.

The Dumonts came to see me after this and I contacted the Minister. I was in one day and the Minister had seen to it that the Dumonts received permission to engage hunters to protect their property. Unfortunately, Mr. Speaker, this only lasted until the end of 1968. For now, in 1969, once again the old runaround starts. The Dumonts cannot have permission to hire someone to protect their apiaries at night, which are spread over nine fields. They are to contact the department when trouble arises.

What I want to know, Mr. Speaker, is who is going to pay the Dumonts this year? And why can they not hire? It was okay to do it last year after they had lost \$6,000 worth of bees and so on. Why the reluctance on the part of the Minister concerned to give these people the same permission which he granted to them last September? Yet he refuses to budge on the matter.

Mr. Speaker, I could go on at great lengths on this. I have another 20 letters in this case and I was hopeful that the Minister would be around, and maybe he would break down and sign one little document for these people, saying that they could engage hunters to protect their property. I hope one of the Cabinet Ministers across on the other side has a heart and will come to the assistance of these people.

Mr. Speaker, I want to move on to another topic. We, in this party, have for years been advocating the need to develop the north. The extraction industries, Mr. Speaker, do not provide an adequate return on tax dollars to the north to provide the amenities enjoyed in the south. Extraction industries do not provide sufficient employment for our young, and consequently, they must, too, come south, along with the raw material, and as a result we lose both our natural resources and our human resources, and somewhere it must be stopped.

There seems to be no end in sight, however, to this flow southward, and there is a refusal on this government's part to get involved in sound economic planning and development. Mr. Speaker, northerners are getting more fed up than ever before. This was obvious in the election a little over a year ago, but was brought home more clearly last fall when a committee was set up to study the feasibility of forming an eleventh province.

Mr. G. Demers (Nickel Belt): Oh, not that again!

Mr. Martel: It is unfortunate, Mr. Speaker, that the member for Nickel Belt would not

once in a while get up and speak, rather than make a comment from his chair.

Mr. Demers: We were doing pretty well.

Mr. Martel: I have been in the House for a year, Mr. Speaker, and this gentleman across the way has not opened his mouth once yet, except for an interjection.

Mr. Demers: Because you have not closed yours.

Mr. Martel: They have a lineup, Mr. Speaker, and if he wants to get in all he has to do is to get on. But he might have to work—

Mr. Demers: Talk is cheap! Show us results.

Mr. Martel: Mr. Speaker, I might say that at that meeting in Timmins there were some rather prominent Tories from the north in attendance, whether the member from across the floor wants to admit it or not.

Mr. Demers: Not very bright ones.

Mr. Martel: Well, I do not think there are very many bright ones anywhere.

Mr. Demers: Let him show us what he has achieved.

Mr. E. W. Sopha (Sudbury): Martel for Lieutenant Governor.

Mr. Martel: I sat, Mr. Speaker, and listened with interest several months ago as the member for Sudbury detailed what was happening to the north. I concurred with him in the fact that the government was sitting on its hands and not helping to remedy the matter. What intrigues me in this, Mr. Speaker, is that his own party is doing the same thing at the federal level. The continental system had its greatest ally in C. D. Howe, and neither major party is willing to get involved in developing Canada for future generations of Canadians. Like the housing situation, each is willing to point an accusing finger at the other in order to cover up its own pathetic efforts to retain the resources and the wealth of Canada for its citizens. If the member for Sudbury is as concerned for Ontario and Canada as he claims to be, then he is certainly with the wrong party, for it is the New Democratic Party which has advocated development consistently.

Mr. R. Gisborn (Hamilton East): Hear, hear!

**Mr. Martel:** If private capital is not going to get involved in developing secondary industry in northern Ontario, then, as we have stated all along, the government must do so through Crown corporations. Some people besides the New Democrats are starting to realize this need, Mr. Speaker, and I would like to quote an extract from a speech by a rather prominent Ontarian, who has realized that what we in the New Democratic Party have been advocating is probably the solution to the problem.

**Mr. Kerr:** Branch plant economy.

**Mr. Martel:** Would the member just mention his name so that she will know who is talking.

Interjections by hon. members.

**Mr. Martel:** Mr. Speaker, I will quote from the speech, and one of the portions says:

The answer lies in planned political and administrative decisions aimed at determining the form and character northern development should take. Northern development should not be left entirely in private hands. We have to put behind us our unwarranted fear of co-ordinated planning and consider the long-term interests of the people concerned and develop the north as a whole region.

The availability of capital is frequently noted as another significant problem. The financial and administrative infrastructure necessary to large-scale, capital-intensive resource industries is largely located in the cities of southern Ontario, particularly Toronto. The "equalization of opportunity" grants of the Ontario Development Corporation cover all of northern Ontario except those areas covered by federal assistance programmes.

Established manufacturers who wish to expand are quite interested in this programme. However, few manufacturers in industries other than those already established in the north express interest in these incentives. This seems to be inconsistent with the view that capital is a problem, and suggests a need to explore this further. I do know, however, that capital available for tourist industry development is less than satisfactory. A related problem, which we have noted, is that, while most large companies in the north have aggressive management, many medium and smaller companies lack the initiative to seek out new products and new market opportunities.

Mr. Speaker, a little later on this same writer asks:

Where do we go from here? Canada is not the only country facing this challenge. Sweden and Russia, with similar problems, have taken bold steps to stimulate northern development and provide adequate living conditions for northern settlers. The developments by our European and Asian counterparts give us an indication of how successful they can be when properly handled.

No doubt each province has certain programmes that are aimed at stimulating northern development, some of which include rural and regional development. But what is lacking is a co-ordinated attack on the problem of Canada's north. The first step for legislators concerned with this problem is to decide that we really want to develop our north.

Mr. Speaker, contrary to what the member for Nickel Belt says, we have not decided what we have really determined, and this writer is quite determined. It is interesting to note, Mr. Speaker, that the writer, and the gentleman who made this speech, is none other than the hon. Minister of Lands and Forests (Mr. Brunelle), to the Canadian Council of Resource Ministers, October 9, 1968. So you see, Mr. Speaker, that contrary to what the member from Nickel Belt said, the Cabinet Minister from the north is aware of what has to be done even if he does not know.

**Mr. MacDonald:** It is a good statement of NDP policy.

**Mr. Martel:** Now, what can be done?

**An hon. member:** Well, take it from the source.

**Mr. MacDonald:** He is taking it from the source.

**Mr. Martel:** Mr. Speaker, this was borrowed directly. I can recall when the Tories, when we even mentioned Crown corporations, were inflamed at the prospect of a Crown corporation, and now we have a Minister of the Crown advocating it. Have we been right all along, and the government wrong?

**Mr. I. Deans (Wentworth):** Yes. Progress.

**Mr. Martel:** Oh, the member's thinking is getting straightened out now.

Interjection by an hon. member.

**Mr. Martel:** I did not hear the member's comment, Mr. Speaker, so I will not answer it.

Mr. Speaker, there are studies being made which indicate the types of industry that we can develop in the north. I am just going to quote a few, by the way, from a Conservative document again—maybe an enlightened one; there do not seem to be very many, but maybe an enlightened one. He indicates some of the types of industry that could be developed if this government had a desire to do so. We could start out with the development of the complete complex around the copper and nickel industry in the Sudbury basin or we could do it around Timmins or in other areas. We smelt a little bit and we ship it out. But the complete development—

**Mr. W. Newman (Ontario South):** Yes, and the member wants to tax them all out of business.

**Mr. Martel:** The complete development—that is what we are interested in—in the north for the northerners.

This report by Sawchuk and Peech, Mr. Speaker, indicates some of the types of light industry that could be done; those concerned with canning, freezing, dehydrating, refining, extracting, salting, concentrating, or in short, all operations devoted to the preservation and processing of agricultural products including packaging, storage and shipping. He goes on to secondary light industry:

Refrigeration; warehousing; special storage facilities for agricultural products; construction and building industry; farm machinery; service repair; rental and contracting industries; wholesale and storage of domestic commercial and industrial supplies; cleaning; growth industries such as the electrical, chemical and plastic industries; industries liable to demonstrate healthy and stable growth by virtue of the application of the latest production techniques; those industries aimed at filling production gaps in Canadian industry by the production of goods for which there is a high and rising demand and which are presently, and more importantly, imported—such as iron products, wool and textile products and agriculture.

And you notice he says rather than import let us start developing some of our own in the areas and from the materials which we have at our disposal.

Finally, Mr. Speaker, I want to get to a rather serious problem, a very short but rather serious problem, involving the doctor shortage in northern Ontario.

I read with interest some of the comments and suggestions by the Minister of Health over the Christmas recess and how they hope

to solve the shortage. I do not have too much hope, Mr. Speaker, but we could bring in some European doctors. With this in mind I discussed this matter with four or five European doctors in the Sudbury area to see what they felt was necessary in order that more European doctors come to Canada.

The first thing that we could recommend the government could do is provide the funds necessary, let us say, to bring up to 200 doctors to Canada and to house them while they do their internship.

The second area that the government could get involved in would be in relation to the internship itself. Many European doctors come to Canada and they have to practice a two year internship. Most of them agree that there is some change from Europe to here, but they all felt that within six to eight months they had made the adjustments to our Canadian system. And so, Mr. Speaker, we could cut down the internship to maybe six months; an intense six months, and then for the next six months, Mr. Speaker, we could put them into a practice. We would put them into a practice with a practicing Ontario doctor. Then they would learn to handle the forms for the various insurance companies and so on. Instead of having a two year internship, Mr. Speaker, we could have a one year internship.

Because we had reduced the internship, Mr. Speaker, and because we paid to bring them here, then we would have a right to put them in an area where we need them for three to five years. This is the agreement they would come under. I am told by at least four or five European doctors that they would much rather have come that way than the way they did come, where they had to do two years internship at almost no salary, and for the next three or four years they found things very difficult.

I would hope the Minister would consider discussing this with the college of physicians, if that is who it takes to make this change; and that the internship could be divided into two phases, the first six to eight months a crash programme of familiarization and the second, possibly four or five months, practicing with a doctor to learn the proper terminology and so on. Then we have the right to direct where they will go for three to five years.

I feel, Mr. Speaker, that as a result of this we would probably bring in many doctors to serve the areas in the north where there are no doctors for anywhere for 100 to 200 miles.

We presented this, Mr. Speaker, just as a test, to one European doctor from France. He certainly thinks the idea is a good one and would be willing to come to Canada and to Ontario and go through this procedure and be at our disposal as to where we would send him for a period of three to five years.

I do hope the Minister takes this into consideration. If he does not I will make every effort to appear before the House committee to present the idea there.

**Mr. R. K. McNeil (Elgin):** Mr. Speaker, in rising to take part in this Throne Debate I would first of all like to congratulate you, sir, on the excellent manner in which you are carrying out your duties as Speaker. I realize that at times it is difficult to control some of our actions as members, particularly when the interjections are being hurled across the floor. But, sir, you have always ruled this House in a very fair and commendable manner.

I would also like to congratulate the hon. member for Waterloo South (Mr. Reuter) on being renamed chairman of the whole House. He carried out his duties effectively last year and I know that he will continue to do so again during this session.

I also, sir, take this opportunity to congratulate the hon. member for London South (Mr. White) on his promotion to Cabinet. With his years of experience in the business field as well as the years of experience which he has had in this House, I know that he will carry out the duties as the Minister of Revenue in a very capable manner.

Then too, Mr. Speaker, while I am handing out bouquets, I would like to congratulate the hon. member for York South (Mr. Macdonald) on being re-elected leader of the New Democratic Party. I do not often agree with the hon. member for Riverdale (Mr. Renwick), but I would have to agree with a statement that he made during their leadership campaign to the effect that it would be impossible for the member for York South to lead the socialists to power in the next election.

I would like also to congratulate the hon. member for Prescott and Russell (Mr. Belanger) on his excellent contribution to the speech in moving the Speech from the Throne and also the hon. member for Fort William (Mr. Jessiman) in seconding the Speech from the Throne.

In the—

**Mr. E. W. Martel (Sudbury East):** Who wrote them for the hon. members?

**Mr. McNeil:** Pardon? I do not know. I did not.

In the redistribution of 1933, the riding of Elgin was first organized, Mr. Speaker, and in 1967 three municipalities from the county of Norfolk were added to the original Elgin riding. It is rather interesting to note, Mr. Speaker, that the riding of Elgin is the first riding in Ontario where a secret ballot was used. The date was August 6, 1874, the occasion a byelection. In it the ballot was used instead of the old system of open voting which had prevailed even longer than old timers could remember under which a qualified elector stepped up to the hustings and publicity announced his choice.

It is rather interesting too, Mr. Speaker, to read the comments of the *St. Thomas Despatch*, which was a local paper published in the city of St. Thomas, and they quoted as follows:

We never favoured vote by ballot but now that it has become law it must be carried out and every voter who has learned to make the sign of the cross or to set up a rail fence may understand how to mark his ballot. At the poll a blank ballot is presented to him with names of the candidates within separate cross boxes, and at the end of the fence enclosing the name for whom he intends to vote, the elector has only to affix his cross and return his *billet doux* to the deputy returning officer.

We had imagined that vote by ballot was to do away with all corrupt practices at elections, but the new election law by its numerous clauses provides for detection and punishment of every sort of electoral rascality.

Therefore let every good elector take care to make the sign of the cross.

And they name the Tory candidate, and incidentally, he lost in that election.

I understand now, Mr. Speaker, that this riding is one of the largest tobacco producing ridings in the province of Ontario, and I am happy to be able to report that tobacco is selling at satisfactory prices. In 1968, Canada's flue-cured tobacco crop was estimated at 216 million pounds, of which an estimated 207 million pounds were grown in Ontario, the balance being in Quebec and the Maritimes. In Ontario, the acreage is fixed by the Ontario Flue cured Tobacco Growers Marketing Board. I would like to take this opportunity, Mr. Speaker to congratulate this board on the very excellent manner in which they are handling this commodity.



The sale of the 1967 crop was concluded by March 25, 1968, with about 196 million pounds selling at an average price of 69.8 cents per pound, realizing a total of \$135 million. This average price is slightly under the high of 71.3 cents per pound obtained in the 1966 crop.

The present system, Mr. Speaker, is working quite well. I would like to commend the growers and the board, as well as the buyers, on the fact that the system is working so satisfactorily, and I would take this opportunity to wish continued success. The tobacco industry has made, and will continue to make, a great contribution to the economy of this province, particularly in southwestern Ontario.

In November, 1965, the Ford Motor Company announced that it would build a new assembly plant at Talbotville, an announcement that has had, and will continue to have, a very material effect on the growth and development of southwestern Ontario. Later this year another shift of workers will be added to this plant which is one of the most modern automobile assembly plants on the North American continent.

Following the announcement in 1965, a rather significant announcement was made by the government that the Lake Erie pipeline would be built from Lake Erie to the Ford Motor Company, a line that could service the townships of Yarmouth and Southwold, and the city of St. Thomas. Shortly after this announcement, resolutions were received from the townships of Southwold and Yarmouth and the city of St. Thomas, supporting the construction of this important utility, a utility that will have a most marked effect on the development and economy of the whole area.

Since this announcement was made some three years ago, negotiations have taken place between the city of St. Thomas, and the Ontario Water Resources Commission, and last week an agreement in principle was reached between the Minister of Energy and Resources Management and the city of St. Thomas. I would commend all parties for the final agreement which has been made.

Interjection by an hon. member.

**Mr. McNeil:** If the Opposition paid any attention to the municipal elections that take place in Ontario they would know that we have a new mayor in St. Thomas. Apparently they are not aware of that, so I will inform them. He is a classmate of the hon. member for Halton, so he must be a good man.

I realize that the Ontario Water Resources Commission has a grave responsibility to the

people of Ontario, but unfortunately this commission has not created a very favourable image in our area, and I would suggest that the public relations of the said commission could be improved. During these negotiations, approval for subdivisions was withheld for some time, with the result that we now face a serious housing shortage in the St. Thomas area. I am pleased that an agreement has been reached, an agreement which will be favourable to the future growth of St. Thomas and also to the surrounding areas.

Interjections by an hon. member.

**Mr. McNeil:** Don't worry, we are looking after Elgin, Mr. Speaker, I would like to emphasize the importance—yes, the necessity—of having signed agreements before construction of such extensive and expensive pipelines begins. I hope the experience that happened in this area never occurs again in Ontario. No one can ever estimate the great loss experienced by St. Thomas during this unfortunate episode. A good supply of water is a must for municipal growth and development.

Interjection by an hon. member.

**Mr. McNeil:** Your leader was misquoting when he spoke about it. I could quote from the *London Free Press*—

Interjection by an hon. member.

**Mr. McNeil:** A good supply of water is a must for municipal growth and development. I would cite another municipality, sir, the village of Port Burwell, which is in need of a good water supply. The OWRC has quoted a price of \$280 per household per year for an adequate supply of water. As badly as water is needed for survival, growth and development, it is doubtful if the citizens of this small village can financially support such a programme. It would seem to me that small municipalities such as Port Burwell, and there must be many in this province, need government-financial assistance.

I would urge this government to study and implement some plan of financial assistance for municipalities of this type, that require water and sewage systems. I am pleased that the government has decided to locate a provincial park at Port Burwell where there is one of the best beaches on the north shore. I would urge that this park be developed immediately, with a view to acquiring additional land for expansion, while land is still available at reasonable prices. Recreation is important to our citizens, and one of the responsibilities of a government should be to acquire as much

parkland as possible before it is too late to purchase it.

Mr. Speaker, having a riding that is fronted on the south side by Lake Erie, we are losing valuable land into the lake each year through erosion. We have lost a considerable acreage of valuable agricultural and residential land during the last 20 years and it would seem that both the federal and provincial governments should become more interested in this problem. Individual property owners cannot cope with this problem alone, although many have done a commendable job in trying to stop their land from being gulped by the lake. I understand that some work of an experimental nature has been done with respect to old automobile bodies being dumped along the shoreline. If this plan is feasible, what better use could be made of these scrap materials? Surely the time for action with lake erosion is now.

I would like to quote an article from the St. Thomas *Times Journal* which is entitled:

THE DUST BOWL IN SOUTHWESTERN ONTARIO,  
NOT SO FARFETCHED AS IT MIGHT SEEM

Soil erosion is a major problem in the Kettle Creek watershed, and unless extensive works to control the problem are carried out, soil loss from agricultural lands can become a very serious economic loss for the county.

Erosion reduces the value of many thousands of acres of farmland each season. Valuable fertile topsoil is lost from the land and deposited as sediment in channels, lakes, reservoirs and harbours. Then costly remedial measures are required.

Erosion may be spectacular in the form of gullies. More often, however, it goes on slowly and almost unnoticed in farm fields. In early spring, the small rills washed out will be easily worked over, but much valuable topsoil has been carried away.

Contouring and strip farming are means of reducing soil erosion and loss of water on sloping land. These, along with grass waterways, improved drainage, and suitable rotation, help maintain and build up the soil.

The soil of the Kettle Creek watershed suffers in varying degrees from erosion by water. The most dramatic examples are along the shores of Lake Erie and along the banks of Kettle Creek itself.

Spectacular erosion occurs along the shore cliff of Lake Erie. Here there are three forces at work, eroding the cliff and inducing encroachment on agricultural land, homes, land and roads. They are: the action

of the lake waters at work on the base of the cliff, the seepage of ground water below the top of the cliff, and the effect of the water that runs over the face of the banks. This type of erosion is largely a natural phenomenon and cannot be prevented by vegetative means alone. It would require mechanical devices that would be very expensive.

The area is under the jurisdiction of the federal government and not the local conservation authority.

Some ten years ago, Mr. Speaker, during an election campaign, the citizens of our area were promised a bypass for the city of St. Thomas. A traffic study has since been made in the city and now that the city and county are in agreement as to the location, I would urge the Minister of Highways to start this project immediately. We cannot afford a delay of another ten or even five or three years. St. Thomas has a long main street and the through traffic should be removed from this main artery.

I have urged The Department of Highways to construct night lights at the intersection of numbers 3 and 74 highways. My request has been turned down, and yet some few miles east of this intersection, we have another intersection of county road 38 and number 3 highway being illuminated at night with three lights. The county would have to receive approval from The Department of Highways for this construction, and I can only say, let us have consistency in the procedure and the programme of the department. I have travelled this road a great deal and I think I know what is needed. Let us provide illumination before someone loses a life.

Then, too, we have many other dangerous intersections which have been brought to the attention of the department but the decisions are often too slow and too late.

We have very diversified farming operations in this riding and today farmers are facing a difficult financial position. Our costs of production are mounting each year with increased costs in the purchase of machinery, repairs, fertilizers, seed, labour, interest rates, etc. Our selling costs have remained much the same. As a result the farmer is being forced into larger units, sometimes against his better judgment, in order to remain in business. Farming is one of the few businesses that can be operated year in and year out for several years at a loss, but in time this sort of thing catches up.

Farmers cannot continue to operate at a loss as we have been doing for the past several years. I had hoped that the farm income study would reveal some suitable solutions in January. It did reveal that there is no easy solution to the problems facing agriculture. Today a great deal of capital is required for land, machinery, live stock; and farming today is big business.

In 1966 the average farm investment in Ontario was \$56,000, which represents an 80 per cent increase in the last five years. Investments range from \$10,000 to as high as \$200,000, an increase of 134 per cent since the 1930's. In 1966, only 26 per cent of the farmers of this province grossed over \$10,000 and only seven and a half per cent of the farmers grossed \$25,000.

In 1930 Canadian farmers produced food for 11 people. In 1967 the Canadian farmer produced enough food to feed 33 people, and the Ontario figure stands at enough food for the farmer plus 40 others.

The commercialization of the family farm in Canada is substituting capital for labour. Increasing the size of the farm business has resulted in a 75 per cent increase in productivity in the last 30 years, yet the latest report of the Economic Council of Canada stated that notwithstanding very significant progress in output per worker in Canadian agriculture, it is still 25 to 30 per cent less efficient than U.S. agriculture.

I would like to quote, Mr. Speaker, from the economic council regarding the agricultural output.

Employment in Canadian agriculture is only half as large as it was two decades ago, according to the council's review, and the gaps between agricultural outputs per worker in the United States and Canada are widening.

Over the same period the volume of farm output was increased by roughly 50 per cent. This has resulted in a tripling of output per worker, as regards labour productivity in the agricultural sector of the economy.

Canada has achieved a rate of growth of labour productivity in agriculture well above that recorded in other sectors of the economy and of roughly comparable dimensions to the rate of growth of agricultural labour productivity in the U.S. The substantial disparity between the two countries in the absolute level of agricultural labour productivity, however, has widened significantly. Mechanization and yield technology have contributed in nearly equal proportions to growth in the U.S. In contrast, Canada has advanced

in the area of mechanization, but has not kept pace in yield technology.

The growth rate of labour productivity in Canadian agriculture is about six per cent a year. In terms of net value of production per worker, Canadian farmers produce, on the average, 25 per cent less than U.S. farmers. Two decades ago the gap in output per worker was around \$1,000, the council notes, whereas today it is more than \$3,000.

The review warns that Canadian farmers will have to step up their productivity growth from about five and half per cent to more than eight per cent a year in order to catch up to U.S. productivity levels by 1990.

The council explains the productivity gap in part by pointing out that machinery input per farm worker in the U.S. has been about 30 per cent higher than in Canada.

Probably a much more important part of the productivity gap between the two countries arises, however, from differences in yield technology in both crop and livestock production. Whereas U.S. farmers spent nearly twice as much on yield technology as on mechanization, Canadian farmers spent more on mechanization than on yield technology.

This suggests that labour productivity in the U.S. has gained more and reached a higher level as a result of more intensive application of yield technology rather than more rapid advances in mechanization.

Mr. Speaker, I feel that farmers must be better trained in the field of farm management and I compliment the government for the assistance it has been giving in this area. We, in Elgin, are very fortunate in the fact that we have an excellent agricultural office well staffed by good personnel, headed by one of the best agricultural representatives in Ontario. They are giving good service to our farmers.

I was pleased to learn that the federal government has reinstated the farm improvement loan. It is a loan that is most valuable to our farmers, although I feel that farmers are being requested and required to pay too high a rate of interest. We, as citizens, should be interested in the production of food, and anything that can be done to assist agriculture will assist the whole population of our country.

One very difficult problem I have faced in my operation and which I feel many farmers are facing today is the problem of obtaining satisfactory farm help. It is difficult for us to compete with industry, even though we may provide some fringe benefits

such as housing, because in agriculture we must work longer hours in order to plant and harvest our crops. A 40-hour week is not feasible at planting time or in harvest, and we cannot obtain extra help in order to operate on a shift basis. Our friends across the Chamber may not agree, but there is no way in which a farm can be operated on a 40-hour week. There are advantages to farming such as fresh air, diversity of jobs, and independence, but how long can one live on this sort of thing? Today, agriculture is at the crossroads. Never before since the dirty '30s have farmers faced so many problems and never before has it been so difficult for a young man to enter this field.

Mr. Speaker, as a farmer I am most concerned. I am concerned because I would not encourage any young man to enter the field of agriculture unless he is prepared to work long hours under many discouraging conditions, such as inclement weather, high costs of production, unavailability of machinery repairs, lack of proper farm help, and, in many instances, lack of proper available financial assistance. There are many farmers in southwestern Ontario who are facing financial difficulty through no fault of their own but mainly through the peculiarity of the industry itself.

I do not know of any other business where the best laid plans of men go so often astray. In this business, if the costs of production are high, it is impossible to recover these costs because the selling price is fixed. We in agriculture have been told that we must be more efficient, and farmers down through the years invariably have tried to be efficient operators. We have developed marketing boards which have served us well and are a compliment to many men and women who serve on these boards.

Mr. Speaker, agriculture today in Ontario is facing more problems than it has ever faced in its history. I would appeal to the members of this Legislature to do everything they can to upgrade the position of the farmer of our province.

Mr. Speaker: I wonder if the hon. member is going to go more than two or three minutes.

Mr. McNeil: I think about two minutes, sir, will complete it.

Mr. Speaker: All right.

Mr. McNeil: I have had some complaints regarding the rebate of gasoline tax. Many farmers are now being penalized for assisting their neighbours at the rate of five cents per

gallon. I have appealed and will continue to appeal to the Minister of Revenue (Mr. White) to rectify this inequality. I do not hesitate to support any legislation that will help the farmers of our province.

Then, too, why should farmers be held up for considerable lengths of time in receiving their gasoline tax rebates—something which is rightfully theirs? I cannot understand, Mr. Speaker, why their integrity and honesty should be questioned after filing for rebates, when the information being sought is not even included on the rebate form. Let us incorporate some common sense into this gasoline tax refund operation.

Mr. Speaker, I would commend the Minister of Agriculture and Food on the leadership which he has given to this important industry. I know of no more dedicated and sincere man in the Cabinet, and it is one of the most important Cabinet portfolios. We in this province enjoy a very high standard of living because of the efficiency of our farmers.

Mr. Speaker, I have sat in this House for quite a number of years and have had the opportunity of representing a great riding of wonderful people. I have listened to many speakers in the House and have felt that the business of the House is being conducted in a commendable fashion. I must admit that some of the members of the Opposition speak much too long—and I am sorry the member for Sudbury East (Mr. Martel), has left—and offer very little of a constructive nature to the debate. But when one reflects that the people of Ontario have used very sound judgment in the last eight elections, after they read some of the speeches of our friends opposite, I am quite positive that their judgment will be good in the next election when this government will be returned.

Mr. J. B. Trotter (Parkdale) moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Before the adjournment of the House is moved, the hon. Prime Minister has a correction to make in some information given to the House this afternoon.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, we became a little involved in the fiscal arrangements with the federal government. I was not satisfied myself so I checked it out and perhaps I could set the record straight.

Under The Federal-Provincial Fiscal Arrangements Act, which was passed in 1967 and lasts to 1972, the federal government

rebates to us 28 percentage points of personal income tax. Corporation tax is handled separately. The federal government takes 40 per cent of a total of 52 per cent of corporate income tax and we take 12 per cent; but they collect theirs separately and we collect ours separately, so the corporation tax is not involved in The Fiscal Arrangements Act. Of course there is no agreement necessary there. We can raise our rate of tax whenever we wish and to whatever level we want.

Now there is another Act called The Tax Collection Agreement Act and this covers income tax collection arrangements. It was signed on December 19, 1968, and it may be terminated on one year's notice, to expire on December 31 of any year, by the government of Canada. We, provincially, may terminate it by notice up to October 15 to end the agreement on December 31 of the same year. The province may increase the tax rate twice in any calendar year if it so chooses,

that is there are two periods in any calendar year when we may increase the personal tax rate. We must give notice to the federal government before October 15 if it is to be increased by January 1, or by April 15 if it is to be increased with the increased payments to start on July 1.

I think this embodies all the information.

**Mr. D. C. MacDonald (York South):** That means that the Budget could announce an increase which would be effective July 1.

**Hon. Mr. Robarts:** Well, the member will have to use this information as he sees fit, I am just placing it before the House.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock, p.m.

## APPENDIX

(See page 968)

1. **Mr. T. Reid (Scarborough East)**—Enquiry of the Ministry—

(a) How many science and mathematics teachers are employed at the George Brown College of Applied Arts and Technology? How many of these teachers hold a certificate for teaching from The Department of Education? How many, if any, non-certified teachers are university graduates? Of the remaining teachers, how many have Grade 13?

(b) What are the standards and regulations of The Department of Education concerning the qualifications necessary for persons to be eligible to teach science and mathematics at the colleges of applied arts and technology? Have these regulations been adhered to at the George Brown College of Applied Arts and Technology?

(c) Is it true that person can be appointed a teaching master at George Brown College only if he has at the minimum, an honour degree or an ordinary degree plus trade qualifications? If the answer is yes, are there any masters at George Brown College who do not have these minimum qualifications?

(d) Who are the chairmen of the various teaching departments of the college and what are their academic and professional qualifications?

Answer by the Minister of Education—

1. (a) (c) and (d)—Each college is responsible for the appointment of its own staff. The Department of Education has nothing to do with the number of staff appointed to teach specific subjects, or with their certification, or with other academic or professional qualifications. The colleges are not required to submit to the department the names of staff members nor the positions they hold. In these respects the colleges of Applied Arts and Technology are in the same position as the universities of the province. Requests for information along the lines indicated in the question should be made direct to the institution concerned.

1. (b) The Department of Education does not set standards and regulations for the qualifications of teachers at the Colleges of Applied Arts and Technology. In this respect these institutions are in a similar category to our universities.

2. **Mr. T. Reid (Scarborough East)**—Enquiry of the Ministry—

(a) Are the Bower-Lambert Scales used in the province of Ontario in the detection of emotionally disturbed children? If not, what criteria are used in the province of Ontario to detect emotionally disturbed children? How many emotionally disturbed children are there

in the province of Ontario (excluding such children who are also blind and/or deaf)?

(b) How many of these children are old enough to go to school? How many school-age children are judged to be so disturbed that they have been excluded from regular school classrooms and how many of these children do not receive the special education services of The Department of Education? How many teachers have professional training in what to do for emotionally disturbed children?

(c) How many emotionally disturbed children in Ontario are not old enough to go to school? How many of these children receive in-patient care? How many receive out-patient care? Who pays? How many receive no professional care at all and are isolated at home?

Answer by the Minister of Education—

2. (a) (i) No.

(ii) From the point of view of The Department of Education, a clinical diagnosis is required before a child is referred to as emotionally disturbed.

(iii) Because of the factors involved in classifying a child as emotionally disturbed, it is not possible to secure the figure requested.

(b) (i) The answer to this question would be dependent on the answer to number (a) (iii).

(ii) Children who are excluded from regular school classrooms are placed in special classes for emotionally disturbed unless they require institutional care. As of September 1967, there were 432 children in 48 special classes for emotionally disturbed in the province of Ontario. This does not represent the total number of children receiving special help as many are being given assistance on a part time basis, and others by home instruction.

(iii) Since 1965 and subsequent summers, 160 have completed the special education course offered by The Department of Education in the education of the emotionally disturbed child.

(c) Because of the factors to which reference is made in the answer to 2 (a) (iii) above, and the matter of the legal school age, the figure requested is not available.

3. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—How many of the 5,159 candidates admitted to Ontario's 13 (elementary school) teachers' colleges during the academic year 1967-68 and the summer session in 1968, had an academic standing of 64 per cent or less on their grade 13 entrance requirements? How many had an academic

standing of 80 per cent or more on their grade 13 entrance requirements?

Answer by the Minister of Education—

In 1967-68, 6,237 graduates of Grade 13 entered the teachers' colleges. Of this number, 5,135 had a Grade 13 standing of 64 per cent or less and 106 had a standing of 80 per cent or more. In addition, a total of 110 candidates attended the Internship Summer Course in 1968, all of whom had acceptable university degrees.

4. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—With regard to the Teachers' College Conference at the Lake Couchiching Centre held by the teacher education branch of The Department of Education in June, 1968, which had as its theme "New Directions for the Teacher of Teachers":

(a) What was the length of this conference?

(b) How many persons were in full-time attendance?

(c) How many persons attended for part of the conference only?

(d) What was the total cost of the conference?

(e) What was the age distribution of those who attended?

(f) What was the sex distribution of those who attended?

(g) How many were Department of Education officials? Held administrative appointments at Ontario's 13 teachers' colleges? Were from boards of education? Were full-time teachers at Ontario's 13 teachers' colleges? Were principals of elementary schools? Were from the Ontario Institute for Studies in Education? Were full-time classroom teachers in elementary schools?

Answer by the Minister of Education:

4. The conference held at Lake Couchiching in June, 1968, entitled "New Directions for the Teacher of Teachers" was called to permit consideration of recommendations from a committee of teachers' college principals and teacher education branch staff concerning the re-organization of teachers' college courses as recommended in the report of the Minister's committee on the training of elementary school teachers (MacLeod Report).

(a) Length of conference—two and one-half days.

(b) Full-time attendance—80 persons.

(c) Part-time attendance—5 persons.

(d) Total cost of conference—\$1,275.25.

(e) Age range of those who attended was from 29 to 63 years.



(f) A total of 79 men and six women attended.

(g) Attendance summary:

Department of Education officials	11
Administrative staff from teachers' colleges	27
Boards of education	1
Full-time staff from teachers' college	32
Principals of elementary schools	3
From OISE	0
Full-time classroom teachers	1
Ontario Teachers' Federation	1
Others	9
Total	<u>85</u>

5. Mr. Brown—Enquiry of the Ministry—

(1) During the fiscal year 1967-68, what were the amounts of the grants given to the Multiple Sclerosis Society of Canada (Ontario Division)? What was the actual amount requested by the organization? Were those grants given as a result of a direct request from the Multiple Sclerosis Society of Canada? Is there any reason why grants for this organization for medical research have not been allowed?

(2) What is the relationship between The Department of Health and the Canadian Association of Occupational Therapists? During the fiscal year 1967-68, what were the amounts of grants given to the Canadian Association of Occupational Therapists? On what basis were the grants given? What was the actual amount requested by this organization?

(3) During the fiscal year 1967-68, what were the amounts of the grants given to The Health League of Canada? What was the actual amount requested by this organization?

(4) During the fiscal year 1967-68, what were the amounts of the grants given to the Canadian Paraplegic Association? What was the actual amount requested by this organization?

(5) During the fiscal year 1967-68, what were the amounts of the grants given to the St. Elizabeth Visiting Nurses' Association? What was the actual amount requested by this organization? Were those grants given as a result of a direct request from the organization and if so, what was the specific purpose for which the grant was requested?

(6) What standards are imposed by The Department of Health or the Ontario Hospital Services Commission on Red Cross outpost hospitals? Do these standards differ markedly from public hospitals' standards? It is possible for other private organizations to establish such outpost hospitals and receive similar benefits from the Ontario Hospital Services Commission?

(7) Is the grant to the College of Nurses of Ontario based on a budgeted programme of costs in the inspection of schools of nursing and training centres, or is the grant provided to cover other aspects of the organization's programme?

(8) What are the details of the grant system between various divisions of The Department of Health and the Banting & Best Institute of Medical Research? Does The Department of Health receive funds from royalties from the sale of insulin? Does the Banting & Best Institute undertake the funding of research that should normally be funded by research grants from The Department of Health—that is, is it replacing public research money and if so, who makes the decisions about whether this should be done?

Answer by the Minister of Health:

1. During the fiscal year 1967-68 a grant of \$2,000 was given to the Multiple Sclerosis Society of Canada (Ontario Division). The society always asks that consideration be given to increasing the grant.

The grant of \$2,000 is a continuing grant, which is reviewed annually to support the activities of the society within the province of Ontario.

The society does not conduct specific research studies, but provides grants to universities and other research bodies which carry out the actual research.

Most research of this nature is financed through Medical Research Council.

2. The Department of Health maintains a close liaison with the Canadian Association of Occupational Therapists, as with all other professional groups related to the field of medical rehabilitation. The services of the Association are called upon with increasing frequency to provide advice regarding plans for the physical facilities of new occupational therapy departments; personnel policies; employment of staff; recommended treatment programmes; lists of equipment and supplies, and many other matters pertaining to the establishment of an occupational therapy service.

During the fiscal year 1967-68 a grant in the amount of \$5,000 was given to the Association. No actual amount was requested by this organization.

3. During the fiscal year 1967-68 a grant in the amount of \$2,500 was given to the Health League of Canada specifically to stimulate immunization in adults. The health league consistently asks each year that the grant be increased.

4. During the fiscal year 1967-68 a grant in the amount of \$3,500 was given to the Canadian Paraplegic Association.

No actual amount was requested. The grant of \$3,500 is a continuing grant which is reviewed annually, and is to assist the association in its administrative and general expenses.

5. During the fiscal year 1967-68 a grant in the amount of \$1,250 was given to the St. Elizabeth Visiting Nurses Association.

No actual amount was requested. The grant of \$1,250 is a continuing grant which is reviewed annually, and is to assist the association in its home nursing programme, but since much of the work done by this group is included in home care programmes, consideration is being given to ending this grant.

6. Red Cross Outpost Hospitals are governed by the provisions of The Public Hospitals Act and are listed as Group "D", General Hospitals operated by the Ontario division of the Red Cross Society. The Act and the Regulations apply to all public hospitals including the Red Cross institutions.

The Ontario Hospital Services Commission does not lay down or specify any different or modified standards for these institutions. Before any citizens' group or a private organization can proceed in the planning of a new hospital in any part of the province, it must first secure the approval of the commission. This approval depends upon the need for a new or additional hospital in the area. The project would also need to comply with the provisions and standards laid down in The Public Hospitals Act and regulations before it could proceed.

7. The grant of \$20,000 to the College of Nurses of Ontario is to provide financial assistance in its programme of inspection of schools of nursing. Prior to 1963-64, this programme of inspection was carried out by The Department of Health.

8. The original \$10,000 grant was established by an Act of the Legislature in 1923, to assist the Banting and Best Institute of Medical Research in carrying out its work in the various fields of medical research. In 1958, an additional non-statutory grant of \$20,000 was provided to the foundation in support of senior medical research staff who would devote their time to current problems in the field of medical research.

The Department of Health receives no funds from royalties from the sale of insulin.

The Banting and Best Institute does not undertake the funding of research, and it is not considered that this grant replaces public research money.

6. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—What are the names of the elementary schools in Ontario which do not provide kindergarten to the children in the surrounding community?

Answer by the Minister of Education:

The Department of Education does not record the names of elementary schools which do not provide kindergarten. There are 4,761 elementary schools of which 2,589 have kindergartens. This number of 4,761, however, includes senior public schools and junior high schools, and 1,579 schools of five rooms or fewer, many of which have not previously been in a position to provide kindergartens.

7. *Mr. J. P. Spence*—Enquiry of the Ministry—How many American cottages are exempt under the new basic tax exemption in 1968?

Answer by the Minister of Municipal Affairs:

1. If the "American cottages" are assessed as residential property as defined in The Residential Property Tax Reduction Act, 1968, the municipal taxes payable thereon are subject to a reduction under the Act.

2. The department records do not include the number of "American cottages" which are subject to the reduction.

9. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—How many straps have schools in Ontario purchased as of December 1, 1968? What are the names of the schools which have purchased these straps?

Answer by the Minister of Education:

The Department of Education does not collect statistics giving this information. A departmental policy statement on corporal punishment in the following terms was issued recently, and circulated to regional and area superintendents, programme consultants, municipal directors and superintendents, principals of schools, secretaries of school boards and principals of private schools.

Re: Corporal Punishment:

Hitherto it generally has been assumed that while corporal punishment was not specifically authorized by any Act or Regulation, it nevertheless was condoned under Section 40(1b) of Ontario Regulation 339/66 which states that, "A pupil shall submit to such discipline as would be exercised by a kind, firm and judicious parent."

Without commenting in any way on the responsibilities or prerogatives of parents, it

is suggested that this regulation should be interpreted as providing, within the context of the schools, an atmosphere of respect, and trust between students and teachers with the cultivation of individual responsibility as a major goal.

The provincial committee on aims and objectives of education in the schools of Ontario in dealing with this matter made this observation, "A child is not a young adult, and just as we accept his need to increase in wisdom, we must assume his need to grow toward maturity of conduct. The application of punishment in the area of behavioral learning is not more defensible than its application in any other area of learning.

Consequently, it is considered that the use of corporal punishment in any form is not appropriate in the schools of Ontario and it is recommended that principals and teachers refrain from its use.

10. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—(a) How many strappings were administered in the 1967/68 school year to children attending schools which received financial assistance from The Department of Education? How many children received these strappings? How many were girls? How many of these children received medical treatment as a consequence of such strappings? (b) How many children have been strapped with approved straps by members of the Staff at Sutton District High School between September 1, 1962 and December 1, 1968?

Answer by the Minister of Education:

The Department of Education does not collect the statistical data requested.

11. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—What detailed specifications has the Minister of Education laid down concerning the length, width, thickness, weight, substance and flexibility of straps that are currently being purchased by schools in Ontario who receive financial assistance from the Minister's department? Do these specifications vary depending on sex, age or size of the children who are expected to be strapped by the principals of the schools?

Answer by the Minister of Education:

The Department has not laid down detailed specifications along the lines suggested in the question.

12. *Mr. T. Reid* (Scarborough East)—Enquiry of the Ministry—How many English-language primary schools in Ontario have language laboratories?

Answer by the Minister of Education—

Language laboratories are not commonly used in elementary schools but specific figures have not been collected.

The primary schools frequently use listening stations (earphones) to catch the intonation and pronunciation from records and tapes. The Toronto board of education, for example has about 100 schools so equipped. No figures are available for the province as a whole.

### ERRATA

(December 17, 1968)

Page	Column	Line	Correction
807	2	30	Change to read: that the House would accept these. They
811	2	47	Change to read: clinical evidence of fluorosis detectable by
818	2	46	Change to read: ammunition makers had no scruples about creating
820	1	7	Change to read: of G. A. Lacy, D. T. Watson and L. F. Batterson, chairman. The total enrollment is

(December 19, 1968)

906	2	17	Change to read: In this case persons are often not out
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ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, February 5, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969

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# LEGISLATIVE ASSEMBLY OF ONTARIO

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WEDNESDAY, FEBRUARY 5, 1969

The House met today at 2.30 o'clock p.m.

Prayers.

**Mr. Speaker:** Our visitors today in the east gallery are from the Adult Education Centre, Humber College, Etobicoke; in the west gallery from Dalewood Senior Public School, St. Catharines. Later today in the east gallery we will be joined by students from Grand River Collegiate in Kitchener.

Petitions.

**Clerk of the House:** The following petitions have been received:

Of the corporation of the city of Belleville praying that an Act may pass permitting a two-year term of election for the mayor and aldermen.

Of the corporation of the city of Toronto praying that an Act may pass authorizing an executive committee of council.

Of the corporation of the city of Hamilton authorizing payment for certain public works, out of the corporation's general funds; and for other purposes.

Of the corporation of the township of Teck praying that an Act may pass authorizing debentures for an addition and alteration to Kirkland Lake Collegiate and Vocational Institute.

Of the corporation of the town of Whitby praying that an Act may pass permitting it to require applicants desiring the use of town streets for cable television purposes to enter into agreements with the town for the use thereof.

Of Carleton University praying that an Act may pass changing the procedure for appointment of persons to the senate of the university; and for other purposes.

Of the trustees of the William J. Miller Trust praying that an Act may pass authorizing a new method of appointing trustees of the trust.

Of Lawrence Michael Baldwin, Kenneth Harold John Clarke, Herman Berthold Geiger-Torel, Arthur Ellis Gelber, William Hugh Graham, Walter Homburger, James Mavor Moore, Robert Edward Peel, Wallace Arven Russell, Muriel Sherrin, Raymond Frederick

Wickens, Calvin Gordon Rand, William Tennent Wylie and Frederick Gerald Townsend praying that an Act may pass incorporating them as Co-ordinated Arts Services.

Of the corporation of the city of Sarnia praying that an Act may pass confirming a certain by-law with respect to a municipal transportation system.

Of the corporation of the city of Peterborough praying that an Act may pass authorizing the corporation to enter into agreements with Border Transit Limited with respect to the operation of a bus line within the limits of the corporation.

Of John Robert Banks, Evelyn Florence Banks and John Lewis Banks praying that an Act may pass reviving the Charter of Banks Alignment Limited.

Of the corporation of the county of Welland praying that an Act may pass permitting it to amend the agreement authorized by Chapter 182 of the Statutes of Ontario, 17 Elizabeth II, 1968.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

The Hon. Minister of Health has a statement.

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, before the orders of the day I would like to draw something to your attention, something that I think will be of great importance to the members of this House and also to the people in certain segments of our province. I am sure, sir, you will recall that the question of sulphur dioxide emissions to the outdoor atmosphere, in the Sudbury area particularly, have been the subject of much discussion in the Legislature during the past years. You will also recall that my department undertook, after it had assumed the responsibility for air pollution control, to investigate this problem and implement a programme of control.

Today I wish to report the first step in the implementation of this programme. During this past summer the air pollution control service conducted a very thorough emission

survey to determine the number of sources and the total amount of sulphur dioxide being emitted. Our findings have been discussed with International Nickel Company of Canada and have resulted in an undertaking by them which they are announcing today.

Their announcement reads as follows:

Copper Cliff, Ontario, Wednesday, February 5, 1969. The International Nickel Company of Canada Limited announced today that it will erect a 1,250 ft. chimney to serve the company's Copper Cliff smelter complex. The new stack will be the highest in the world and will replace the existing stacks (two of 500 ft. each and the third 350 ft.)—

Interjection by an hon. member.

**Hon. Mr. Dymond:** The instant expert, Mr. Speaker, is running off at the mouth once again before he has ever listened.

Interjections by hon. members.

**Hon. Mr. Dymond:** Always running off at the mouth, that is the only place he can run, Mr. Speaker.

—Two stacks of 500 feet each and the third of 350 feet, which will be closed down and capped.

Design basis for the new stack have been drawn up in consultation with the Ontario Department of Health and also with Dr. Morris Katz of Syracuse University, one of the world's leading experts in sulphur dioxide emission and control.

The chimney will assure that air in the Sudbury area will be considerably cleaner on average than that in any other industrial community in Ontario and will exceed, by a substantial margin, the air quality standards established by the Ontario Air Pollution Control Service.

Coincidentally with the erection of the new chimney, Inco will install two new electrostatic precipitators for dust abatement and collection and will also enlarge existing precipitators at the smelter. This will decrease the dust content of the gases to well below Ontario health department standards.

Engineering work will start immediately and construction will be underway this summer. This project is expected to cost in excess of \$13 million.

Consultants have assured the company that the new stack will eliminate any possibility that ground concentrations of sulphur dioxide from Copper Cliff will again reach the point where they can cause

damage to vegetation. This is supported by experience gained from recent high stack installations in Europe and the United States.

Gases from the smelter will be emitted at high velocity, temperature and altitude to assure their adequate dispersion and dilution even under adverse weather conditions.

**Mr. M. Shulman (High Park):** This is an error—they are just spreading the pollution over a wider area.

**Hon. Mr. Dymond:**

Company officials emphasized that erection of the 1,250-ft. stack is regarded only as an interim measure and will permit continuing studies aimed at more complete recovery of sulphur from the smelter gases.

**Mr. Shulman:** Too little and too late.

**Hon. Mr. Dymond:**

International Nickel's laboratories and pilot plants will continue their intensive research on other processes for sulphur recovery.

The new stack will be approximately the same height as the Empire State Building and thus, one of the world's tallest structures.

**Mr. E. W. Sopha (Sudbury):** That is not far from Wall street anyway.

**Hon. Mr. Dymond:** For the members' reassurance, Mr. Speaker, I would leave no doubt that my department considers the use of tall stacks to disperse pollutants and reduce ground level effects as an interim or short term measure only. This is fully understood by industry, and the ultimate objective is to remove the pollutant at the source.

**Mr. Shulman:** We will fix it when we form a new government.

**Hon. Mr. Dymond:** Accordingly, we have advised International Nickel Company of Canada to this effect and will require them to submit progress reports on their plans to achieve this objective.

Because of the difficulties inherent in the removal of sulphur dioxide in the light of our present knowledge, this will, of necessity, be a long range project. However, we intend to pursue it vigorously and thus achieve our objectives in progressive stages.

Since we are concerned with the Sudbury area, discussions are currently taking place with Falconbridge Nickel Mines to evolve an

equally effective control programme and I hope to be able to announce similar results shortly.

**Mr. Sopha:** They put it over on you, I can see.

**Hon. J. P. Robarts (Prime Minister):** I think the hon. member is disappointed that something is going to be done about it.

Interjections by hon. members.

**Hon. Mr. Robarts:** He is disappointed that something is going to be done about it. No more objections.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** Mr. Speaker, I am tabling this afternoon the document entitled "Propositions of the Government of Ontario submitted to the Continuing Committee of Officials as of December 1968". This document had its origins in the decision of the federal-provincial conference of Prime Ministers and Premiers held in Ottawa, as it so happens, exactly a year ago today.

It will be recalled that the conference agreed to establish itself as a continuing constitutional conference to proceed with all the questions involved in constitutional review. And at the same time, the conference agreed to establish a continuing committee of officials to carry out the preparatory and detailed work necessary to this task, and to make the necessary preparations for the conference that will open on Monday next.

Now, sir, the government of Ontario fully supported these decisions of the conference. We consider it very desirable that we should participate, to the fullest, in a joint exploration with the other governments of Canada in which our contemporary constitutional problems may be examined and may be the subject of a very complete study as we try to find some solutions to some of the problems that face us.

Our desire to engage in this study as equal partners with the other governments of Canada in the evolution of Canadian federalism was expressed, of course, at the first meeting of the continuing committee of officials held in Ottawa. Our officials on that committee are the Deputy Treasurer, Mr. H. I. Macdonald and the Deputy Minister of Justice, Mr. A. R. Dick.

At that meeting in May, the continuing committee of officials was confronted with the very difficult task of attempting to decide upon what technique would be used in order

to even make an approach to this whole problem of constitutional review.

The committee decided to adopt the "proposition" method whereby delegations would submit to the committee, and I am referring to the committee of officials, any number of propositions dealing with the constitutional issues that were raised at the conference last February. A "proposition" was defined as:

A statement of principle or general concept by which governments should be guided in the process of constitutional review or which should underlie the provisions of the constitution.

Thus, the propositions put forward and which I will table here are suggestions which, in the judgment of the government submitting them, should guide the examination of the many different aspects of the constitutional arrangements of the country. The propositions are not intended to represent firm or final positions of the governments who submit them.

I would underline that point because I do not want it to be assumed that because we present these propositions that they represent a firm or final position of this government. They are put forward as matters that can form the basis of discussion as we get into examination of our constitution.

They should not be regarded as comprehensive. They are designed to stimulate discussion, and of course, this is what I am emphasizing.

By adopting this approach, the committee hoped that all concerned would gain a better understanding of the views of each participating government on the various issues. This approach was also designed to help identify broad areas of agreement and also, broad areas of disagreement and designed also to permit the committee of officials, on the basis of the propositions submitted, to suggest subjects to the conference itself which would require more detailed and specialized study.

We, as a government, agreed with this method. We believe that it will allow the constitutional review to develop exactly that atmosphere of partnership and good faith which is so necessary if it is to be successful.

At the same time, I think this approach recognizes how complex the whole exercise is, how necessary it is to proceed carefully and deliberately and I think, when you read these propositions and the propositions of the other governments, you will get some idea of what a complex task we have undertaken.

In our view, the constitution must be viewed as a totality. Each of its parts is connected and interrelated and none of the issues can really be settled in isolation. The proposition approach recognized these views and emphasizes that we are taking the first tentative steps, that submissions are of a preliminary nature, and that they are a way of promoting discussion. In short, this approach has the merit of being both flexible and workable.

The 40 Ontario propositions contained in this volume are therefore not considered by the government of Ontario to be final and are not considered to be complete, and they are not considered to be binding. They have been put forward in the spirit which I have described, and in response to discussions which have already taken place, at last year's conference and in the committee. We as a government of course will undertake to review, refine or revise these propositions, and any that we may submit in the future.

The committee itself established 14 categories in which the various propositions submitted by all the governments might be placed. These categories are as follows: (1) Object of review; (2) objects of confederation; (3) general principles to be reflected in the constitution; (4) fundamental rights; (5) the constitution of the central government; (6) the constitutions of the provincial governments; (7) the constitution of the judicial system; (8) the distribution of legislative powers; (9) inter-government relations; (10) external relations; (11) amendment procedures; (12) general provisions; (13) transitional provisions; (14) adoption of the constitution.

In its five meetings since May, the committee of officials has discussed the first six topics I indicated here in some detail. In addition, preliminary consideration has been given to the constitution of the judicial system, and to the distribution of legislative power. Now, you will see from this volume that we have submitted propositions dealing with the first twelve categories, although it has tended to concentrate on several of them. It is clear that propositions in the final two categories—namely transitional provisions and adoption of a constitution—can only be developed towards the end of the constitutional review.

The particular concentration of our proposition is partially a problem of categorization. What one government may label an objective of confederation, another may call a basic principle. In some categories, our point of view is met in propositions sub-

mitted by one or more other governments. When such compatibility exists we saw no special need to repeat the point.

I would like to make some special remarks about two of the categories. On December 10 last, the Minister of Labour spoke on my behalf in this House about the necessity of ensuring the fundamental rights of all Canadians be respected by every government and by every individual.

In February of last year, at the constitutional conference, the Minister of Justice and Attorney General told that conference that Ontario believed that the Bill of Rights entrenched in the constitution should not be considered in isolation from the other aspects of the constitutional review. He also explained that we were then awaiting a report of the Royal Commission Inquiry into Civil Rights.

The first part of the report has now been published, but the second part, which we anticipate will include the question of the Bill of Rights, has not yet been presented to the government by Mr. Justice McRuer. The most important question to answer with respect to fundamental rights, is how we can best ensure maximum freedom for the Canadian people. We expect the findings of the hon. Mr. McRuer will contribute to our understanding of the problems involved. Therefore we have so far submitted only a preliminary proposition in this category. Similarly we have submitted only one proposition dealing with the distribution of legislative powers.

I do not think that anyone who has been listening to what this government has been saying on this subject during the last few months can reasonably interpret our contribution as a lack of interest. The contrary, of course, is the case. We consider the distribution of powers to be the heart of any constitutional review.

Furthermore, the committee has had only a preliminary discussion of the distribution of legislative powers. As the discussions continue in the coming months, further propositions on these vital subjects will be submitted.

I will emphasize in closing that these propositions are really of a tentative nature. I would emphasize one additional important aspect for your consideration as you read them. I need hardly say that a great deal of thought and consideration has gone into the preparation of the propositions.

In particular, and in almost each instance, the bare statement of the proposition is



accompanied by a careful explanation. These explanatory notes must be read in conjunction with the propositions themselves in order that the statement, which is necessarily brief, can be fully understood. In fact, I would say that we attach as much importance to the explanations as to the propositions themselves.

I hope that this document will be received in the same spirit that its contents have been put forward. That is, as a preliminary view on some very complex and some very difficult subjects which require a great deal of discussion and revision by all of us if the challenges to Canadian federalism that seem to exist are to be successfully resolved.

There will be copies of this delivered to both the other parties and if additional copies are required, of course, they are available.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, as one who has listened over the last two months to the government's pronouncements on the distribution of powers and the way these reflect on the tax situation, I am surprised that the Prime Minister's committee did not give some additional proposition or additional material on distribution of powers.

Why is it that this was neglected in the presentation of the propositions that have just been tabled?

**Hon. Mr. Robarts:** I might say, Mr. Speaker, that there is some difference of opinion as to what should come first. After all, that conference in February is only a year ago. This committee had to meet and it had to devise a means in the first place of attacking the problem. So this is by no means a complete or comprehensive statement of all the matters involved.

There has been time to deal with some of them more thoroughly than others. But then, some governments are not as anxious to discuss certain aspects of the constitution as they are to discuss some other aspects. They have their own priorities of constitutional review.

The federal government is not particularly enthusiastic about discussing powers in terms of possible revision of fiscal arrangements and revenue sources. I think probably their reluctance in this regard has been made evident in the last few months as well. But these matters will be sorted out in due course.

**Mr. Nixon:** For clarification, as I understand it Mr. Speaker, the Prime Minister did say he considered these matters of paramount

importance. I was simply asking him why, if he considers them of paramount importance, did his committee not consider them likewise and put forward the propositions which could perhaps have given some leadership to the governments who are less enthusiastic on this matter.

**Hon. Mr. Robarts:** We are just going along with the operation as it is evolving. We will have lots to say about this in due course.

**Mr. Nixon:** Mr. Speaker, I have a question remaining from yesterday, of the Minister of Energy and Resources Management. I know he would agree the matter is of considerable urgency.

**Mr. Speaker:** I have arranged with the hon. Minister that when you had asked your questions today he would then give the answer to yesterday's question, but I have no objection to the answer coming now. However, it would seem to me that that would be the proper procedure. The hon. Minister has the floor.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, in answer to the question of the hon. leader of the Opposition—perhaps I should read the question:

Does the system of rotated work stoppage by the Hydro employees seriously threaten the supply of energy in view of the fact that the unions have emergency crews available?

The answer: Any action which creates a situation such as that which existed February 3, when the large Sir Adam Beck generating complex, representing an investment of \$400 million, and a generating capacity of 1,800,000 kilowatts, had to be operated by a skeleton staff of supervisory people, cannot help but threaten the supply of energy.

Emergency stand-by crews are of value for transmission and distribution line repair, but operating errors can seldom wait for someone to be called in to take corrective action.

The commission's policy is to keep all generating plants and equipment operating at full required capacity and every effort will be made to achieve this. No one, however, can foresee the dislocating effects of a rotating strike.

**Mr. Nixon:** If I might ask a supplementary question. Since the Minister believes that our electrical capacity is in danger, does this mean that he is prepared to make some recommendations to his colleagues in the Cabinet for solving the problem?

**Hon. Mr. Simonett:** Well, Mr. Speaker, I might say that this matter is under discussion and I would have to report on it at a later date when the decision is made.

**Mr. Nixon:** Just one final question, then. Under those circumstances, the Minister then feels that the emergency crews that the unions say are readily available are not filling the need as he sees it?

**Hon. Mr. Simonett:** Mr. Speaker, there are emergency crews standing by to repair line or distributions systems, but they must be, I would think, men who fully understand the machinery and the complex operation within the plant, and this is Hydro's worry at the present time.

**Mr. Nixon:** Mr. Speaker, I have a question for the hon. Attorney General.

Is the Attorney General expecting to introduce legislation at this session based on the interim report on landlord and tenant laws of the Ontario Law Reform Commission?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the report which we received toward the end of the session in December is being studied by practically all departments of the government and I am not in a position to say, at this moment, what the government policy or position is as to introducing legislation this session.

We are certainly concerned with the study of those recommendations and I would expect that as soon as it is feasible, we shall produce legislation, but whether it could be at this session I cannot say at this moment.

**Mr. Nixon:** I would like further to ask the Attorney General if he has reconsidered whether there will be any change in the government's position that approval for the proposed Lakeshore raceway can be granted exclusively by the metropolitan council?

**Hon. Mr. Wishart:** Mr. Speaker, this question is framed to speak of the government's position and I do not think the government, so far as I am aware, has expressed a position.

**Mr. Nixon:** They would not accept your advice in this?

**Hon. Mr. Wishart:** Just allow me to finish the answer to the question. Nothing was asked except an opinion of two of my colleagues as to the necessity of their consent — at least the consent of the Lieutenant-Governor-in-Council.

I rendered an opinion — taking the request from my colleague, the Minister of Highways, I believe, and the Minister of Transport — that no consent of the Lieutenant-Governor-in-Council was necessary and that metropolitan Toronto Council was free to act within its jurisdiction in this matter.

**Mr. Sopha:** That opinion was wrong; no question about it.

**Hon. Mr. Wishart:** That may be your opinion.

**Mr. Sopha:** Bad advice. Even his best friends call him, "Trading Stamps Wishart". He gets bad advice.

Four statutes say it is a highway. Of course, I do not care what they do down in the Lakeshore.

**Hon. A. F. Lawrence (Minister of Mines):** Imagine when the member writes his book.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** I would like to say, Mr. Speaker, that I clearly did not express a government position. I expressed a legal opinion, and I referred in that opinion — if the hon. member for Sudbury were interested — specifically to the four statutes which I am sure he has in mind.

A letter which I sent to metro chairman William Allen had all those statutes considered and specifically covered, and there is no change in that opinion.

**Mr. Nixon:** For purposes of clarification then, we are to assume that the legal position delivered by the Attorney General in the House and, presumably, beforehand to his colleagues, does not represent the position of the government in the case of the Lakeshore raceway.

**Hon. Mr. Wishart:** I am not talking about the position of the government. I am talking about a legal opinion I was asked to give. It has been given, it is firm, and by it I stand.

**Mr. Nixon:** Then it is the position of the government, surely?

**Hon. Mr. Wishart:** Government has not been asked to take a position.

Interjections by hon. members.

**Mr. Nixon:** Maybe the Premier ought to make some comments on that and either accept the Attorney General's position or not.

**Hon. Mr. Robarts:** Mr. Speaker, people have written to me and we just take the

attitude that it is within the jurisdiction of the locally elected bodies to govern these roads.

This is the legal opinion given the government by the Attorney General and so we do not have a position.

**Mr. Sopha:** The government does not have a position? Certainly it has a position.

**Hon. Mr. Robarts:** We do not say it is a good thing or a bad thing because it is outside our jurisdiction, and they can make up their own minds.

**Mr. Sopha:** The Minister of Tourism said it was a good thing; the Minister of Tourism and Information announced it.

**Hon. Mr. Robarts:** Mr. Speaker, in this, perhaps some people would like to see us intervene, but in another case—and I could name many of them—we would be soundly rapped if we thrust our opinion into and upon and among decisions taken by duly elected bodies—

**Mr. Nixon:** This is your responsibility and you are shirking it.

**Hon. Mr. Robarts:**—who are responsible to the people who elected them. Now we just simply will not supplant any opinion or any position of ours for that position taken. After all, these by-laws, or whatever, are carried by majorities of the two elected councils. I consider it would be completely improper if we were to interfere with the decisions that were made, particularly when in the hon. Minister's opinion, we do not have the jurisdiction.

**An hon. member:** Ask the Minister of Highways.

**Mr. Nixon:** So, Mr. Speaker, we are to understand that the Premier does accept the advice of this chief law officer.

**Mr. Speaker:** Order. The hon. leader should be asking questions; not making statements. He is at liberty to interpret the Prime Minister's answer as he wishes.

**Mr. Nixon:** They are pretty foggy; we just want to pin it down.

**Hon. Mr. Wishart:** I had not quite concluded my answer to the question.

**Mr. Nixon:** But?

**Hon. Mr. Wishart:** But nothing. I was going to say that in relation to this matter, I observed the leader of the Opposition, a

few days ago on television, saying that the Attorney General seems fearful to give an opinion to the House. He referred to the occasion on which the opinion was given.

I would just like to say the opinion—if he cares to read *Hansard*—was very straightforward, very clear, and very definite.

**Mr. Nixon:** He shirked from accepting his responsibility and I reiterate it.

Interjections by hon. members.

**Hon. Mr. Robarts:** Is the member saying that he gave a wrong opinion because he was fearful, is that what the hon. member is saying?

**Mr. Nixon:** I am saying that he should, and you should, take the responsibility for that raceway and that you should turn it down flat.

**An hon. member:** And most of your Toronto colleagues think so, too.

**Mr. Speaker:** Order!

Interjections by hon. members.

**Mr. Sopha:** You may be sucking and whistling at the same time.

**Mr. Nixon:** He did not really call me a reprobate, did he? Mr. Speaker, I have a question of the Minister of Highways: Has the route been established for the Dundas by-pass, and if so what are the estimated construction dates and costs?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer is no.

**Mr. Speaker:** The hon. member for Port Arthur has a point of privilege.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, my point relates to an article in the *Toronto Daily Star* of Saturday, February 1. I feel that the article written here, which came after an interview with one of this government's Cabinet Ministers, as it sits in the newspaper with the biggest circulation in this entire country, I believe, is extremely derogatory to the people I represent as well as those in the sister riding of Fort William. It could indeed perhaps prejudice legislation which I understand will be brought into this House during this session, and for that reason I would like to set the record straight.

The article in its sub-title says:

Whoever would have thought that those arch rival twin cities of Port Arthur and Fort William would merge? Well, a young

Cabinet Minister named D'Arcy McKeough is pulling it off.

I see that my impression of this government's attitude toward my people is confirmed by the banging of the desks. Mr. Speaker, further, under the picture, I read what it says there:

D'Arcy McKeough is the 36-year-old Municipal Affairs Minister who is reshaping the map of Ontario by amalgamating hundreds of small municipalities, and even those rival towns at the Lakehead, Port Arthur and Fort William, which next January 1 will become one big city.

Before I make further quotes, Mr. Speaker, I would like to say that I feel that the hon. Cabinet Minister should get his due.

The point that I am making is that it should not be by using the Lakehead cities as a stepping stone and I will continue to quote from this article. Further down, it says:

Fort William and Port Arthur, historical—

Mr. Speaker: Order! The hon. member is quite in order if he wishes to raise a point of privilege or order which affects the people of his riding. He is not in order to go further afield. Now if he has a point of privilege or order, he has yet to state it, because what he has already said has not yet appeared as a point of privilege or order. I would ask that he state his point of privilege or order and then support it with whatever he wishes in the way of material.

Mr. Knight: With all due respect, Mr. Speaker, I think I called it a point of personal privilege.

Mr. Speaker: I am sorry, a point of personal privilege. I stand corrected—it is a point of personal privilege. Would the hon. member restate his point of personal privilege and then document it only, and not the actions of a Minister or of a newspaper?

Mr. Knight: The point of personal privilege is that following an interview with a Cabinet Minister relating to legislation that is going to be introduced into this House, the newspaper with the largest circulation in Canada has printed biased information which is hurtful to my riding and my people and, I think, in some way will prejudice the legislation that is going to be brought into the House.

My understanding of personal privilege, Mr. Speaker, is that where a member feels that he has been wronged in some way, or

that those he represents have been wronged in some way in this House or through the press in a misquote or biased news reporting, he is entitled to make that point of personal privilege and set the record straight.

An hon. member: You have got it all wrong.

Mr. Speaker: The hon. member has stated in a very good fashion I think, the matter of personal privilege except that it is not necessarily a question of someone being wronged, but at least of their privileges being interfered with.

He has stated his point of personal privilege. He has indicated the reasons why he raised it. I think it is highly unnecessary that he should read anymore from the newspaper article because I would suspect that that would compound rather than help the difficulty.

If he wishes to set the record straight by a statement of his own with respect to the attitude of his people then I think he is in order. Otherwise, he would not be.

Mr. Knight: Thank you very much, Mr. Speaker, you are a good Speaker.

I will not quote any further from the article because what I planned to quote will indeed compound what has already been stated.

The truth of the matter is that unfortunately at a time in history which is so important to the people of my area, everybody is getting the wrong idea. Everybody seems to think we are a bunch of children up there who have got to be spanked and put to bed and tied to the bedpost.

This is not the truth. I hope that if the *Globe and Mail* and the *Toronto Telegram* plan articles of this type relating to what this Minister is trying to do at the Lakehead, they will get the record straight.

Mr. Speaker: Order!

Mr. Knight: And remember we are not arch rivals.

Mr. Speaker: Order!

Mr. Knight: We have not been for 20 years, Mr. Speaker.

Mr. Speaker: Order! The proper place for the hon. member to discuss this with the publishers of the newspapers would be with the newspapers and not on the floor of the House.

Mr. Knight: Thank you very much.

**Hon. A. Grossman (Minister of Correctional Services):** He got the last word.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a question of the Prime Minister.

Is it accurate that the proposal for the re-establishment of the old tax structure committee as a fiscal policy committee to co-ordinate federal-provincial tax planning and priorities was turned down by the provinces, including Ontario?

If so, how does the Prime Minister reconcile this action by Ontario with the Treasurer's statement to the finance Ministers' meeting in Ottawa just a year ago, January 10, 1968, that the tax structure committee was one of the important elements in the machinery for achieving fiscal co-ordination?

**Hon. Mr. Robarts:** Mr. Speaker, the answer to the first question is no and therefore, the second question has no significance.

I would say that we have been one of the leading proponents of some form—any form or all forms—of co-operation between the federal and the provincial governments for the development of means of consultation between us.

For the history of the tax structure committee, as you will recall, it was set up at the federal-provincial conference in Quebec City, I think about 1964. It really has never ceased to function.

Although it brought in a report that was completely disregarded by the federal government when we came to certain arrangements; I will not say agreements because this government never agreed to them, but they were arrangements made with the federal government. Even since that time this committee has continued to function. So although it is functioning in more recent times it has not been as vigorous as in those days before it reported.

You recall that when Mr. Sharp was Minister of Finance he did not choose to accept the findings of the tax structure committee. Perhaps what leads to this question is the fact that a year ago, at the meeting of the Ministers of Finance, in January of 1968, this government suggested that the tax structure committee might be combined with this annual meeting of Ministers of Finance because a good deal of overlap was developing in the functions of the tax structure committee which is composed primarily, of officials and the conference of the Ministers of Finance.

This suggestion was not accepted in its entirety. But on November 4 last, at the conference of Finance Ministers it was suggested that the tax structure committee or some successor to it be reconstituted and put to work on a more active basis than it has functioned in the last few years, and this new set up is presently being worked upon.

All of this has, of course, been done, part of it at our instigation and all of it with our complete co-operation and our desire to get some form of meaningful consultation between the federal and provincial governments in the whole field of fiscal policy.

**Mr. MacDonald:** Mr. Speaker, may I have clarification on one point?

The Prime Minister, as I understand him, appears to be talking in contradictions when he talks of a committee operating, but not as vigorously, but he refers to a decision on November 4 that the committee should be reconstituted to do a job. What exactly is the tax structure committee doing at the present time?

**Hon. Mr. Robarts:** The tax structure committee, as I explained, did some forecasts and spent a great deal of time preparing those forecasts. They were then embodied in a report and that was the spearhead of its work, to produce those forecasts. That objective having been achieved, then the work of the committee slackened off, but did not cease. Let me put it that way.

**Mr. MacDonald:** What is it doing?

**Hon. Mr. Robarts:** Well, it was keeping those figures up to date and doing certain statistical work; forecasting work in the same area to get a projection as to what the position of all levels of government would be in terms of debt and revenue and expenditures in the years that lie ahead, which was the original purpose of the committee.

It continued to perform that function, but not in as vigorous a way as when it was working up to the report it presented. Then we got into this question of overlap with the conference of Ministers which developed in the meantime. That is when we suggested the two be put together.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to address a question to the Provincial Secretary.

Has the Provincial Secretary been informed that a newly arrived male citizen of the



province, born last night to the wife of our hon. colleague, the member for Cochrane South, will be seeking certification from his department?

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I had not heard that, but I am sure I will be joined by all my colleagues in wishing the mother and child well and will be very glad to record it.

**An hon. member:** Do we get a cigar?

**Mr. Speaker:** The hon. member for Dovercourt.

**Mr. D. M. De Monte** (Dovercourt): Mr. Speaker, I have a question of the Minister of Highways.

In respect of the report of the Provincial Auditor tabled in the House yesterday, when will the government enter into a formal agreement with the Canadian National Railways in respect of its current GO Transit operations?

**Hon. Mr. Gomme:** Mr. Speaker, the entire concept of GO Transit was experimental in nature, and it was recognized from the outset that all aspects of the operation including financing in relationship with the CNR would, of necessity, be modified as the experimental operation continues. While the Provincial Auditor is, of course, quite right in his statement that no formal agreement has as yet been signed, the basic principles laid down at the outset in Letters of Understanding have been broadly adhered to and the formal agreement is within a few weeks of finalization.

While, as previously stated, the overall agreement is being drafted within the terms of the Letters of Understanding, the percentages of sharable costs will, of course, vary as was anticipated, by the relative benefits from the signal and track modifications necessitated by the implementation of the commuter rail service over the Lakeshore route—this at a time when the railroads were experiencing increased freight traffic, the introduction of the new and faster inter-city passenger trains, and of course, the introduction of the GO schedule.

Most of the cost in addition to which has been anticipated when the service was originally suggested, involves the installation of necessary, but very costly signal and control system and additional tracks.

To sum up, however, the drafting of the formal agreement involves the working out of the details within the original principles

established. In short, the provincial government is to reimburse the railroads for those costs, both capital and operating, which are a direct result of the operation of the commuter service.

**Mr. Speaker:** The hon. member for Sudbury.

**Mr. Sopha:** Mr. Speaker, on a point of order. Upon reflection overnight, I want to say to you, sir, that I thought about my remarks, insofar as they included your Honour, yesterday, I felt that I was rather too harsh with you. I wanted to extend my regrets because I can see, and with what I now know, that you were completely without fault in the whole matter of the allocation of office space.

I quickly go on to ask you, Mr. Speaker, whether in view of the fact that up on the fourth floor there are 20 to 25 offices vacant now, would it be possible for us, as a temporary measure, to move in to one of those offices? Or, to put it another way, supposing I were to move in to one of those offices vacated as recently as last Friday, would you tell me what would be likely to happen?

**Mr. Speaker:** I doubt if the proper lease forms are yet ready for signature by the members, so the hon. member might find himself in difficulty.

With respect to the fourth floor, I may say, first of all, that with the approval of the House committee the pages are being moved from the cellar, or basement quarters, which are unventilated and in very bad shape, to a suite of offices on the fourth floor.

**Mr. Sopha:** Well, there is a vacancy right there.

**Mr. Speaker:** I am sure that if the hon. member for Sudbury had looked over their quarters last fall, when the House committee did, he would have indeed complained to the Minister of Health and others as to their quarters.

The House committee have taken that in hand and with the approval of the Minister of Public Works these accommodations have been made available.

With respect to the greater portion of the accommodation there, I would be most pleased to see what the plans are and to have the hon. member or his leader, the leader of the Opposition, apprised of that. Further than that I cannot at this moment say.

The hon. member for Sudbury East has questions.



**Mr. E. W. Martel (Sudbury East):** A question of the Attorney General:

When will the Ontario Provincial Police take over the investigation of all fatalities in the Falconbridge Nickel Company's holdings in the Sudbury area, as has been requested by the Mine, Mill and Smelter Workers and myself for the last six months?

**Hon. Mr. Wishart:** Mr. Speaker, we have, as the hon. member knows, been studying this for some time. He raised the question, I believe, at the last session. I am just in the position now to inform him that instructions are going forth to the Crown Attorney that all investigations of fatalities in those areas will be conducted, henceforth, by the Ontario Provincial Police.

**Mr. Martel:** Thank you.

**Hon. Mr. Wishart:** With the exception of Sudbury city, which will be done by the Sudbury city police.

**Mr. Speaker:** The hon. member for Sudbury East has several questions.

**Mr. Martel:** Second question to the Attorney General:

Has the Ontario Police Commission arrived at a decision limiting the duties of the INCO police force to that of security guards for the International Nickel Company with the normal duties of police officers within the company towns being left to the regular police force?

**Hon. Mr. Wishart:** Mr. Speaker, we have examined this matter and I have to inform the hon. member that the advice I have from my officials is that since 1936 there has been an arrangement by way of an agreement between International Nickel and the town of Copper Cliff with respect to police protection.

The agreement provides that the town of Copper Cliff, as I am informed, has a municipal police force of 130 men. One hundred of these are assigned to police INCO and the company pays for that service.

Through the same arrangement, 30 officers police the towns of Coniston, Lively and Levack. The arrangement dates back to 1936 and has been, I think, reasonably successful throughout the years.

This is not the matter which the hon. member was pressing upon me about the coroners and inquest situation. In that we have been able to take some action which, I think, will be very satisfactory. This is another matter and, apart from the hon. member, I cannot say that we have received much complaint about the situation.

**Mr. Martel:** As a supplementary question, is it not a fact that the unions involved have certainly raised this matter on a considerable number of occasions — with the Minister's Deputy Minister; with the chief coroner, I believe; and a variety of people? Because the company utilises some of its force on some occasions as police and on other occasions as security guards, there is a great deal of distrust and, I might say, resentment, in that area with respect to the dual role served by these men in question.

**Hon. Mr. Wishart:** So far as the mention of a coroner is concerned, that would relate to the question of fatalities and that is resolved.

Copper Cliff is a company town. It is company property and, as I say, an arrangement has persisted there since 1936 which, as far as I am aware, has given quite good satisfaction.

If the hon. member can bring me complaints which have a base and make the situation appear one that should be corrected, I would be glad to go into it further.

**Mr. Martel:** If the Minister would accept one more question. Does the Minister not recall that, as a result of the wildcat strike two years ago, that when the company and the union negotiated the company was willing to drop all the charges of malicious damage? Some three months later the INCO police force laid the charges, and certainly this was not in good faith. I am not condoning the damage, but this seemed to be a put-up job.

**Mr. Speaker:** Order! Order! The hon. member has asked his question.

**Hon. Mr. Wishart:** I will try to answer the question. I do not recall in detail, but if malicious damage was done, it is not necessarily the company's decision as to what action may be taken.

I do not know enough about the details of the situation to be very definite in my answer, but I do not think that particularly relates to the question of who polices the property.

**Mr. Speaker:** The hon. member for Sudbury East has a question from December, of the Minister of Mines—and I wonder if it has been withdrawn or answered in the interim—in connection with soil maps in the Sudbury area.

The question was: can the Minister advise the House when the soil maps for the Sudbury area as researched by Professor Hoffman will be available? Is it correct that these

maps have been in the printing stage for two years?

**Hon. A. F. Lawrence:** Thank you, Mr. Speaker, for bringing this unanswered question to my attention.

The Department of Mines does not employ a Professor Hoffman and we have no knowledge of soil maps being prepared in the Sudbury area.

**Mr. Speaker:** The hon. member for Wentworth has been attempting to gain Mr. Speaker's eye. I would advise him that the question which he placed today with the Minister of Transport was transferred by that Minister, through Mr. Speaker's office, to the Provincial Treasurer. The party office, I understand, was so advised.

The Provincial Treasurer is not present so—

**Mr. I. Deans (Wentworth):** I was going to ask, Mr. Speaker, was the question redirected by the Minister of Transport?

**Mr. Speaker:** It was redirected by Mr. Speaker's office.

**Mr. Deans:** I see. Thank you.

**Mr. Martel:** Mr. Speaker, after the Minister of Health made his statement, I rose to ask him for clarification, but the Prime Minister had risen so I took my place. I was wondering if the Minister would be willing to answer a question with reference to clarification on his statement?

**Mr. Speaker:** I do not think that this is the appropriate time. At the end of the question period, if the hon. member will rise again, I will ascertain if the Minister will accept a question on a point of clarification.

The hon. member for Essex South.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a question of the hon. Minister of Agriculture and Food.

Is the hon. Minister aware that on February 1, the Ontario Milk Marketing Board advised the operators of milk transports in Essex and Kent counties that the rates they may charge for this service are to be reduced by approximately 30 per cent from the current rate?

Is this same rate reduction to be ordered for all parts of Ontario? If so, how soon, and what are the reasons for this action?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I will take that question as notice.

**Mr. Paterson:** Mr. Speaker, I have a question of the Minister of Energy and Resources Management:

The public accounts of the province for the year ending March 31, 1968, on page F7 shows an expenditure of \$19,399.60 for car rentals by the conservation authorities branch.

First, does the conservation branch own any cars for the use of the department?

Second, how many people are on the staff of this branch and how many of the staff of this branch require the use of vehicles on a regular basis?

Third, on how many occasions during any one week was there more than one vehicle on rental contract?

Fourth, are vehicles for the use of this department available by arrangement with The Department of Public Works?

**Hon. Mr. Simonett:** Mr. Speaker, the answer to the first part of the question is "Yes"; the branch owns three station wagons and a Land Rover, comprising one 1966 Ford, one 1967 Chevrolet II, one 1968 Pontiac plus a 1968 Land Rover.

The answer to the second part: 55 people are permanently employed on the staff of this branch. The number of staff of the branch requiring the use of vehicles on a regular basis is nil. Usage of vehicles varies according to job requirements.

The third part: The number of occasions when more than one vehicle was on a rental contract was during 17 weeks of the summer months. Twenty Ramblers were on hire for the whole of 17 weeks for essential work of the branch, carried out partly by regular staff but mainly by part-time staff.

The answer to the fourth part: Vehicles for the use of this branch are not provided by arrangement with The Department of Public Works.

**Mr. Speaker:** The hon. member for Essex-Kent has a question.

**Mr. R. F. Ruston (Essex-Kent):** I have a question, Mr. Speaker, of the hon. Minister of Agriculture and Food.

Is the hon. Minister aware that many requests for municipal drainage were based on the assumption that ARDA grants would be available and in such case, does the Minister not believe that a warning letter should have been sent out prior to the cancellation of such grants?

Is the hon. Minister giving consideration to the request of many municipalities that ARDA grants be approved for all petitions for drainage works made to municipal councils up to December 20, 1968?

**Hon. Mr. Stewart:** Mr. Speaker, in reply to the first question, the notice of the withdrawal of the grants was sent out about as soon as I could possibly send it out after we learned that the federal government had not given us any definite answer as to whether or not they would reinstate the grants that were so, disappointingly to us, withdrawn.

I had a meeting on December 19 with the federal Minister of development, I believe it is—the hon. Mr. Marchand, and we have made him aware of the situation. He asked me to put it in writing and I sent it to him but I felt it was only fair and proper that we should immediately advise the municipalities of the situation in which we found ourselves and, alternatively, in which they found themselves. That letter was sent out on December 20.

In regard to the second question. Other than the date, this is a question not entirely unlike the one asked me by the member for Huron-Bruce yesterday, and I would have to give the same answer.

If we can obtain satisfactory results of our request to Ottawa for the reinstatement of the federal ARDA grants, then I think we can give consideration to at least doing something in regard to the requests that have come to us for consideration along the lines contained in the second question of the member.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, thank you, I have a question for the Minister of Financial and Commercial Affairs:

Has the Minister investigated the matter of Ord Wallington accepting funds from a public client one week after it was suspended as he promised this House on June 4, 1968?

What was the result of that investigation?

What is the Minister's opinion of the responsibility of the government to those clients of Ord Wallington who believe the Securities Commission ruling and forwarded funds to Ord Wallington after the Securities Commission hearing, but did not receive their stock?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, in answer to parts one and three of the question, I refer the hon. member to *Hansard* at page 3851 of June 4, 1968.

As for part two, criminal charges have been laid and they are currently before the courts.

**Mr. Shulman:** Will the Minister accept a supplementary? He will not accept a supplementary? Thank you. I seem to have reached him.

A question to the Minister of Financial and Commercial Affairs, Mr. Speaker.

When does the Minister intend to release the Securities Commission report on trading in Pyrotex which the Minister said on July 2, 1968, he expected without undue delay and would "be delighted" to inform the House?

**Hon. Mr. Rowntree:** Mr. Speaker, I am informed that the investigation is not as yet completed. However, both the Ontario Securities Commission and the Toronto Stock Exchange have taken action by way of disciplinary hearings against the registrants. So far as the Ontario Securities Commission is concerned, these decisions will be reported in the bulletin in accordance with the usual policy when the time for the appeals and any subsequent appeals have been completed.

**Mr. Shulman:** Would the Minister accept a supplementary question?

**Hon. Mr. Rowntree:** No.

**Mr. Shulman:** I have a question for the Minister of Financial and Commercial Affairs, Mr. Speaker.

What were the results of the department's investigation of irregularities in trading in shares of Clairtone and why were there no charges laid?

**Hon. Mr. Rowntree:** Mr. Speaker, there will be no report since I am informed that no offences under The Ontario Securities Act were disclosed.

The Ontario Securities Commission has received no request to intercede on behalf of the company in accordance with section 114 of The Securities Act.

I therefore have nothing to add to the general statement that I made as recorded in *Hansard* on page 1434 on April 1, of 1968.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Rowntree:** No.

**Mr. Shulman:** I have a question to the Minister of Financial and Commercial Affairs, Mr. Speaker.

Has the Minister changed the rule restricting part-time real estate agents to areas of less than 5,000 population as he promised the House on July 19, 1968?

**Hon. Mr. Rowntree:** The matter, Mr. Speaker, of part-time work in real estate came into being in order to assist those persons in areas where the population could not support a full-time operation.

The Real Estate and Business Brokers Act infers that all real estate brokers would be full time, and part-time rule was used only as a guide for entry into the industry.

To our knowledge, no licence has been cancelled where the population growth has put a broker off-side, if I could use that phrase, of the 5,000 population rule.

There is an extensive review underway at the present time dealing with the level of qualifications required for entry into the real estate industry in Ontario. This work is being done in close co-operation with the Ontario Association of Real Estate Boards.

**Mr. Shulman:** Mr. Speaker, the Minister has not answered my question. Has the Minister changed the rule, as he promised the House?

**Hon. Mr. Rowntree:** That is my statement.

**Mr. Shulman:** Fortunately the estimates are coming, Mr. Speaker.

I have a question for the Minister of Financial and Commercial Affairs, Mr. Speaker.

Has the Minister examined the wording of policies issued by the British Pacific Insurance Company as promised in this House on July 10, 1968? What action has been taken?

**Hon. Mr. Rowntree:** To the first question, yes. With respect to the second question, the wording which gave rise to complaints related to house confinement as a test of total disability. This wording and similar ones used by a few insurers was discussed at the September 1968 meeting of the superintendents of insurance. At that time a committee was set up to review this provision and others, considered to be too restrictive.

There is no question in our minds that restrictive provisions of this nature are now being removed from such policies voluntarily by the industry.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Rowntree:** No.

**Mr. Shulman:** I have a question for the Minister of Financial and Commercial Affairs, Mr. Speaker:

What were the results of the department's

investigation of trading in shares of Canadian Breweries prior to the Rothman take-over?

Has the Minister looked into the U.S. law which forbids a member of a board of directors from lying to the public in circumstances such as the Canadian Breweries take-over, as he promised the House on June 14, 1968? What has been the result of this look?

**Hon. Mr. Rowntree:** In answer to the first question I must say, Mr. Speaker, that with regard to the routine enquiry, to which I previously referred and which is reported in *Hansard* of June 14, 1968, on page 4475, I am informed that the necessary insider trading reports were subsequently filed within the time limited by The Securities Act, and its regulations. No offences were disclosed.

With respect to the second and third questions, on July 8, 1968, as reported on page 5314 of *Hansard*, I made a further statement regarding the position concerning timely disclosure. The Ontario Securities Commission, within the framework of Ontario and Canadian legislation, made further studies which resulted in the publication of its "timely disclosure" policy as reported in the September 1968 bulletin at page 192.

**Mr. Shulman:** Will the Minister accept a supplementary question?

Finally, Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. When may I expect an answer to my letter of November 22, 1968, re: Czeslaw Kaczynski and the Allstate Insurance Company?

**Hon. Mr. Rowntree:** I have in my hands, Mr. Speaker, the final report of this investigation from the superintendent of insurance.

Unfortunately the superintendent is attending meetings in Ottawa this week, and prior to giving a reply, I want an opportunity of discussing this report in detail with him.

**Mr. Shulman:** Can I ask a supplementary question Mr. Minister? Thank you very much.

**Mr. Speaker:** I am afraid the hon. member for Sudbury East is unable now to ask his question.

Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

## SPEECH FROM THE THRONE

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I want, at the outset, to congratulate you on your second year presiding over this House, and also at the same time I would like to congratulate the member for Waterloo South who has acted as your deputy. I know that is the custom to thank the Speaker, but often being a Speaker or the Chairman of a Committee is a very thankless task. I would like sincerely to congratulate you for the effort that you have made the past two years, and as this is the first opportunity I have had to speak generally on the subject, I would like to congratulate the member for London South on his elevation to the Cabinet.

During this summer I had an opportunity, along with other members of the House who were on the taxation committee, to realize that he could work very hard. On many subjects we agreed to disagree, but there is no question that the new Minister of Revenue is a man of ability and, deserves the appointment which he has received.

It is one of the few occasions, Mr. Speaker, that I have something nice to say, I guess, about the other side of the House.

Very seldom does a member from the city of Toronto bring forth before this House the problems that in many respects are largely associated with his own riding. Many members from the rural areas and from northern Ontario quite properly discuss the needs of a particular road or a particular bridge, or the importance of having The Department of Highways, or a Department of Highways' depot in their riding, or whether or not The Department of Lands and Forests is doing all it possibly can for that individual member's riding.

When you are a member from a large city, such as the city of Toronto, you often find that it is very impersonal and it is much more difficult for a member from a large city to become identified closely with the constituency which he represents. Therefore, Mr. Speaker, there is a greater tendency on my part to discuss the issues of overall importance for the province, such as health and welfare, and legal aid, or the importance of ethnic groups here in the province of Ontario. Or the desperate needs for more regular policy in housing, and the ever increasing problems of urbanization of the 20th century.

There have been occasions, Mr. Speaker, such as the time the hon. member for Armourdale spoke justly and well for his people. At the time he felt that the Minister

of Highways was not treating him and his area properly on the expropriation matter, having to do with Highway 401.

As a result of what he had to say, something was done for his people in Armourdale, and eventually, Mr. Speaker, we had an Expropriation Act which gives protection, not only for the constituents of Armourdale, but for all of the province of Ontario.

Today, Mr. Speaker, I want to discuss a problem concerning a particular roadway in my riding, and that is Lakeshore Boulevard west. As all of us are no doubt aware, there is now a real possibility that a raceway for high speed cars will be established on Lakeshore Boulevard west, in Toronto and in the CNE grounds.

With your permission, Mr. Speaker, I have had pages deliver to each member, a photograph or a picture of the general area that the raceway will cover along the Lakeshore and through the CNE grounds. Naturally, my constituents are alarmed at the prospect for they are fully aware of the many grave problems in inconvenience that they will face. And these problems and inconveniences, during the course of my speech, I will enumerate to you.

But in a larger sense, Mr. Speaker, the issues that arise in the possibility of a raceway on Lakeshore Boulevard west in Toronto, concern not just Toronto-Parkdale or the city of Toronto, but they are issues of far-reaching importance throughout the province of Ontario.

I am firmly convinced that the manner in which the application to obtain the right to conduct the speedway in the city of Toronto has been conducted in a manner that is an outrageous insult to every citizen in the province of Ontario. Indeed it is a vicious threat to what Abraham Lincoln called "government of the people by the people and for the people."

The issue of the Lakeshore raceway is urgent because it affects the future policy of the government of Ontario, not only in the matter of highway safety and the matter of use of public funds for the development of the Toronto waterfront and the effect of the raceway in other parts of Ontario, but particularly on future policies in regard to the use of public parks and roads, and especially whether or not we are going to permit a few wealthy extremely influential feudal barons to dominate not only the municipality of Metropolitan Toronto, but the government of Ontario itself.



Let me give you some of the background of the companies that are interested in the Lakeshore raceway. I particularly hope that the few members on the government side who are in the House at the present time, will listen carefully because they are nearly all their close associates.

I have been extremely curious as I have watched the various Ministers answer questions that have been put to them on this subject since this House first sat in 1968. There is no question in my mind, Mr. Speaker, that the government has deliberately kept its head in the sand to protect its close friends who obviously had too much influence with this government for the good of the people of Toronto and the good of the people of Ontario.

Well, here is some of the background on this whole situation.

A private company named Lakeshore Auto Raceway Holdings Limited was incorporated on July 3, of 1968. Its directors make interesting reading. They include such luminaries as John F. Bassett Jr., George Eaton, John O. Hull, George Ashworth, Don F. Hunt and Stanley D. Houston.

Who these men are explains in very large part, in fact maybe it is the complete explanation as to how and why such a ridiculous and outrageous scheme as having cars rip along the Lakeshore Boulevard at 180 miles an hour has managed to get as far as it has.

John F. Bassett is the son of the publisher of the Toronto *Telegram* and the publisher's executive assistant. He is also executive assistant to the president of Baton Broadcasting Limited which owns CFTO, Channel 9 Toronto.

Donald Hunt is general manager of Lakeshore Auto Raceway Holdings Limited and was formerly with Public Relations Services known in the trade as PRSL.

Gordon Ashworth is treasurer and director of the Toronto *Telegram* and a director of CFTO.

John O. Hull is president of Public Relations Services.

Stanley Houston is vice-president of PRSL, and originally handled the *Telegram* accounts for the *Telegram* trophy race at Mosport.

George Eaton is an enthusiastic racing driver and the son of John David Eaton, who has a large interest in a firm called the T. Eaton Company.

The public relations firm called PRSL, for short does the *Telegram's* work on such items

as the *Telegram* Christmas Fairyland and the *Telegram* trophy race at Mosport in 1967 and 1968. The same firm does the public relations work for Players Tobacco, one of the major sponsors of the grand prix for '67 and '68 and the Players 200. PRSL is a subsidiary of the McKim Advertising Company and this agency has directors and officers which are common to PRSL.

By the way, Mr. Speaker, the McKim agency handles the Eaton account and the Players account and PRSL, obviously interested in sports, handles the metropolitan Toronto account for the Olympic Games and the Toronto waterfront development proposal and PRSL and McKim Advertising, I believe, also do a large part of the Tory Party advertising work.

No matter where you go—whether you are dealing with the city of Toronto or whether you are dealing with the province of Ontario or any of these large firms, you are dealing with the very same people. They are all members of one political party and they are all very close to one political party.

**Hon. A. Grossman** (Minister of Correctional Services): You people have no political friends, of course.

**Mr. Trotter:** In all this major discussion that has gone on in the city of Toronto, there has not been a single, prominent government member, of any kind, who has stood up to oppose it. They have kept their mouths shut. They are either ashamed of themselves or they are afraid.

Not a single one.

**Mr. R. F. Nixon** (Leader of the Opposition): Which is the hon. Minister?

**Mr. Trotter:** I can only assume that they favour the whole outrageous mess. But to my mind this is, in large part, the reason behind it. If you have ever perused the public accounts of the province of Ontario you will know that this government has smiled sweetly and kindly upon the McKim advertising agency.

Mr. Speaker, the company was incorporated in July of 1968. The first inkling ever to come out in print that such an idea as a speedway on the Lakeshore Boulevard was a possibility came to light in the month of August, 1968, when a Toronto *Daily Star* sports writer, Bob Purcell, wrote a speculative article that such a raceway was being planned.

Naturally, the officials that own Mosport Race Track became concerned. Mosport is



owned by a firm called Cantrack Motor Racing Corporation and it bought out the assets of an old defunct Mosport company. At the present time, the president of the company is a Jerry Polivka and the directors are a Dr. Irwin Fineberg and his wife Charlotte, and another major stockholder is a man named Anthony Esposito of Oshawa.

Now I have no axe to grind for Mosport but its name is bound to come up on various times on this.

Mr. Speaker, the thing that concerns me first, is how such a scheme could come to pass in a major city like Toronto. I want to give you some idea of how a powerful group can really organize a juggernaut and, if enough people are not aware of it, they can do almost exactly as they please even in a large city such as Toronto.

Our whole legislative process concerns all of us, and because Toronto is the capital city of Ontario, and because so much money is involved in this situation, I will give you some idea, before I am through, of the amount of money that is involved. I think it is important to show you how something can be organized and moved quickly.

I am awfully grateful that the city of Toronto is not a one newspaper town. It would be a major disaster for free speech if we ever found that this was a one newspaper town. For example, there was a report in the *Toronto Star* by Bob Purcell in August that maybe there was something brewing about a Lakeshore raceway. Then an article appeared in the *Globe and Mail* on September 11, 1968 and they interviewed John Bassett Jr. Maybe he was misquoted — sometimes politicians complain they are misquoted and maybe this is a time when a newspaperman is misquoted — but on September 11, 1968, Mr. Bassett said this:

All we are doing is taking a look at the idea of racing in the CNE grounds. The financing has not been done and we have not laid out the track. There are dozens of people we still have to see.

And above that, in another quotation he says:

We have not been incorporated under provincial law.

That is perhaps where he was not quoted correctly because that is dated September 11 and they were incorporated on July 3. One day, when I was going through some of these papers, I slipped over to the Provincial Secretary's office and invested one dollar of my own money.

Mr. Speaker, I found out that this company

applied for incorporation on April 2, 1968, so that obviously, underground, behind the scenes, a great deal had been going on for some considerable time because I do not think a group just goes out and incorporates a company unless they have something very definite in mind.

But none of this was before the public, and then, Mr. Bassett had said on September 11, "We have a lot of things to do, we are thinking it over."

Lo and behold, on September 16, just five days later, along comes the good Minister of Tourism and Information—and it is interesting when we keep in mind, Mr. Speaker, the remarks of the Attorney General when answering questions in regard to this matter, because the Attorney General says, "We do not want to interfere with the city of Toronto."

It did not bother the Minister of Tourism and Information one little bit; he did not worry if there were committees in the city of Toronto or Metropolitan Toronto; he did not worry about their local councils. He came along and he said on September 16, 1968, at a big press conference set up:

It gives me great pleasure to report to you that in 1969 the city of Toronto will be the locale for two major international automobile races, specifically, the site will be the Canadian National Exhibition and Lakeshore Boulevard.

And then he went on in some detail to say what they were. He knew all about them and this was only about four or five days after we were told by Mr. Bassett that they were just thinking things out.

Now, obviously, Mr. Auld either willingly or unwillingly put his foot into it, because time and time again when different discussions were held with various groups at the metro Toronto level and the city of Toronto level, the statement of the Minister of Tourism and Information was thrown up in our face, and there is no doubt that the Minister of Tourism and Information has done, in my view, a tremendous amount of harm to the area with which I am closely associated in Toronto.

Mr. A. B. R. Lawrence (Carleton East): Mr. Speaker, I wonder if the hon. member would permit a question?

Mr. Trotter: Yes.

Mr. A. B. R. Lawrence: As a member from a riding nearly 300 miles away, a riding in Ottawa, I would ask if the member speaking would direct some thoughts or some of his remarks to someone in my position. Namely,

why should such a member as myself be involved in disciplining or acting as a court of appeal for a matter in his city, namely, Toronto?

In other words, if Ottawa decides to have such a track, would he feel ill at ease at the government here intruding?

**Mr. Trotter:** Mr. Speaker, I will get into that. When the main issue is here, this is why I say it affects all the province of Ontario. We have a situation that we are going to turn over our public roads, our parks, to a private group for private profit, and a lot of this concerns provincial money.

The province of Ontario, in the not too distant future, is going to be asked to spend millions of dollars to develop the Toronto waterfront. Yet this is the very area that is going to be affected by moneys that are going to have to be spent by the province.

The other thing that I want to emphasize is that again, another part of Ontario, the county of Durham, will be harmed if a particular group in Toronto has its way.

As far as coming to this House about a local matter, I would say that this is the court of appeal, that is why I use as an example the illustration of the member for Armourdale. He complained about how they were expropriating property in his area on a certain stretch of highway, and he did get redress. Eventually they changed the law completely so that the same problem should not arise.

**Hon. J. H. White (Minister of Revenue):** In that case yes, but we had jurisdiction.

**Mr. Trotter:** Well, you have jurisdiction and you have had nothing from your Attorney General but a lot of legal garbage. There is no question in mind you had that. So, I am going to continue, Mr. Speaker.

I am embarrassed for the Attorney General that he gave the opinion he did. I have not met a lawyer yet that agrees with him. Maybe he was giving a political opinion, and trying to avoid making any decision whatsoever, but this will not stand up, I would stake my name on it.

Mind you, Mr. Speaker—

**Mr. E. W. Sopha (Sudbury):** Four statutes say it is a highway.

**Mr. Trotter:** —Mr. Speaker, I inject here that I realize there is a competition between two private companies, the Mosport group and the new lakeshore company. But what I want to emphasize, when I get into the matter of safety on our public highways, that

it is far safer, in the long run, to use the circuit that we have at Mosport rather than using a public highway which we do on the lakeshore.

If we did not have a race track in this area, you might possibly have some sort of excuse. But, when we bear in mind that such a well-known racing driver as Stirling Moss has claimed that the Mosport racetrack is the most challenging and artistic road course on this continent, it is obvious that we have something at least in the Toronto area that can be used by us.

I want to point out to you, Mr. Speaker, that Mosport is located in the township of Clark in the county of Durham and, although it is outside of Metropolitan Toronto, it is considered one of the attractions in the general Toronto area. The Air Canada booklet, co-sponsored by the provinces of Ontario and Quebec, prominently mentions Toronto and its international race track at Mosport. In virtually every hotel room in Toronto there is a copy of the Toronto Guide and, once again, Toronto is linked with the Mosport race track.

Mr. Auld, when he gave his tacit support to the Lakeshore Auto Raceway Holdings Limited, was either being led down the garden path or was deliberately doing a hatchet job on a commercial enterprise which would inevitably harm the county of Durham. And I say this as a member from Toronto, that it is foolish for us, even from a tourist business point of view, to try and go out and do a hatchet job on a neighbouring community.

There is no doubt in my mind that many of the people who attend Mosport stay in Toronto hotels and motels. There is nothing worse for the city of Toronto and Metropolitan Toronto and its relations with the surrounding community to do anything that would encourage the image of being a hog town. And this is really what is happening.

It is not the citizens as a whole, but it is a particular group that wants its way and is going to have its way, regardless of whether or not it has to kick the people of Toronto in the teeth or kick the people of Durham in the teeth.

This is one problem that really goes beyond the boundaries of the city of Toronto.

**Mr. C. G. Pilkey (Oshawa):** Just one Tory group hatcheting another Tory group.

**Mr. Trotter:** Mr. Speaker, the announcement was made by the Minister of Tourism

and Information on September 16. Only three days later the application of the raceway track company was to be heard before the Metropolitan Toronto committee on parks. If you have any idea of how things might work at City Hall, it is just fantastic that within three days they had any idea that they were going to discuss such an extensive problem as the Lakeshore Raceways. I just want to point out some of the facts that were involved.

The CNE ground is probably worth about half a billion dollars, Mr. Speaker. It is one of the most valuable areas in all of Ontario. Yet we had a situation where they were going to ram things through the Toronto council and through the Metropolitan Toronto council in a very short time.

The raceway company started its application to Metro on September 19. At one time they hoped to have the whole thing completed by October 1. Then they changed their date to sometime in November, and, as people have become more aware of the principles that are involved, of course, the whole matter has been slowed down. Not only is it simply public pressure, but members of the Metropolitan Toronto council are becoming aware of what is wrong.

I want to give you some idea of what I would call a "sweet, sweet deal" for any company that would, like the lakeshore raceway, get the contract they were asking for. The raceway company was to pay \$20,000 for each of two race events in the year 1969 and also for the next 14 years, and the company would be entitled to rent at a similar rental with respect to each of the two race events which their company would have the right to hold in each of the next 14 years.

In return for this the lakeshore auto raceway company offered to restore the grass infield within the CNE stadium to at least its original condition, to erect fences, and to protect spectators, and to bring the existing roads within the grounds in that section of the Lakeshore Boulevard required for the race course up to racing standards.

The company was also going to purchase sufficient liability insurance to meet the requirements of the municipality of Metropolitan Toronto and to arrange and pay for the necessary police protection to provide proper crowd control, and that was all the company had to do.

Well, just in passing, Mr. Speaker, one might wonder how much of the \$20,000 per race would be left after the garbage was

collected after a race, which collection would be at the taxpayers' expense.

In consideration of all this, all that the municipality of Metropolitan Toronto had to do was close the Lakeshore Road, designated as a race course, which would be from 10 a.m. to 3 p.m. on Thursday and Friday and all day on Saturday and Sunday twice a year. Of course, nothing was mentioned that they would need three days for practice runs.

Nothing was said as to how long Lakeshore and other exhibition roads would be closed in order to bring the roadways up to racing standards. Some people tell me that Lakeshore could be closed, or at least hindered, for as long as three months and Metropolitan Toronto was to release, Mr. Speaker, the entire CNE grounds.

Now they were going to give to this private company the entire CNE grounds. They could carry on any type of souvenir stalls they wished; they could have a midway; they had all the television rights, the radio rights, and Metro Toronto, when they total up the amount from two races and what they could get from small matters, from parking in certain concessions, Metro Toronto was to get approximately \$85,000.

Mr. Speaker, when these racing companies charge spectators to watch a race, they charge about \$5.00 to see the main event, and usually \$2.00, to see a preliminary race. So if you get 100,000 people to see a race, there again is a gross, just to see the main race, of half a million dollars. They charge extra for grandstand seats and, of course, if they have a grand prix they charge approximately \$7.00 per person.

It has been estimated that this private company, using your roads and your park, could make approximately \$500,000 to \$600,000 a race. It is no wonder that the commissioner of finance for the city of Toronto was very much opposed to the transaction and it is amazing that so many of the commissioners, with the exception of Mr. Thompson, the commissioner of parks, were pretty well opposed — either vehemently opposed, or in their reports listed a great number of objections.

For example, Mr. Speaker, commissioner Bremner, who is the commissioner of public works for the city of Toronto, said that to close the Lakeshore Boulevard West during the time suggested would create an intolerable situation with respect to the circulation of traffic in the vicinity of the Canadian National Exhibition grounds.

We shall have the inconvenience of that, but simply looking at it from a dollar and cents point of view, there is no question that a strong pressure group has been coming very close to obtaining what I would call a very sweet contract and certainly I think, Mr. Speaker, that the fact that a private group can carry on in such a fashion is nothing but legalized robbery as far as I view the whole deal.

Yet, Mr. Speaker, no matter how outrageous the whole idea may seem, the Lakeshore Raceway people must have been awfully confident of obtaining what they wanted. Before public hearings had begun at city hall, Don F. Hunt, the general manager of Lakeshore Raceway, announced that negotiations had been concluded with the Canadian Racing Drivers Association to organize international races at the track.

Negotiations have also been concluded, so we are told, with the United States Auto Club to hold the Telegram Trophy Race at Lakeshore on June 15, 1969, and just to give you some idea of the speed that attended the progress of this matter through the various civic authorities in metropolitan Toronto—and bear in mind, Mr. Speaker, that the real estate in the CNE is worth, as I have said, about \$500 million—the metropolitan Toronto parks commissioner had received a letter dated September 11 from the Lakeshore Auto Raceway Company, and within one day he was able to reply accepting the transaction.

It is amazing to me that a matter involving so much money could be consummated so quickly by a parks department.

**Mr. A. B. R. Lawrence:** What about my question?

**Mr. Trotter:** Just sit and listen. It is unusual for some of you to do that over there. I congratulate you for at least being here.

Now, Mr. Speaker, I will just touch briefly on the difficulties that affect a constituency such as mine because all types of spectators are attracted to motor sports and many of these spectators are entering and leaving through residential areas. An awful lot of people say, "Well you have hundreds of thousands of people going to the Canadian National Exhibition, what difference would it make when they come to a race track?"

There is one major difference, Mr. Speaker, just in regard to crowd control. When they go to the exhibition they come at various times and leave at various times. When they go to a race they go at a par-

ticular time and they all leave at the same time, or the vast majority of them leave at the same time, so that when you have 100,000 to 150,000 spectators converging on a certain area all at once. This is going to cause a tremendous problem in regard to crowd control, and there is no doubt that in an area today, in an urbanized area that is already highly congested, this serves only to greatly confuse the situation insofar as the people in the area trying to live a decent life.

The constituency, Mr. Speaker, known as Parkdale, is in some respects misnamed, because there is less park area per person in Parkdale than in any other section in metropolitan Toronto.

Before the matter of the Lakeshore raceway came up, the metropolitan parks and recreation committee recommended that 40 acres of land at the west end of the CNE grounds be cleared in order to provide park land and community recreation facilities for the residents of Parkdale.

A speedway is hardly conducive for a good park for children and possibly many of the barricades, earth embankments, crowd control barriers, and other safety features would remain as permanent objects in the proposed park area, despite all the best intentions to the contrary.

South Parkdale has unlimited opportunity for imaginative and creative development, and with imagination and firm resolve that part of Toronto could be a source of pleasure and enjoyment for many thousands of people.

It is no wonder that my constituents are furious that their needs are being completely ignored and that despite the fact there is one of the best enclosed racetracks in the world a few miles away, a second racetrack is going to be established on their doorsteps.

The Minister of Tourism and Information and the others may think that the suggested raceway is a great thing for tourism. Surely the ratepayers in a community, who have lived in that community for many years, paid their taxes year by year, deserve prior consideration.

Mr. Speaker, in my opening remarks, I said this problem of a raceway on the Lakeshore Boulevard in Toronto involves, or at least should involve policy on a provincial government level. And my first concern is for safety, both highway safety and spectator safety.

Just imagine, Mr. Speaker, if we permit speed racing on our streets, either in Toronto or in Ottawa or any other part of Ontario, I think we are bringing in a danger to the

general public and I would like to give you my reasons for this.

I would like you to look at this, not just as the problem of Parkdale, which it is an imminent threat in my area, but as the same situation which could happen anywhere in the province of Ontario. So let us take a look at what a speedway involves and how much sense having a road race at speeds of this day and age makes.

I want to make it quite clear that I am not opposed to speed racing as a sport. But because it is a highly dangerous activity, its location should be restricted and highly supervised. Motor racing should most certainly not take place on public highways. I am sorry that the Minister of Transport and the Minister of Highways are not here, because this certainly involves statutes in which they are involved. The Encyclopedia Britannica defines motor racing as being dangerous; it says:

Motor racing is a dangerous undertaking in all its forms, although manufacturers and race promoters are usually reluctant to acknowledge the dangers inherent. Spectacular and death-defying accidents have marked the history of this sport from its early stages.

At various times, following accidents involving participants and spectators, the very continuance of motor racing has seemed to be in doubt because of public and official protest.

Motor racing started in Europe in the 1890s with city to city events on open roads. Both race control and crowd control was extremely difficult, and, after a number of accidents, this type of racing was largely replaced by events on triangular or rectangular circuits, still using public highways, but providing organizers with the means to protect spectators and to charge admission fees.

Throughout the twenties and thirties there were accidents involving spectators on both road circuits and private tracks but the number of people killed was usually relatively low due to moderate speeds, by today's standards, and small crowds. Then in the late 1930s, Mr. Speaker, speeds went up and the number of accidents increased. Eight spectators were killed in the 1936 Tourist Trophy in Northern Ireland, and in 1937 several people were killed or seriously injured at Brno, in Czechoslovakia, and at Pescara in Italy, all of these events being on public roads closed for racing.

However, even as early as 1903 when three people had been killed, open road racing was

banned in Europe by the majority of governments.

I would like to emphasize that, Mr. Speaker—that open road racing was banned in Europe by the majority of governments.

Using a "roads closed for the race" policy, some countries did reinstitute street motor racing in the late 1930s. Because so many accidents have taken place, the only street race left in the world today is the Monaco Grand Prix race.

I have since learned that down in South America, in the Argentine, they still have a few street races, but in most of Europe, except Monaco, they are gone.

No wonder, Mr. Speaker, street racing has ceased in Europe and throughout the world. Covering the post-war period from 1946 to date, the unalterable fact that motor racing is a dangerous undertaking is underlined by two basic statistics. When you look at the history of this, this is why a lot of us can be concerned:

One, since 1946 there have been approximately 1,000 fatalities in motor racing. Second, if you take the names for the line-up of any major race run in 1958, it will be noted that 35 per cent of the drivers were subsequently killed in motor racing, and a further 25 per cent had retired as a result of serious injuries sustained during motor racing.

Even Mosport, which has a high safety record, has had three driver fatalities, one flag marshal fatality, and three flag marshal injuries. Only two spectators have been injured and these were both minor and freak accidents in a period of eight years.

Probably the greatest single motor racing disaster took place in 1959—which is not too long ago—in LeMans, France. At that time a Mercedes car killed 80 people and seriously injured 200 others. The Mercedes collided with a slower car, caught fire and vaulted into the crowd. The Mercedes car company has since withdrawn from all racing. It is poor advertising when you get involved in that kind of an schemozzle.

Again, Mr. Speaker, this is why I just want to ask you—and those of you who take the time to look at that map that I put in front of you—I want to ask you how safe is this lakeshore raceway that we have here? When this matter came before the Metropolitan Toronto parks and recreation committee, it was asked, "Are there any experts available on the subject?" The Mosport people said, "Yes, we will get you an expert". And



so they got a man named Charles Money-penny and they came up with his record and what he advised on this. Of course, he was very much opposed on the grounds of safety to a racetrack as outlined in that map before you.

When some of us quote Mr. Money-penny, they say he is biased. It is true his expenses were paid by the Mosport people, who are naturally economic competitors of the lakeshore raceway people; he was paid \$100 a day. I make no secret about that.

I am not going to list all the record of Mr. Charles Money-penny, but he is one of the two top authorities on race tracks in the world, and he lives in Las Vegas. He is one of the two recognized world authorities in the design and construction of motor race circuits. His recommendations and advice in respect to a race track location, safety and construction are universally accepted.

He has had work to do in building the Fuji race track in Japan. In fact, right at the present time he is in charge of building the race track for Expo '70 in Japan. He has been responsible for the race track in Daytona, Florida, and has carried on as an engineer throughout most of the states in the United States. And, of course, he has been responsible in Atlanta and Charlotte and different other super-speedways. I do not want to take the time of the House to go into his record, Mr. Speaker, but there is no question, he is an outstanding authority.

With that map in front of you—and this is a short report—I just want to give you some idea of what one top expert thinks of a raceway on our highways here in Toronto. And again I urge you that this is a policy that should be involved with the province of Ontario, because what happened in New York? There was a serious motor accident in New York and the state of New York passed a law banning all racing on state highways, and insisted that a circuit track be built. And this is what I hope would happen here—a governmental policy from the province of Ontario that would simply say this should not be and outlaw it. This is really what I am asking for. If the members think this is a local matter, I think this is very important.

This is what Money-penny thinks of that map you have in front of you—the picture of that track:

I went over the proposed course four or five times Tuesday and Wednesday of this week, carefully noting the problems and examining the terrain and have come to the definite conclusion that any person or group that would authorize the conversion

of this route into an auto racing facility would be very disappointed in the results emanating from its future use as a motor race track for the following reasons:

The Lakeshore Boulevard portion is the only area where high speeds could be attained. However, spectators located along the stadium parking lot, next to a chain-link fence, would be unable to see more than a flash of cars going by, using a given point, because of the sharp angle of viewing, restricted by the fencing and barricades.

In the interior portion of the CNE area, there are 12 sharp curves—

Incidentally, if members know the CNE grounds, and you look at that map, this race track comes around the fountain. You can imagine what a great place it is. They will be running 180 miles an hour around the fountain.

In the interior portion of the CNE area, there are 12 sharp curves to be negotiated, all of which would be extremely difficult due to the narrow confines of the course due to the existing concrete curbs and the double guard rail installations proposed to be erected about the curves. Also the existing pavement has a centre crown giving a slope toward each curb, resulting in a reverse camber on the outside of each curve.

Just to interject here, Mr. Speaker. We know that in our highways as they are now, they rise slightly in the centre and the water, when we have rain, will run to the sides. Well, the lakeshore race track will have to be perfectly flat or be slightly banked. When we are not using it as a racetrack and have a light rain and then a freeze, I wonder how safe that lakeshore is going to be for the average car driver going to and fro. This matter has not really been given the thought that it should.

Just remember, this is only supposed to be used eight days a week, and the general public has to put up with such a road the rest of the year.

An hon. member: Eight days a year.

Mr. Trotter: Sorry, eight days a year.

Now, on speaking on the roadways, these would require extensive reconstruction in order to make their surface acceptable for a race course.

However, racing cars traversing this section—that is the CNE—approximately 1.5 miles, would, in effect, be travelling inside a narrow chute formed by curving guard rails from which there is no escape, excepting possibly



at the ends. Therefore, it can be expected that there will be numerous unavoidable accidents during the competitive races, causing not only serious damage to the cars, but other serious potential damages to adjacent properties and probably spectators.

Mr. Speaker, no matter how safe they make these tracks, there are always fatalities. There have always been fatalities in the history of these racing tracks over a period of time. You just do not escape it.

Now, should the road service camber be constructed along an accepted basis to accommodate motor racing, by either flattening or sloping the pavement in one direction of the curve. This is what concerns me, because I think that throughout most of the year it will be extremely dangerous.

Another very important aspect of its use as a racecourse is to guarantee a large number of spectators being placed in an area where they can view a race from absolutely safe location.

Mr. Money Penny went on for three or four paragraphs to show that under the circumstances it just could not be done. He said temporary barricades erected as additional safeguards could never offer as reliable a protection as permanently constructed barricades due to the inbuilt tolerances necessary for portability.

It is an established fact that in many instances, racing cars hitting a barricade or another racing car that has encountered trouble will slip and slide through the air for considerable distances. It is also well known that tires and wheels will jump over barricades, and so on and travel for considerable distances, easily 60 or 70 feet. I have heard it said they can fly much further than that.

Well, Mr. Speaker, this is one important emphasis that I want to make—the safety of our highways. This is not the question in a place like Indianapolis. We are all familiar with the Indianapolis speedway where they have walls 8 to 12 feet high on both sides made of concrete.

Mosport has guard rails and earthen embankments, and the spectators are well above the track at a different level. But here, in the picture you have before you, there is simply not going to be any of that whatsoever.

Also, Mr. Speaker, I might point out that we are told—and this is not definite information—because of the Lakeshore roadway they are going to have to widen it possibly by

four feet, and if that happens they are going to chop down trees. They tell me that on Dominion Street, which is just to the west of the Ontario Provincial Government Buildings, they are going to have to widen it by six feet and chop down some old trees.

Why, I ask you, Mr. Speaker, must all this be done for the convenience of a particular group of people? That seems to be one of the main problems here.

Mr. Speaker, I believe that when the Minister of Tourism and Information gave his enthusiastic approval to the proposed Lakeshore speedway, he completely and utterly ignored the interests of which I have already pointed out. That is, he ignored the interest not only of the people of the area, and the people of another private company carrying on business in the county of Durham, but it is obvious to me that he supported what I think is the very narrow minded point of view of a particular group in Ontario insofar as how they treat a neighbouring community.

I say to you, Mr. Speaker, that I think it is important that in this whole area, not only of southern Ontario, but of all Ontario, that Toronto has the best possible name. But I do not think that the treatment the County of Durham has had in this whole situation, is one of which we can be very proud or very pleased about.

And one bears in mind, Mr. Speaker, that the province of Ontario pays about one-third of the cost of our local roads. I feel that they should pay at least 50 per cent, but I cannot be very pleased with the situation where public money, I feel is being very much misused.

Mr. Speaker, one of the major issues to my mind, is the use of our public roads and our public parks being turned over to a private firm. We are often told that Montreal does this and that Montreal does that, and that if we do not get out and compete Montreal will get these things way ahead of us.

It is interesting to note that when an enquiry was made a few months ago as to what Montreal thought of using road races as an attraction, this is what Mr. Rene Belisle replied. Mr. Belisle is superintendent of recreation in Montreal, and he said that Montreal would never allow racing in Montreal because it was an excess of the speed limit.

Again, I would draw to the attention of the Attorney General that we have a very similar

provision in the province of Ontario that he chooses to ignore.

The superintendent of recreation in Montreal said this: "Another reason is that the request was made by a private association, for a financial use of public property. Montreal is very very much opposed to the use of their public roads for private gain."

I have been surprised throughout this whole debate, the whole controversy over the Lakeshore raceway, that the Minister of Trade and Development has been so quiet and taken so little interest in what has taken place. Many of us may not have realized it, and I am sure, Mr. Speaker, that many of you here do not realize that the Canadian National Exhibition grounds is used by about 29 trade shows over a period of time when the Canadian National Exhibition Winter Fair is not in operation.

The trade shows represent, in the economic field, approximately \$100 million in the firms that do business there. And yet, the group — the Trading Consumers Association — has never been consulted in regard to this entire proposition that has come before Metropolitan Toronto Council. Despite their interest in the exhibition grounds for more than 20 years, no one has asked their opinion or what they thought.

Again I emphasize, Mr. Speaker, that many of these trade shows are not just for Torontonians; they affect the entire economy of Ontario.

The Minister of Trade and Development has been doing a lot of talking about the importance of trade shows. He has been going around the world encouraging trade shows and in this I agree with him. But I cannot understand how he would completely ignore the fact that these trade shows are going to be seriously harmed.

I just want to give you some idea of what these people — and by that, I mean the Association of Trade and Consumers Exhibitions — think of this entire situation.

Mr. Grant Smedmore, who is president of the Association of Trade and Consumer Exhibitions, has written a number of letters to Mr. William R. Allen, Q.C., chairman of the Municipality of Metropolitan Toronto. This is one letter dated December 12, 1968, and from this particular letter, this is what he says:

As you are no doubt aware, exhibition park facilities have been very tightly booked in recent years and new reservations are often impossible to arrange. This is a condi-

tion that will prevail until new facilities are provided. In addition, a number of trade show dates have to be juggled each fall to avoid a conflict with the Jewish holidays.

Under the circumstances, to tie up the whole park for four or five-day periods, spring and fall, would simply aggravate the situation. You say that you are endeavouring to create and establish continuous attractions at exhibition park for a large number of people. This may be very desirable and commendable, but may we point out that since World War II, the growth of trade and consumer shows held in exhibition park has been such that the calendar outside of the period when the park is used by the CNE is virtually full.

In several cases, two events are running concurrently and sharing the parking and other facilities.

Mr. Speaker, we know for a fact that the National Gift Show in September of 1970 has a definite conflict with the proposed race that they intend to carry on. Here is a show that brings in 12,000 salesmen to the city of Toronto and I am sure the Minister of Trade and Development would want to encourage such a show.

When it was told that they would have difficulty getting there, the raceway company offered to bring them in by the back door, at the Dufferin Gate.

I have often wondered how the Minister of Trade and Development would regard a similar situation if businessmen from Ontario, if they were in another jurisdiction, were taken to a building through the back door.

It is a situation that has certainly shown a complete lack of interest by the people who are governing the province of Ontario. Certainly, the Minister of Trade and Development and the Minister of Highways and the Minister of Transport have been derelict in their duty in keeping an eye on and protecting the interests of the people of this province.

When you bear in mind that the Minister of Tourism and Information was really the man responsible for the kick-off of this whole scheme and who has really ignored the metropolitan Toronto council and the various committees in the city of Toronto council, I think that when a Minister goes that far and is either deliberately or naively misled, he should tender his resignation. I do not think he should carry on the office he holds.

There is one particular matter which I want to touch on briefly, and that is, the views of the Attorney General as to what

he thinks the authority of the province of Ontario is.

If the Attorney General, and I assume he truly believes in the opinion that he has given, really believes that the province of Ontario has virtually no authority over our highways, over racing on our roadways—then the laws of the province of Ontario should be completely revamped.

There is no question in my mind that the Attorney General is wrong—even in his letter when he would not give the House the reasons for his decision. Mr. Speaker, I was able to obtain a copy of his letter to the chairman of the municipality of metropolitan Toronto; Mr. Allen, and I was able to see some detail of what his reasons were.

There is no question in my mind that he was simply trying to avoid taking a position in this problem.

He did not even discuss The Metropolitan Toronto Act. He did not even mention it in his letter and just to give you an example of what is ignored—and I am not going to go into a legal debate on this—but the municipality of metropolitan Toronto Act was passed in revised statutes of Ontario 1960 and incidentally, again I repeat, the Attorney General did not even consider this Act, if I can go by the report he made.

In Section 89, it says this:

The Metropolitan Council may by law, prescribe a lower or higher rate of speed for motor vehicles driven upon any metropolitan road or any portion of a metropolitan road than is prescribed in subsection 1 of section 59 of The Highway Traffic Act, but such rate of speed shall not be less than 25 miles per hour or more than 60 miles per hour.

They want to have cars that go from 180 to 200 miles an hour. So I do not know how they come within that section. But even subsection 2:

No by-law passed under subsection 1 shall become effective until approved by The Department of Transport and the metropolitan roads or portions thereof affected by the by-laws shall be marked to comply with the regulations made under The Highway Traffic Act.

The Attorney General does not even seem to bother to consider that and when I think of that Act and The Highway Improvement Act, The Highway Traffic Act and The Municipal Act, I cannot understand at all what the Attorney General has in mind nor do I think do the city solicitor of Toronto nor the

solicitor for Metropolitan Toronto understand the position of the government of the province of Ontario.

I think the real position of this government is this, Mr. Speaker—they are embarrassed because they have avaricious friends who have been trying to get what they want at no matter what cost to anybody else. Because I emphasize in this whole situation that the people responsible for the whole attempt, the whole rape of our public parks, the seizure of our roadways, are very close friends of the present administration.

Mr. Speaker, I think it is highly questionable if individuals in positions of great influence in mass media such as newspapers and television should be involved in financial enterprises that depend so much for their success on favourable decisions of local politicians.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): What about the Liberal government at Ottawa and television rights?

**Mr. Trotter**: All right. I remember the station. I am glad you mentioned that, on channel three. There is no question in my mind that they were wrong and I was one of those opposed to channel three being changed. I must say, when the whole debate came up in the early days of public media versus private media, I was opposed to private interests being in television. I do not, on the whole, approve of it.

**Mr. D. C. MacDonald** (York South): Would two wrongs make a right?

**Mr. Trotter**: So this is what is happening in our society. This is another major issue that I am concerned that we should just look at. What can be done? Because whether you are a Liberal or a Conservative or an NDP, if a party is in power—and I do not think the NDP will ever make it—but if they ever did the same situation could happen and when you have mass media in the control of a few people then we shall be faced with a very singular problem.

**Mr. S. Apps** (Kingston and the Islands): Would you have the government control it?

**Mr. Trotter**: I would.

**Mr. MacDonald**: A government enforces its laws, that is all.

**Mr. Trotter**: I certainly would prefer the CBC. I feel—no matter what criticism I have to make—that you have a better break from them.

I will just give you my reasons for this right here.

**Mr. B. Newman** (Windsor-Walkerville):  
Meanwhile, back at the farm.

**Mr. Trotter:** I feel those who control mass media have a tremendous responsibility to the public. Now they are always talking about politicians having a responsibility to the public, and so we have. But when you have a company that has numerous other enterprises, and particularly when they are enterprises dealing with public officials that are dependent, in many cases, on the support from public media, it is highly dangerous when the same company controls the television, controls the major newspaper outlets, and is doing business with various public officials.

Now this happened not too long ago with the Maple Leaf Gardens.

**Mr. Apps:** What you are saying is that the newspapers are telling the aldermen of the city of Toronto what they should be doing.

**Mr. Trotter:** I do think they have a tremendous influence, no question in my mind.

**Mr. Apps:** I think you do an injustice.

**Mr. Trotter:** I think you have your head in the sand if you are not aware that the mass media has a tremendous influence. I do not care what party you are from, you have your head in the sand if you are not aware of that, and you should be aware of it.

**Mr. Apps:** I think the aldermen are responsible to the people.

**Mr. Trotter:** A newspaper's policy is bound to be influenced by the financial interests of its owner or owners. It is so easy to report only one side of an issue, to ignore opponents, or in the case of controller Lamport, to completely misrepresent a statement. I will give you an example of that.

I was going through this situation and I came across this article from the Toronto *Telegram*. It says, "Lamport supports raceway", in big bold headlines, and, of course, I knew he was opposed to it so I phoned and asked him, how come.

Well, if you read the report he does not say he supports the raceway. The reporter did not write it that way, but he was asked, "Do you support motor racing," and he said, "yes," and then they go on talking about shuttling people back and forth from Mosport. You can see the danger if you only have one newspaper in town. He phoned the *Telegram* and, of course, by then the thing

was printed, and what can you do. You are completely, I think at the mercy of reporters.

For example, I was at a meeting last night, discussing this very problem and there is a report in today's *Telegram* that half the people there were in favour of the Lakeshore raceway. I know of two out of the eighteen in that small group. How they ever figured half I do not know, but that is the report that you read in the paper. The other two papers did not say that, but this is what makes things highly questionable.

We have had a question in this House where a Minister of this government stood up, and stood his ground, and I speak of the hon. Mr. Spooner who opposed the change of a bylaw and stopped Maple Leaf Gardens from overhanging the sidewalk. And there is no question, a newspaper kept up a vicious battle against him editorially. So much so, that Mr. Farquhar Oliver stood up on this side of the House, and defended Mr. Spooner. You fellows did not, but we had to because we thought it was so completely and utterly unfair the way he was being represented in one of your own newspapers. Well, when such a situation develops and they are in business—

**Mr. Apps:** Did you say one of our own newspapers?

**Mr. Trotter:** Yes, your "Tely." Who are you kidding?

**Mr. Apps:** The hon. member must be!

**Mr. Trotter:** Then again, Mr. Speaker, how can politicians speak on an issue without fear or favour when they know that by their decision they win or lose the favour of one of the most powerful TV systems and newspapers in Canada who have a special interest in the decisions that public officials are making?

One of the great dangers in our society, Mr. Speaker, is that economic power is falling into the hands of fewer and fewer people, and the urbanization of our society has accentuated the centralization of economic power with all the influence it brings. If mass media falls into the hands of people who are often irresponsible, then our freedom of choice in a decision is impaired, if not throttled.

There seems to be, I would say, Mr. Speaker, a web of intrigue, from its very inception, surrounding the whole matter of the Lakeshore raceway. The speed with which the whole plan is being processed through various legislative procedures is highly suspicious. I cannot help but feel that

a great deal of pressure, both obvious and not so obvious, has been brought to bear on many people.

Indisputably, powerful interests have conspired to inflict this outrage on Toronto in order to satisfy their own egos and greed. Why should George Eaton, simply because he loves car racing and he wants to go around the fountain at 180 miles an hour, be allowed to turn the southern part of Toronto into his particular playground? When it is borne in mind that it is generally known that Eaton's bank-rolled CFTO and the Toronto *Telegram* for John Bassett, senior, one cannot help but be gravely concerned when such a powerful clique can bring such tremendous influence on our legislative process, regardless of the consequences to the general public.

**Hon. Mr. Rowntree:** I do not expect you to remember about Sir William Mulock—

**Mr. Trotter:** That could well be. What is more important is if you allow—

**Mr. V. M. Singer (Downsview):** Let us hear what he has to say about the raceway.

**Mr. Trotter:** No matter what cliques you have had in the past, these things become more and more dangerous as time goes on. Often some of these powerful groups sit back and say we have nothing to do with it. But I just want to give you an example, Mr. Speaker, what can happen—just to show you how they are involved and why they cannot say that we are one set of the family so we have nothing to do with it.

The Mosport people had retained one of the best people in the city of Toronto, John Weir, Q.C., and he appeared on their behalf at the first meeting of the recreational and parks committee of Metropolitan Toronto. Then he goes back to his office and gets word from Eaton's legal department, "You may have a conflict of interest." "Why?" "Well, your firm does corporate work for Eaton's and George Eaton is interested in the raceway."

So, naturally, they get another lawyer. But, let us not say that the powerful influence is not being exerted, if not thorough arm twisting, at least slight arm twisting. And this, I think is a melancholy situation in our society today that this could happen in a big city—and what happens in Toronto could affect all of Ontario.

I think that the melancholy decision of Metro council in approving the raceway, and the incomprehensible legal opinion of the Attorney General, and the cavalier attitude

of this government in ignoring the entire tragedy is a matter of great concern for all of us.

I would urge, through you, Mr. Speaker, that this government speak out and put an end to the entire raceway situation. It can do it. There is no question in my mind that the Prime Minister, if he wanted, by a telephone call, could end the whole thing. You on that side of the House have to face the fact that the people who are perpetrating this outrage on the city of Toronto and literally ignoring the county of Durham, are your people, among them some of your top writers and one or two of your bag men.

And I do not think it speaks very highly for this government that it can allow the second most powerful governmental group in this country to really sit idly by and do nothing or, what is worse, by their idleness, encourage what is going on.

The government's first responsibility, and it seems to need to be reminded of it, is to the people of the province of Ontario. The responsibility is to protect our roadways and our highways and our parks, and its responsibility is to see to it that our people live in safety. I have books and papers I could read, all about safety.

One European man, one well-known in the racing field says, "Canada, why go backwards?" and points out that all the street races are being shut down throughout Europe. And yet this government sits idly by and says we can do nothing. New York did something. Many of the states in the United States did something. They outlawed street racing and yet this government does nothing and it should be ashamed of itself.

In conclusion I say, Mr. Speaker, that not a single Tory member has ever done anything in trying to protect the people of this province in the problem of the raceway. It involves not only our parks, it goes even deeper than that; it goes to the very heart of our legislative process, for what happens in the city of Toronto and in Metropolitan Toronto just should not have happened. A juggernaut started to move.

Now it may well be stopped, and I predict it now may be because there were enough interested people—the ratepayers' association, the union of women electors, the local trade union groups—they found out what was going on and are making a strong effort to stop it.

More members of Metro council can see what the whole situation involves and are becoming aroused. But this does not excuse this government from the way it kept its



head in the sand, deliberately, so it would not see the outrage that its friends were perpetrating.

Over a quarter of a century of government, this government may have matured—it may be like an apple, it is red, it is matured, it is very nice to look at, but after it has been matured, it goes rotten—and what is happening is the government is going rotten to the core and that is why it is going to be chased out.

**Mr. I. Deans (Wentworth):** Mr. Speaker, as was said by many who have spoken before me in this particular debate, it is a pleasure to be once again taking part in the Throne Debate in this House and putting forward some of the thoughts that have crossed our minds since last year at about this time when we previously took part in such a debate.

I must say, to begin with, that we in this party concur in much of what was said by the member for Parkdale. He put forward very clearly the case of the citizens against the proposed automobile racing around the Lakeshore area. I am sure he will find when the time comes that there is ample and sufficient support in this group should he find it necessary and need it.

I want to spend a few moments today talking about a matter of corporate citizenship. I want to discuss an action that took place in the city of Hamilton just prior to the Christmas recess, an action which I hoped I would have been able to discuss at this time but events and long speeches kept me from getting on with it.

At that time Canadian Westinghouse in Hamilton made an announcement that they were going to fire their security personnel and to hire personnel from an agency. What this meant, in effect, was that many citizens who had lived in the city of Hamilton for a number of years, some who had worked for the Canadian Westinghouse company for up to and including 40 years, were fired as of New Year's eve. On New Year's morning they were replaced by an agency that the Westinghouse company had hired for considerably less money. The only purpose of this particular event was to save money for Westinghouse.

Now this in itself might not be a bad thing if the Canadian Westinghouse company were in a position where they desperately needed every dollar that they could get their hands on. For some time I wondered if this was the case. I seriously wondered if they were in the financial position that would

inhibit their future growth, or perhaps even put them out of business.

These thoughts were eliminated today when they announced that their profits for last year were up considerably. I can then only assume that the reason the Canadian Westinghouse saw fit to take this action is because of the structure of the law that prohibits security guards from becoming a part of the general labour body of this province. It is a law that even if they decided to use it to its fullest, would enable them to become only a part of the body as large as they themselves were. In other words they would have no economic pressure that they could exert.

I believe that what has happened here—and I might just point out what could take place in this instance, or what could have taken place. A security guard working for Canadian Westinghouse on New Year's eve, earning \$2.84 an hour, could be, and was, fired. At midnight he could have walked out of that plant no longer employed there, and, at 8 o'clock in the morning—or at five minutes after midnight for that matter—he could have come back in, doing exactly the same job, for \$1.50 an hour.

This cannot be tolerated in this province. Unless this government is prepared to do something to make sure that the people of this province who do not at this moment enjoy the benefits of collective bargaining in their true sense are protected, they will surely fall on issues just such as this.

I might point out that prior to the Christmas recess, as Mr. Speaker is well aware, I raised the matter with the Minister of Labour on two occasions. As a last resort on the 20th before we adjourned, I even arranged for a meeting with the Prime Minister in an effort to have him intervene, but to no avail. Now these people who had given of their best to this company, are forced to seek employment, many at an age when they are not readily employable, and many of them are now suffering. I think that this is an atrocious condition and it must be changed.

I want to go on with the other matters that are of concern to me. I am sorry that the Minister of Trade and Development is not here today because I would like to have discussed with him now a matter that I tried to discuss one day during the question period. Unfortunately the question period does not lend itself very well to discussion and we were not able to reach an accord on this matter and it is the matter of whether



or not full recovery projects under the Ontario Housing Corporation are subsidized in any way.

The one that I want to discuss is the one in the city of Hamilton, where they have a full recovery project that was amortized over 50 years. I discussed this with the officials there. I have looked into it to some great extent.

I have discovered that not only does the rent that is charged pay off the entire amount of the mortgage against the property, but it also provides quite handsomely for an amount of money to be gathered over the course of a number of years for maintenance costs. In fact, the fund for maintenance in this particular project has continued to grow year after year without ever having been used. In fact, this government has not at any time, to my knowledge, since the inception of this programme in Hamilton, subsidized it in any way—

**Mr. R. Gisborn** (Hamilton East): Or revealed the accounts either.

**Mr. Deans:** Well, as my colleague says, “or revealed the accounts.” I do suggest to the Minister that, if he is going to be the person in charge of housing, he becomes more familiar with those things that are within the jurisdiction of the department he supposedly oversees and that he does not stand in this House and make statements that are obviously false, and cannot be justified.

If I could leave that now for a moment and go to a matter of Kerman avenue in Grimsby, a matter that is of concern to both myself and to the Provincial Secretary. I would, for the record, congratulate the Minister of Highways on his action in closing Murray avenue in Grimsby. It was much needed; it was much appreciated by the people. They have asked that I extend to him the congratulations and the thanks of the people of that area. We sincerely hope that it is going to cut down on the number of accidents that have occurred over the years and the deaths that have occurred over the years.

All I can do is suggest to him, via *Hansard*, that similar action at Kerman avenue would go a long way towards cutting down even more on the accident rate of that particular stretch of highway.

One of the things that has disturbed me in the last six or eight months has been the number of letters that I have received from constituents and people across this province

who are upset by the witness fee structure in Ontario. They are concerned that it really is unfair—the fact that a witness called to appear and tell what he sees does not receive anything close to what he ought to receive, or what he loses in terms of income.

I have a letter I would like to read prior to going any further on this particular matter. It was sent to me by a Mrs. Richard Shortt, and she resides in my riding. It is addressed to myself and it says:

Dear Sir:

My husband and I have what we feel is a legitimate complaint to present to you. We hope you will be able to help us.

For quite some time my husband has been working at Peterborough—

which is quite a considerable distance, I might say, from Hamilton.

On July 5, 1968, while returning to Stoney Creek, he was involved in a car accident—

and he has enclosed for my benefit a sketch which I will attempt to relay by word of mouth.

What happened in this accident was that he had stopped in the centre westbound lane. He stopped because the traffic ahead of him had stopped. The car behind him stopped but the car two behind did not and the event was that it eventually involved him in an accident.

I continue from the letter:

My husband received a subpoena to appear in magistrate's court in Toronto on November 26. As a result of this subpoena and his subsequent appearance in court, we are \$46.60 out of pocket. The police are responsible for summoning my husband and he received \$11 for his co-operation.

Since he had to take the day off work and drive from Peterborough to Toronto, which is 180 miles round trip, he could not expect his employers to pay his meals, his motel room, his gas or his wages. And the total of this was \$57.60.

We cannot afford to take this loss and feel there must be some way to reimburse us. My husband was an innocent bystander, which makes it most unfair.

And this is only one of a great many letters that I am sure almost all members of this House have received from time to time.

In attempting to find an answer for this lady, I dug into McRuer's Royal commission

report, the inquiry into civil rights and report No. 1, volume 2, chapter 56, page 861, and I would like to quote from it and make some suggestions about it. It says:

Compensation for witnesses: Whatever may be said in favour of the view that jurors should be expected to render a public service at a substantial financial sacrifice — if required to do so as part of the administration of justice — the same cannot be said with respect to the duty of witnesses who are required to attend at trials in the courts before administrative tribunals. No doubt a witness owes a public duty to make himself available to give evidence, but he ought not to be required to subsidize the administration of justice.

And as we go into the report of Mr. Justice McRuer, we find that he quotes from some submissions made by people who appeared before him, and one is of particular significance, and it was made by a trade union and it says as follows:

At the present level of wages, salaries and the cost of living, fees allowed to witnesses in all the courts are totally inadequate to compensate such persons for the time lost in court appearances.

We understand the view . . . that it is the duty of a citizen to render what assistance he can to the courts and that he should not expect to be compensated. The fact is, however, that whatever should be the feeling, most persons are reluctant to volunteer information that may lead to their being called as witnesses.

And this is of vital importance. I read it again so it will stand out:

. . . Most persons are reluctant to volunteer information that may lead to their being called as witnesses at least partly because of the financial sacrifice involved, and to that extent justice is being hampered by the present niggardly allowances made to witnesses. This difficulty is compounded by the lack of attention paid to the convenience of witnesses and the uncertainty of the court calendars.

And the Chief Justice goes on to say:

A spokesman for the same union collected data from certain members of one of its locals who attended as witnesses at a hearing of the Ontario Labour Relations Board, which makes a practice, although not required to do so, of paying witnesses on the same basis as those attending in civil cases —

In other words, they are paid \$6 a day. The

following illustrations of the financial loss assumed by wage-earners as witnesses were submitted and I will put some of them on the record: On July 20, 1965, a gentleman by the name of Adelard Goudreau from Sudbury would have worked eight hours at \$2.68 an hour, which would have been equivalent of \$21.44. He received from the Labour Relations Board, \$6. This meant that for him to appear as a witness, it cost him \$15.44. This is to uphold justice.

Another case, on July 20, 1965, a gentleman by the name of George Flynn, also from Sudbury, would have worked eight hours at \$2.52¼ cents an hour, which would have been \$20.18. He received from the Ontario Labour Relations Board, \$6. And the total loss to this gentleman, which he could ill afford, was \$14.18.

And there are many. One of the worst ones is on July 14, to 21, 1965, a gentleman called John Robert Chartrand of Sudbury would have worked 32 hours at \$2.37½ an hour, which would have been the equivalent of \$76.00. He received \$24.00, a total loss to this gentleman of \$52.00 over that period.

There are few if any working people in this province who can afford this kind of loss. And it does not require much action on the part of this government to make changes that would eliminate this kind of treatment.

What I would say is that the Chief Justice made some recommendations and they should be on the record, and I am sure the government is about to implement them anyway. If they are not, I suggest they should be. And these recommendations are:

1. All witnesses other than qualified experts should be paid at the rate of at least \$15 per day, with proper travelling and accommodation allowances.

2. There ought to be a statutory obligation on statutory tribunals to pay witness fees for all witnesses summonsed at the instance of a tribunal.

3. Where witnesses are summonsed at the instance of a party to a cause before a tribunal, they should be entitled to be paid witness fees by the party requiring them to be summonsed.

4. Where costs are awarded against an opposite party, the tribunal hearing the matter should have power to disallow, as part of the costs, fees for witnesses unnecessarily called.

And this goes on, there are sections five, six, seven and eight, which I will not read

into the record but which are available on page 864 of the aforementioned report.

It is obvious to me that there is a great need for change in the witness fee structure. And I am sure it is obvious to any member in this House that it has to be done fairly soon. There are people, as was said in here, and I have no doubt it is true—I know of cases of people who were reluctant and in fact did not volunteer to appear as witnesses in accidents and in other cases because they could not afford to take the day off work. This is a shameful situation. And it can be rectified with considerable ease by just the stroke of a pen.

I ask this government to undertake to do this now. It is a very necessary part of the improvement of the structure of the judicial system.

If I may move now to the matter of municipal tax rebate. This has certainly been an area for much discussion over the past few weeks, in fact, the past few months. And at the time the bill was introduced, many of us were sceptical about the manner in which it was going to be handled; many of us had fears of what might happen to these tenants in cases where they did not receive their municipal tax rebate and I believe that many of the fears that we expressed at that time have been justified by the events that have taken place.

There have been a great many people who did not receive their municipal tax rebate and I believe that the handling of this was entirely wrong; that the government should have left politics aside; and that it should not have been used as a plum to try and attract people to vote for the Conservative Party.

Surely to goodness a finer gesture than that was required; a gesture that would, in actual fact, reduce the cost of municipal taxes to the average individual.

This has not been the case and in many instances people's rents were raised. I cited instances, and I have cited them before, where elderly people have had their rents raised far in excess of the amount of the municipal tax rebate—and it is grossly unfair.

Up until now there is really no recourse for these people. Now if we are fortunate in having the recommendations of the law society implemented then perhaps we shall have the proper avenues for people to make their wishes and desires known and to bring to the government's attention some of the injustices that are perpetrated on them.

There is one area though that disturbs me, and that is in the regulations. I received a

copy of them two days ago. In section 6 of the regulation, where it states that any portion of rent is in arrears when the tax reduction allowance is payable, the landlord or his agent may pay the tenant the tax reduction allowance by deducting the amount thereof from such arrears of rent.

I think this places the onus of responsibility in the wrong place. I believe that the onus of responsibility for proving that rents are in arrears ought to lie with the landlord and that, if he is desirous of reclaiming anything that he believes is owing to him, he should take whatever necessary legal action has to be taken to get it. I do not think that this government should provide an easy way for a landlord to get public money and that is what they have done.

I think that if a person owes money I would be the first to say they should have to pay it. I think first of all it must be proven that they owe it and it must be proven in a court. It cannot be proven elsewhere. I think that the onus of responsibility lies on the landlord to take whatever action is necessary, and I suggest that this particular section is wrong and should be deleted.

The matter of Highway 20 in Stoney Creek is one that I have raised with the Minister of Highways on a number of occasions, and I would ask him once again, if he gets around to reading *Hansard*, that he take whatever action is necessary to ensure the safety of the children crossing this particular stretch of highway in my riding. This is a very heavily travelled portion of highway. It provides the main access for persons travelling from the Niagara Peninsula to Fort Erie, if they are coming towards Hamilton.

Since, this highway was built, a considerable amount of residential building has taken place on the west side of the highway. Unfortunately, all of the educational and recreational facilities are on the east side and, therefore, it is very necessary —

**Mr. Gisborn:** They should move pretty soon. It is five years since they knew about it.

**Mr. Deans:** My colleague points out it is five years since it was first brought to his attention, but then, of course, the wheels of government move ever so slowly.

It is very necessary that the government move now to safeguard these children as they cross this particular hazardous stretch of highway. I have appeared before The Department of Highways and The Department of Transport in an effort to have this done. I sincerely hope that in the next two or three weeks we

will get the results of their findings and that they will go ahead and implement whatever measures are required in order to ensure this safety.

If I may go back, about a year ago I raised in this House the matter of the Saltfleet satellite city, and the Minister and I engaged in what eventually was a fruitless effort; me trying to find out what he paid for it and him, determined not to tell me. After posing the question in a number of different ways I finally gave up.

Why the government finds it necessary not to disclose, even privately, to members of this Legislature what they are paying public money out for and how much they are paying is beyond me. I made the request to the Minister with the assurance that I would not use it in any way if he would inform me what was paid, because it is of vital importance to know how much we are paying for land in order to determine what prices houses really ought to cost. But the Minister, in his usual manner, is keeping all of this information to himself. Let that be as it may.

At that time the Minister indicated that the city of Hamilton had assured him that they would provide the water for this particular subdivision, if it may be called that. I had the pleasure of taking part in a television programme in which the mayor of the city of Hamilton was present and he denied that the corporation of the city of Hamilton had ever given any assurance that they would provide the water for this particular development.

I can well understand why he would deny it because, at the present moment, within the confines of the city of Hamilton, there are many, many thousands of people who have lived there for years and who have been unable to extract from the city fathers water to their door.

I am sure that the city, the corporation, is not likely to undertake now to provide it for an area that is not even within the Hamilton region—that is not talking about regional government, that is just the region of the city of Hamilton—before it undertakes to provide it for its citizens who live and pay taxes in that area.

This last year has been one of complete frustration in regard to some compensation matters that have been raised by members and by persons in my constituency.

One of the great difficulties with the compensation board appears to be their inability to retrain persons with a very limited academic ability. If a person has a fairly substantial academic background the board seems

quite able and ready to retrain them in anything in which they desire to be retrained. But I have three cases, and there are many, many others. I have three that come to mind very quickly of people whose educational background is very limited or age precludes them from many types of work.

Two out of the three are affected by back injuries, and this seems to be the nemesis of the workmen's compensation board. They seem totally unable to deal with persons with back injuries. It always amazes me how long they can take and how many of these cases they claim to be a result of fantasy.

I have one gentleman in particular, and he suffered a back injury some time ago and was compensated for it at that time. He has been totally unable to return to the form of work which he previously did. He was a pile driver and if anyone knows anything about pile driving, it is a very, very difficult job. It is a job that requires a great deal of strength, and it is a job that requires that you be in reasonably good physical condition.

As a pile driver this gentleman had earned in the neighbourhood of \$7,000 a year, some 10 years ago. Today, he is struggling to get by on \$200 a month or less, because the compensation board have been unable to retrain him or provide some kind of employment for him that he can do.

It seems to me that here was a man with a grade three education capable of earning \$7,000 a year. He gets injured doing his job of work, doing it to the best of his ability at that time and he is injured to the extent that he is unable to go back to that kind of work or to any other kind of similar work.

He cannot go back to construction because there is nothing in construction he can do. He is unable to lift. He is unable to stand for extended periods of time. He cannot become a welder, as suggested, because he cannot wear the apparatus that is required. And so he suggested that he can become a basket weaver or make snow shoes or something. I think quite frankly that this is ludicrous. The whole situation in regard to the retraining of people at the compensation board require some investigation, and as I say, particularly those people who have suffered back injuries.

There is no easy answer. It is not easy to say that we may have to pay a person a substantial amount of money for the rest of his life, or that he is incapable of performing any useful task. I think it is a very necessary thing and we must recognize it, that there are people who are injured who are not totally disabled, but by workmen's compensation standards are not able to be retrained.

If you are injured, unable to work and not able to be retrained, then the only thing left for you is welfare, which in itself has taken on an atmosphere that most people do not enjoy.

Surely if a man goes out and does his job to the best of his ability for a number of years, shows his ability to earn, shows his ability to produce, and then is injured, he is entitled to continue a normal life. I suggest that this government should take a very close look, at the type of retraining that is offered by the workmen's compensation board.

That is but one case. I have others. I have tried and tried. I have spoken to rehabilitation officers, gone to the board and appeared before them in an effort to get them to understand that many of these people—contrary to what they may think sitting in the ivory tower down here and on Front street—contrary to what they may think, these people are legitimate citizens of this province, and they deserve more from this province than they are getting. They deserve more from this government.

I was going to take a little while dealing with the accommodation of members, but I think it has been quite well dealt with. My friends, the member for Sudbury, and for Sudbury East too, they spent some time dealing with the accommodation facilities for members in this House, so I do not think we will go into it any further.

I would like now to move to what is really the main topic that I want to discuss this afternoon. I would like to take a look at what is happening to the average—

Interjection by an hon. member.

**Mr. Deans:** I am quite prepared to yield, if anyone else wishes to speak. Thank you.

Interjection by an hon. member.

**Mr. Deans:** I thought that was you that was speaking.

You know, I was going to talk about the jails system in this province. I have even thought of discussing some of the inadequacies of the jail system, but then I decided that it would take too long. It would take much too long. So, I know that the members do not want long speeches, so I decided to cut down. It would take two or three weeks just to get to the core of what the problem is.

Let us get to the core—to get rid of the core, that is the problem. Anyway, I would like for a little while to take a look at what

is happening to the average citizen of Ontario. I would like to take, as an example, a man who earns \$100 a week, or \$5,200 a year.

According to the 1966 income tax statistics, 65 per cent of those submitting tax returns in Ontario had incomes below \$5,000 a year. So this hypothetical man that I am talking about is part of a very large group, even if we were to allow some upgrading of incomes since 1966.

If this man is a typical family man with a wife and two children, and if he is not able to claim other deductions beyond the \$2,000 marital exemption, and the \$600 for the two children, and the \$100 standard deduction for charity, he will pay \$310 per year in income tax to the federal government and \$90 to the provincial government. In addition, he will pay \$81 for Canada Pension Plan, \$73 for unemployment insurance, \$132 for hospital insurance, and \$177 for OMSIP—and considerably more if he belongs to a private medical plan, like PSI.

Yes, and he contributed something in his union dues. My good friend, the member for Hamilton Mountain, wanted to remind me of that. I had forgotten that he will pay a little in union dues. That is where he gets the protection that he requires in order to face up to the problems of the day.

This adds up to a total of \$862 in taxes and compulsory levies before he starts providing for his basic food, clothing, shelter and transportation needs. \$862 is not the entire total of taxes which this family pays. That represents only the direct taxes. The ones that are visible and out in the open. In addition, there are all the hidden taxes from the family's purchases—on its tobacco and liquor, if it can afford such indulgences, and I doubt from that kind of money if they can; on gasoline; on any amusements that it cares to indulge in, if there is anything left for amusement.

There are also taxes included in the rent that is paid. And we are assuming that the family in this lower level of income has not been able to undertake home ownership. In fact, it is not much of an assumption to make, it is almost assured that a family on \$5,000 has not been able to undertake home ownership, either under NHA or conventional mortgage. But even if they had somehow managed to get the money together they would then have to add property tax to those taxes that are already mentioned.

Now, I have made some rough estimates of the total tax burden on a family of four making \$5,200 a year. We have assumed



that he drives a car, that he smokes one package of cigarettes a day, and that he drinks very moderately. We have added up all the taxes that he pays both direct and hidden, to all three levels of government, and have come up with the shocking figure—and I say it is shocking — of \$1,750 out of his \$5,200. This is 33.7 per cent of his \$5,200. This is what he pays. And I should point that this figure does not include any allowance for whatever corporation taxes are passed on to this family in the price of the goods that they purchased. This is very difficult to determine.

I would say that the tax system which takes this large a percentage from a family making \$100 a week is certainly not based on ability to pay. It is not a fair tax system. Especially when we find that a family making twice this amount pays about the same percentage of its income in taxes.

According to our estimates—and they are open to any criticism—while a family making ten times this amount in salary—about \$52,000 a year—pays a higher percentage, they still have over \$27,000 left to spend as they please. Moreover, they may be able to reduce this amount—which works out to about 47 per cent—considerably by owning stocks, and qualifying for dividends tax credit, or being able to make large deductions from their taxable income for pension contribution.

If we come back to this \$5,200 a year family, let us take a closer look at their situation. I said earlier that they had to pay out \$862 in direct taxes and premiums, before making any provision for their basic needs. This leaves them with \$4,338 a year to spend.

Recent surveys of family spending patterns in cities done by the Dominion Bureau of Statistics show that families in this income group spent about 24 per cent of their gross income on food in 1964. Since food prices have gone up by 15 per cent since 1964, they may be having to devote an even bigger percentage of their income at this time for this vital necessity. And if we assume that they now spend 25 per cent on food, that would mean \$1,300 out of their total income.

Shelter is, we will say, the second basic necessity for the family. As I said earlier, we are assuming that our \$5,200 family is among the hundreds of thousands who have been priced out of the housing market by present high land and mortgage costs. The National Housing Act is of no help to them,

and is, largely, the welfare measure for the upper income groups. Well, a family of four really needs at least a three-bedroomed house or apartment, especially if the children are of different sexes. However, all we are allowing in our estimates of their living costs is a two-bedroom apartment at \$150 a month, or \$1,800 a year.

Household operation, hydro, telephone and supplies we have estimated at \$200, and I would say, just to point out, that the telephone alone takes over \$73 in Toronto, almost \$67 in Hamilton, with tax included, and with the increases will be going up to about \$82.53, and \$71.82.

The Dominion Bureau of Statistics shows that families in the cities in the \$5,000 to \$4,499 income range spend 8 per cent on clothing, 3.5 per cent on furniture and appliances. This works out to about \$600 for these two categories, and I think by anyone's standards this would be conceded not to be an exorbitant sum of money to spend on these two very vital things.

We are assuming that this family drives a car, and if they are able to find an apartment at \$150 a month in Metro Toronto at least, they will likely not be in the centre of town, and a car will be a necessity. Besides, they will not be able to afford much else in the way of recreation other than a picnic in the country or perhaps a trip to the beach. And a trip to the beach has almost become non-existent these days because of the pollution.

Mrs. M. Renwick (Scarborough Centre): A \$150 apartment is non-existent, too.

Mr. Deans: We are allowing only \$250 for payments on the car, so you can well imagine what kind of a car they are going to own. This means that the family will be buying a second hand car and be spreading it out over three or four years. Inevitably, they will be faced with substantial repair bills on this kind of a car. However, the figure is close to the amount which families in the \$5,000 to \$5,500 income group from the DBS survey said that they spend on car purchases.

For automotive operating costs we must first provide for the licence, and the government knows a lot about licencing which has gone up considerably this year. In some areas it has gone up 37.5 per cent which is a substantial amount, or even more. But this has to be paid out of this already inadequate income.



The gasoline will cost them at least \$250 a year if they drive 10,000 miles and are fortunate enough to get 20 miles to the gallon. This includes 18c per gallon in gasoline tax. Again the government is familiar with this I am sure, since they raised it by 2c in last year's budget. For car repairs and maintenance we are allowing \$100 a year as the bare minimum, and I would suggest that \$100 a year is really far too low, but we decided that we would put that in there in an effort to make the budget fit the needs.

Additional family expenditures which must be covered include bus and subway fares for children and wife, recreational expenses, the daily newspapers, drugs, personal needs and insurance. Some people also would like to spend something on tobacco and liquor, further education and vacations. But the fact of the matter is that in this particular instance, when we add up all the particular items and expenses that I have listed to date—and none of them out of line—the direct taxes, the premiums and the clothing, the rent, the household operation, the car expenses, when we add it up the total comes to almost \$200 more than the family earns.

It requires in the province of Ontario, \$5,400 a year to live on \$5,200 and I ask you how this can be done.

Well it is quite easy. You see they borrow the \$200 every year and they go more and more into debt, and they do without. They cut down on the essentials of life. They cut down, they do without, and there is no need for that. If they do not go into debt, if they are the kind of family who prefer that the wife would work, and many are forced into this position even though they do not want it — if it means that they have to have their children do without the maternal care that they ought to have, then perhaps they will not go \$200 in debt. Fortunately, this is not the kind of society that we in this party imagine ought to be in this province.

Surely to God it is not too much to ask that a family in this province can live on the wage of one husband, working in one job, and trying his best to provide for the people that he has dependent upon him.

But they probably would not save — even if the wife did go out to work — they probably would not save much.

**Mrs. M. Renwick:** She works for an average income of \$2,000 a year.

**Mr. Deans:** She works for an average income of \$2,000 a year my colleague tells me.

Because of the expenses of baby-sitting and because of the additional expenses incurred on a wife having to work they probably would not save very much out of it. They probably would not save much even if they did without a car because, as you recall, we did not allow very much for a car payment unless they happened to live in an area and work in an area of good, cheap, public transportation, and this is something that is practically non-existent in this province — good, cheap public transportation.

It is unfortunate, very unfortunate, because we do not seem to understand that if we are going to have these families on this income range able to make ends meet we must provide this kind of thing.

In this situation that I am naming now — and I might point out that I did not include — I forgot about it at the time — the federal social development tax — the brain child of the "just society" which would deduct \$48.38 more from this family, which means that instead of going in the hole \$200 a year they are going to go in the hole almost \$250.

At the moment, with Ontario not in the federal Medicare plan there is no sign that even though Ontario families pay this social development tax they will really receive any benefit from what they are paying.

Now this family that I have described just has no hope of ever getting a home of its own. There just does not appear, in spite of what Paul Hellyer might have us believe, to be any hope under the present kind of administration, both federal and provincial, that this family will ever be in the position of owning a home of its own, because even if they could scrape up a down payment with the wife and children both working, the \$150 per month which they now pay in rent would carry a mortgage of only \$14,200 on a 25-year repayment basis, or one of \$15,300 over 35 years.

If \$35 a month had to be earmarked for municipal taxes, with new houses selling at anything from \$24,000 to \$35,000 and more, a down payment of over \$10,000 would be required and this just would not work. There is just no way to save \$10,000 when you have to borrow \$200 to make ends meet. So I am afraid that this family will just never own a home.

The \$150 a month which I have allowed for rent is above the 27 per cent of income which Central Mortgage and Housing judge to be the top amount that should be devoted to housing when passing on NHA loans. So even if they somehow or other scraped the

money together — and it would be impossible I am sure — for the down payment, they would not be able to pay the \$150 a month because it is in excess of the amount allowed by Central Mortgage and Housing.

You might say to yourselves, and I am sure some do not really understand, “that is the \$5,000 a year guy, what can he expect?” But you know I decided at that point, when I had worked these figures out, to see what happens to the person making \$7,000 a year, just to see what the difference really is; to find out if they are that much better off and if we can make ends meet in this society on \$7,000. So I will run quickly through the \$7,000 a year man.

This family still has trouble making ends meet in this province. He will pay \$1,287 a year for income, unemployment insurance, Canada pension plan, hospital insurance and Omsip, which will leave him \$5,713 to spend. If he limits his shelter expenses to 27 per cent of his income which the Central Mortgage and Housing considers is all he can afford, he will have just \$157.50 a month for mortgage payments and property taxes. This comes to \$1,890 a year — the same amount for rent. It does not matter, as I pointed out earlier; this will not likely enable him to finance a house at today's exorbitant rates.

A funny thing, too, about the interest rates as I think about it; the federal government is suggesting that they should take the ceiling off interest rates and then they will go down. That is just unbelievable. How Paul Hellyer could stand and say a thing like that, with a straight face, is beyond my understanding. Anyway, he always has been a bit of a dreamer, you know.

There are indications that interest rates would certainly go up and I believe that they would. The food costs for this particular person would run about 21 per cent of his income, his clothing 8.5, furnishings about 4.8 according to DBS statistics and he would use up, at this point, about \$2,405 of his income.

His automobile expenses would run about \$925 a year by the time he pays the new license which is \$35, 40 per cent increase over last year if you have an eight cylinder car, about \$300 for gasoline which, as I said before, included this increase, \$370 for car purchase payments, \$125 for auto insurance, \$100 for repairs and maintenance and if you add all of this up, you find that this poor soul earning \$7,000 a year, supposedly among the affluent, is really not much better off, than the man earning \$5,200 a year.

Now how do we combat this? I think this is probably the most important thing. What do we do to overcome the situation that has become prevalent throughout this province?

We recommend a few things, and if they are implemented, we believe they would improve the situation and in time, perhaps eliminate it. First, we should give tax credits to all low income families so that they are relieved of the burden of paying income tax on inadequate incomes. Now this is preferable, we believe, to raising the present exemption because an increase in exemption of \$2,000 gives the family, at the 15 per cent tax rate, a benefit of only \$150 and it gives the family at the top 80 per cent rate, a benefit of \$1,600.

Number two, we would shift the emphasis in our tax system from the regressive taxes like motor vehicles taxes and flat rate premiums to progressive taxes based on the ability to pay. This means extending the income tax to the untaxed wealth, the capital gains, the stock market profits, land speculators' gains and other incomes not now paying their share, and also getting a fair share from the corporations.

In addition, it means making more use of inheritance tax to prevent undue accumulation of wealth.

Third, we would recommend that the province of Ontario should enter the federal Medicare scheme, so that premiums could be cut and Ontario residents would get some benefit from this two per cent social development tax which they are going to be forced to pay after January 1, that is now.

In my opinion, the total premium for both medical and hospital insurance should not exceed \$10 per month for a family, and the balance of costs should be financed out of a more progressive form of taxation based on ability to pay.

Four: We should reduce dependence on regressive property tax by shifting to the province the cost of services not related directly to property. And this includes such things as education and welfare. The property tax is too narrow-based to carry the growing cost of urbanization plus all these social programmes and benefit everybody, and it should be paid out of more progressive taxes. We might just take a look at the unfairness of the property tax.

If we take a family making \$100 a week with a \$15,000 house assessed at one third of its value, they would pay taxes at \$400 a year, if the mill rate was 85 mills, or 8.2 per cent of its income. A family making \$200 a

week with a \$24,000 house assessed at one third of its value would pay taxes of \$680 a year, if the mill rate was 85 mills, or 6.5 per cent of its income, going down.

But a family making \$1,000 a week—and I do not know many of those myself but I am sure the Conservative members know a few, and the Liberals too—with a \$60,000 house assessed at one third of its value, would pay taxes of \$1,700 a year if the mill rate was 85, or 3.3 per cent of its income. And what is really needed is that we have got to get all of those things that are not related to property out of there and on to a broader tax base so that we can reduce this heavy burden on the lower income groups.

Five: We would reduce the cost of housing by policies designed to cut the price of land and of mortgage money. This would mean large scale assembly of land in advance of need; possibly appropriation of land in speculators' hands at roll back price; and subsidized interest rates for low cost homes until such time as federal government policies bring down the interest rates—and if what is suggested is any indication, it is not going to happen.

Channeling money from investment pools into housing mortgages and other measures to increase home building.

Six: We would end exorbitant rent increases by a rental review board, as we have said time after time after time.

Seven: We would see that the family gets better value for its sales dollar. That is why we need better consumer protection laws and a prices review board. Do car prices have to go up every year? It would be interesting to know. It would be nice to have an investigation whether or not this yearly increase in car prices is justified, and perhaps I could ask—

**Mr. D. Jackson (Timiskaming):** Ford went from \$32 million to \$50 million profit.

**Mr. Deans:** There is always scrutiny on wages. Public scrutiny. Continuous. Whoever knows how much profit is made? How do we find out? How do we know whether the increases in car insurance are justified or not unless the government, the agency of the people, the representatives of the people in this province are prepared to take a look at

it? Surely this falls within the function of the Minister who was just speaking.

Eight: We suggest an increase in corporation taxes.

**Mr. M. Makarchuk (Brantford):** He was not speaking when Morty was questioning him.

**Mr. Deans:** The Ontario government has been getting a smaller and smaller proportion of revenue from corporation tax. In the year 1961 the corporation tax yielded 25 per cent of the total government revenues. In 1967-68, the corporate contribution was only 14 per cent. Personal income tax, on the other hand, produced 15 per cent of the government revenues in 1960-61, and 25.6 per cent in 1967-68.

**Mr. E. W. Sopha (Sudbury):** This is the society where the lions' share goes to the lions.

**Mr. Deans:** Corporation profits have been going up.

**An hon. member:** Elmer is sending fraternal greetings to his friends over there.

**Mr. Deans:** Let me say that corporation profits last year went up and they were 15 per cent ahead of the year previous in the third quarter. We can take some of the weight of taxes off the wage earner if we get a proper share of taxes from the corporations, and this government must make this a priority. However, I realize this is whistling in the wind.

**Mr. Speaker:** Perhaps the hon. member would find a convenient place shortly to adjourn the debate.

**Mr. Deans:** Thank you. Mr. Speaker, I move the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, tomorrow we will continue with the Throne Debate.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, February 6, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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THURSDAY, FEBRUARY 6, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests today in the east gallery are students from East York Collegiate in East York and Eastern High School of Commerce in Toronto; and in the west gallery, students from Dalewood Senior Public School in St. Catharines.

Petitions.

**Clerk of the House:** The following petitions were presented:

Of McMaster University praying that an Act may pass changing the composition, method of election and powers of the board of governors and senate of the university.

Of the corporation of the city of Windsor praying that an Act may pass permitting the council to charge the cost of municipal drainage work against all the rateable property in the municipality; and for other purposes.

**Mr. Speaker:** Presenting reports.

**Clerk of the House:** Mr. L. C. Henderson, from the standing orders and printing committee, presented the committee's third report which was read as follows and adopted:

Your committee has carefully examined the following petitions and finds the notices, as published in each case, sufficient:

Of the corporation of the city of Cornwall praying that an Act may pass confirming a bylaw reducing certain assessments for local improvements.

Of the corporation of the city of Toronto praying that an Act may pass authorizing it to grant the right to operate means of conveyance in public parks; and for other purposes.

Of the corporation of the city of Kitchener praying that an Act may pass authorizing special separation allowances and retirement allowances to certain employees; and for other purposes.

Of the corporation of the county of Ontario praying that an Act may pass extending the time for taking of the assessment for the township of Pickering and for returning the roll to the clerk.

Of the corporation of the town of Mitchell praying that an Act may pass permitting it to raise the sum of \$20,000 by way of debentures being the purchase price of a sanitary land fill site.

Of the corporation of the county of Peel praying that an Act may pass extending the time for the return of the assessment rolls in the township of Chinguacousy.

Of the corporation of the city of Belleville praying that an Act may pass permitting a two-year term of election for the mayor and aldermen.

Of the corporation of the city of Toronto praying that an Act may pass authorizing an executive committee of council.

Your committee recommends that copies of the Canadian Parliamentary Guide, the Canadian Almanac and Canada Year Book be purchased for distribution to the members of the assembly, and that the stationery and publications allowance to members for the current session of the assembly be fixed at \$400.

**Mr. Speaker:** Motions.

Introduction of bills.

## CITY OF BELLEVILLE

**Mr. R. T. Potter** (Quinte) moves first reading of bill intituled, An Act respecting the city of Belleville.

Motion agreed to; first reading of the bill.

## COUNTY OF PEEL

**Mr. R. D. Kennedy** (Peel South) moves first reading of bill intituled, An Act respecting the county of Peel.

Motion agreed to; first reading of the bill.

## TOWN OF MITCHELL

**Mr. R. H. Knight** (Port Arthur), in the absence of Mr. Edighoffer, moves first reading of bill intituled, An Act respecting the town of Mitchell.

Motion agreed to; first reading of the bill.

## CITY OF KITCHENER

Mr. H. Worton (Wellington South), in the absence of Mr. Breithaupt, moves first reading of bill intituled, An Act respecting the city of Kitchener.

Motion agreed to; first reading of the bill.

## CITY OF CORNWALL

Mr. O. F. Villeneuve (Glengarry) moves first reading of bill intituled, An Act respecting the city of Cornwall.

Motion agreed to; first reading of the bill.

## COUNTY OF ONTARIO

Mr. A. K. Meen (York East), in the absence of Mr. W. Newman, moves first reading of bill intituled, An Act respecting the county of Ontario.

Motion agreed to; first reading of the bill.

## CITY OF TORONTO (1)

Mr. S. Apps (Kingston and the Islands), in the absence of Mr. Price, moves first reading of bill intituled, An Act respecting the city of Toronto, No. 1.

Motion agreed to; first reading of the bill.

## CITY OF TORONTO (2)

Mr. Apps, in the absence of Mr. Price, moves first reading of bill intituled, An Act respecting The City of Toronto, No. 2.

Motion agreed to; first reading of the bill.

Mr. V. M. Singer (Downsview): Where are all those Toronto Tories?

## THE MEDICAL ACT

Mr. M. Shulman (High Park) moves first reading of bill intituled, An Act to amend The Medical Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, the purpose of this bill is to allow the government to appoint one lay member to the five-member discipline board of the College of Physicians and Surgeons.

Mr. Speaker: The hon. Provincial Secretary has a statement.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, before the orders of the day, I would like to remind the House that today Her Majesty, Queen Elizabeth II, commences the eighteenth year of her reign as the Queen of Canada.

Mr. E. W. Sopha (Sudbury): A very fine lady!

Hon. Mr. Welch: During the past 17 years Her Majesty's position in the Commonwealth, and indeed throughout the whole world, has increased in stature; chiefly, I am sure, because of her own complete understanding of the role of the monarchy in a modern world.

So it is with personal pride that I join with countless others who this day publicly renew their pledge of allegiance to Her Majesty the Queen.

Mr. Sopha: The day a Canadian was sworn in as Governor General it was never mentioned.

Mr. Speaker: The hon. Minister of Health has a statement.

Hon. M. B. Dymond (Minister of Health): As of January 1, the tuberculosis prevention branch of our department has been conducting a tuberculin test and x-ray survey of all Ontario government public servants in the Metropolitan Toronto area. As a further stage of this programme, tuberculin tests and x-ray services will be provided to all members of the Legislature on February 14, 1969, from 10:00 a.m. to 1:00 p.m. The testing facilities will be located in committee room 153, just around the corner from the central elevators on the main floor of the main building.

I would encourage every member, sir, to take advantage of this survey. It would involve only a few moments of their time and I think it would set a good example to the populace of our province.

Mr. Shulman: Mr. Speaker, for the purposes of clarification, may I ask a question?

Is the Minister aware that in the testing that has been done already some serious errors have occurred in that people who have received BCG were told that they should receive treatment for tuberculosis which they do not have.

Mr. Speaker: Order. The hon. member is not asking for a clarification of the Minister's statement with respect to the proceedings for the x-rays here, he is commenting on another matter entirely. He is quite out of order.

**Mr. R. F. Nixon** (Leader of the Opposition): **Mr. Speaker**, I have a question for the Minister of Energy and Resources Management. What was the cost of purchasing electrical energy to meet Hydro's load commitments during December, 1968, and January, 1969?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): **Mr. Speaker**, at this date it is not possible to give the cost of electrical energy purchased by Ontario Hydro either for December, 1968, or for January, 1969. This may be explained by the fact that all invoices for the periods have not been received and therefore processing of costs have not been completed.

**Mr. Nixon**: Might I ask a supplementary question, **Mr. Speaker**?

I wonder if the Minister is in a position to tell the House if in fact our purchases were more extensive than usual during December 1968.

**Hon. Mr. Simonett**: I would take that question as notice and I think I should give the hon. leader of the Opposition a complete rundown of Hydro and their costs for the last 25 years. I will do that tomorrow with your permission.

**Mr. Nixon**: **Mr. Speaker**, I look forward to a fairly lengthy dissertation. I know how anxious the Minister is to talk about Hydro in the House.

I would like now to ask a question of the Minister of Municipal Affairs. Why were the members of the board of trustees of the improvement district of Marathon recently replaced?

What advice did the Minister seek before naming the new board members, and when is the Minister going to recommend that the improvement district of Marathon become a municipality?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): **Mr. Speaker**, I assume these questions result from a letter addressed to me—with a copy to the hon. leader of the Opposition—from a Mr. Frank Talarico, former vice-chairman of the board of trustees from the district of Marathon, which just arrived on my desk yesterday. Mr. Talarico appears to be somewhat upset that the wishes of the retiring members of the board were not completely adhered to in the composition of the new board. While the views of retiring members of such boards are always welcome and receive through consideration, the hon. member will realize that the diverse interests of the inhabitants of an improvement district

are not always best served by concurring with their recommendations.

To put the matter in the right perspective, I would like to briefly outline the events leading up to the recent appointments and the manner in which they were made.

As I mentioned, Mr. Talarico was the former vice-chairman of the board of trustees. He submitted his resignation, effective January 31, 1969. He did not give a reason for his resignation, as far as I am aware. Prior to that date, effective December 31, 1968, the former chairman of the board resigned for reasons of ill-health.

This resulted in the need to redesignate the remaining member of the board and to appoint two new members. I understand that all agreed to the redesignation of Mr. John Palmer to the position of chairman. The retiring chairman and vice-chairman also recommended the appointment of an employee of the main industry of the municipality.

As Mr. Palmer, the new chairman, is also an employee of the company, it would have meant that two of the three members would have been company employees.

In the past, all members of the board of trustees of this municipality have been employed by the local industry and we have received reports from time to time that the ratepayers of the municipality are dissatisfied with this arrangement.

They feel that persons other than employees of the company should also be appointed to the board. Accordingly, my staff recommended the appointments of Mr. Donald Stuart Harrison, who has been a resident of Marathon for 22 years, and is the local postmaster, and Mr. Ross Baxter Cummings, who has resided in the municipality for 12 years, and is the manager of the brewer's retail store.

My submission, then, to the Lieutenant-Governor-in-Council recommended that Mr. Palmer be redesignated—

An hon. member: A two-time winner.

**Hon. Mr. McKeough**: —that Mr. Palmer be redesignated from member to chairman, and that Mr. Harrison be appointed vice-chairman, and that Mr. Cummings be appointed member.

I would now like to quote from Mr. Talarico's letter in connection with the third part of the hon. member's question:

I might add that this has not been the first time the wishes of this board have been ignored by your department. I point to the fact that in the past year we have

made it very clear to your department that we felt it was time that this community became a municipality and as you know no action was taken on this matter by your department.

Mr. Speaker, I cannot understand why this gentleman would make such a statement. As a member of the board for a period of nine years, Mr. Talarico should be well aware of the fact, that my department has on a number of occasions during the past seven or eight years, recommended that improvement districts apply for a change in municipal status. This would require the submission of a bylaw to my department. To my knowledge no such bylaw has been received from the improvement district of Marathon.

Mr. Nixon: Might I ask the hon. Minister, Mr. Speaker; if such a by-law were submitted, would he be prepared to recommend to his Cabinet colleagues that it become a municipality?

Hon. Mr. McKeough: I do not know any reason why we would not.

Mr. Nixon: Right. There is just one other thing that was mentioned in the letter, Mr. Speaker.

Hon. Mr. McKeough: Just to clarify it, by-laws submitted to us then go to the Ontario Municipal Board, if we approve, and I do not know of any reason why we would not send it on to the board.

Mr. Nixon: The only other thing was the complaint that those who had been elevated to the new position were not in fact property holders. I am glad to hear from the Minister that they are, however, long-time residents.

Hon. Mr. McKeough: Yes, I believe one rents from the company as a matter of fact. The member for Thunder Bay would know this, but I doubt whether there are many privately-owned residences in the municipality.

Mr. D. C. MacDonald (York South): I have two questions, Mr. Speaker. I am sorry, the Minister is not here, so I guess I will have to withhold the first.

To the Minister of Health: Can the Minister state from information available from the voluntary health insurance survey prepared by the Canadian Conference of Health Care—which he quoted in reply to my question December 20, 1968—how many of the 2,034,000 Ontario population with PSI coverage had Brown Plan only, and how many of the 2,376,000 population with insurance com-

pany plans had partial medical coverage which did not include home and office calls?

Hon. Mr. Dymond: Mr. Speaker, I will have to take that question as notice to get the statistics.

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: I have a question of the Minister of Health. What assurance can the Minister give us that in the building of the much higher chimney by the International Nickel Company of Canada Limited, the pollution and damage caused by the emission of sulphur dioxide will not be manifested over a much wider area than has previously been experienced?

Mr. Speaker: Perhaps the hon. member for Sudbury East would also place his question, which is similar, of the same Minister?

Mr. E. W. Martel (Sudbury East): I have a three-part question of the Minister of Health.

1. Will the installation of the new stacks by Inco remove the gas in the plant sufficiently to bring the gas concentrations in all areas to, or below, what is considered to be the safety level of 5 ppm?

2. Will the increased height of the new stack ensure that the sulphur damage will not occur beyond the 35-mile radius of Copper Cliff, now being damaged by the emissions from the existing stacks?

3. Finally, is the answer to the problem not the emission of sulphur dioxide, but rather the capturing and neutralizing of the gas?

Hon. Mr. Dymond: Mr. Speaker, I will answer the question of the hon. member for Sudbury East, since his second question is practically on all fours with that of the hon. member for Sudbury.

1. The approval of the new stacks at Inco was given on the basis of controlling pollution of the outdoor atmosphere. Such a stack could be utilized to exhaust ventilation systems. We understand that changes in the ventilation system are presently under consideration. 2. The best available scientific knowledge concludes that no damage is likely to occur when utilizing the new stack at Copper Cliff. 3. In my statement in the Legislature yesterday I stated unequivocally that the use of the tall stack was considered an interim measure only. Our objective is to remove the pollution at the source, and to my knowledge this gives us the ability so to do.

**Mr. Speaker:** The hon. member for Sudbury East has a supplementary question.

Interjection by an hon. member.

**Mr. Speaker:** Order, order. If the hon. member has a supplementary question, he is entitled to ask the Minister, who will answer it, but not comment. Has the hon. member for Sudbury East a supplementary question?

**Mr. Martel:** Yes, if the Minister would answer. I am not quite certain of the answer he gave to the first question.

Is there going to be something added whereby the safety level of concentration of gas will be brought in line with that which is recommended, at five parts per million?

**Hon. Mr. Dymond:** I think the answer, Mr. Speaker, is clear, that the stack will bring the level of pollution to a lower level than that recommended by The Department of Health as being safe.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of this Minister.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question of the Minister of Health.

Is the Minister taking any action to ensure that adequate compensation will be received by those people living in the neighbourhood of the Erco plant near Port Maitland, who have been compelled to import water because their own household supplies are polluted by operations of the Erco plant?

**Hon. Mr. Dymond:** Mr. Speaker, we have received no requests for compensation for the importation of household water supplies from people living in the vicinity of the Erco plant at Port Maitland. We have no evidence of pollution of well water at Erco's operation. We believe that roof cistern water should not be used for drinking purposes under any condition.

**Mr. Speaker:** The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Thank you, Mr. Speaker. To the Minister of Health:

Has the Minister, together with the Minister of Social and Family Services (Mr. Yaremko), reviewed the lack of medical facilities endured by the Osnaburgh Indian band, Osnaburgh, Ontario, as outlined in my letter to both Ministers dated January 28, 1969?

Has the Minister decided what action his department can take to alleviate this intoler-

able situation, and if so, what action is contemplated by the Minister?

**Hon. Mr. Dymond:** Mr. Speaker, the Minister of Social and Family Services and I have not discussed this jointly. I received the hon. member's letter yesterday. My colleague had not yet received his copy of it.

However, I have, through my department activities, considered medical facilities for the Osnaburgh Indian band as outlined in the hon. member's letter of January 28th.

The answer to two is yes. We have been in consultation with The Department of National Health and Welfare in respect of this matter.

And three, I am advised that The Department of National Health and Welfare is planning to build a new health centre at New Osnaburgh, which will contain residential quarters for a nurse and clinic facilities.

**Mr. Speaker:** The hon. member for High Park has a series of questions of this Minister.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Health.

When can we expect the report from the committee on the healing arts, which the Minister said on April 25th, 1968, he expected last fall?

**Hon. Mr. Dymond:** Mr. Speaker, while the committee has not yet been able to report or to establish a final date for the completion of its report, we are now hoping it will be completed for the fall of this year. They ran into far more complexities than they anticipated apparently and I am assured that the report is in the process of writing but it has not yet been delivered to me. When it is, sir, it will be delivered to this House.

**Mr. Shulman:** Will the Minister accept a supplementary question, Mr. Speaker?

**Mr. Speaker:** The Minister said he would hear it and then decide.

**Mr. Shulman:** Is it possible to get an interim report in the meanwhile, of the recommendations which they have prepared so far, so that the long-overdue reforms could be—

**Mr. Speaker:** Order. The hon. member has asked his question.

**Hon. Mr. Dymond:** Mr. Speaker, the terms of reference given to this commission did not ask for an interim report.

**Mr. Shulman:** Mr. Speaker, a question to the Minister of Health.

Has the Minister studied and reviewed charges made by the head of Associated Medical Services about excessive lab tests and costs of same, as he promised in this House on June 18th, 1968?

Did the Minister find that Doctor Hannah was correct and that unnecessary lab tests were being done?

What action has been taken?

**Hon. Mr. Dymond:** The answer to the first part of the question, Mr. Speaker, is yes. I have studied and we have reviewed the charges made by the head of the AMS but we find ourselves up against the impossible situation of determining what constitutes interference with the practice of medicine. The hon. member knows very well, of course, that he would be one of the first to bridle very greatly if the government dictated to him what and how many tests he should order.

We are assured by the profession that the tests are ordered only in the interests of good patient care.

**Mr. Shulman:** Will the Minister allow a supplementary?

**Hon. Mr. Dymond:** I will hear it.

**Mr. Shulman:** In view of your comments, is there any way that these rapidly-rising costs of lab tests can be controlled?

**Hon. Mr. Dymond:** Mr. Speaker, this matter is under very intensive study at the present time.

**Mr. Shulman:** Another question of the Minister of Health, Mr. Speaker.

What steps has the Minister taken to protect against the danger of fire in the trade workshops at the Lakeshore Psychiatric Hospital, as he promised the House on May 6, 1968?

**Hon. Mr. Dymond:** Mr. Speaker, plans are presently being prepared to relocate the activity at that hospital.

**Mr. Shulman:** Mr. Speaker, could the Minister inform us when this will occur?

**Mr. Speaker:** Is the hon. member directing a supplementary question to the Minister? Perhaps he would do so again, I do not think the Minister heard him.

**Mr. Shulman:** Can the Minister inform us when this will occur?

**Hon. Mr. Dymond:** I said it was under active planning now, sir.

**Mr. E. Sargent (Grey-Bruce):** That is within ten years.

**Mr. Shulman:** As soon as we get a new government.

**Hon. Mr. Dymond:** The hon. member will not be part of it!

**Mr. Shulman:** Did the Minister get the information he promised the House on April 29, 1968, re the suggestion by the committee on maternal and infant mortalities that The Coroners' Act be amended to require an autopsy in every maternal death?

Has the Minister taken this up with the Attorney General and what was the result?

**Hon. Mr. Dymond:** I shall take the question as notice, Mr. Speaker.

**Mr. Shulman:** A question for the Minister of Health, Mr. Speaker.

Has the Minister approached the Liquor Control Board about restricting liquor advertising as he advised the House he was considering doing on April 25, 1968? What resulted from the Minister's considerations?

**Hon. Mr. Dymond:** My answer to the first is no.

Second, Mr. Speaker, after due and deliberate consideration I felt that the Liquor Control Board of Ontario and its appropriate Minister were far better equipped to consider the impact and value and procedures in advertising than was I, and I did not feel that I could add very much to their knowledge.

**Mr. Shulman:** For once the Minister and I agree, Mr. Speaker.

**Hon. Mr. Dymond:** The only difference is—on a point of order, Mr. Speaker—that I admit it.

**Mr. Shulman:** I have a question for the Minister of Health, Mr. Speaker.

Has the Minister looked into the matter of self-contained units for Wasserman blood tests as he stated in the House on April 24, 1968? What was the result of looking into that?

**Hon. Mr. Dymond:** I will take the question as notice, Mr. Speaker.



**Mr. Shulman:** Finally, Mr. Speaker, I have a question for the Minister of Health.

Has the Minister examined the instructions given out for ambulance drivers in Toronto, a copy of which I sent him on June 18, 1968, which included instructions for breach delivery and how to put a mother's uterus up into her body? What action has the Minister taken?

**Hon. Mr. Dymond:** The answer to the first part of the question is yes. These instructions were prepared for use by the metro emergency service, I understand. It is planned now that in future courses they will use the course of instruction laid down by us.

**Mr. Speaker:** The hon. Minister of Agriculture and Food has answers to questions taken as notice yesterday.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, thank you for the opportunity of replying to the question asked me by the member for Essex South (Mr. Paterson). The question related to change in transportation costs for milk in that area.

The Ontario Milk Marketing Board, under the Milk Act of 1965 and the regulations thereto, has jurisdiction over the transportation of milk from farm to plant in Ontario, and acts on behalf of the producers in negotiating the best possible price for this service in the producers' interests.

Last year the Ontario Milk Marketing Board was engaged in the development of a policy of transport rationalization, in short, to develop ways and means of eliminating unnecessary duplication of routes and overlapping of facilities. This programme started in southwestern Ontario and is well under way across the province. Now, extending this jurisdiction to the next logical step, the boards have investigated the costs of such transportation, and where costs appear to be out of line, the board has opened negotiations with the transporters.

The first such negotiations took place in Essex County and a number of meetings were held with the seven transporters involved in the movement of milk. It had previously been determined, on the basis of extensive analysis of milk transportation costs across the province, that the charges in Essex appeared to be out of line.

When the meeting between the transporters and the transportation committee of the Ontario Milk Marketing Board failed to pro-

vide a solution, I am advised that action was taken under the Board's authority, to act on behalf of and for the producers and to set transportation rates. These new rates will become effective March 1. In the meantime the transporters have the right to appeal to the Ontario Milk Marketing Board, to the Ontario Milk Commission, and as a final recourse, the courts if necessary.

For the information, Mr. Speaker, of members of the House, the average price for milk delivery in a great many markets of Ontario, on the basis of comparable distance, is about 26 cents a hundred. This is frankly a continuation of the milk marketing board's role of acting as agents for the milk producers of this province, to provide efficient transportation for their milk at a fair price. The farmers of Ontario, I think we would all agree, who produce milk have a right to expect this kind of service on the part of the Ontario Milk Marketing Board.

**Mr. D. A. Paterson** (Essex South): Would the hon. Minister accept a supplementary question? I believe I asked if this programme was going to continue on into other parts of Ontario and I do not believe that was specifically answered.

**Hon. Mr. Stewart:** Well, Mr. Speaker, I thought I explained that this was a programme that was under review right across the province of Ontario. Where transportation costs appear to be not out of line, then I do not think any such action would be taken as was taken in Essex county. However, there is one other area in Ontario where the producers have asked the milk marketing board to step in and try to renegotiate the costs of transporting their milk.

**Mr. Speaker:** The hon. member for Wentworth has a question placed yesterday with the Minister of Transport (Mr. Haskett) and transferred to the Provincial Treasurer.

**Mr. I. Deans** (Wentworth): Yes, thank you, Mr. Speaker. It amazes me how it got to this particular Minister.

To the Provincial Treasurer—in view of the TTC proposals for regional transportation as reported in the *Globe and Mail* this morning (that was yesterday morning) will the Minister assure the House that before the 1969-1970 estimates of his department are considered, he will present to the Legislature an integrated policy governing future transportation developments within the area covered by the MTART study?

2. Will the Minister table in the Legislature the written memoranda containing the TTC reaction to the MTART study?

**Hon. C. S. MacNaughton** (Provincial Treasurer): Well, Mr. Speaker, I will have to take this question as notice. I have not received a copy of it, it is the first time I have heard it, so I will take it as notice.

**Mr. Deans:** Will the Minister accept a supplementary question? You can take it as notice too if you wish.

Would you care to explain to the House how you arrived to be the Minister in charge of MTARTS?

**Hon. Mr. MacNaughton:** Mr. Speaker, am I to receive notice of these questions before I am required to answer them, or am I not?

**Mr. Speaker:** This bears a little investigation because my office advised me that this was transferred by my office to the office of the hon. Treasurer yesterday.

The second question by the hon. member, of course, perhaps could be answered without notice, or not answered, but I presume the hon. Treasurer did not hear the second question which was a rather innocent question.

**Mr. Deans:** May I ask it again?

**Hon. Mr. MacNaughton:** Yes, you may.

**Mr. Deans:** Would you care to explain to the House how it is that the Provincial Treasurer is responsible for the Metropolitan Toronto and Region Transportation Study?

**Hon. Mr. MacNaughton:** Mr. Speaker, the Provincial Treasurer is not responsible for the Metropolitan Toronto and Region Transportation Study. The Treasurer of the province of Ontario when he was Minister of Highways was made the first chairman of the executive committee of the Metropolitan Toronto and Region Transportation Study—

**Mr. Sopha:** How much extra pay?

**Hon. Mr. MacNaughton:** The pay was doubled—yes, nothing, precisely nothing.

Interjections by hon. members.

**Mr. Speaker:** Order, the problem appears to be locating the correct place for this question and Mr. Speaker will try to do so personally before tomorrow. The hon. member for Essex-Kent has a question for the Provincial Treasurer.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, I have a question for the Provincial Treasurer. How many copies of the report of the Ontario committee on taxation were sold at the price of \$15; and were any sold at a price other than the one mentioned above?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer to the first part of the hon. member's question is 1,248; and to the second part of the hon. member's question, none.

**Mr. Speaker:** The hon. member for Etobicoke has a question of the Minister of Transport?

**Mr. L. A. Braithwaite** (Etobicoke): Yes, Mr. Speaker, I have a question of the Minister of Transport. It is a two part question:

1. Is the Minister aware of the many complaints about snowmobiles from Kerney Drive and other areas in Etobicoke and in Metropolitan Toronto because of the danger to children, the damage to public and private property caused by the lugs and the irritation caused by the excessive exhaust noise?

2. Is the Minister planning to outlaw the use of snowmobiles on residential streets in urban areas in Metropolitan Toronto?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the jurisdiction to control the situation referred to by the hon. member lies in the municipality. The Motorized Snow Vehicles Act, section 6, grants authority to a municipality to prohibit, by by-law, the operation of motorized snow vehicles on municipal roads and streets.

**Mr. Braithwaite:** Will the Minister permit a supplementary question? I, and other people, have received delegations of people worried about this.

Will the Minister not consider amending The Highway Traffic Act or any other pertinent Act that might concern snowmobiles, and take the responsibility for the safety of people from the control of the Metropolitan area and bring it under his own jurisdiction so that we do not have a fatality before something is done?

**Hon. Mr. Haskett:** Mr. Speaker, the motorized snow vehicle is a rather new animal we are having to deal with, and we are trying to deal with it in a sensible way and at the same time make what progress we can.

The Motorized Snow Vehicles Act that was introduced at the last session was new legislation and I would not want it to be

felt by any that it is final by any means. This vehicle poses a problem for us and we are trying to resolve the problems it has created as best we can. We are receiving representations, we have made changes in the regulations and we are open to representations for further changes.

**Mr. Braithwaite:** Does the Minister say it is acceptable for a snowmobile to operate on the streets of Toronto and for it to possibly hit someone?

**Mr. Speaker:** Order. The hon. member for Grey-Bruce has two questions from before Christmas of the Minister of Trade and Development and I believe it has been arranged that they be asked and answered today.

**Mr. Sargent:** Would the Minister reveal the following information re Sheridan Park: How much money has Sheridan Park cost the taxpayers of Ontario since its inception prior to 1963 and since 1963? How much money has the Ontario Research Foundation cost the Ontario taxpayers since then?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, the answer to the first question:

The Sheridan Park Corporation was established in May, 1964, by An Act to Incorporate the Sheridan Park Corporation. Thus Sheridan Park did not cost the taxpayers of Ontario any money prior to 1963. From May, 1964, to date, the Lieutenant Governor in Council has authorized the Treasurer of Ontario to advance a \$3 million loan to the corporation—\$2.5 million at an interest rate of six per cent per annum and \$500,000 at a rate of seven per cent per annum. Of these amounts, \$2,895,000 has been borrowed as of November 30, 1968.

The above liability of the corporation is offset by land assets of 106.070 acres. It is expected that the \$2,895,000 loan will be repaid with interest upon sale of the land inventory.

In addition to the loan made to the corporation, the Sheridan Park Association was given a grant through the then Department of Economics and Development of \$25,000 in the fiscal year 1965-66 to commence a development of the entrance to the park.

At the moment, therefore, Sheridan Park has cost Ontario taxpayers \$25,000 since its inception in 1964.

The time period in the second part of the hon. member's question is not clear. However, I have interpreted it to mean since the

inception of the Ontario Research Foundation in 1928.

During the period 1928 to the end of 1968, a period of 40 years, the Ontario government has provided financial support to the Ontario Research Foundation as follows:

Capital grants	\$ 2,335,000.00
Building grants	5,255,000.00
Research grants	8,400,000.00
Research contracts	3,479,000.00
	<hr/>
Total	<u>\$19,469,000.00</u>

During the same period other sources of financial support to ORF were:

Capital grants—National	
Research Council	\$ 500,000.00
Capital grants from industry	2,180,000.00
Investment income—used for	
capital expansion	\$6,396,000.00
Research contracts from	
industry	17,816,000.00
	<hr/>
Total	<u>\$26,892,000.00</u>

A comparison of the above two total amounts indicates that ORF has depended upon industry and internal means for 58 per cent of required support, while 42 per cent has been provided by the Ontario government.

In its operation, ORF recognizes the increasing importance of the role of industrial research to our industrial society. To quote from the ORF annual report of 1967:

The major objective of all industrial research activity is the economic benefit resulting from technological innovation. By technological innovation I mean the process by which scientific knowledge or technical ideas are translated successfully into new or improved products that are saleable.

It is these new or improved products that create the new jobs in manufacturing and in distribution and thus form a major driving force behind the growth of the industrial sector of the economy.

Since 1928, when the foundation was established, advances in science have created whole new industries, such as the television, plastics and computer industries. During this period, the foundation has contributed to the establishment of several new manufacturing processes in our province. The production of vanillin by the Ontario Paper Company and the manufacture of disposable diapers by Dominion Cellulose Limited are two widely differing examples of industrial development which was the result, in part, of research carried out at the Ontario Research Foundation. The path by which such new ideas become

a successful part of the economic scene is usually difficult and often financially hazardous. This path, despite its risks, must be followed more frequently by Canadian industry if we are to remain an advanced and advancing industrial nation.

In the case of ORF, research and development programmes are initiated with the objective of contributing to the economic development of the province. There is a need to maintain a proper balance between basic research studies and the industrial contract work in progress in the laboratories. Industrial contracts are directed toward specific objectives which do not normally involve extended basic studies.

In order for ORF to function effectively as a scientific arm of industry and government, it must have the scientific resources to provide adequate facilities and a competency in all those technological areas which are of prime importance in the province, when called upon.

The financial support provided to ORF by the Ontario government in fiscal year ending March 31, 1968, amounted to \$1,630,000 or approximately 23 cents per capita. This support was geared to assist basic studies (\$1,285,000) in addition to employing the research capabilities of ORF to carry out specific studies for five governmental departments (\$345,000).

**Mr. Sopha:** How many millions?

**Mr. Sargent:** Would the Minister accept a supplementary question?

You do not have to put anything into your orange juice to realize that this is a pretty great thing. The Minister suggests that we have \$26 million involved in the research foundation and about \$8 million gross in the Sheridan Park.

**Mr. Sopha:** Yes, we have disposable diapers as a result.

**Mr. Sargent:** Well, I will forego my supplementary to ask my second question, which has a bearing on the first one. A news report in the *Toronto Star* of November 23, said:

The park is still unique in North America if not in the world, in that it is a joint government-private enterprise project. Other such parks in the U.S. are run by land developers as commercial enterprises.

Will the hon. Minister explain, Mr. Speaker?

**Mr. Speaker:** The hon. member will follow his question.

**Mr. Sargent:** I am trying to. If the taxpayers in the United States cannot afford government participation: (1) Why are Ontario taxpayers subjected to this huge spending as we have mentioned here? (2) Who is the president of the United Lands Corporation? (3) How much did United Lands Corporation receive in payment from the Ontario government for land in the whole project? (4) How much salary does the president of United Lands Corporation receive as a director of Sheridan Park Association? (5) Will the Minister advise how the president of United Lands Corporation can evade "a charge of conflict of interest" if he is a director of Sheridan Park? (6) Do participating companies receive a tax write-off for their capital investment in Sheridan Park? (7) What incentives are offered to participating firms? (8) Does the government still plan to build a 12-storey office block in this project?

**Hon. Mr. Randall:** Mr. Speaker, after listening to some of the asides and comments to that first question, I think we could use those disposable diapers in here once in a while.

Interjections by hon. members.

**Hon. Mr. Randall:** I have listened to the hon. member with great interest and I hope he will listen to me when I reply without any interruption.

Answering question No. 1, Mr. Speaker, I would like to say that although the United States taxpayer is not involved directly in the financial development and promotion of research parks, such as Sheridan Park, he is more deeply committed financially than we in Canada in the overall expenditure of funds for research and development and the ever-changing advances in technology.

For background information I would like to quote from the 1967 report of the president of the Ontario Research Foundation, as follows:

In allocating total resources for scientific research and development, Canada has neglected to apply the major portion of these resources in the industrial sector. In 1965 only 42 per cent of our total research and development activity was devoted to industrial research and development compared to 66 per cent in the United States and 67 per cent in Great Britain. It is relevant to point out in this connection that in the United States, the federal government provided 55 per cent of the total funds spent by industry on research and development. In Great Britain, the government provided 37 per cent, while in Can-

ada the federal government provided only 18 per cent. American governmental participation in industrial research is, however, swollen by the very large expenditures for defence and for space.

Nevertheless, these expenditures on defence and space do have a marked effect, ultimately, on the technology of the purely private sector of the economy. In the years ahead, we, in Canada, must strive to develop policies that will substantially increase the research and development activities of the industrial sector of the economy if we are to sustain economic growth and provide employment for our expanding population in the face of increasing competition for our manufactured goods in international markets and in our own domestic markets.

The final phase of the research and development process is, of course, the development phase. As this phase often involves the building of prototypes or pilot plants, it is usually very costly. However, only when the development phase is successfully completed and the results put into use can the new idea yield economic or social benefits.

In Canada only 35 per cent of our national expenditure is spent in the development phase, compared to 66 per cent and 62 per cent in the United States and Great Britain respectively. Consequently, national policies in this country must be devised that will accelerate activity in this phase despite its cost and the difficulty of predicting the end result.

It is estimated that in 1968, the United States spent about \$26 billion on research and development. Of this \$26 billion, \$17 billion will be provided by the United States government, which works out to about \$80 per capita.

In Canada, it is estimated that about \$1 billion was spent on research and development in 1968. If the federal government spends about one-half of this amount—about the same percentage it spent in 1965—then the Canadian government will only be spending about \$25 per capita, or about one-third of the United States expenditure per capita on research and development.

In view of what I have said, I think the member for Grey-Bruce will agree with me when I say that the Ontario taxpayer, in comparison with the United States taxpayer, is not subjected to huge spending on research and development.

The Ontario government is contributing to

the research and development needs of all companies in Ontario, both large and small.

The Sheridan Park Research Community looks after the needs of the large companies; the Ontario Research Foundation looks after the needs of the middle-sized companies; and technical information services and field engineering services provided by the Ontario government and the National Research Council through the Ontario Research Foundation look after the needs of the small Ontario companies.

The Sheridan Park Research Community has been set up in recent years with the purpose of establishing a centre of science and technology for Ontario industry. It is an experiment—which now shows signs of being most successful—to build up industrial research and development potential in Ontario.

This development provides an opportunity for companies to locate their research and development facilities in one closely-knit community for their mutual advantage. The site was carefully selected to ensure maximum convenience with regard to proximity to universities, industry concentrations, and so on.

Also, with the independent, non-profit and widely-respected Ontario Research Foundation is located as the nucleus of the community, special emphasis has been added to its potential for serving the scientific and technological needs of all industry in Ontario.

The policy of this government is to encourage and assist the establishment of self-reliant and commercially-viable manufacturing industries in Ontario, which will be capable of competing effectively on an international scale in an era of diminishing trade barriers and ever advancing technology.

At the present time, in following this policy we are contributing financially to the Ontario Research Foundation and acting as a catalyst and promoter of Sheridan Park.

**Mr. Speaker:** Order! The hon. member has a point of order.

**Mr. Sargent:** On a point of order, Mr. Speaker, are we to be subjected to this? I wanted him to answer the first question—

**Mr. Speaker:** The hon. member asked his questions in the manner in which he wished to ask them. He will now give the same courtesy to the Minister to answer his questions in the manner in which he wishes to answer them. I would ask that the same courtesy be given to the Minister as was given to the member.



The hon. Minister has the floor.

**Mr. MacDonald:** Mr. Speaker, I rise on a point of order.

If we, in asking questions from the Opposition, are going to be subjected to editing which makes those questions pertinent within the rules of the House, I submit to you, Mr. Speaker, that answers which are violations of the rules of the House have to be submitted to the same restrictions by yourself.

**Mr. Speaker:** Well in the first place I cannot accept the hon. member's view that the answer given by the Minister is a violation of the rules of the House.

**Mr. MacDonald:** It is.

**Mr. Speaker:** Then the second part of his observation—which is actually the first part—obviously the hon. member was not listening when I was speaking on this matter yesterday. I said I had decided that as far as I was concerned, if members wished to ask questions which were, shall I say not exactly within the rules of the House, then for a trial period at least I was not editing them. I had not done so since the beginning of this part of the session and I had not done so the last week or so of the last session.

So therefore we will see how it works; and if the members keep within reasonable range of the rules, I have no objection, because this House is run by rules set by the members. If it is the view of the majority of the members that that type of question is allowable, then certainly Mr. Speaker has no desire to change it.

So these questions were not changed nor edited or any suggestions made to the member with respect to same. Nor has the Minister been in touch with Mr. Speaker about his answer. As far as Mr. Speaker is concerned, the hon. Minister has the floor and is in order.

**Mr. MacDonald:** On a point of order, Mr. Speaker, when we attempt to ask a supplementary question and that supplementary question strays to excessive quotations or anything that is not strictly relevant to a supplementary question, you quite rightly intervene. When the Minister gives a speech that strays far beyond the answer to the question asked him, I submit you have the power and the obligation to intervene.

**Mr. Speaker:** I have listened very carefully to the answer the hon. Minister has given and I read the question because I was told these

questions would be asked today. I read the question very carefully. Insofar as I am concerned, the hon. Minister has been answering the question and has been adding very useful information for the members of the House.

And I still rule that the hon. Minister is in order.

**Mr. Sargent:** Mr. Speaker, on a point of order.

Very respectfully, may I say that this is typical of this Minister. He tries to filibuster any questions embarrassing to the government and he ruins the chance to get to the meat of the question. I say respectfully, sir, that this has to stop from this Minister.

**Hon. Mr. Randall:** Thank you, Mr. Speaker, I will continue. The answer is so interesting I can hardly wait to hear it myself, so I will continue. We are now and will be in the future looking at additional research and development programmes and research parks which will continue to contribute to the economic growth and well-being of this province.

Finally, I would like to say that Sheridan Park, supported by the Ontario government and industry, is attempting to utilise fully all the increased knowledge that research and development is giving us. We are learning to understand better the beneficial effects of new technology and to make these benefits more widely felt.

Research and development at Sheridan Park aims to discover and develop products that will reach markets as quickly as possible.

It's been said many times before, but bears repeating: competition in world markets is no longer a contest of price alone. World competition has increasingly become a battle of invention and innovation, in which scientific superiority and technical excellence are major weapons. Through research at Sheridan Park, we are attempting to progress from an economy of imitation to an economy of innovation. We are seeking self-reliance!

Mr. Speaker, that answers the long question—No. 1.

The answer to No. 2: Mr. L. W. Finch is the president of United Lands Corporation.

3. United Lands Corporation sold all the land for the Sheridan Park project—168.017 acres—to the Sheridan Park Corporation for the amount of \$1,804,306.69 which represented the actual cost to United Lands Corporation.



4. Article 24 of by-law number 1 of the Sheridan Park Association states the following:

No salary or other remuneration shall be paid to any officer or director of the association, but each shall be entitled to receive proper travelling expenses and other disbursements incurred with the approval of the directors in the necessary conduct of the business of the association.

Thus, the president of United Lands Corporation receives no salary as a director of Sheridan Park Association.

5. I assume the member is again referring to the position the president of United Lands Corporation holds as a director of the Sheridan Park Association.

The Sheridan Park Association, whose membership is voluntary, is comprised of the companies owning property and establishing research facilities in Sheridan Park Research Community.

The association's objectives are to promote the interests of its members, to maintain standards of physical development in the community, to provide scientific and technical liaison among its members, and to establish a general policy which will underline the word "community" in the personnel and corporate relationship of its members.

Every new firm to locate in Sheridan Park Research Community is eligible for membership—each has an equal voice in the community's affairs.

Article 5, paragraph 1 of by-law number 1, amended April, 1968, of the Sheridan Park Association deals with the election of officers of the association and reads as follows:

Interjections by hon. members.

**Mr. Speaker:** Order, order!

Now the hon. members have been complaining about matters in this House. The hon. Minister, as far as I am concerned, is trying to answer the question of conflict of interest and various other things which the hon. member has asked and I would ask that he be given a reasonable hearing and if it is not the right answer or proper answer, the hon. members have ways and means of finding out.

**Mr. Sargent:** We never know if it is right or not.

**Hon. Mr. Randall:** Well just sit back and listen. I am giving the hon. member the information for which he asked.

**Mr. Speaker:** Order! The hon. Minister will carry on.

**Hon. Mr. Randall:** So I go back, Mr. Speaker, to pick up where I left off.

The association shall elect from the representative and alternate representatives a board of directors consisting of 18 directors provided that each member company shall have at least one but not more than two representatives elected to the board of directors. The board shall be charged with full responsibility for the management of the affairs of the association.

The president of United Lands Corporation, as a property owner in the park, has the privilege of joining the Sheridan Park Association. In the case of the president of United Lands Corporation, his great contribution to the Sheridan Park project has earned him the honour of being elected a director of the association by the other association members.

In view of the above, I fail to see elements of conflict of interest resulting from the president of United Lands Corporation also being one of eighteen directors of the Sheridan Park Association.

6. The only tax write-offs that participating companies in Sheridan Park receive for their capital investment are those that are available through the federal government, and of course they are available to all companies undertaking research and development regardless of where they locate.

7. The only incentives offered to participating firms are those incentives offered by the federal government. These same incentives are also available to companies locating any place in Ontario or Canada.

For your information, I am pleased to send over a booklet which outlines research and development incentives available in Canada through the federal government.

8. The Ontario government has at no time planned to construct or operate a twelve-storey office complex in Sheridan Park. The present commercial services complex located in the park was developed and paid for by private enterprise.

As demands for facilities of the type provided by the complex grow and additional space is required, private enterprise will continue to develop, pay for and operate the expanded facilities.

**Mr. Sargent:** Mr. Speaker, although realizing that this has taken too much time now,

what is your ruling on a supplementary question? May I ask a supplementary question?

**Mr. Speaker:** Hon. members are always entitled to ask the Minister a supplementary question provided he will accept it.

**Mr. Sargent:** Mr. Speaker, on the matter of the president of the United Lands Corporation, he received \$1,804,000 for the land.

**Hon. Mr. Randall:** Is there anything wrong with that?

**Mr. Sargent:** I do not know.

**Hon. Mr. Randall:** Yet the member asks the same question every year. It has been in here about five or six years; he has had a chance to debate it. There is nothing wrong with it.

**Mr. Sargent:** Just because it was bad then does not say it is bad now.

**Hon. Mr. Randall:** Oh, nothing wrong with it!

**Mr. Speaker:** Will the hon. Minister please give the floor to the member who has a supplementary question?

**Hon. Mr. Randall:** Delighted!

**Mr. Sargent:** What is the interest of the man who made the \$1,804,000? Why is he still in the corporation? What is the incentive for him to stay in it?

**Hon. Mr. Randall:** May I have that question please?

**Mr. Speaker:** Yes.

**Hon. Mr. Randall:** I tried to explain that Sheridan Park Association is an association of private industry and the Ontario Research Foundation and there is no pay, no money, nothing involved. It is an honorary appointment. The man who sold the land and built the commercial complex out there is Mr. Finch, and there is no reason why the other 17 people would not invite him to become an honorary member. He gets no pay. He does not get any graft out of it, if that is what the member is driving at. It is an association; this is not the Ontario Research Foundation.

**Mr. Sargent:** Regarding the tax write-offs for these incorporating firms, first of all, are they all American subsidiaries?

**Hon. Mr. Randall:** No, I would not say they all are. Some of them are. But they get that 150 per cent write-off from the federal government, not the provincial government.

**Mr. Sargent:** Then if there is that sufficient tax write-off federally, why could they not amortize the whole deal instead of the taxpayers of Ontario putting \$28 million into it?

**Hon. Mr. Randall:** Mr. Speaker, I think the hon. member is very confused. The \$28 million, over the last four years, is part of the earnings of the corporation from the moneys donated to it by industry; moneys it has earned itself through the work it has done for industry and government, and like any corporation, it has built up this asset.

As far as I am concerned, it is a legitimate enterprise all the way through, and they can answer for their own earnings. The balance sheet will be in here. The member can examine the balance sheet and it will tell him what he is asking me here today.

**Mr. Sargent:** Does the Minister agree with the story in the *Toronto Daily Star* that he is in trouble down there?

**Hon. Mr. Randall:** No, I certainly do not. I do not agree with the *Star* or the hon. member.

**Mr. Sargent:** Well, the newspaper is wrong, then?

**Hon. Mr. Randall:** Pardon?

**Mr. Sargent:** The newspaper is wrong?

**Mr. Deans:** Mr. Speaker, on a point of order.

**Mr. Speaker:** Point of order.

**Mr. Deans:** Would you not agree, sir, that this is developing into a debate which is not relative to the question period?

**Mr. Speaker:** I most certainly agree with the hon. member but I have no desire, within any reasonable limits, to hobble any member on any side of the House, and particularly to Mr. Speaker's left. Of course, the hon. Minister has it within his power to say that he will not answer supplementary questions if he feels the hon. member's questions are not supplementary or not proper at the time.

If the hon. member has any further question which is really supplementary to the original question and the answers given, I will be glad to give him the floor; otherwise, the matter will be closed.

**Hon. Mr. Randall:** Mr. Speaker, may I just rise on a point of order. I never intend to get into a long discourse in answering questions, but I just want to say that if the member asks me a question—and he asked 11 questions this afternoon, all rolled into one —

it is impossible for me to give him the information just by saying yes or no, and leave any kind of an impression as to whether it is a good operation or a bad one. I think in defence of any department of government we have a right to explain the full operation so that there is no misunderstanding as to how it operates. I think this afternoon there was an inference that Mr. Finch was under suspicion. I think I have cleared that, and I am right in doing so.

**Mr. Sargent:** Mr. Speaker, on a point of order, just a minute ago I asked in one supplementary question why the American economy was not subject to what we have here, and—

**Mr. Speaker:** Order. The hon. member has no point of order. I would point out again to the hon. member that so far as I am concerned—and I looked at the question carefully, I listened to the answer carefully—the hon. Minister was answering that “why” question, and he was answering it in his own way.

Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable the Lieutenant-Governor at the opening of the session.

### SPEECH FROM THE THRONE

**Mr. I. Deans (Wentworth):** Mr. Speaker, anything I might say after that episode of a few minutes ago will seem pale I am sure.

Yesterday at the adjournment hour I was discussing the matter of the difficulty of families in Ontario making ends meet. I did suggest at that time a number of measures that might be taken by this government, in order to assure that every person in this province receives those things that are essential to maintenance of life. All I wish to say in regard to those things today, is that I hope that the appropriate Ministers will take into consideration the recommendations that I made yesterday, and will take whatever actions they can take to implement them immediately.

I would like to discuss two further matters for a few moments this afternoon, and one is a matter that affects quite a large section of the community in this province. It is the matter of compulsory arbitration as it applies to police officers in this province.

I would like to suggest to the Attorney General (Mr. Wishart) that the present struc-

ture of arbitration as it applies to police officers is not satisfactory, and that the practice that is presently carried on in this province for appointing judges to hold positions on police commissions—to sit in judgement as the arbitrator in disputes between employees and employers—is wrong.

A judge who sits on a police commission is in a position of holding down a management post. He does in fact administer to some degree the affairs of the police who fall within the jurisdiction of the commission of which he is a member. In so doing, he must enter into discussion on behalf of that corporation as a management person, in an attempt to arrive at a satisfactory conclusion to negotiations. In many municipalities the judges who sit on the police commissions are also members of the association of police-governing bodies. This particular association meets and has met in the last number of months to determine at what level police officers' salaries ought to fall. This means that the judge has sat with other judges who are likely to act as arbitrators in a dispute, and they have determined beforehand the maximum level at which they would like to see wage increases pegged. They are then supposed to sit and deal impartially with the evidence presented to them.

I suggest, sir, that this is not possible. It is very difficult if not impossible for a judge to have sat and determined beforehand what level any award might be, and then to sit, and without any preconceived notion, listen to the arguments put forward both by management and the union involved, or the association in this case, and reach an unbiased conclusion.

I would suggest to the Attorney General that judges who sit on police commissions should no longer be allowed to sit as arbitrators in police disputes, and that suitable persons trained by The Department of Labour could perhaps undertake to fill this board. There is an instance right now with the police in the city of Oakville, and another pending where the police in the city of Hamilton have taken exception to action of judges who have sat on the police governing bodies of this province and decided in advance of any evidence being presented to them by the police association what the level of wages ought to be for police officers. It does not lend itself to bargaining in good faith, and does not lend itself to providing an impartial judge to settle this dispute.

Finally, Mr. Speaker, I turn to a matter that was brought to my attention by the member for Thunder Bay (Mr. Stokes). The

member for Thunder Bay would have raised this matter himself, but the structure of debate in this House does not allow him to stand again during the Throne Debate and raise it. But it is a matter of vital importance to a fairly large segment of his riding.

Today the member for Thunder Bay asked a question of the Minister of Health (Mr. Dymond) in regard to medical services for the Osnaburgh band of Indians. The Minister of Health indicated that he had spoken to the federal Minister of Health and Welfare, and that the federal government said that it was going to take some action in this matter. But the unfortunate part is that right in this government there is a department with moneys appropriated for the purpose of alleviating the lot of the Indians in this province. He could have taken action on this very important matter, this matter of life and death as it may seem.

I would like to read for the record a letter that was sent by the chief, councillors and members of the Osnaburgh band of Indians, in relation to the matter of medical services that have not been available to them for the last 14 years. I quote from this:

**MEDICAL FACILITIES ON THE OLD RESERVE,  
LAKE ST. JOSEPH SITE, 1950 TO 1956:**

The Osnaburgh Indian reserve was the site of the first Hudson's Bay Co. trading post established in Ontario in 1778. A modern outpost hospital was erected and staffed at the Lake St. Joseph site about 1950. The site of the modern installation was autocratically selected and placed near the Hudson's Bay property a lengthy distance across the bay from the Indian reserve village. Access from the village to the nursing station was both distant and hazardous because of the stormy waters of Lake St. Joseph. Indeed, two residents will attest to the fact that each of them had a child die because of the inability to cross the perilous waters while attempting to seek aid for their ailing children.

In 1955 the authority decided again, and without prior consultation with the Indian residents, to terminate the medical facilities. The hospital structure was sold by a private individual after which it was moved to a location contiguous to the present Indian reserve property on Ontario Highway 599. It has remained there to the present time unattended and in disrepair.

The next heading is:

The relocation of the Indian village from Lake St. Joseph to Highway 599 in 1961:

In 1961 the Lake St. Joseph townsite residents were moved en masse to the present site on Highway 599. The movement of the residents and the selection of the new townsite was again determined without consultation and with no suggestion from the Osnaburgh band residents.

They then go on to explain the housing situation on the original reserve, and I quote from them:

The original reserve had no educational facilities from the date of inception, except for an annual temporary summer school of two weeks duration.

The housing in pleasant surroundings, was adequate because the majority of the population was transient. The location had an easy access to the fishing and trapping areas which were the main occupations of the residents.

They then explain what the situation of the school and housing was on the new reserve site, and they say:

When the authorities transferred the residents to the new townsite, school facilities were provided to initiate the full-term school year from September to June. During the past seven years educational facilities have been extended and improved. The original classroom space has been increased from two to four classrooms and many pupils are attending residential and day schools — city schools. New homes were built with supplies and financing provided by the Indian Affairs Department, and labour provided by the residents. Housing units are improving in quality and increasing in numbers. A community hall — the only community recreation quarter partially in use — is gradually reaching completion.

Then they go on to the matter that is of direct concern today.

The only medical facilities available for the residents after the outpost nursing station was closed were of itinerant nature. A transient nurse visited on infrequent occasions, as well as an X-ray clinic on the annual Indian treaty day. After the relocation to the present site, medical facilities were greatly improved. The townsite reserve was located about 25 miles distant from a private hospital staffed with a full-time medical doctor, registered nurses and aids. The private hospital was operated by the Pickle Crow Mines as an adjunct to their main activity, which was gold mining.

Moreover, the Indian health services had a clinic at Central Patricia, Ontario, a distance of about 20 miles from the Osnaburgh townsite. The private hospital aided the Central Patricia Clinic by supplementing emergency aid, particularly of a critical nature, to the residents over an area of about 100 miles.

In 1966, the Pickle Crow Mines closed its mining activity as well as the hospital services. Medical ministrations then were only available at Central Patricia Clinic, staffed by one nurse who had to, and still does administer medical aid to the residents in a remote area accessible only by air or road. It is the responsibility of the Central Patricia Clinic with a staff of one, to administer to about 100 residents in the Central Patricia townsite, about 100 residents in Pickle Lake Landing, which is two miles distant, about 500 residents on the Osnaburgh Reserve, which is itself spread over an area of about five miles about 20 miles distant from Central Patricia. In addition, the one nurse must travel to areas accessible only by air to administer to about 150 residents of Cat Lake, who area boggles the imagination. We feel, and as well as about 500 residents at Round Lake.

As you will agree, the ability of one person to provide medical aid for so many individuals over so large and scattered an area boggles the imagination. We feel, and you would agree, gentlemen, that this is an unreasonable burden of responsibility to place on one person. We also feel, that you would also agreed, that these medical arrangements are totally inadequate as well as unjust to Treaty Indians, citizens of Canada and citizens of Ontario.

As further emphasis on the gradual deterioration of medical facilities, we would like to specify some acts of seemingly utter negligence within the last year.

The first such instance occurred during the period January 15, 1968, to March 15, 1968. At that time there was a change-over of personnel to perhaps better one's circumstances. Throughout the three months' interval, the only medical clinic in the area accessible by land or air was left unstaffed. It should be noted that while this clinic remained unstaffed, there was an outbreak of apparent salivary gland infections, mumps as well as measles and chicken pox.

The second instance of these acts of seemingly utter negligence took place in the

immediate present and included the interval December 15, 1968, to January 14, 1969. Again there was a changeover of personnel, the third since March, 1968, again the clinic remained unstaffed for a period of approximately one month. If you will recall there has been and still is at this time of writing, an epidemic of respiratory ailments throughout most of Canada which was denied by the Minister of Health for quite some time. Four deaths have occurred on our reserve alone.

One infant died at the beginning of the New Year. Three persons died on the one day, Friday, January 17, 1969. Of these three, one was a two-day-old, apparently premature infant, born near midnight of January 15 during a raging snowstorm. The other two who died on the same day were older residents, one ill from the current bronchial ailment, the other a chronically ill patient. It may be suggested that, had a nurse been present during the month's interval that the clinic remained unstaffed, perhaps the maternity patient would have been advised to go to a hospital maternity ward instead of giving birth to a child in a small one-room house containing 20 persons, about 15 of whom were ailing with the respiratory ailment.

To further emphasize the need for an outpost nursing station, it is necessary for you to be aware that during the week prior to January 17, the day on which the three deaths occurred, there was no possibility of reaching the nearest hospital at Sioux Lookout by airplane and only a hazardous attempt could be made by road and train. Air flights were halted because of weather conditions and a snowstorm which continued from Wednesday, January 15 to January 17, making road travel perilous particularly for an ailing person and certainly impossible for a woman in labour.

As an additional example of the futility to get assistance, the Central Patricia area was out of telephone contact with Canada due to the failure of the long distance telephone services, throughout January 14 until late evening.

Prior to the time that the respiratory epidemic reached its peak in our area, many residents who felt physically able to travel, boarded the daily bus to the Sioux Lookout hospital and many were turned away because the hospital was overcrowded.

We wish to digress here to state that we understand an epidemic of this nature is an



extreme situation. However, it is necessary for you to gain some appreciation of the land travel facilities to Sioux Lookout.

Bus transport is available each morning from Monday to Saturday. A patient will board a bus at 8.30 a.m. EST, and arrive at Savant Lake at 11.00 a.m. EST. The patient must find a place to stay at Savant Lake until he entrains at 5.00 p.m. EST, for arrival at Sioux Lookout at 6.00 p.m. EST, after which he must journey to the hospital. Incidentally, the sole hotel and warm food purveyor at Savant Lake opens its food premises between 1.00 and 2.00 p.m. and 7.00 and 8.00 p.m. EST.

It should be evident that a person is in transit for a period of about ten hours. Consider now the situation if that same patient is turned away from the hospital—and many have been—because of the lack of accommodation. After having been in transit for ten hours and arriving at the hospital at 7.00 p.m. EST, and perhaps attended to in a cursory manner, the patient has no alternative but to return to Osnaburgh. Therefore, this citizen—and I emphasize, this citizen—in a failing state of health, must again entrain at 4.00 a.m. EST arriving at Savant Lake at 5.00 a.m. EST, find a place to stay until the departure time at 12 noon, to arrive at Osnaburgh at 3.00 p.m. In effect, an ailing person who makes this superhuman exhausting journey to Sioux Lookout for medical attention, is potentially in transit for about 31 hours. It should be obvious that such a venture would tax the stamina of even an exceptional individual.

As a consequence of the above information, we reiterate our plea to you, gentlemen, to take immediate action to provide hospital facilities for the Treaty Indians of Osnaburgh, who are also citizens of Canada and citizens of Ontario.

The sad part about this entire thing, is that in this government there were funds available that could have been used to provide, even on a temporary basis, the medical services needed for these people. But for some unknown reason, Indians in this province—in fact in this entire country—are considered second class citizens—at least, by the governments presently in power.

The Department of Social and Family Services, through their Indian development branch, had a budget of \$1.4 million; much of which—and when I say much, it was around the \$400,000 mark—was not expended. This money would have gone a great way towards making sure that this kind of a situation could

not happen in this province. But it was not used. It was not used and I ask you why. Surely to goodness, we are not going to allow the kind of argument as to whose responsibility this is, to interfere with the well being of the citizens of this province.

Surely, if we have \$400,000, \$200,000 even \$50,000 left in a budget, supposed to be used for the development of the Indian people of this province, that it should be used for such a thing as this; to provide them with the necessary medical care in order that they might survive in an atmosphere which, even at the very best, is difficult to survive in.

I make this plea to you. On behalf of the member for Thunder Bay, on behalf of all of those Indians in northern Ontario, for goodness sake, have a little bit of heart for these people, try to understand that money is of no earthly use if you keep it in the coffers of this province.

I think this just further indicates the unfeelingness of the government of the present time.

I think that the matters which I discussed yesterday in regard to the needs of those people earning in the \$5,000 and below bracket, the matter of Canadian Westinghouse's callous attitude towards its employees, the difficulty I had today in trying to determine whether the Minister of Transport is indeed responsible for anything that falls within what normally would be considered transport media, the difficulty that these Indians have had in trying to get, for themselves, the very bare necessities to keep body and soul together only emphasises even more the complete and utter neglect and disregard that this government feels for the people of this province. I suggest to you now that you should resign.

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, may I—along with all the other members who have participated in this Throne Debate—extend to you my congratulations on the way that you are conducting this most important office.

I think we all realise that it is a very trying task and I think that we all respect the way in which you are trying to rule in an impartial and fair manner. May I extend to you my best wishes for your continued health and happiness in your job and also, that your present disposition will remain ever thus throughout the whole tenure of this Legislature.



I would also like to say a word of congratulations to the member for Waterloo South, whom I have a tremendously high regard for and who, I feel, has made a very excellent Deputy Speaker and Chairman of the committee of the whole House. I think that almost every member in this Legislature will agree with me when I say that he too has conducted his duties in a most impartial manner and under very difficult situations on many occasions, and has won the respect of all of us here in this Legislature.

May I, too, add a word of congratulations and welcome to our new Lieutenant-Governor, the Hon. W. Ross Macdonald.

Coming from the riding of Brant along with the leader of the Opposition, I have rather a feeling of kinship with him because he is now living in the same house in which my father was born many, many years ago. I would like to extend to him also, my best wishes for long life and happiness and trust that all members of this Legislature will tender to him the esteem and respect to which his office is entitled.

Before I get into the main portion of my address this afternoon; as I look around the Legislature sometimes it appears to me that those participating in the Speech from the Throne are participating in rather a pointless exercise in futility.

I realise that the work load of the MLA in this province has tremendously increased in the last 10 years and I realise that a great many of the members must be absent from the Legislature in order to look after the work that they must do on behalf of their constituents.

I think the time has come when we should re-assess the role of the Throne Speech in this Legislature. I think that, if the work load is such that the members of this Legislature must be absent from it, then surely to goodness we, as a government, in this province of Ontario, should provide the necessary individual clerical help to do a lot of this work. This would enable the members of the Legislature to take a more active part in the Legislature—as I understand we are all supposed to do.

I would like to recommend two things to our government—to re-assess this role of the Throne Speech in this Legislature and to provide us with the clerical staff that will make it possible for us to spend most of our time here in the Legislature where our constituents expect us to be.

The other day I was rather disturbed when the member for Yorkville attempted—

**Mr. F. Young (Yorkview):** Yorkview!

**Mr. Apps:**—Yorkview attempted to indicate that many members of the election law committee voted against the lowering of the voting age. Now I am sure that he did not really mean to indicate that we voted against this because this is not correct.

**Mr. Young:** You voted against it—

**Mr. Apps:** If you want to put a point of order you stand up, and I will sit down.

**Mr. Young:** Mr. Speaker, since the member has invited me, I simply tried to say—and I was howled down at that time—that the members of the committee, in effect, voted that the voting age be not recommended as to lowering, at this time until the second phase of the committee's work. Now that means—

**Mr. Apps:** On a point of order. I accept that explanation, but that is not what you said.

All right, now you have made your point of order.

**Mr. Young:** This means before 1975 the lowering simply—

**Mr. Apps:** Let me continue—

**Mr. Young:**—cannot be done.

**Mr. Apps:** Let me continue. I can tell you this, the chairman of the committee suggested that our deliberations should be divided into two sections; those of housekeeping units and those of other things we wanted to discuss more fully. When the decision came to postpone the discussion of the voting age to the second section, it was made on the understanding that any recommendation we made could be implemented before the next possible provincial election. And I—

**Mr. V. M. Singer (Downsview):** On a point of order, Mr. Speaker.

**Mr. R. Gisborn (Hamilton East):** Just the opposite.

**Mr. Singer:** Mr. Speaker, I too am a member of that committee and I think that the member for Yorkview is far more correct than the member for Kingston and the Islands.

What happened exactly was that there was such a debate and there was such a division and it is pretty commonly regarded, in that committee, as being a fact that anything we do in the next series of deliberations we have, which will commence sometime after this

House rises at the end of this session, perhaps has little likelihood of being implemented in time for the election in 1971. So with great respect, all the member for Kingston and the Islands is doing, is splitting hairs and the member for Yorkview is in fact correct.

**Mr. R. F. Nixon** (Leader of the Opposition): He has not got enough to split—

**Mr. Young:** Mr. Speaker, on a point of order—

**An hon. member:** Speak to the point of order.

**Mr. Young:** Mr. Speaker, this in effect was what both the clerk of the House and the chairman told us—that the second phase could not be implemented before the next election.

**Mr. Apps:** Look at the clerk right now.

**Mr. Young:** Before the next election. The reason for my motion in committee was, Mr. Speaker—

**Mr. L. M. Reilly** (Eglinton): Who is making the speech?

**Mr. Young:** To the point of order—

**Mr. Reilly:** He should declare his point of order.

**Mr. Young:** My motion was that we change the order so that this matter of voting age could be debated now so it would be implemented by 1971. That was the motion and what I said was, that the Conservative members in that committee voted against that motion and a division was made. In other words, this cannot now possibly take place until 1975.

**Mr. Apps:** Mr. Speaker, now we have heard the version of the member for Yorkview, which was a very different version from what he said the other day.

Let me say this, that we voted on that motion on the assurance by the clerk of this Legislature that any amendment that would be made could be put into law before the next election would take place.

**Mr. Young:** That was not said in the committee.

**Mr. Apps:** That was said in the committee.

All right, now that I have clarified that to I hope the satisfaction of a lot of people, and if you are interested in knowing what my reaction was to that, I am going to read

you a little bit from the excerpt from the select committee on youth—

**Mr. Nixon:** Who was the chairman of that committee?

**Mr. Apps:** I was the chairman of that committee. Thank you very much.

And I want to clear up any misunderstanding as far as I am concerned, and this is what it says, the recommendation of the voting age, and I am going to read it all:

Young people at age 18 to 20 today are generally more educated and more knowledgeable than any previous generation at the same age. One of the great weaknesses noted by the committee in its many contacts with young people was the inability of adults to give youngsters responsibility commensurate with their knowledge and capability. Probably this has stemmed from the unfortunate image that has been created by those few irresponsible, often immature teenagers who all-too-frequently come to public attention. Certainly they do not typify nor represent the large numbers of stable and good-living young persons who make up our great body of youth.

Many opinions have been expressed regarding the desirability of allowing young people under 21 the right to vote. Would a lower voting age be in keeping with the responsibility that should, and could, be sustained by young people and help them develop more responsible attitudes towards their communities?

After much study and discussion based on many submissions both for and against lowering the voting age, and material derived from provincial visitations across Canada, the committee agreed that the minimum voting age in Ontario should be lowered. However, there were some differences of opinion among the members in respect to what the minimum age should be. It was felt by most members that the minimum age should be either 18 or 19 years rather than 21.

One of the reasons suggested in favour of a 19-year minimum was that at this age most young people have had an opportunity to be away from high school for approximately a year. During this time they have usually been able to make their own decisions and to mature either through attendance at universities or while employed in the work force.

It is believed that students at the entrance level of university or the work

force of the province are sufficiently knowledgeable and responsible to intelligently exercise the franchise. Many such persons are married and raising families before they are 21. They pay taxes, fight for their country, drive cars, are treated as adults before the courts, and in many other ways are accountable for their actions as adults in our society. Knowledge of the functions of democratic government and personal responsibility in the democratic process cannot claim much respect from a group of intelligent young people who have no voice within such a process.

At the present time, the provinces of Canada are split equally on the question of a voting age other than 21. Alberta, British Columbia and Newfoundland favour 19, Quebec and Saskatchewan 18, while the remaining provinces remain at 21.

The select committee recommends that: The voting age in Ontario be reduced to 19 years. Members dissenting in favour of 18 years: Murray Gaunt, MPP, Stephen Lewis, MPP, Bernard Newman, MPP, Richard Smith, MPP, and Thomas L. Wells, MPP.

For the last two years since this report has been tabled, I for one have had no reason at all to change my views from that recommendation which I helped to draft.

**Mr. Young:** Not until 1975.

**Mr. Singer:** Let us have it now.

**Mr. Apps:** Well, that remains for the government. I am telling the House about my view and I am also trying to correct a misrepresentation which I think was made two days ago in this Legislature. As far as youth is concerned, I am not overly impressed with the contribution that the member for Yorkview or the members of the NDP have made for the youth of this province over the last years. Perhaps an indication of their reaction to youth and to the young people, and I hope it is not, is the remark made by the member for Beaches-Woodbine (Mr. Brown), I guess he is. He is never here in the Legislature, but he was rather prominent in the caucus down in Kingston when he suggested it might be a good idea if the young people would burn down a few buildings at the university in order to get their needs.

I am sure that that is not the view of most members of the NDP, but it is the view of one of the members and I am just wondering what kind of a contribution the NDP has made. As far as I am concerned, I am not

very impressed with it. As a matter of fact, I often wonder, in looking at the NDP over there, that of all those members, only one that I can see might be genuinely concerned with the young people, and that is the member for Cochrane South (Mr. Ferrier). Sometimes I think he must wonder what kind of a group he has got into, every once in a while, over there.

**Mr. Young:** That is laying it on.

**Mr. C. G. Pilkey (Oshawa):** Have a good time, it is later than you think.

**Mr. Apps:** I would like to bring to the attention of the members of this Legislature an experiment that has been going on in Kingston over the last six months. That is the new idea of ambulance service down there which was originated by Dr. William Ghent in co-operation with The Department of Health. The ambulance service is now stationed at or operates from the Hotel Dieu Hospital in Kingston and is looked after by Dr. Ghent, the members and interns and staff of the Hotel Dieu Hospital.

This I think, has been one of the greatest advances in ambulance care that we have had in this province, because it assures that every time an ambulance leaves the hospital, it is staffed by well-trained technicians who are capable of acting in almost any capacity in an emergency. I think this is a tremendous step forward, and I want to congratulate here, publicly, Dr. Ghent for his efforts in establishing this, and the co-operation he has received from The Department of Health in making it all possible.

**Mr. Speaker,** I want to come to one of the very important things that I feel is of extreme importance to the people that I represent in the riding of Kingston and the Islands. For some time now, the people of Kingston have been concerned over the high ratio of taxes on property within the city of Kingston. This has resulted in an ever increasing burden being placed on our municipal taxpayers who are required to pay the taxes which in part go towards providing the municipal services that some tax-exempt institutions require.

I brought this to the attention of the Legislature last year during the Throne Debate and on several occasions during the last provincial election. At these times I endeavoured to show that in the case of Queen's University, it is most unfair to expect our citizens to pay for the services used by Queen's when the benefits of the education received are enjoyed by many

students from all parts of Ontario and Canada. As a matter of fact, about 85 per cent of the students at our university come from outside the city of Kingston.

I would like to place on record in support of my case a brief presented to the Ontario select committee on taxation by the city of Kingston, which I believe shows beyond the shadow of a doubt that relief must be provided to our taxpayers. It might be of interest to this House that the man who was chairman of this committee which prepared the brief was the late W. Nickle, Q.C., long a valued and prominent member of this Legislature, who passed away a few weeks ago. In quoting from the brief presented by Mr. Nickle's committee, I begin as follows:

Your committee notes that the tax levy for the city of Kingston has increased from \$5,900,000 in 1962 to \$9,400,000 in 1967, an increase of \$4.5 million during a five-year period. This represents an average increase of \$900,000 a year, a percentage increase of 76 per cent. During the same period, taxable assessment increased from \$70,300,000 to \$86,700,000, an increase of \$16,400,000 or 23.3 per cent, and property exempt from taxation during the same period increased from \$33,200,000 to \$46,100,000, an increase of \$12,900,000, or 30.9 per cent.

It is quite evident that the tax levy cannot continue to increase three times as fast as the increase in municipal assessment without imposing intolerable municipal tax burdens upon all owners and tenants of property in Kingston. The Kingston tax base has been struck a nearly mortal blow by the staggering amount of tax-exempted property. For the year 1967, \$46,100,000 assessment was tax exempt out of a total assessment of \$132,800,000—in other words, 34 per cent.

Included in this tax exempt figure are land and buildings owned by the city of Kingston, the board of education, federal government property, in which grants in lieu of taxes are paid, and some provincial property on which the non-educational portion of taxes is paid, but there still remains \$30,500,000 of tax-exempt property on which no taxes are paid, except garbage taxes.

The main institutions having these tax exemptions are as follows:

Queen's University, \$15,223,000, which represents a tax loss of \$1,600,000.

Ontario Hospital, \$3,992,000, a tax loss of \$392,000.

Kingston General Hospital, \$3,526,000, a tax loss of \$382,900.

Hotel Dieu Hospital, \$2,016,000, with a tax loss of \$218,900.

This is a total tax-exempt assessment of \$24,756,007 and a total tax loss of \$2,593,800.

Your committee received briefs from Queen's University, the Kingston General Hospital, the Hotel Dieu Hospital, which pointed out that their tax exemptions were granted by the province of Ontario and they had no funds for payment of municipal taxes.

Your committee realizes that these institutions do not have funds for the payment of municipal services that they receive and your committee also recognizes the vital role that these institutions play in the economy of our community, that they provide special medical and other community services that would otherwise be lacking.

However, after giving full recognition to the additional purchasing power to construct the new facilities, the services of faculty and staff and the cultural and social benefits, we believe that we should also point out certain disadvantages.

Taxable houses are required for university expansion; demolished and replaced by tax-exempt buildings, that place additional demands upon municipal services. The decrease in housing stock resulting from the demolition of houses is placing further pressures on scarce housing accommodation.

All the tax-exempt university property places additional demands upon fire protection, sewage disposal, police protection, and traffic and parking facilities. All these additional services' demands are reflected in the mill rate and result in a mill rate that is less acceptable to home owners, working men who must rent, existing industry, and industry that is considering locating in Kingston.

That the benefits of Queen's University go far beyond the local area is indicated by the locations of the alumnae branch offices and there are Queen's Alumnae Associations from Fredericton, New Brunswick, on the east coast, to Victoria, B.C., on the west coast, and also branches in Bermuda, Illinois, and California.

There are very good reasons for arguing that, since Queen's University serves not only the citizens in the immediate area

but, indeed, the entire province, all citizens of the province should help pay for the services which the municipality provides for the university.

The best asset of this province today is the child with brains who will be the man or woman of tomorrow, and if his academic qualifications are sound, he should not be deprived of a university education on the grounds that there is no room for him in the classroom.

Your committee recommends that this province be requested to immediately make a grant in lieu of taxes on university and hospital property based on assessment to place Kingston on a tax base similar to other municipalities in Ontario, and I heartily concur with that recommendation.

May I just give you some kind of a comparison between the tax-exempt condition of Kingston and those of other comparable cities in this province. Kingston at the present time has total tax-exempt properties of 34 per cent.

When this survey was made there was 26.05 per cent. This is about three years old and as you can see it has gone up since then.

Comparable areas: Ottawa, 4.7; London, 3.47; St. Catharines, 4.60; Sudbury, 6.59; Sault Ste. Marie, 4.60; Niagara Falls, 3.39; Welland, 5.71; Forest Hill, .59; Stratford, 12.90; Leaside, .81; Pembroke, 12.58.

So you can see that there is no comparison between comparable areas in this province as compared with the tax-exempt property of Kingston, and as the Smith Committee Report recommended in the proportion of non-government property, universities, churches, hospitals and charitable institutions, on which neither taxes nor grants in lieu of taxes are paid, Kingston stands out like a sore thumb.

I also report to you excerpts from the Kingston *Whig-Standard* reporting on the meeting of the select committee on taxation when they met in Kingston last summer.

Mayor Robert Fray and other city officials put the city's tax position to the Ontario Legislature's select committee on taxation here Wednesday and as one committee member noted, he and his colleagues were impressed by the potency of the argument. The committee got a detailed account of the city's extremely vulnerable tax position caused by the heavy burden of tax exemptions granted the universities, hospitals and other institutions.

Besides Mayor Fray, the committee heard

from senior alderman George Webb, vice-chairman of the council's finance committee; chief assessor Robert Harding; city clerk, comptroller T. J. McKibbin; Kingston and the Islands MLA Syl Apps; Queen's University vice-president of finance Florence MacPherson; Mackie St. Tumney, a member of the mayor's special committee on taxation.

The result of this presentation; comments by members of the committee, and also by Mr. MacPherson, of Queen's University, who said: "We have the greatest sympathy for the city's position, the only solution seems to be in getting money from the province".

Committee member Arthur Meen, Q.C., York East, a member of the committee, agreed that Kingston had a good argument: "At one time it was a real asset to be classed as a university town but from this we can see that it no longer is, and I am sure that we will do what we can."

Both committee chairman John White, P.C., London South, and Robert Macaulay, former Economics Minister in the Ontario Cabinet, appeared concerned at the discrepancy between the grants paid on institutions by the provincial and federal governments.

The committee is expected to report to the Legislature by September 17, the day it carried its tax dialogue to Peterborough. Mr. White said that the committee was extremely well pleased with the exchange it had here with city officials.

May I also move into the record comments from the principal of Queen's University, Dr. Corey, who at the time of submissions to the mayor's committee on taxation, said:

More importantly to the committee, Dr. J. A. Corey, Queen's principal, and Dr. John Deutsch, principal designate, support the city in its concern over the staggering load of exemptions the property owners of Kingston must carry.

Queens is the biggest university in Ontario in relation to the size of the community in which it is situated. This fact makes an injustice for the city of Kingston and I especially sympathise with old age pensioners and others on fixed income who are hit hard by this tax burden.

And finally a comment from the *Toronto Telegram* of August 9. In this regard I hope, along with the member for Parkdale, that the Legislature pays a little attention to this



particular editorial in the Toronto *Telegram*. It said:

Metro Toronto—the city in particular—will sympathise with the brief presented by Mayor Robert Fray, of Kingston, to a select committee of the Ontario Legislature in which he sought relief from the heavy load local taxpayers bear from tax-exempt universities and hospitals. The province is forcing Queen's University to expand, thus forcing municipal taxpayers to bear a burden they soon will be unable to carry.

In Metro Toronto, notably in the city where the University of Toronto occupies vast property in which there is a large concentration of hospitals, the point raised by Mayor Fray is conspicuously applicable.

The Kingston belief recommends that exemptions from municipal taxes on such institutions should be eliminated and the province should pay grants to meet their taxes. This partly coincides with the view expressed by the *Telegram* from last year, when it suggested that while it may be considered right to exempt hospitals and universities from local taxation, the government ought to provide grants in lieu of taxes much as it does for Crown property.

Metro hospitals, universities, and to a lesser extent similar institutions in Kingston, as well as other centres, serve not only local residents but also citizens beyond the community.

In Toronto the great concentration of academic buildings, hospitals and research centres occupy large and valuable land. In expanding their services to benefit the local community and others alike—and this, I think, is the key paragraph—rather than requiring local taxpayers alone to subsidize them; the Ontario government would be justified in providing grants in lieu of taxes for public-serving institutions of a provincial character.

Mr. Speaker, and I say again as one of the members of the select committee mentioned during the sittings in Kingston, it is no longer an advantage to be a university town. To many of our hard-pressed municipal taxpayers, this is very true.

Queens University is a tremendous asset to our city in numerous ways, such as their contributions to the many organizations in which the members of the faculty and students are always willing to participate.

Also, there is no question that the university is an economic asset to those who provide goods and services to Queens. However, to the many thousands of home owners whose taxes are extremely high, there is no advantage whatsoever.

It is becoming increasingly evident that immediate relief must be provided, and I urge again that university properties pay full municipal taxes, and that these amounts be reimbursed to the universities by the addition of similar amounts to the grants paid to the university by the provincial government.

To strengthen even further my argument in this connection, let me read into the record the recommendation of the Smith committee on taxation. You will find this on page 156, in paragraphs 109, 110 and 112. It gives the reasons why they feel this recommendation should be made, and I am not going to go over it again, but it says,

We therefore recommend that all present exemptions from property taxation to institutions of higher learning be terminated following provincial review of the merits of each institution for continuing financial assistance, and the provincial grants support to institutions of higher learning in lieu of the tax exemptions be confined to those institutions recognized for the purpose by either The Department of University Affairs or The Department of Education.

This was borne out again by the findings of the Ontario government select committee on taxation, which also made the recommendation which I have just read. But our committee said,

We endorse this recommendation. We have learned from many delegations that have come before us that those municipalities with universities and colleges are labouring under a particular disadvantage and require financial assistance to compensate for the substantial loss of tax revenue. We recommend, therefore, that the exception of these institutions from property taxation be terminated. We recommend that provincial grants be used to reimburse approved institutions for the payment of these taxes.

Mr. Speaker, universities should pay their fair share of municipal taxes. It is a reasonable request, and all who have studied it recommend it. How long do we have to wait for this much-needed assistance? How many more committees do we have to have recommend this assistance? How many more meetings do we have to attend before action is taken? We have talked to the Provincial Treasurer, the Minister of Municipal Affairs, the Ontario select committee on taxation. They are all sympathetic, but sympathy will not reduce our municipal taxes. It is imperative that, as far as our city is concerned,



action be taken on this recommendation during this session of the Legislature.

Interjections by hon. members.

**Mr. Apps:** Will you keep quiet for a minute? I fervently hope—now get this, this is important—I fervently hope that this action will be forthcoming, and I have every confidence that our government, with 25 years of progressive legislation behind it, will add this to our outstanding record this year.

Where will the money come from? This is the problem—

**Mr. J. B. Trotter (Parkdale):** What year did you write that?

**Mr. Apps:** Where will the money come from? This is always a problem, and I would like to make a suggestion. At the present time the Ontario taxpayer pays approximately 80 per cent of the cost of every student enrolled at our universities. Although I do not have the exact figures on post-graduate students, this percentage could be even higher. Is it not time that some consideration is given to have foreign undergraduate and post-graduate students pay the full cost of their education at our universities? Is it fair, when education costs are increasing so rapidly, to ask our taxpayers in Kingston to assume this extra burden as well?

If, as a policy of external aid the federal government would assume these costs for those students coming from under developed countries, it would be a commendable contribution to those countries and to those individuals, and I think the same applies to the province of Ontario. Students coming from the so-called affluent nations, like the United States, the U.K., France, Germany, and so on, should be required to pay the full cost of their education here in our universities. And this will certainly save the universities a considerable amount of money, perhaps enough to provide the extra grants required to pay for the municipal taxes universities should be required to pay.

I recognize that such a decision on the part of the universities may be a very difficult one. However, I believe that the cost of our educational system is not so high that it would be one way for additional funds to be obtained and would certainly be a great help to our hard-pressed tax payer. And let me impress again, Mr. Speaker, the situation as it applies to Kingston is very, very serious. The high rate of taxation hampers our industrial development, and I

urge that this government, if they cannot see their way clear to implement the recommendations of every committee that studied it, they must give the city of Kingston relief, at least to the level of other comparative cities. Thank you, Mr. Speaker.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, the topics on which I intend to deal with in my contribution to the Throne Debate range very widely but they have one thing in common, and that is my concern for the unplanned change that is going on in our province, the lack on the part of the government to cope with this, and particularly its effect on Waterloo county.

I intend to deal with the statement of the Minister of Municipal Affairs that he made as part of the Throne Debate on December 2, and which was recorded in *Hansard* on pages 273-282. And since the Minister's original statement formed part of that debate, my reply, as municipal affairs critic of the Liberal caucus, ought also to be part of this debate. Certainly there is little reason to withhold until the estimates for The Department of Municipal Affairs are considered, my reaction to what can only be described as a remarkable statement which was made by the Minister at that time.

But before I come to that main statement in my speech, I want, if I may, to use Waterloo county as an example of what has been going on, and to underline the haphazard way in which change is coming about in Ontario for lack of an overall plan. Mr. Speaker, the county of Waterloo, and particularly the riding of Waterloo North, has been undergoing a very remarkable increase in population for the past number of years. The growth of this area has resulted in a phenomenal 72 per cent increase in population — a rate of growth which has outstripped that of many large metropolitan areas.

One needs only to have lived in the twin cities or in the surrounding area for a number of years to realize the impact that the tremendous growth is making on the county. As the population grows, so do the problems, foremost being the increased need for services. As the city boundaries expand, more land is needed for annexation. Some years ago, it became quite apparent that the whole future of Waterloo county was tied up with the need for good planning and proper future direction for the whole area.

It was in May, 1966 that representatives of the cities and of the municipalities of the county met to discuss the desirability of a review of the structure of local government in

the area. The pressures being felt due to increasing urbanization were behind the suggestions from many quarters that such a review be undertaken.

In general, the problems associated with controlling urban-type development in formerly rural areas concern: Water supply, sewage disposal, industrial development, traffic and communications, housing, urban renewal, police and fire protection; and such basic matters as financing and taxation. In Waterloo county, as elsewhere, where this development has occurred, the incidence of such problems was causing the many separate local governments to change their methods of operation, each in its own way, of course, and this, in turn, made many people wonder if a basic change in government structure for the whole area might not be desirable.

That summer, 1966, a recommendation for a study committee was made, the cost to be divided between The Department of Municipal Affairs and the local sponsoring municipalities. In response to this request, the then Minister of Municipal Affairs authorized the Waterloo area local government review and appointed Mr. Ron Farrow as research director. In 1967, Dr. Stewart Fyfe was appointed special commissioner for the study.

The basic question before the review is this: Can the present organization and structure of local government provide the kind and quality of service the residents of the area expect and are likely to require in the foreseeable future; and, if not, what changes in local government should be made in order to provide these services and resolve area problems in a better fashion?

With this basic question in mind, the various councils of the county, the planning boards, other organizations and private individuals prepared numerous briefs. During the spring of 1968, Dr. Fyfe held hearings to receive these briefs. In all, 101 submissions were made to him. In the natural course of events, his task would then have been to study carefully all the submissions and proposals laid before him, and then make his recommendation as to the best form of government for the Waterloo county area.

Later in my speech, in replying to the Minister's statement of December 2, I shall have a good deal to say about this particular procedure of review in its general implications; but, at this stage, and aside from my critique of the procedure review as such, I should like to say something about the difficulties encountered by this particular study.

First of all, the task was complicated by the announcement of the planned divisional county school boards. We are all well aware of the problems and frustrations that arose on the local level, both with school boards and with individuals who lost the right to serve their local communities through this process of integration, many after long years of service.

The Minister of Education is using all the means at his command, Mr. Speaker, and they are considerable, and will be more if he has his way: all the machinery of his information and other services to give the impression to the public that this transition to larger units is going along extremely smoothly. He certainly appears to have convinced the Premier that this is so, if the euphoric tone of the latter's statement of November 28 is any guide. But, regardless of the atmosphere that the Minister has attempted to create, the transition has had and is having problems, Mr. Speaker, and, in fairness to those who are now struggling with the problems that he has created, I want to set the record straight.

The new school boards are faced with a task of tremendous proportions. The members of these boards are meeting almost nightly. The problems of trying to administer through one board all the multifarious activities of the former 17 boards of our county are most complex and formidable. What success the trustees are having during this transitional stage is due entirely to their own tremendous efforts and their reservoir of common sense—a quality which in my judgment was so readily discounted by the Minister in dismissing so many of these good and loyal servants with a stroke of the pen.

Let me tell you that, during this transitional period up to the middle of December, there have been no guidelines issued by the Minister of Education or his departmental officials. What are they doing all the time? The public accounts suggest that they travel a lot. Do they ever, I wonder, sit down at their desks and do a few days of solid thinking as to the consequences of their proposals? Or is it all gloss? Glossy publications that belie the province is in financial trouble—all artwork and no content, all style and no text.

I dislike to show you here, but there are lots of publications you can get from The Department of Education. There is *Dimensions*, or the Wright report, or *Six Flags Over Ontario*, or any of the dozen showpiece efforts graced by the Minister's portrait. But

it's an entirely different story when a harassed school trustee, up to his eyes in the problems of change, tries to get hold of a copy of the relevant school administration Acts. He is told the demand is so great they are out of print! The pedagogic playboy press seems to churn out this stuff without any problem, and then the trustees, with the uncertainty involved in this tremendous changeover, pushes many of the new divisional boards to the brink of frustration.

As if this problem were not enough of a complication for our country during the period of the government review, there was yet another factor to be contended with: The announcement of the establishment of a new community of 27,000 people, to be developed by Peel Village Development Company Limited. This scheme was condemned by the area planners, by people in the vicinity of Blair—which was to be annexed to Preston—and by many other boards and agencies who were in the process of preparing briefs for submission to the review commissioner. However, the developer, not surprisingly, had the blessing of the Tory government. And so, just like in a fairy story, there was a happy ending for the developer. The Ontario Municipal Board saved the project by allowing the annexation from the township to the town of Preston.

By this time, it was spring 1968, and all the briefs had come in to the commission for study. We were in high hopes that a recommendation as to the form of government best suited to our needs would not be much longer in abeyance. But the Tory government was not finished playing football with Waterloo county, and instead of allowing Dr. Fyfe's report to be completed and presented before the end of last year, the Minister of Trade and Development cut right across the orderly progression of the inquiry by announcing, on August 28, that Ontario had assembled almost 3,000 acres of land in Waterloo township and intended to build a new town there.

The impact of this announcement can be gauged by realizing that this is the largest Ontario Housing Corporation land scheme to date, and that it may eventually mean an additional population of 100,000 in our area. It has, of course, upset the whole basis of Dr. Fyfe's assessment of the situation, and he has had to postpone the issuance of his report until next spring. All the work that went into the preparation of briefs based on the previous situation has, of course, been rendered invalid whenever any wherever the

new town's prospects touch upon previous ideas.

Even worse, rumour and discussion of Ontario's proposal were widespread, with fact and fiction mixed up—exactly the kind of climate that speculators love. Yet in July, when I attempted to pin down the Minister of Municipal Affairs regarding the participation of OHC in this land assembly, he denied it.

You can imagine the turmoil. In the face of so-called secrecy, no municipality in the area had been consulted; no local or area planning board was taken into confidence. From this, it is charitable to assume, I suppose, that in no way was the advisability of this new town's location made subject to planning consideration. The kind of consideration that was given to this project was of a different order: it was a consideration to the right people who were taken off the hook by the government when they happened to come up with a land assembly.

My point is further substantiated by the remark of the Minister of Trade and Development to the effect that there are still no immediate plans for this land, and that the results of the Waterloo South-Wellington land use study will be considered in the shaping of the new town. Did it never occur to the Minister that the study should dictate the location of any new town, and not the other way round?

Really, Mr. Speaker, I am more convinced than ever that the right hand of this government does not know what the left hand is doing.

Here we have land speculation at its worst. The Ontario Housing Corporation is not interested in providing lots at a lower price than that asked by private developers. They have made this abundantly clear in their HOME programme. Regardless of the price the OHC pays for the land, the lots will be sold to the public at whatever the going rate happens to be. What does this policy make the OHC? It makes the Ontario Housing Corporation the biggest land speculator in Ontario.

A sweeping change? Well, consider the facts:

They have no plans for the area concerned.

They have given no thought as to how services are to be put into the area.

They have given no thought as to what effect their action has had, or will have, on the planning or land use of the area.

What, then, have they accomplished? All they have succeeded in doing is to drive up

the prices of land in Waterloo county. So disastrous has this land grab of OHC been, that prices have risen to the point where even the city of Kitchener cannot afford to buy the industrial land it so badly needs.

To add further to the unbelievable confusion, the Minister of Municipal Affairs is quoted as telling a housebuilders' conference in Toronto earlier in December:

The Ontario government is not wildly enthusiastic about getting involved in developing brand new towns. Great scope exists for improving and expanding existing communities.

Yet in spite of this statement, another department of government, along with his own, has denied to existing cities within the county the opportunity to expand, using as an excuse for this position, the existence of a new town land assembly and the pending issuance of the area review report.

Mr. Speaker, I feel this is a deplorable situation, when a department of this government moves, uninvited, unannounced—except for the grapevine—and without any consultation, into an area and creates nothing but turmoil, trouble and higher land prices.

I would like to say a few words regarding the basic shelter grant.

Mr. Speaker, I must agree with the member for Quinte and others in their remarks about the basic shelter grant.

This government by its promise during the 1967 election campaign to implement a basic shelter grant has done nothing more than bribe the people with their own money, and put the province further into debt by so doing. This scheme has been the cause of many landlord-tenant problems. It, perhaps more than anything else, has been used as an excuse for excessive raises in rents. It has resulted in various methods of conniving and the making of unsatisfactory deals.

Because of it, injustices have come to landlords and tenants alike. The Minister of Municipal Affairs stated it cost only a half million dollars for publicity of the scheme. Can he estimate the cost of time wasted last spring while municipalities were waiting for the government to make up its mind? Can he estimate the cost of delay in sending out tax bills, and in the reprinting of tax forms? Can he estimate the cost to landlords who have to refund the payments to tenants, when the mortgage companies still hold a good share of the grants, because of prepayment of taxes a year in advance?

Mr. Speaker, let the government tell the people of Ontario that this grant was all

financed out of provincial debt. Let the government tell the people the \$150 million it cost is now added to our provincial deficit. Let them calculate the cost of financing this increase in debt and they will have to add another \$10 million or \$12 million a year to it.

Mr. Speaker, I am not against deficit financing when the economy of the province requires it. I think there are many expenditures that could be justified out of deficit financing. But when this government goes \$160 million in debt to bribe the people of Ontario with their own money, then I must rebel. Finally, on this subject, Mr. Speaker, it is beyond understanding how this government can give this grant to American property owners when the funds for it are raised almost exclusively by the people of Ontario. My American friends who own cottages near mine are laughing, yes, literally laughing, at the stupidity of a government that allows them the privilege of owning property and having to pay little or no property tax on it.

While this is going on, we have our Premier and Treasurer running around Europe looking for some more Reichmarks.

Now, I would like to speak of some more government confusion and this has to do with the matter of regional libraries.

The problem regarding the financing of the regional library system, especially as it pertains to the lack of funds from the beginning of the year until April 1 when funds are available from the province. On March 8 of last year I asked the Minister of Education the following question:

As the department has indicated through the Provincial Library Services Branch that no payments can be made before April 1 to the mid-western regional libraries system, and since they are not permitted to borrow funds, what steps does the Minister intend taking to finance the regional libraries system from January 1 to April 1 of each year?

The Minister's reply stated that it has been the policy of his department that no funds can be taken until April 1 and then, quoting him he said:

"We have ascertained that it is not a great problem for a number of them . . .", and then he continued with his usual phrase, "As the hon. member well knows. . ."

While the Minister may not think this is a problem, I would like to submit, Mr. Speaker, that a survey done by myself and others in the regional library system has shown that in a great many of the 14

regional libraries systems throughout the province, the financing of the operations in the first few months of the year is a very serious problem, whether the Minister is willing to recognize it or not.

Let me put into the record some of the answers received from the regional library boards to a questionnaire regarding this problem as to what they do to finance their operations for the first three months of the year.

Borrowed . . . Not paid bills . . . Programme developing, Expect problem by 1970 . . . No problem . . . Low overhead and Type of programme permits delay in payments, but expect difficulty by 1970 . . . Just starting . . . Supported by Metro . . . No known solution, probably tried to borrow on contracts and bills . . . Delayed payment on contracts and bills . . . Practically inactive for three months . . . Borrow . . . Tried to borrow . . . Do not pay any bills until money comes.

Now this is the sort of position regional library boards are put into through the lack of proper planning and carrying out of responsibilities of government.

I submit, Mr. Speaker, that the reason it has not been a problem to some, in the past has been simply the lack of a planned programme. The regional libraries were established to co-ordinate the library activities within the geographic area of the regions. This takes planning, and planning takes time and money.

Not all have problems this year, but all expect problems within the next year or two. In some cases it is expected that the local library will carry the regions, since the region can delay payments under the terms of the yearly contract until the grants are paid. This is not good fiscal management but it is one method of solving the problem. In many of them, however, this solution is not possible.

While this problem is severe to many regional libraries and has been this year, it will become more acute, if not in 1969, then in 1970. The problem is not solved by no planning. It can be solved by recognizing it and finding a solution before it becomes acute. Many boards expect to borrow funds.

Mr. Speaker, I submit that the answer to my question last March was no answer, the Minister failed to recognize the problem. I have documented proof here from the regional library systems stating that there is a severe problem, and once again we see this

government dragging its feet and not meeting a situation until after it becomes acute.

In a fashion similar to that in respect of the libraries, the municipalities of Waterloo county have been forced into an awkward position by having to finance the area planning board.

Finally, after funds were exhausted, and borrowing had reached the limits of reason, The Department of Municipal Affairs, reported in November of 1968, that arrangements were being made to pay the balance of the 1967 grant to the area planning board one year later in the amount of \$7,194. This represents two-thirds of the provincial amount due to the board.

This delay is nothing new. It was September of 1967 before the 1966 provincial subsidy was paid.

Mr. Speaker, why should area municipalities be forced to advance finances which are rightly the responsibility of the province? Because the government will not carry out its business in an orderly and well planned manner.

Finally, Mr. Speaker, of the many boards and commissions I would like to single out just one for a few comments, the Ontario Racing Commission.

When one reads the report of this commission it is most difficult to understand why the costs of operation of the commission are not included in their financial statement. Why should one have to delve through the expenditures of The Treasury Department to find out the cost of operating the commission? Surely their expenses should reflect as part of the cost of carrying on racing in Ontario.

Racing in Ontario, as you well know, Mr. Speaker, is almost exclusively dominated by the Ontario Jockey Club. This group in the past year has become the most favoured among the favoured. By their threats and bleatings they extracted from this government preferred treatment to help them overcome their own mismanagement.

A double outpouring of Conservative co-operation has resulted in the granting of Sunday racing, a feature that was asked for by only one group, the Jockey Club, along with a provision of \$1,800,000 for the promotion of horse-racing in Ontario.

No other sector of private enterprise is treated so lavishly. In reality, this money does nothing more than help the big tracks get bigger and keep the small tracks small. It helps the big race-horse owner get bigger and adds little to the lot of the small owners.



Let me illustrate. Only \$25,000 of the \$1,800,000 will be used for equine disease research. \$250,000 will go for breeders' awards. In 1967 in thoroughbred racing thirteen owners got 47.6 per cent of the awards. And in standard-breds 20 per cent of the award money went to 3 per cent of the owners. The balance of \$1,525,000 is to be used to increase purses and used as track subsidies, except for class B circuit tracks and tracks with less than seven days' racing.

These two small classifications of tracks will have their part of the pool withheld for the time being. The amount for all tracks in these two categories is \$19,996 for all Class B tracks and \$909 for under seven day operators and is considered so small that it is not worth dividing at the present time. So again the large wealthy tracks get 97.7 per cent of the \$1,525,000.

Mr. Speaker, for once I would like to see this government move in a direction to give aid to those who need it most.

There is once again the proof that they are the tools of big business. First they increase the gift to racing interests from \$300,000 to \$1,800,000 and then give in to Sunday racing; while the Jockey Club called the tune, the people of Ontario did an after-dance and once again, the friends of government called the shot. And not even the dissenting members on the government side with the exception of one were here to vote against it.

And now let me turn to the statement on regional government of the Minister of Municipal Affairs, made on December 2. I want to answer this in my capacity as Municipal Affairs critic to the Ontario Liberal caucus.

This document, I must say, is a tactical masterpiece. The Minister has hardly boxed himself in at all. But by his very cleverness, he betrays, I think, the fact that he is a politician first and that the interests of the people of Ontario come a poor second to the political expediencies of the moment. Especially is this true of those formative years that I am sure he sees ahead of him, as he aims for the top.

In a sense, this document is an early broadside in the leadership battle—not perhaps the first salvo, though—I suspect that Bill 44 was the beginning of the battle, and that the café society liquor legislation will mark the entry of the third candidate. It is rather amusing to note that the only way, apparently, for a Minister to draw attention to himself and his claim to party leadership, is

to set about remaking Ontario in his own image.

Of course, speaking of images, the Minister of Education has had a head start there, with his picture in the gatefold of most of his fancy publications. We used to think that this was just a Narcissus complex, but perhaps there is more to it than that. Perhaps, indeed, in the broad sense, all this educational material pouring out from 44 Eglinton Avenue West might be regarded as leadership campaign literature.

I'm not, of course, talking about crude propaganda or election campaign literature. The Minister of Education is much too subtle for that. It's that overall favourable image business that he is master of, as he insinuates his portrait into every publication, official or otherwise, that he can possibly associate himself with.

So let me warn the Minister of Municipal Affairs and the Provincial Secretary that when the Minister of Education gets his hands on the ETV network, then indeed, it will call for an acceleration of tactical footwork on their part, in order to redress the great advantage that must then accrue to the Minister of Education from being seen on TV, all over the province, as schools open and classes begin. For the Minister of Education of course the medium will indeed be the message.

Faced with this challenge, we are not unduly surprised to find the Minister of Municipal Affairs using regional government as his platform on which to perform his leadership solo. For him, the imperative is this; that regional government has got to be an individual tour-de force, a showcase for the Minister himself, particularly since the basic shelter exemption scheme has backfired so badly. This approach can only lead to distortions in the concept, and it is not an approach that commends itself to thoughtful people.

Now, as Liberals, we are not prepared to concede that the Minister has the right to play fast and loose with the recommendations of the Select Committee of this Legislature in this regard. That committee, under the whip of the since-elevated Minister of Revenue, worked day and night for many weeks — the hardest-worked committee that this House has ever put forth — and it brought down a report whose recommendations have been discounted one by one for political reasons, some with more justification than others, but always because of the political consequences so far as the Conservative government was concerned.

It is interesting to note that, while the minority report of the Liberal members set



forth a logical position against the taxation of places of worship, the reasons advanced by the Premier, at the press conference at which this was announced before this Legislature convened, were political ones. "These may be good economists' recommendations," said the Premier, "but I wouldn't like to be the head of a government which brought this in."

Now, Mr. Speaker, this approach gives the government a political advantage over those of us who try to assess regional government on its merits, and who discover that every base is loaded. The statement abounds with examples of this fancy footwork. Before returning to the recommendations of the select committee, therefore, let me briefly give three examples of the distortions of purpose which suggest that the implementation of regional government should be taken away from his department.

I will refer throughout to the typewritten version of the Minister's statement for convenience in locating the phrases on which I shall comment. On page 8, he says: "However, and I wish to emphasize this, our objective is a set of regional governments with a population of at least 150,000 to 200,000." On the previous page, he says: "Our experience suggests conclusively that a minimum regional population of from 150,000 to 200,000 is required for the efficient provision of most local services."

The first reaction of a critic is to feel that this represents an inflexibility of mind that bodes ill for the future of regional government under the Minister's aegis. We think of the north, where communication and social contact would be impossible on those terms — where figures like this imply only four or at most five regions for the whole of northern Ontario, with no possibility of interaction, no viability as regions at all because of the vast distances and transportation difficulties involved.

But, after a night's sleep, one realizes that this is not even intended to be a logical approach, but is a politically motivated one — one that will give leeway and scope to all the fancy footwork the Minister cares to indulge in at a later date. When rural people want to cavil he can say: "Oh, yes, but you may indeed retain the identity and reality of your present municipalities, under the umbrella which I now throw over you, whereby the existing county becomes a region, and some services are stepped up; but really everything is the same as it ever was." The figure, in this case, is an umbrella figure, a mythical grouping, a pretence that will satisfy those who are already satisfied. Progress on paper. Glory

founded on nothing. Rungs climbed on the leadership ladder.

The second example I want to give, in order to expose what the Minister is up to, occurs on page 19. In talking about representation to the upper-tier of a two-tier system, he explains that you can have direct representation of the people of the region at the upper level, or you can have people designated from the lower tier indirectly.

"I must say, in all frankness," he adds, in a most disarming fashion, "that we do not know at this time, which system is superior." And so he hedges his bet both ways. In fact, he has even taken the opportunity in the Lincoln-Welland survey to put in a combination of the two systems. So no matter how things develop he will end up so that one of his three systems may turn out to be the right one. He says: "In view of this, we hope to experiment with two-tier regional governments embodying both principles in order to see which form does, in fact, work better." Call it an experiment, you see, and you can't lose. It's a little tough on those who have to be guinea pigs, but the Minister can always claim he adopted the scientific approach.

My third example shows up, perhaps, the most subtle footwork. On page 23, the Minister says: "Our desire for local participation is such that we will, in some cases, endure delays in the establishing process in order to give local opinion time to form and express itself." A most encouraging statement at first glance, until you notice that little phrase, "in some cases", and then you smell what the Minister is up to. He is leaving himself free to do what suits him. He is saying, in effect: "When it suits the government's purpose, we will stall, but equally, when it suits our purpose, we will forge ahead regardless of local objections."

The Minister obviously has a full-time semanticist on his staff to work out these subtleties of language, and we in Opposition obviously need another to ferret out the real, hidden meaning of the Minister's statement, which, on the face of it, is so generous, so all-embracing, so all-encompassing.

However, let me get back to the select committee of the Legislature, because the basis of the Opposition approach to regional government will be very different from that of the Minister, in that we will respect the spirit of this significant recommendation of the committee, whereas he has spurned it. In chapter 23, "Reconciling Structure with Finance (Regional Government)," the select committee has this to say in sections 18

through 24. The timing, of course, is not inflexible, but the spirit of the recommendations is plain:

18. We recommend specifically that a special branch be established, perhaps in The Prime Minister's Department (sic) for the purpose of supervising the four-stage programme set forth below. It would supply information to local municipalities respecting all implications of regional government, co-ordinate all provincial-municipal discussions and act as liaison between the province and the municipal governments in implementing regional government without undue delay. We visualize a secretariat of three or four qualified persons independent of The Department of Municipal Affairs.

19. Although it cannot be expected that the present local governments will restructure themselves and coalesce entirely on their own initiative in all regions, we think that every opportunity should be given to local initiative, experience and wisdom in establishing new regional governments. Your committee proposes a four-stage programme as follows.

20. First, local meetings within existing municipalities be held for internal discussions on the various aspects of regional government. We recommend that the new special branch be charged with the task of initiating, supervising, co-ordinating and leading such discussions and that this phase be concluded by the end of 1969.

21. Secondly, that meetings be held between municipalities in local areas. Some municipalities would attend two or more such series of meetings to consider the possible regional amalgamations available to them. Again, the new special branch would be charged with the responsibility that this stage be completed not later than mid-1970.

22. Thirdly, provincial-municipal conferences be scheduled for each potential region during the first half of 1971 at which decisions would be made as to regional boundaries and regional responsibilities.

23. Finally, the implementation of full regional government in Ontario would be accomplished during the latter half of 1971.

24. We emphasize that this general programme should not postpone regional government in areas that are in a position to proceed at an earlier date.

I am indebted to my colleague, the member for York Centre—who served on the select committee along with the members for Parkdale and for Kitchener—for his amplification of the reasons which lay behind the select committee's recommendation that a special branch within the Premier's department be established to deal with regional government. He gave, as an example, community affairs, and on this he says, in a paper written for our caucus:

So many agencies are presently involved in community affairs that overlap is inevitable. We have at least five government departments working in this field: Social and Family Services, Education, Citizenship under the Provincial Secretary, The Department of Agriculture's community centres branch; and, of course, the regional development activity of Mr. Randall's Department of Trade and Development.

So there are five unco-ordinated and more or less parallel lines of activity; there are five departmental empires and a tremendous amount of jealousy between the various working groups. In view of the great concern of taxpayers now regarding the overlap of bureaucracy, co-ordination and integration in one department has become essential. The essence of the matter is this: Queen's Park should be offering leadership, but the work itself should be fully delegated to the new regional level.

Integration of these various programmes can be achieved at the regional government level by specific legislation delegating the broad range of community affairs and community development to such governments.

Every ministerial department has its own views in relation to regional government, and since they cannot be reconciled, they must be transcended. This can only be done if the official or branch is part of the Premier's office, above it all. Only then will you overcome the reluctance of different departments to delegate their responsibilities to the regional government level, for fear of relative loss of influence—if you like, loss of "pecking order"—within Queen's Park itself.

So during the formation stage, representatives of the various municipalities, which it is thought might be interested in coming together as a regional unit, must meet, not once, but many times, under the chairmanship of this high official, and, aided by his staff, must themselves set out their timetable and boundaries, their priorities and their assessment settlements. We see this as hap-

pening in two stages, not necessarily related in time: the enquiry and research stage, always locally initiated, and not something brought into a locality from on high; and the implementation stage, which in some cases will occur a decade later than in others, if at all.

The essential point is that the people of that area will set their own timetable for regional government in a truly democratic manner; and that the positive advantages of regional government seen in operation in the forward areas will sell other areas on the idea in the fullness of time. This is a totally different concept from the Minister's cynical approach of dawdling where it suits him, and pushing when it suits him. Our plan, we feel, is democratic; his is autocratic. It is Eric Hardy in the Lakehead, Plunkett in Halton-Peel, Mayo in Niagara; the pantheon of the gods come to visit the mortals through grace.

In our plan, the local people themselves will write their own report and sign it. Then the electorate at large will see who, among the elected representatives they already know, stands for what; and they will have some opportunity to endorse that locally written report, not necessarily by a simple "yes or no" referendum, which we recognize is too simplistic a solution in many cases, but through machinery which we will devise to see to it that the people are not swept off their feet by arrogance. In the Lakehead, our position is that the only palliative to the abrupt manner in which amalgamation is being forced on the people, consists in a referendum.

We know this is an emotional problem and this is the only way that will relieve the situation. Elsewhere, it will not be so black and white. But there will always be a way for the people to express their views on the report that their own folks have themselves written. And this is the only democratic way in which regional government can come about.

This approach will also solve the question of priorities, as to which region shall be formed first, since, while all the enquiries will proceed concurrently, to achieve a master plan for Ontario and an overall consensus, yet the more progressive areas will emerge of their own volition, having weighed their own advantage.

Once regional government comes to an area, it will be a franchise operation—it should be a franchise operation, rather than a branch store of Queen's Park. The purpose

of regional government is not to create more government, but less. A Liberal scheme of regional government will therefore be chock-full of local opportunity, incentive and responsibility. The province will lead, encourage, assist and provide the best possible facilities for reporting, for recording achievement, and for comparison. But the real responsibility for large areas of the appropriate functions of government will be decentralized and placed in the hands of the people who are drawn from the region and working in the region, as elected representatives and staffs of this tier of government.

Our whole approach, too, depends upon a reorganization of the OWRC—something that is not even contemplated in the Minister's statement—but which is fundamental to a Liberal attack on the problem. OWRC would become like Hydro and would sell its services wholesale to regional government or borough utility commissions. Regional government will not work if such bodies are fettered by having to finance their water and sewage services as municipalities must presently do. Our contention is that OWRC service, depending as it does on drainage areas and topographical considerations, cannot be localized, but must instead be a provincial body, backed by government credit, province-wide in its scope and scale.

Community discussion, on a bilateral or multilateral basis, must in every case precede the implementation of regional government. This is the crux of the proposed local participation. Such questions, raised by local people, as: "Do we look northward or do we look to the Lake? Do we look to Metro or do we look to the hinterland?" are questions the answers to which must satisfy those involved, and be meaningful in terms of continuing local experience. These are the people who have to live with it. They should be in on the making of the decisions which so vitally affect their lives.

The validity of one- or two-tier government will always be settled in the light of local circumstances, and these decisions will be pragmatic ones, practical ones. The basic question to be answered will always be: Is this governmental function one which operates best at this level, giving those governed a sense of participation and involvement? If the tier is too remote, there is alienation and apathy. On the other hand, if it is centred around too small units, it is inefficient and costly through duplication of effort. There can be no model for Ontario. The people of each region must solve their own problems, drawing upon what will be a growing body

of experience to solve their own problems in their own particular way.

We feel that, while the county is generally agreed to be the basis on which regional government will be built, there are many reasons why great flexibility will be required in using the county as the building block. The geography of areas, involving their natural barriers and boundaries one with another, and the concentrations of population, will sometimes dictate a natural expansion on the present county framework. Almost always, the planning function of regional governments must extend beyond their administrative limits and certainly well beyond present county boundaries.

This is most evident in places where a heavy concentration of people exists, with social, economic and communications ties to an established metropolis. There will be many such instances where the region must extend its influence beyond political boundaries to take in the natural, historical and social functions of a large area. We see larger planning regions than administrative regions right from the start. Later, there will be administrative integration so that the political entities themselves become often much larger than the existing counties, and correspondingly fewer in number. So essentially this is a two-stage process of integration, with planning leading the way and reaching out, and political consolidation following later. The report brought out yesterday by the Ontario Economic Council, in my view, is a complete indictment of the plan proposed by the Minister. It has shown that proposed wider regional roles are essential, and this of course bears out the validity of our thinking, which has been to this end, I think, for some time.

We want to get away from the Minister's and his predecessor's pattern of reaction to an existing emergency, and the appointment of an outsider from on high to go into an area. Our view is that this process should be reversed, with the provincial action always anticipatory in nature; always involving a responsible member of the Premier's department rather than an outsider to chair the local meetings; always involving the local people from the word "go"; and always resulting in a locally written report, a group effort by those who will be vitally affected by what they say and propose.

The government's departure from this attitude was well illustrated on Friday morning, December 13, when the Minister, in answering the question from the member for Windsor-Walkerville regarding the timetable for regional government in the Windsor area and

hinterland, made the gratuitous remark about the area being prosperous, and so on, and he seeing no reason for early action. The point is that it would be the people of the area who made such value judgments under the Liberal plan, and not the Minister off the top of his head.

The essence of our approach is its flexibility and its adaptability to circumstances. A modified form of municipal consolidation would probably suffice in many areas initially, until the time is ripe for them to become fully integrated as regions, having learned from the experience of those who have already gone ahead. Talks would be on a province-wide basis, however, right from the start, so as to avoid the situation described in D. C. Rowat's paper, "The Concept of Regional Government and a Proposal for Ontario", in *Urban Studies: A Canadian Perspective*, where he says on page 261:

If the provincial government continues to initiate area studies and one by one sets up metropolitan or regional governments for the areas studied, it may eventually achieve somewhat the same general pattern of regional government as proposed in this paper. But it will be a very expensive and time-consuming process. It would be far cheaper and much faster to study the whole scheme of regional and metropolitan government at one time. The result would be a less complex and more logical scheme of regional government throughout the province.

My colleagues who have been looking into this matter, as well as myself, are essentially endorsing Rowat's view, with the proviso that the study be initiated by the Premier's office and involve local people throughout. We feel sure that rural constituents would just as quickly welcome an invitation to talk over their problems in this way as would those of urban centres, provided the timetable separation between research and possible action were made abundantly clear. The fatal thing will be to give the people of Ontario the impression that regional government is being forced down their throats.

We regard the educational role of the consultation stage as of first importance, and here we would underline the difference in the stress being placed on community acceptability by the Minister and by ourselves.

On page 3 of his typed statement, the Minister says, in discussing the criteria he has adopted: "Community participation and, where possible, community acceptability" and he goes on to underline that no municipality will have a veto over regional government

proposals in its area. We have to take the view that community acceptability must have reached a certain degree before the implementation of regional government in that area can be considered democratic.

We cannot quarrel with the idea of each region having an urban core. The soundness and validity of this concept have been well demonstrated, and no longer open to serious question. We have large movements of people from the countryside into the urban areas, and a more subtle, but nevertheless quite pervasive, importation of urban values into the countryside, resulting in a process of homogenisation, helped, of course, by radio and TV.

The rural people are starting to ask for the same level of services—education, library, recreation, and entertainment—as their town cousins, to say nothing of the physical demands for piped water and sewage systems.

Turning to page 5 of the Minister's typed statement, we object strongly to the criteria of design "so that they and the school authorities will be co-terminus." This is putting the cart before the horse. If the Minister of Education must bend, so be it. He is not in a privileged position merely because he got in there first with his county boundary.

We warned him at the time what he was getting into. Our Liberal stress on overall planning implies that we are not just setting up regional government merely in order to accommodate the county school boards, the county health units, the county welfare units, and so on. We cannot emphasise too strongly our view that a region must justify its own size and shape in people terms, and this is brought out very strongly in the report of the Ontario Economic Council.

The Minister's own criteria for regions, given in the beginning of his statement, are these: regions, we are told, must exhibit a sense of community identity, based on sociological characteristics, economics, geography and history; should have a balance of interests, so that no one group of interests completely dominates a region; must have a financial base adequate to carry out regional programmes at a satisfactory level; should be large enough that local responsibilities can be performed efficiently by taking advantage of economies of scale; and regional boundaries should facilitate maximum inter-regional co-operation.

These criteria make nonsense, not only of his overall size assertions in respect of the north, but also in those cases where the urban core will be so large that its gravity

pull will call for the counterbalance of a larger hinterland to make up the region. The obvious example that comes to mind is Windsor, where the hinterland is unlikely to be confined to one county, even to begin with.

Another criticism we have of the Minister's setting a figure now is that these areas are not standing still. They are growing all the time. Who knows what their population will be by the time regional government is implemented?

We agree with the lower tier minimum of 8,000 to 10,000 in general, however, because, below this round figure, it is difficult to imagine the system working efficiently. In Victoria-Haliburton, Huron-Bruce and some other areas, existing urban cores have not yet attained even this minimum figure.

There is then a case to be made out, all other factors being equal, for the nucleus of a region to be the communications or the transportation centre. But again, this is something that the local people ought to have the right to decide for themselves.

With regard to the division of functions within the two tiers of a two-tiered regional government, the Minister is echoing many Liberal ideas here that are already in *Hansard*. We can only agree with the recommendations as he has now codified them: property assessment, taxation billing and collection (what about those separate educational tax bills?), planning, and so on, all belong to the top tier of regional government. In the matter of planning, we should add, however, inter-regional planning as a legitimate function of the upper tier—not a separate administration but a function of regional tiers of government.

We have to get away from the previous pattern of the province just saying "yes" or "no" to planning proposals coming up to Queen's Park. A provincial master plan is an essential aspect of meaningful regional planning, which will fill in the broad areas of the provincial plan within that particular regional jurisdiction. This "filling-in" will then become an autonomous function of the region. There will be, or should be, no more running to Toronto to change the zoning of a corner lot to accommodate a general store, or for another use.

With regard to services, police protection, arterial roads and transit are properly listed as falling within the jurisdiction of the upper tier, while fire protection service can properly be either. Health and welfare, we agree, belong in the upper tier because of the economies of scale that will ensue. Parks will



often cross regional boundaries entirely, as will conservation areas.

However, when it comes to garbage disposal and collection, we take a stronger line on provincial involvement. We say that a region ought to be able to come to Queen's Park with a request that the province direct the disposal of garbage over regional boundaries if space within a region cannot be found.

Sooner or later, the government is going to have to face the whole question of the relationship and possible integration of what are now the county school boards with the forthcoming regional governments. Do we want specializing school trustees to be elected, or should all the elected representatives be "generalists", that is councillors-at-large, so that they see the whole educational picture in the context of the fiscal and community needs of the region? Is something lost by having separate education trustees and general councillors as we do at present? What ought the future shape of decentralized educational responsibility to be? There is no doubt that the Minister of Education's insistence on rigid county boundaries for his school boards will come home to haunt him as regional government proceeds across this province.

On the question of "rep-by-pop", we feel that in the one-tiered system, there would have to be a "ward" arrangement, so that heavy population centres could not dominate through representation.

When it comes to implementation, the Minister is extremely vulnerable because of his panic reaction approach to crises, rather than the use of an overall plan. When the Minister speaks of a problem-area priority basis for action, that phrase is his condemnation. This government seems committed to solving its problems only by short-range technical means rather than by being concerned with longer-range goals, and we think once again the long-range planning approach is most essential.

Thus we find OMB chairman Kennedy Sudbury bound. It is probably too late to advocate his recall from this assignment, but we certainly criticize his appointment on the ground that it has the potential of another Eric Hardy Lakehead study all over again, coming in and alienating local sentiment and interest.

The Sudbury situation must be regarded as a transitional one, and we must insist that Mr. Kennedy employ the kind of staff advisers that we will ultimately expect to be behind the Premier's office chairman. He can certainly have behind him the nucleus of a group that will be independent of all other government agencies. This composite group should go out as a body, sit down and confer with all those people, in positions of responsibility in a certain area, who could take the lead in determining what was required for their own area.

Let me say in conclusion that I and my colleagues are extremely concerned at the way in which the Minister of Municipal Affairs has handled this situation. Metro Chairman Allen's reaction is only one example of the confusion and ambiguities that will arise because the provincial government is ducking its responsibility for correlation and leadership and overall planning.

The amazing thing is, the Tories seem proud of this statement, as though of itself it were an historic step forward. But the people of Ontario are wise enough to know they cannot get something for nothing, and they will watch the taxation picture at all levels of government and make up their minds both as to what steps they want to take and when they want to take them. Anyone who tries to pull the wool over the people's eyes, for whatever purpose, will get short shrift at the polls. I repeat, regional government must justify its coming, and must be implemented in the people's own time, and not at the Minister's pleasure.

**Mr. Speaker:** Perhaps the hon. member for Cochrane South, rather than beginning at this late hour, would adjourn the debate.

**Mr. W. Ferrier (Cochrane South):** I move the adjournment of the debate.

Motion agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, tomorrow we will carry on with this debate.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, February 7, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, FEBRUARY 7, 1969

The House met today at 10.30 o'clock, a.m.

Prayers.

**Mr. Speaker:** Our guests in the galleries this morning are: In the east gallery from Franklin Horner Public School, Etobicoke, and French River Secondary School, Noelville; and in the west gallery from Downsview Public School in Downsview.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, before the orders of the day I have a question for the Treasurer. As the Prime Minister (Mr. Robarts) is not here I will not make the other point that occurred to me.

The question is this: How many copies of the publication "Responsible Taxation"—and if the Treasurer is not familiar with the publication it is this document that I have here in my hand—dated February 1, 1969, were printed?

Second, how are these copies to be distributed?

Third, how much will the printing and distribution of these copies cost?

**Hon. C. S. MacNaughton (Treasurer):** Mr. Speaker, in answer to part one of the hon. member's question, approximately 50,000. In answer to part two, by mail. In answer to part three, approximately \$8,600.

**Mr. Singer:** Mr. Speaker, I wonder if the Minister would permit a supplementary question.

In view of the fact that several of these speeches were delivered in the Legislature and copies are available in the official reports, and in view of the fact that with most of the others, copies were circulated through the offices of either the Prime Minister or the Treasurer, will the same courtesy that is being given to the Prime Minister and the Treasurer, to have their immortal words printed and distributed in booklet form, be

extended to all other members of the Legislature at public expense?

**Hon. Mr. MacNaughton:** Mr. Speaker, I rather think that this distribution of information is the prerogative of the government. I cannot see that it would be either reasonable or sensible to permit it to be done by every member of the Legislature.

**Mr. Singer:** A further supplementary question?

Does the Minister think it is reasonable that Tory propaganda be distributed throughout the province at public expense?

**Mr. Speaker:** Order, order!

The hon. member for York South (Mr. MacDonald) has a question of the Minister of Health.

**Hon. Mr. MacNaughton:** Mr. Speaker, before the hon. member for York South speaks, I wonder if I could be permitted to answer a question that I took as notice yesterday, placed by the hon. member for Wentworth (Mr. Deans)?

In answer to part one of the question referred to, the MTARTS report and the 78 submissions which have been received to date from the public area, including the brief from the Toronto Transportation Commission, will form the basis of a comprehensive plan for development of Metropolitan Toronto and region.

Our evaluation of the recommendations, now being undertaken by an interdepartmental goals plan committee chaired by the regional development branch, has been assigned the highest priority and is proceeding rapidly. As the Prime Minister has indicated, it is the government's determination to present the plan to the Legislature as soon as possible.

The answer to part two of the hon. member's question: Submissions on MTARTS were invited for internal study by the government and were not intended for tabling in the Legislature. The respondents, of course, are at liberty to make public their submissions and I understand the TTC has already made certain disclosures to the press.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a three-part question for the Minister of Health.

Does Ontario have a reciprocal agreement with Manitoba for the payment of hospital insurance, and if so, does it extend to north-western Ontario residents who make regular use of Manitoba hospitals which are more readily available to them?

Second, have requests been received from the Neepawa General Hospital in Manitoba for the payment of hospital bills of Ontario patients?

Third, if so, will OHSC accept responsibility for payment of these bills?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I cannot give the complete answer to the specifics, but I will get the specific answer.

In general, I would advise the hon. member, sir, that the answer to the first question is yes. Part of The Hospital Insurance and Diagnostic Services Act calls for reciprocal arrangements between all of the provinces of Canada, so that a Canadian citizen has rights to or has access to hospital care wherever he may be in Canada.

There is a formula worked out for the payment, but in essence the facilities of Manitoba hospitals could be made available to Ontario residents and they would be paid for; but on what basis, in this specific instance, I do not know. I will get the information for the hon. member.

Mr. Speaker, before the orders of the day, the hon. member for York South asked a question yesterday of which I took notice:

Can the Minister state from information available from the voluntary health insurance survey prepared by the Canadian Conference on Health Care, which he quoted in reply to my question on December 20, 1968, *Hansard* p. 948, how many of the 2,034,000 Ontario population with PSI coverage had Brown plan only, and how many of the 2,376,000 population with insurance company plans had partial medical coverage which did not include home and office calls?

Mr. Speaker, the answer is that this survey showed that 2,034,000 Ontario population covered by trans-Canada medical plans included not only Physicians Services Incorporated enrollment, but that of another doctor-sponsored plan offering comprehensive physicians services coverage, namely Windsor Medical Services Incorporated.

Of the 1,740,830 enrolled under PSI, only 103,090, or 5.9 per cent were covered by the Brown plan. This survey also showed that of the 2,376,000 Ontario population with insurance coverage plans, only 7.1 per cent were not covered for home and office calls, or in other words some 2.3 per cent of the total population.

Mr. Speaker, the hon. member for High Park (Mr. Shulman) also posed two questions which I took as notice:

Has the Minister looked into the matter of self-contained units for blood Wasserman tests, as he stated in the House on April 24, 1968? What was the result of that looking into?

The answer is yes. The result was that we believe the present tubes and equipment are quite satisfactory and are doing a good job.

The second question he posed:

Did the Minister get the information he promised the House on April 29, 1968, re the suggestion by the committee on maternal and infant mortality, that The Coroner's Act be amended to require an autopsy in every maternal death? Has the Minister taken up this matter with the Attorney General; and what was the result?

This committee, of course, is a committee of the Ontario Medical Association studying all deaths associated with pregnancy in Ontario. The recommendation made by the regional committees, one of which deals with the Metropolitan Toronto area and the supervising coroner is an honorary member of this committee, referred to the maternal welfare committee of the council of the Ontario Medical Association.

No recommendation has been sent from the council of the Ontario Medical Association to the office of the Attorney General requesting an amendment to The Coroner's Act that would require an autopsy in every maternal death in the province.

The maternal welfare committee is assured of the cooperation of The Attorney General's Department following discussions on this subject in 1964, and I would therefore refer the hon. member, Mr. Speaker, to the Attorney General if he needs a more complete outline of the proceedings.

**Mr. MacDonald:** Mr. Speaker, I wonder if the Minister would permit a supplementary question on the first question I put to him.

In view of the fact that bills submitted by the Neepawa General Hospital have not been



paid for so long that the hospital is now billing the patients direct, would the Minister enquire into this particular aspect of it when he looks into this specific case?

**Hon. Mr. Dymond:** Yes, Mr. Speaker, I felt from the hon. member's question there must be some problem and I asked for a complete rundown to find out just what the situation is.

**Mr. Speaker:** While the hon. Minister of Health is answering questions taken as notice, I wonder if I could enquire if questions asked of him by the member for High Park and by the member for York South before the Christmas recess have been satisfactorily answered, other than in the House.

They are 439, the question from the member for High Park, with respect to Dr. J. A. Gamarra; question 440 from the member for High Park with respect to Yorkville hepatitis; and question 441 from the member for York South with respect to how many of the 97 per cent of the population, and so on, are covered for home and office calls by physicians.

**Mr. MacDonald:** The latter was on December 20, and it is a follow up from that that I am asking the current series of questions.

**Mr. Speaker:** My observations were not sufficient to mark these off, I am sorry.

**Mr. M. Shulman (High Park):** I am still waiting for some answers, Mr. Speaker.

**Hon. Mr. Dymond:** I do not know what questions the member is referring to.

**Mr. Speaker:** Perhaps the hon. Minister would make a note of questions 439 and 440 from the member for High Park, dated December 19, 1968, which were taken as notice.

**Mr. Shulman:** Excuse me, Mr. Speaker, I believe it is just the reply on hepatitis that I am still waiting for.

**Mr. Speaker:** Right; that is No. 440.

The hon. member for Brantford has a question of the Minister of Education from before Christmas. Has that been dealt with?

**Mr. M. Makarchuk (Brantford):** Yes, I would like to withdraw that question.

**Mr. Speaker:** The hon. member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to direct a question to

the Minister of Education. When will HS 1, giving courses of study for secondary schools be in the hands of boards and principals throughout the province?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, as in the past, the changes relating to the secondary school programme are outlined in the circular, HS 1. This has been compiled and distributed in the form of an advance memorandum which went out on February 3. A more detailed memorandum is presently under preparation, which will be mailed out as soon as possible, but the advance memorandum has been mailed out to the board.

**Mr. Pitman:** I wonder if I may ask a supplementary question. Will the memorandum which has been mailed out be sufficient to enable principals to begin time tabling and hiring teachers, because I think this is the major problem they face at the moment. May I ask another question, Mr. Speaker?

Can the Minister explain the reason The Department of University Affairs has refused to follow the recommendations of the Provincial Auditor that an unexpended balance of \$117,079 be returned to the consolidated revenue fund?

**Hon. Mr. Davis:** Mr. Speaker, I believe there may be a slight misunderstanding on the part of the member for Peterborough, and I shall endeavour to explain what went on.

In 1963, the Ontario new universities libraries project was undertaken as a co-operative venture to provide five of our vigorous new universities and colleges with the basic library facilities. The project was administered by the University of Toronto and by May of 1967 each of the five libraries had been provided with 44,500 volumes through grants totalling \$1.8 million. This took place over the four-year period with an estimate of savings, and I think this is quite relevant, of \$1.4 million, because of the co-operative approach.

But, sir, because some of the out-of-print books were not delivered and because of these administrative savings there was an outstanding balance as of June 1968 of \$117,079. I therefore, Mr. Speaker, authorized cheques totalling \$23,415 each, to be sent to the five universities and colleges to complete the purchase of books and those materials that were either out of print or could not be delivered or catalogued within the time established for the regular programme.

These funds were allocated to the following institutions: Scarborough and Erindale colleges of the University of Toronto, the University of Guelph, Brock University and of course Trent University.

Mr. Speaker, knowing the enthusiasm that the hon. member for Peterborough has for the development of library facilities at our universities, he not only would have accepted this policy, he might also endeavour to find some additional funds to put into the pot to provide for books that are necessary for the library service.

Mr. Pitman: Well, Mr. Speaker, never has a truer word been said in this House. I wonder whether the Minister made this explanation to the Provincial Auditor, in view of statement found in the report given to this House just a couple of days ago.

Hon. Mr. Davis: Mr. Speaker, I think the Provincial Auditor is aware of this and I would assume from straight accounting procedures he feels that there was some merit in doing it the other way. But I think there should be certain, shall we say, give and take. I think the funds were there for library purchases and were used for that purpose. They were not just part of the strict administration of the University of Toronto; they were savings and other moneys that were to be spent on books that were not initially available. I think it was a very appropriate way to deal with that fund.

Mr. Pitman: A final question, Mr. Speaker. In view of the evidence of the 1968 report of the provincial auditor that: "The Department of University Affairs Act contains no provision prescribing requirements for the payment of student awards, grants to universities, and other payments," is the Minister prepared to introduce amendments to The Department of University Affairs Act during this session, as recommended by the provincial auditor?

Hon. Mr. Davis: Mr. Speaker, there is some discussion in the report with respect to the legality or procedures used. But as we see in Bill 126 of 1964, an Act was established in regard to The Department of University Affairs providing adequate authority for the establishment and operation of the department.

With this department—and I think it applies to several others—the statutory authority for dispensing funds under the various programmes comes with the approval by the Legislature of the estimates of the depart-

ment. In other words, the Legislature approves the funds which, in turn, are dispensed as indicated by the Legislature, I should make specific references to the fact—and this is where it becomes somewhat complicated—that the student awards programme is a joint federal-provincial programme combining federally-guaranteed loans with the provincial grants.

The administrative procedures and regulations are, to a great extent, determined by the federal statute, The Canada Student Loan Act. The complex assessment procedure is carried out by the department under definite legal restrictions. The awards are subject to provincial audit and must be cleared with the provincial auditor, so that the public's interest in this area is well protected.

Now, dealing with the other area—the operating grants to universities—these of course are determined annually in consultation with the committee on university affairs and individual institutions, and in turn, are subject to the review of the Treasury Board in total sum. This is explained in the annual report of the department. I think, Mr. Speaker, this indicates the procedures and the statutory authority, and while we recognize the reference made by the Provincial Auditor, we feel that the procedures being used really do comply with the statutes and the procedures used in this House.

Mr. Speaker, I do not often rise on a matter of personal privilege in this Legislature relating to stories in the press, but the member for Waterloo South (Mr. Reuter) has handed me a story which gave him some concern, and which I wish to explain.

The headline says, Mr. Speaker: "William Davis runs hot", but I want you to look at the body of the story to see that it says:

S. Sonenberg hooped 11 points and R. Sansom 10 as William G. Davis senior public school ran off with a 38-4 decision in the first game of inter-school basketball action against C. Cornwall Public School.

Davis' next game—

and I want to make it very clear it is not mine, Mr. Speaker—

—will be an exhibition against Stewart Avenue public school, of Galt.

I would only say to the member for Waterloo South when these headlines cause him perhaps a slight bit of embarrassment from time to time, I hope he would remind his constituents it refers to the school, and not to the Minister.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** I have a question for the Minister of Correctional Services, Mr. Speaker.

On January 3, 1969, was the drug wing at the Millbrook Reformatory tear gassed and, if so, why?

**Hon. A. Grossman** (Minister of Correctional Services): I have a previous question numbered 552; perhaps the hon. member would care to ask his questions in the order in which they were presented to me, Mr. Speaker?

**Mr. Speaker:** I think the hon. member is entitled to ask his questions in any order that he wishes. The order of the questions given to the Minister and the member is only the order in which they are entered in the Speaker's record.

**Hon. Mr. Grossman:** All right, Mr. Speaker. I am advised that no prisoners have been transferred from Guelph Reformatory to county jails since December 20 for disciplinary purposes.

**Mr. Speaker:** Order. The hon. Minister is answering a question he has not yet been asked. That is the second question today.

**Hon. Mr. Grossman:** Mr. Speaker, the hon. member will appreciate that we have a complete library of the hon. member's questions and sometimes we pull the wrong page.

Mr. Speaker, I have been advised that no tear gas was used in the drug wing. However, on this date tear gas was administered to two inmates in number 5 wing, which is reserved for severe disciplinary problems. These two inmates were creating a disturbance and breaking up the fixtures in their cells. Having regard for the safety of the other inmates, the institution generally, and, of course, the staff, it was necessary to administer the tear gas. The smell of the gas reached number 10 wing, which is the drug wing, where the inmates were ready to leave for a film show. By the time they had returned from the show it was fairly clear of the odour of the gas.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Grossman:** No, Mr. Speaker.

**Mr. Shulman:** Did the Minister say no?

**Hon. Mr. Grossman:** Yes, I said no.

**Mr. Shulman:** Thank you. I have another question of the Minister of Correctional Services.

Have any prisoners been transferred from Guelph Reformatory to county jails since December 20, 1968, for disciplinary purposes? If so, how many, and why?

**Hon. Mr. Grossman:** Mr. Speaker, I know the member probably heard me start to answer that question. I am advised that no prisoners have been transferred from Guelph Reformatory to county jails since December 20, 1968, for disciplinary purposes.

**Mr. Speaker:** The hon. member for York-Forest Hill has a statement.

**Mr. E. Dunlop** (York-Forest Hill): Mr. Speaker, I rise on a matter affecting the privileges of all members of this assembly, notably the privileges of the members of the select committee on election law, of which I have the honour to be chairman.

I have before me a copy of the February issue of the Toronto *Telegram* in which there appears a story on page 1 attributed to one Peter Thurling. This story—without any shadow of colour or reservation or qualification—purports to summarize the recommendations which that committee will make to this assembly. As that report has not yet been made, the story must be regarded as entirely conjectural and, in my view, quite misleading.

**Mr. Speaker:** The hon. member for Lambton.

**Mr. L. C. Henderson** (Lambton): Mr. Speaker, it is a pleasure for me to rise this morning. I am sure the members want to join me in offering congratulations firstly, to the Petrolia Peewee hockey team, who last Saturday, February 1, won the North American Silver Stick championship in Michigan; and, secondly, to the Forest bantam A hockey team who won the championship for that group in the North American Silver Stick championship, both contests held at Port Huron, Michigan.

Playing on this team for Forest was Mr. Bill Loughheed, who was a pageboy in this assembly last year. He was chosen the most valuable player in the Watford district. Bill Loughheed was also chosen to play on the all-star team within the Port Huron district, which includes 75 teams and over 1,000 players. Mr. Speaker, I am sure the assembly will agree with me that Lambton swept everything before it.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, as I rise to make my second contribution to a Throne Debate in this Legislature, I want to commend you for your capable handling of a difficult role. The question is raised in the book of Jeremiah, "Can the leopard change his spots?" with the inference that of course he cannot. Yet we ask the Speaker of the House to set aside his political loyalties and biases to act as impartial arbiter of the proceedings of this assembly. To a significantly large degree, you, sir, as well as the chairman of the whole House, achieve the high standard that is required of you and I congratulate you both in your performance.

As I begin my speech I want to pay tribute to the hard-rock miners of this province, but especially to those of my own riding. They are rugged, adventuresome, courageous, tough, hard-working men who often descend some thousands of feet into the depths of the earth to extract the rich mineral wealth upon which so much of the economy of this province depends. Their work is dangerous, difficult but skilful. They go at it with a spirit that is matched in few other occupations. Many a miner, in spite of the drawbacks and obstacles placed in his way by a niggardly minded industry, has succeeded in making a good living, while educating his children so that they have assumed responsible positions in many parts of this continent. Such men deserve a tremendous amount of credit.

Yet there are a great many more miners who have come out of the mines broken in body and health so that they are excluded from sharing in the abundance of an affluent society. It continues to disturb me to meet numerous older miners with serious chest conditions, whereby shortness of breath, chest pains and a chronic cough restrict their enjoyment of life and cut down drastically their years on earth. There is only one lung condition that is compensable under The Workmen's Compensation Act and that is silicosis. However, one must have an open-and-shut case before a claim is granted for silicosis. It is my contention that dust exposure is a contributing factor in a variety

of other chest conditions in miners. And I continue to believe that this Legislature must enact legislation to broaden the chest conditions that occur in miners who have spent a number of years working in dust exposure areas.

In addition, I think we are soon going to have to face up to the fact, Mr. Speaker, that we shall have to limit the number of years that a miner is permitted to work underground exposed to dust. And we shall have to find ways and means to provide alternate equally gainful employment away from the dust, or make it compulsory for mines to provide an adequate pension for an underground miner at an age before his health is broken. Of course, here is the rub about so many mines in my riding. Men have spent their whole lives slugging it out in the mines and then are retired on no pension at all or on some woefully inadequate severance pay. It is a disgrace to the gold-mining industry of this province, and its Tory friends, that this kind of incredible exploitation of human beings has persisted as long as it has. The wages in the gold mines have been woefully inadequate over the years and every advance won by the union for the men has been resisted every inch of the way by a miserly management. Even now the only pension plan that gold miners can look forward to is what they will receive from the Canada Pension Plan.

So, you see, the miner is not overwhelmed by the feigned largesse of the mining companies, who are the champions of the free enterprise system and the darlings of successive Tory governments. He knows what it is to be personally exploited as well as to have his community exploited in which he lives, all for the sake of corporate profit. He has had too many kicks in the teeth by this crowd to give much credence to their flowery rhetoric concerning the virtues of free enterprise. And therefore he knows his true interests are only served when he votes New Democrat.

Another practice that causes untold hardship on working men and miners in particular is the iniquitous system sanctioned in The Workmen's Compensation Act whereby an injured workman, as he begins to get better, has his compensation benefits reduced to 50 per cent and is informed that he is ready for light work. Mr. Speaker, I should like to ask this government, since they are responsible for the Act as it now stands, just where are the light-duty jobs in the mining industry? What really happens is that a workman has his compensation cut in half, he cannot go to

work, so he either takes the loss on the chin or he goes on unemployment insurance until he is able to go back to his regular job. The compensation board passes the buck to the federal government and permits the industries, who should be paying the shot, to get off much lighter than they should.

I support my colleague from Timiskaming (Mr. Jackson), that full compensation should be paid if light-duty work is not reasonably available, until the injured worker is well enough to go back to his regular job. I therefore wholeheartedly endorse the bill which he has introduced to make this possible.

Because there is so much manual work involved in mining and related occupations, an unusually large number of men in my area have sustained low-back injuries which have developed into disabilities which prevent the men from returning to heavy work. They may qualify for a 10- or 15-per-cent disability pension from the compensation board, or they may be put off by being told that their injury is on top of a pre-existent condition and thus they are out of luck as far as the disability pension is concerned. The tragedy in some of these cases is that the man is disabled to the extent that he cannot work and he is still ineligible for a pension. There are a number of men with back problems who can be retrained but many others have such little formal education that retraining is not feasible.

Therefore, I believe that a serious effort should be made by this government in the rehabilitation department of the compensation board to locate some kind of small industry in the Porcupine area where these partially disabled workmen can be gainfully employed at light work. I would hope that this government would act upon this recommendation.

There is a final aspect of The Workmen's Compensation Act that needs revision. The pensions that are paid for disablement, for the most part are away too low. Secondly, pensioners paid on old claims when the rates of pay were much lower than they are today, do not receive adequate pensions to cope with today's prices. Surely in this session, legislation must be introduced to raise these pensions and to tie these pensions into the cost of living index, so that when the index rises or falls the pensions will be adjusted accordingly.

The miner has had additional problems to face in his resident municipalities that workers in other industries have not had to cope with. Mining properties have been

exempt from municipal assessment and taxation. As a way to offset this fiscal impairment the province has made grants to mining municipalities in lieu of taxes, but these grants have never been adequate. Thus taxes, of necessity, have been high at the municipal level and the range of services that mining municipalities have been able to supply has been restricted compared to those of other municipalities.

I was pleased to read that the select committee studying the Smith committee report has recommended a plan that will give substantially greater provincial grants to mining municipalities and I hope the government will act on its recommendations, so that we shall receive a much fairer deal.

I wish to endorse the brief of the Association of Mining Municipalities which met in Schumacher in mid-January. They have provided for three relationships to exist between a mining municipality and the provincial government. They have recommended the following to the Minister of Municipal Affairs (Mr. McKeough), the Prime Minister (Mr. Robarts) and his Cabinet:

First, that a municipality may apply to the Minister of Municipal Affairs for redesignation as a mining municipality for the year 1970. This would permit a municipality to continue to receive the mine revenue payment in accordance with the formula now in existence, subject to the amendments listed in their brief. These municipalities, who choose this course of action, would not be permitted to assess any processing plants within its boundaries.

Secondly, that a municipality may apply to the Minister of Municipal Affairs to be designated as a fiscally impaired mining municipality. Such a municipality would forego any mining revenue payment in accordance with the present formula but would receive an equalisation grant based on the recommendation and formula of the select committee. Such a municipality would be permitted to assess and tax any mine processing plants within the municipal boundaries or within a defined regional area including unorganised townships as determined by the Minister.

Third, that a municipality may apply to the Minister of Municipal Affairs to be designated as a mining industrial municipality in the year 1970. Said municipality would be entitled to the mine revenue payment as it pertains to profits and to mine employees not classed as process workers and would be permitted to assess any mine processing facilities within its boundaries.



Fourth, that those municipalities designated as fiscally impaired mining municipalities be entitled to not more than fifty per cent of their gross budget by way of an equalisation grant.

Fifth, that all mining municipalities in the above categories be subject to budget approval by The Department of Municipal Affairs.

Sixth, that due to the considerable increase in all municipal expenditures the regulations governing mining revenue payments for 1969 be amended as follows:

(a) resident and working in be raised to \$8,500 from \$7,500;

(b) resident and working out be raised to \$6,000 from \$5,000;

(c) non-resident and working in be raised to \$3,000 from \$2,000.

I certainly hope that this government will act on these recommendations and begin to give the fiscal support that mine municipalities so desperately require. However, I do make the point that the foundation programme for municipalities as advocated by this party will do a much better job in providing equality of basic services to all our municipalities including mining municipalities.

There is a situation pertaining to my riding, Mr. Speaker, concerning the very real possibility of Gillies Lake, in Timmins, overflowing its boundaries and flooding when the spring breakup comes. The reason for this is that the Hollinger Mine used to pump the excess water into Pearl Lake, but since the Hollinger is no longer in operation, no one will now assume responsibility for this problem.

The Minister of Energy and Resources Management suggested that the Mattagami Valley conservation authority should make the necessary hydraulic study and assume responsibility for flood control. After he made this suggestion, the town council discovered a "license of occupation" number 3628 given to the Hollinger Mine in 1935. This is how it reads, in part:

Know all men by these presents that I, Paul Leduc, Minister of Mines for the province of Ontario, do hereby give leave and license and due and full permission unto Hollinger Consolidated Gold Mines Limited of the town of Timmins, in the district of Cochrane, its successors and assigns, to enter upon, possess, occupy, use and enjoy during the pleasure of the Crown for the purpose of depositing thereon the tailings from their gold mill.

Subsequently, the license goes on to describe the exact boundaries of the lake and the terms of the license. I want to read one more paragraph from it.

The Crown shall not be liable for any damage done or alleged to be done by the placing of such tailings upon the said lands or by the overflowing of the same upon lands adjoining or for any damage of any other kind whatsoever done or alleged to be done by the said company, their agents or workmen, that the said company shall indemnify the Crown, with respect thereto.

Now the Timmins town fathers came to the realization after reading this license that they had in no way given permission to Hollinger to dump their tailings into Gillies Lake and thus, greatly reduce the area of this lake as well as block off its drainage through the Porcupine River.

What they did then was to drop the problem into the lap of the provincial government because a previous provincial government first granted permission to Hollinger and has collected the license fee of \$10 over the years.

I believe they did wisely to not let the Mattagami Valley conservation authority deal with the problem since the local taxpayers would have to pay half the cost of flood control if the conservation authority had accepted responsibility. In one sense the problem is a provincial problem and if the public purse must pay for flood control of Gillies Lake, then the province should pick up the tab.

However, I am still not convinced that the Hollinger mine has no responsibility to carry. In fact, as I read that section from the license, I believe that they have full responsibility to carry and I, therefore, urge this government to see if at all possible that Hollinger may be forced to bear the cost of maintaining the level of Gillies Lake.

I want to make a brief comment about The Department of Social and Family Services. At the outset I must say that the present level of pensions and the method of determining such do not meet with my approval. As soon as this province can move to a guaranteed annual income programme, the better it will be for all people.

The present set-up, with its army of snoopers into the private affairs of all citizens requesting assistance, is a humiliating and demoralizing system to say the least of it. Once a person is granted a pension, there is no such a thing as privacy anymore. Moreover, if a person has bought himself a home



and has accumulated a modest amount of money for funeral expenses and such, before he can be granted a pension, should he become completely disabled and unable to support himself and his wife, he must spend his savings until they are reduced to the permissible level.

This certainly pulls the rug from under our people who, over the years, have tried to be thrifty, honest and responsible by doing their best to make their way and plan ahead for the future. It certainly says to people that there is little to be gained by modest savings should you ever reach the point where you must apply for a provincial pension.

There is one other part of the working of this department that concerns me. It is the interminable delays in processing applications. People in need are left dangling in mid-air not knowing whether they will get assistance or not from the province. In a number of cases, people have come to me in sheer desperation, after waiting for ages without any word.

Usually, though not always, after interceding for them, the processing of the claim is speeded up and brought to a decision. It is very disturbing to see a widow with children to care for driven to such anxiety and distraction about how she is going to meet her financial responsibilities by a system bogged down in red tape.

It appears that those who run the system are a heartless, callous group. And yet, I do not think they are anything as bad as the system projects them to be.

I appeal to this department to find some way of making the processing of applications much speedier and to be more efficient in looking after deserving people so that they do not have to hunt out their local member of the Legislature to get action for them which they should get without his prodding.

Despite the fact that some significant highway work is now under way in my riding, there is still need for a great deal more. The residents of the east side of the riding have had little construction work undertaken for them even though Highway 577 from Val Gagne to Ansonville is in dire need of reconstruction.

The Minister says that the pre-contract engineering has not yet been completed. My request is that he will bring pressure to bear in the proper place to see that this preliminary work is speedily done so that his department can proceed without undue delay to get on with the reconstruction programme.

Also Highway 578 which joins Highway 11 to Montrock is in need of a good deal of work. I understand that about a mile of it is scheduled for paving this year, but I would hope that the whole stretch will be paved in the not too distant future.

No further commitment appears to be forthcoming from the Minister as far as reconstruction of Highway 101 west of Highway 144 is concerned, especially as far as the Johns Mansville Reeves mine. Workers have to drive that exceedingly curvy, bumpy, patched-up piece of highway twice a day as they commute from Timmins and it is not only a slow drive because of the bad curves, but the excessive wear and tear on their cars because of the poor roads makes the workers desire a better highway.

I just hope that the Minister will act and see that the road is looked after before a serious accident takes place. The residents of my riding are still waiting patiently to see the completion and opening of Highway 144, so that Sudbury and Timmins are joined. As that time draws near, I appeal to the Minister soon to reach a decision to link Highway 101 west with Highway 11 north someplace around Smooth Rock Falls. This is a logical move to take and it will be of significant assistance in further opening up the development of the northeast section of the province.

As far as the development of the north is concerned, this government is still paying little more than lip service to our legitimate needs. George McLure, of Halifax, director of the Nova Scotia Programme Development Agency, addressed the Canadian Tax Foundation as follows. This is reported in the *Globe and Mail* of November 20, 1968. The north, in which Mr. McLure included the Northwest Territories and the northern parts of all the provinces, "is still at a stage of colonial exploitation by outsiders".

How very accurate he is! "Colonial exploitation by outsiders".

At this point I want to quote a section of an editorial in the Timmins *Daily Press* of November 29, 1968, with which I happen to agree, although I must say that it is very seldom their thinking and mine coincide. I quote: "J. R. Simonett, Ontario Energy and Resources Minister, has challenged northern Ontario to sell its good points and stop its 'gloom and doom talk'."

The Minister should know that the north has been selling its good points for years—minerals, lumber and newsprint. Not getting its fair share in return is causing what he

describes as the "gloom and doom talk" in the north.

While the north has developed considerably over the past 50 or 60 years, the residents feel that it is due to the efforts of the people living here and not to our southern cousins. Hardly a week passes without some group from a chamber of commerce or a council having to send a delegation either to Toronto or Ottawa to get things for the north.

We get many things, but should we have to get on our knees every time we want something? Northerners have to go to the trouble and expense of travelling several hundred miles to Queens Park to press one government department or another for a better deal. Do we ever hear of any government representative coming north to find out what we need? Very seldom.

When there is an election we wade knee-deep in politicians from all parties who promise everything under the sun for the north. After the election we never see them until vote gathering time comes round again. When anything about the north is raised in the Legislature they show little or no interest. They seem to forget they are part of a political machine which serves the whole of Ontario, not just as far north as Barrie, or even Huntsville.

One of the reasons for discontent among residents of the north is that they feel they are the forgotten people except when it comes time to collect votes or taxes. Northern complaints grow out of neglect of the north by the governments in power and exploitation of the north by our free enterprise economy. As a result of a rather patronizing letter from the Minister of Highways to the North-eastern Ontario Municipal Association, telling them in effect to "quit their crabbing—they should know when they are well off," that body immediately went on record as unanimously calling for a feasibility study for an eleventh province.

It is interesting to note that most of the members of that organization are members of the two old line parties, who have become so frustrated by the kind of government as it affects the north by their parties, that they are willing to venture forth on a course of action that is as drastic as it is exciting. The results of that feasibility study should unearth an interesting and informative story which will have a large bearing on the future of the north country. I am certainly going to approach the study with an open mind so that

I may examine the arguments 'pro' and 'con' before I come out with my own position.

However, I believe that a solution of the northern problem will be tackled and resolved when a New Democrat government has the opportunity to resolve it.

Mr. V. M. Singer (Downsview): Is that in the editorial too?

Mr. Ferrier: No sir, that is my comment. Be that as it may, the fact we are having such a study points out not only a loss of confidence in—but even more, the failure of—the Conservative government after 25 years in office to satisfy even their own staunchest supporters that they have adequately come to grips with the problem of northern development, and to adopt bold and aggressive policies to resolve it.

As far as I am concerned, Mr. Speaker, whether we form an eleventh province or not, the north will only come into its own when a government follows the socialist policies of economic and social planning on a large scale for the north. Then we will make available vast sums out of the public purse to implement the kind of overall development that is necessary for our benefit.

If Quebec can make money available through Sidbec to purchase Dosco so that they will have their own steel complex in that province, or other money available through SOQUEM to develop the copper deposits at Louvre-court township near Val D'Or, then there is no reason why Ontario cannot find money to develop some of our northern resources as well as to create secondary industries in the north.

I just want to read a couple of quotes about this SOQUEM deal in the Louvre-court area:

Quebec mining exploration company, SOQUEM, says preliminary estimates of capital required and operating costs, indicate a profitable operation is feasible from the copper deposit outlined in Louvre-court township near Val D'Or in northwestern Quebec.

SOQUEM, a mining exploration company owned by the Quebec government, has been conducting exploratory work in the area on properties owned by Naganta Mining and Development Company Limited, Nemrod Mining Company Limited and Timrod Company Limited all of Montreal.

SOQUEM said mining of the deposits would generate an operating profit of \$5.9 million, which after mining taxes, interest

and capital costs repayments, would provide a cash flow of \$3,087,000, assuming a price of 45 cents a pound for copper and a salvage value of \$305,000 for the equipment.

Not only in mining but also in the forestry industry, Quebec is considering the setting up of a Crown corporation which goes to show that Quebec is moving way ahead of Ontario in their way of thinking of the north. I read from this January 17, 1969 article in the *Globe and Mail*:

Quebec Forestry Minister Claude Gosselin yesterday promised to begin work this year on a Crown corporation to cut and market wood for pulp and other uses. Mr. Gosselin told the annual convention of the Quebec Forestry Association that the Crown corporation would exploit forests uneconomical for single industry exploitation.

What is involved is the creation of a Quebec forestry company, a sort of para-governmental corporation, that would exploit and harvest forests that are uneconomic and inaccessible to private capital but which could provide a good supply to numerous industries now suffering from a shortage of wood.

"I am thinking of a formula that would allow rationalization and planning of different kinds of enterprises throughout Quebec. Such a formula could constitute, in my opinion, the sort of wood pool with yards for selection and classification."

The free enterprise capital that has been used until now to develop the north has done so with a view to profit and exploitation for the outsider, rather than for the long range development of our economy and culture for our own benefit in the north. People of the north are saying that the rape of the north, as sanctioned and encouraged by this government, must come to a stop. And they are demanding more and more, a socialist-oriented programme that will both plan and bring about, with the sufficient funds from the public purse, real regional development.

There is one final subject on which I want to make my views known in the Legislature, and that is the location of the copper and zinc smelters to process the concentrates of the Texas Gulf operation in the Timmins area. As things now stand, Texas Gulf is still engaged in feasibility studies to determine the type of smelting process and the best location for building the two smelters. We are told by the company and the Minister of Mines (Mr. A. F. Lawrence) that we

must wait for another few months until the studies are complete, and then a decision will be made and the public will be so informed. During his lead-off speech on the mining estimates last year, the Minister of Mines took the stand that the government would like to see the copper smelter built in Timmins, and the zinc smelter somewhere in Ontario but not necessarily in the Timmins area. So while Timmins is not ruled out as a possible location, neither is it receiving any boost from this government for the zinc smelter.

At first this announcement of at least the copper smelter to be built in Timmins, if feasible, received a very favourable response from the residents of the Porcupine. But as we began to look into it more fully, we began to wonder if perhaps we have been again taken for a ride. In September the Ecstall Mining Company—according to the figures supplied to this House by the Minister of Energy and Resources Management (Mr. Simonett) in answer to my question—shipped 154 cars of copper to Noranda for smelting, while 556 cars of zinc and lead concentrates were shipped elsewhere for processing. The question in most people's minds is, is there enough copper concentrate to warrant a copper smelter? And the growing body of opinion suggests it is not likely that sufficient bearing ores are available to warrant the building of a copper smelter. Moreover there is an abundance of copper smelting facilities already in Canada, to make another smelter highly unlikely.

My hope is that this body of opinion is wrong, and that a copper smelter can in fact be built in our area. But unfortunately, like the Scotsman, "I hae ma doots", so the core of the matter boils down to the zinc smelter and the possibility of that being constructed in the vicinity of the Porcupine. A manager of one of the other mines in the area has made certain comments about the feasibility of a zinc smelter in the Timmins area to process the zinc concentrates. To be fair to the man, he has not at his disposal any inside information from Texas Gulf, and he made his study based on his knowledge of the industry coupled with what information that is common knowledge about Texas Gulf. His conclusion is that in terms of the greatest profits realizable, the Timmins area is not the best location, and that there are other locations more ideal.

I hope The Department of Mines is anticipating this possible announcement by Texas Gulf, and is prepared to submit a counterproposal to the company on behalf

of the citizens of my riding, to remind the company that its decision must consider other factors than just maximum profit. The economy and future development of the northeast of this province depends on the location of the smelter in our area. When a tangible opportunity presents itself in the northern part of the province to bring about development to any part of it, I believe the provincial government has an obligation to see that that opportunity is seized and acted upon. Even the Minister of Lands and Forests of this province, in his speech to the Canadian Council of Resource Ministers on October 9 at Halifax, said as much. I quote from that speech:

When a resource is discovered that could be developed at a profit, private enterprise does so, and a new segment of our economy is born. Unless this newly developed resource frontier takes root and becomes integrated into the regional or national economy, its future is limited. This hit-and-miss unplanned development, based solely on the discovery of isolated resources, is not the answer to northern development, nor does the answer lie in transposing criterion standards of the south to the north.

The answer lies in planned political and administrative decisions, and the determining of the form and character that northern development should take. Northern development should not be left entirely in private hands. We have to put behind us our unwarranted fear of co-ordinated planning and consider the long-term interest of the people concerned and develop the north as a whole region.

This is a wonderful statement that he has made. The Texas Gulf smelter question provides this government with an opportunity to act on the hon. Minister's policy statement. Maximum profits must not be the overriding consideration as to the zinc smelter's location. If the copper smelter is ruled out, and Texas Gulf wants to move its zinc smelter elsewhere, this government must take the stand that the zinc smelter goes to the Porcupine, even though company profits may not be as great.

It may be that the ONR may have to make special rate commitments on zinc concentrates coming in from other mines to the Porcupine, and other specialized rates on the processed zinc and byproduct going out. If necessary, I believe such commitments are in order, and may also be necessary to negotiate some kind of concessions as to hydro

rates to induce Texas Gulf to build in the Porcupine. If the government will not do this, or if Texas Gulf persists in locating a smelter elsewhere, then the government should be prepared to build a smelter itself to process the concentrates, and pass legislation to force Texas Gulf to have its ores smelted at such a smelter. If the Texas Gulf then were to remain adamant, I believe the government should move in and nationalize the whole operation.

I have no doubt that this course of action will not be necessary, since the ore body of the Kid Creek Mine is a 55-million-ton ore body, and the recoveries from the ore body, as reported in the Toronto *Daily Star*, are still improving, while the mine is worth an estimated \$2 billion in potential output. Texas Gulf is a New York-based company, and while it gave no breakdown or earnings from its various operations, total net profit from the first nine months of 1968 was \$53,835,262, as compared with \$44,222,301 in 1967 for the same period—or a gain of \$9,612,961. I would suspect that most of that extra profit came from the Timmins operation. With the kind of operation that Texas Gulf has at Timmins, with the lucrative profit outlook, this company is not going to back out if the government tells it certain things must be done, and one of those certain things must be a definite commitment to build a smelter—either copper or zinc, but at least one—in the Porcupine area.

This government has played footsy with International Nickel for years, and more and more Cabinet Ministers are being left with egg on their faces. So I say to them, through you, Mr. Speaker, that the time has come to stand up to another international mining giant, and lay down certain specific conditions and guidelines under which it must operate if it is going to do business in this province. One of these conditions must be to bear reasonable responsibility for the economic stability and growth for the area in which it operates. I therefore call upon this government not to pussyfoot, but to act with firm resolve on the smelter location in question, as far as the Porcupine Mine camp is concerned.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, may I join with fellow members of this Legislature in congratulating you and your deputy on the excellent contributions both of you are making to this assembly, and for the fine work that you are doing in conducting the affairs of this House.

Today, in participating in the Throne Debate, I want to deal with a subject of vital importance to all segments of society in our province—specifically the recommendations of the Royal commission inquiry into labour disputes. Members of this Legislature will recall that the late hon. Ivan C. Rand was appointed commissioner in August, 1966, to inquire into the rights, duties, obligations and liabilities of employees and employers individually and collectively, with relation to each other and to the general public, and so on. Members will also recall that the request for an investigation followed the strike of employees at the Tilco plant in the city of Peterborough. At that time there was a violation of an Ontario Supreme Court injunction, which resulted in the imprisonment of several picketers.

It was with this background of unpleasant labour regulations and the dissatisfaction with injunction proceedings that the Rand commission was launched. As most members of this Legislature know, the commissioner held public meetings in various cities throughout the province of Ontario, at which 82 presentations were made. In addition to these presentations the commissioner also received over 100 submissions from interested individuals and organizations. He reviewed existing labour laws and conditions in other jurisdictions, and held discussions with a host of academic, legal, labour and management people in both Canada and abroad.

Obviously he found some of the existing labour laws and regulations in Ontario unsatisfactory and inadequate and after two years of research submitted 56 recommendations in his recent controversial report. Here are some of the highlights of the Royal commission report as analyzed by the Canadian Press.

A tribunal should be established with power to inquire into any labour dispute, terminate any strike and limit picketing.

Unions should be regarded as legal entities, subject to court action.

The government should have the power to order back to work any employee involved in strikes in essential industries, businesses or services.

Picketing during a lawful strike should be limited to the plant, workshop or central assembly of the striking employees and all other picketing prohibited.

Boycotts which in any way imply coercion or restraint should be prohibited.

A strict set of conditions should be established for courts issuing injunctions against picketing.

The Labour Relations Board of Ontario should conduct and supervise all ratification of collective agreements.

If a strike lasts 45 days, the industrial tribunal or labour relations board should be able to conduct a secret vote among strikers to see whether they want to continue the strike.

When a strike has lasted 90 days the union or employer involved should be able to request an award from the tribunal. If the award is accepted, it should become a one-year collective agreement.

If a company maintains a lockout for six months, the tribunal may suspend for up to one month the right of management to hire replacements for locked-out employees who are available for work.

Daily penalties for violations of tribunal rulings should range from \$100 for individuals to \$2,500 for unions and employers.

An employee who has worked seven years or more with the same firm should have the right to apply to the tribunal for arbitration if he faces dismissal.

A director of enforcement, accountable only to the Legislature should be established to handle all violations of tribunal rulings.

Responsible people should have been encouraged by Mr. Rand's effort to improve labour and management relations in Ontario, and to avoid economic loss and inconvenience to our citizens and workers.

It was rather a disappointment for me to read the quick and cursory comments of some of the labour leaders who should have taken time to study the worthwhile recommendations made by the commissioner.

According to the *Toronto Globe and Mail* of September 16, the Canadian director of the UAW, Dennis McDermott, described the report as a "mental aberration".

Mr. D. C. MacDonald (York South): Yes.

Mr. W. G. Pitman (Peterborough): Let's talk about the *Examiner* strike.

Mr. Reilly: I would be delighted to. You bet I will—any time any place.

Mr. J. E. Stokes (Thunder Bay): Talk about the Peterborough strike.

Mr. Pitman: Talk about labour rights and management.



Mr. Reilly: I will get around to them, and Peterborough too, my friend.

In the Hamilton *Spectator* of the same date, the 250 man Canadian Auto Workers Council, over which McDermott presides, said: "the report would easily have earned its author Hitler's Iron Cross". Shameful, shameful.

In the Hamilton *Spectator* of September 6, David Archer, president of the Ontario Federation of Labour, said that trade unionism would be placed in a strait-jacket if the report was implemented.

In the same newspaper report, George Johnston, vice-president of the Ontario Federation of Labour, said the Rand Report contains nothing favourable to labour.

Donald MacDonald, not the one sitting diagonally across from me but president of the Canadian Labour Congress, was reported in the *Spectator* of September 14 as saying that the report was "a travesty on justice harkening back to the days of indentured slavery".

In my view, Mr. Speaker, it is undeserving of these men in responsible positions to make unsubstantiated and negative statements.

Anyone can use similar slogans if they don't have to give evidence to prove them. It is simply unconstructive and a negative way of trying to resolve an existing problem. These wild and unworthy statements likely prompted labour editor Wilfred List to write these words in the *Globe and Mail* under date of September 20:

Union leaders, by their harsh reaction to the report have put themselves in the position of being labelled as men with closed minds, unwilling to engage in rational discussion of a set of ideas, whether good or bad.

He goes on to say:

That if the Rand Report is unworkable, unfair and loaded against labour, as unions allege, it should be dissected by union leaders and their arguments documented.

Fortunately for organized labour, all unions and union leaders are not as negative or unconstructive. Tom Berry, a former business agent with the Toronto Plumbers, was quoted in the *Spectator* of October 28:

The report was commissioned by the province at labour's request, but unions are completely ignoring any good points in the study. Any unionist suggesting that some points of the report might be workable, becomes a blackhearted scab among

his fellow unionists", said Mr. Berry who backs the late Mr. Rand's recommendations for more Canadian autonomy in international trade unions.

Murray Cotterill, Canadian public relations director for United Steel Workers of America, is quoted in the *Globe and Mail* of October 9 as agreeing that the Rand Report is not all bad. The union official reportedly said there were parts of the report that labour could accept, but that "it would be a matter of culling them".

David Lewis, M.P., the New Democratic Party's Parliamentary leader at Ottawa, recently argued that the suggested powers of the Tribunal are "frighteningly wide" and "deserve to be described as dictatorial."

The powers described by Commissioner Rand would certainly give the tribunal broad authority, seemingly without the right of appeal.

I agree that the powers should be more explicit and that the right of appeal from the proposed tribunal is essential. In fact, this government has revised a number of statutes in recent years, incorporating the right of appeal.

Personally, I do not think that the proposed tribunal should be the final authority on all issues. In my view, the scope of authority as described by Mr. Rand is much too vague, and the terms of the authority are much too broad.

If the tribunal is established, the legislation should carefully describe the authority and jurisdiction of the tribunal. Unquestionably there must be provision for right of appeal from decisions of the tribunal on questions of law or jurisdiction. Whether such appeals should be made to the Supreme Court of Ontario first and then on to the Supreme Court of Canada, if necessary, is something to be considered.

But because I disagree with one section of the report is no reason for me to condemn it, in its entirety. Hugh Buchanan, vice president of the Ontario Federation of Labour, seemed to be expressing similar thoughts. According to a report in the *Windsor Star* he said:

There are several proposals that, if implemented, would reduce conflict and would improve labour-management relations, such as the provision for restrictions on strikebreaking, job protection for a worker through a vested right to his job after seven years of service and limiting the conciliation procedure to a shorter period.



Well, Mr. Speaker, it has been drawn to my attention that the hour is now 12 o'clock and since this particular time is restricted to the private members' hour, I would, if it is the wish of the members of the group, move adjournment of this debate.

Mr. Reilly moves the adjournment of the debate.

Motion agreed to.

### THE ONTARIO WATER RESOURCES COMMISSION ACT

Mr. M. Shulman (High Park) moves second reading of Bill 15, An Act to amend The Ontario Water Resources Commission Act.

Mr. Shulman: Mr. Speaker, with some surprise and a great deal of pleasure I am going to discuss eutrophication today.

I may say this is with some surprise, because up until a very short time ago we had thought we were going to discuss the raceway but it was with some delight that I see the Tories have turned tail and are running.

I had to choose another subject in some haste, Mr. Speaker, and because the other parties would have to discuss this also, I took a simple one which I knew they would have a great deal of knowledge of. This bill is to prevent eutrophication of our water systems. If, perchance, there should be anyone here who is not aware what eutrophication is I will give a brief explanation.

Mr. M. Makarchuk (Brantford): All you have to do is look at the Tory party.

Mr. Shulman: I thank the member for Brantford, he explains that one can understand eutrophication by looking at the Tory party.

Actually, eutrophication is a natural aging process resulting in weed and algae growth until someone is stifled. It normally refers to lakes and rivers but perhaps it could be used in a wider context.

Hon. A. Grossman (Minister of Correctional Services): That is what you fellows were saying about your leader—

Mr. D. C. MacDonald (York South): You have not read the results of the election.

Hon. Mr. Grossman: —in nicer language.

Mr. Shulman: This is an extremely serious problem, Mr. Speaker, and it something that deserves a great deal of attention in this

province and unfortunately, it has received absolutely none up to this time.

Lakes and rivers do grow old naturally. It takes a long, long time—many thousands of years—but, because of things that we are doing, we are killing our water resources very rapidly. It can be shown up with highlights in Lake Erie but it is occurring throughout the province.

One of the major causes is pollution from household detergents and this problem has been compounded over the last few years with the coming of domestic automatic washing machines which eliminate the need for women to touch the water with their hands. As a result, very high phosphate levels are being poured out into our sewage systems and subsequently, out into the water courses.

These phosphates are not, in themselves, pollutants but they are extremely active fertilizing agents which help the algae grow in the waters and this rapidly accelerates the aging process of our lakes. It prevents fish and normal plants from growing in the water. It allows algae to grow at a tremendous rate and in effect, it very rapidly kills the water for use, either for recreational purposes or for fishing and very, very often completely destroys the area.

The real tragedy is that like the earlier ingredients which caused foam and which the manufacturers took out, the inclusion of phosphates in our detergents is not absolutely vital to detergent manufacturers. In fact it is completely unnecessary, and I have here a quote from Professor P. H. Jones of the University of Toronto, who says:

Substitute chemicals are available which would eliminate the whole problem.

Now these substitutions would cost a little money. Unfortunately, it would cost 15 cents for every package of detergent. But this 15 cents per package of detergent would mean that we would have the use of our lakes and our rivers for some thousands of years more. The quote of Professor Jones is from *Water and Pollution Control* magazine of September of 1968.

This bill which I have brought in for second reading today would require that these substitutions be made in every package of detergent which would increase the retail price by these few pennies, but it may save millions or perhaps hundreds of millions of dollars in future damage over the next few years.

Putting this law in effect is not going to solve the entire problem. There is a second

part to my bill which requires that the phosphates that are now in sewage be removed chemically. This can be done, again at a slight cost.

I have a paper which was presented to the Water Pollution Control Federation in Washington, October 25, 1967, and it explains how the phosphates that are in our sewage can be removed in the sewage disposal plants which is not being done at the present time. I want to quote one paragraph from this paper:

The natural useful life of a lake should be measured in tens of thousands of years. However, the contamination of man is causing extreme premature extinction of many waters. For the last half century man has observed the changes brought about by over-fertilization. Passive realization has now turned to active concern for effective methods to control this accelerated aging. A realistic process is this phosphate extraction process which was presented to the Water Pollution Control Commission.

This is what is being done in the U.S. They are actually taking steps to save their waters. We must do something here; we cannot wait for another government because every year is rapidly decreasing the areas we can save. We often look at the southern part of the United States and compare ourselves extremely favourably. Well, we certainly cannot in this particular aspect.

I have another paper that was presented at the same time and it is called, "The Southland We Live In—Water—How Southern Pulp and Paper Mills Manage This Natural Resource, Its Use, Re-use and Restoration." Reading through this paper, I am ashamed of how little we do here in Ontario. If you go near the pulp and paper plants in this province, which I had an opportunity of doing a few times this past year, you see pollution pouring into our streams, you see dead streams, you see no fish. They have controlled this problem in the South, where they have many pulp and paper plants. They have laid out a lengthy plan there, at very low cost, which allows the streams into which they are pouring their effluent to live, allows the fish to stay in them, allows people to swim in them.

If I had time I would go into it in greater detail; perhaps during the estimates we can do that. But here is something, where if we had a proper Ontario Water Resources Commission, it would send men down to see what is being done there and would bring in

proper legislation to save our streams and save our rivers and save our lakes.

I have here a letter which I received from the air and water pollution report committee on May 6, 1968, and it shows what the Americans are doing in Lake Michigan. I just want to read one of the 18 laws they have brought in:

All cities on Lake Michigan basin must provide at least 80-per-cent removal of phosphorus from their waste by the end of 1972 and comply with quality standards approved by Secretary Udall for Lake Michigan. Quality standards require secondary treatment by that date.

We could do that here but we have not done a thing. You have to give plants three or four years to put in the proper equipment. You cannot say, "Do it today" and they will have it done tomorrow; it takes three or four years. They have made a sensible beginning and they are going to save Lake Michigan. We are not going to save Lake Ontario and we are not going to save Lake Erie, because we are not doing anything.

Cost: Here, from the Royal Bank of Canada, I have their monthly letter which goes into this problem in some detail and it states very clearly why we are not doing anything in Ontario.

Why is this treatment not universal in Canada? It is safe to say there are two reasons: The need has not been appreciated and the cost is not relished.

That sums it all up. This government is not prepared to force the plants to do the necessary things to save our water supply, and the individual private companies are too selfish. Why should one plant do it when the plant down the stream is not doing it? So they say, "I'm not going to do it until I am forced to", so nobody does it. We must have governmental action.

To see how far we have gone with Lake Ontario, again I have here an air and water pollution report dated November 25, 1968, and this again is from the United States:

Expenditure of over \$309 million is needed to install or upgrade water pollution control facilities to relieve contamination of algae plaguing Lake Ontario and its tributaries.

This number increases geometrically every year. This means that every year that we go along, we are going to have to spend not five or 10 per cent more, but 20 or 30 per cent more, just to eradicate the damage that has been done.

I believe that Lake Erie has already reached the point of no return. I have the Lake Erie report here. I wish the government would at least get a copy. It is a plan for water pollution control which came out last August, and it is frightening reading, Mr. Speaker. It is a very lengthy report and I am just going to read briefly a few excerpts from it because it points out just how far we have gone and how we must have radical action immediately in order to prevent disaster.

Many years of neglect by the citizens and government of the basin, and the lack of knowledge concerning the dynamics of the lake and the cause of the lake pollution, were the principal reasons that Lake Erie is a major pollution problem, for it is in the final analysis the acts of commission or omission by the governments in the Lake Erie basin, as guardians of its water resources, which have placed those resources in their present condition.

It is equally true that Lake Erie can be restored to its one-time health and usefulness only if the basin governments, with support from the people, establish the public policies and governmental institutions capable of doing so. At the present time there is inadequate treatment due to insufficient financing, insufficient research, insufficient surveillance, and insufficient enforcement by the basin governments.

Lake Erie is over-enriched with nutrients from pollution. The over-enrichment is causing premature aging evident in the following aspects: depletion of the life-sustaining oxygen; replacement of high-quality fish with scavengers; undesirable taste and odours in the water; littering of the shoreline with rotting and foul smelling masses of algae; increase in the number of pollutants indicating algae and an increase in the concentration of chemicals in the lake.

Phosphorus, because it is the one essential nutrient for which control measures are best known, is easily singled out as the key to control of this premature aging of Lake Erie. The phosphorus contribution of 137,000 pounds a day from sources within the Lake Erie basin is composed of 72 per cent from municipal waste, 17 per cent from rural run-off, 4 per cent from industrial waste, and 7 per cent from urban run-off. In municipal waste, 66 per cent comes from detergents.

Therefore, if we just make this one change—insist that the detergent companies take the

phosphorus out of their product, and this can be done so cheaply—at one stroke we can solve half of the problem of the killing of Lake Erie. I continue with the quotation:

Reducing the total phosphorus discharge from all in-basin sources to half of its present level would control algae growth and arrest the aging process in Lake Erie. Bacterial pollution of Lake Erie and its tributaries is evident in a number of unsafe bathing beaches and the undesirable condition of a few water supplies.

Mr. Speaker, the report goes on to describe in some detail the large quantity of municipal wastes without any treatment that are entering the streams in the Lake Erie basin. It describes the 360 industrial concerns on the American side which are directing a total of 9.5 billion gallons a day of waste water into the lake; it has not measured the amount on the Canadian side. It points out that the steam electric generating plants contribute 72 per cent of this amount.

Last year I got up and I begged that they do something to stop the Nanticoke Hydro plant, which is going to completely destroy the Lake Erie fishing industry. We could get no response from the government. They are storming ahead; they are not putting in cooling towers which would prevent the thermal pollution which is going to destroy the fish; in one stroke, they are going to completely destroy all fishing industry around Nanticoke and no one over there cares. They are going ahead with this plant, which is criminal; it is nothing less than criminal.

Mr. Speaker, this report lays out a plan whereby if it is followed the lake can be saved. Before I give that plan briefly, I want to read one paragraph here. This is published by the U.S. Department of the Interior, the federal Water Pollution Control Administration, Great Lakes Region. Perhaps this Legislature should know what this body, which meets with the Canadian government and the Ontario government in an international control commission, thinks of the policy which is being followed, by the province of Ontario, and I quote:

Some of the elements that were not incorporated in this document on Lake Erie, include international co-operation from the Canadian province of Ontario and its role of a remedial pollution control programme for Lake Erie.

The reason that this is not included is that it is non-existent. They just have not done

the things that have to be done. There is a very detailed way of saving our lakes, which is in this report, and I am going to commend it to every member of this Legislature, and I hope they will all read it.

This detailed plan involves control of sewage; it involves control of thermal pollution, which is the heating of water by our electric generating plants which kills the fisheries, it involves the control of the loss of oxygen, but most important of all, it involves the control of the phosphorus, which is what the bill is about that I have brought up today. I would like, Mr. Speaker, in conclusion, since I just have a few moments left—

**Mr. W. Hodgson (York North):** Is the member an authority on this?

**Mr. Shulman:** Well, Mr. Speaker, we have heard from one of the Conservative backbenchers and we are asked, are they an authority on it? Yes, the U.S. Department of the Interior Pollution Control Administration is an authority on it.

**Mr. W. Hodgson:** I thought the member was that authority.

**Mr. Shulman:** Well, I am a little better authority than you are. At least I have taken the trouble to read the facts and bring them to you.

**Mr. W. Hodgson:** On a question of personal privilege, he says he is a better authority than I am, but let us hear what that authority is.

**Mr. MacDonald:** Have you not been listening?

**Mr. Shulman:** I wish the member would pay attention and he would know where the authority comes from. Perhaps he will read *Hansard* and he will learn some of the facts that he is not prepared to listen to. I hope he will perhaps speak in this debate and we will find out how much authority he has.

Mr. Speaker, this bill does two things basically.

Every person who sells or offers for sale any detergent that contains a polyphosphate is guilty of an offence, and on summary conviction is liable to a fine of not more than \$1,000.

That phrase will prevent 50 per cent of the phosphate which is going into our lakes and rivers. If this bill is carried, it is a simple thing; the detergent companies can make this change in a matter of months. We can save Lake Erie, we can save Lake Ontario

if they will just do that one thing. And the second part:

Every municipal sewage works that empties effluent into a lake, river, stream or other water or water course, shall so treat the sewage that the effluent does not contain any phosphate that is chemically capable of being removed.

This second portion, I believe, should allow the municipalities a certain amount of time to make this change. But it can be made—I have the plans here. I would be happy to supply them to any member or to any municipality that is interested.

They have come from a very reliable source in the United States that has put in similar plans across the United States. If the government will make this compulsory, you can give our lakes and our rivers another thousand, two thousand, perhaps longer, years of life. Otherwise, we are going to be living on dead lakes and dead rivers with no fish, no swimming, just pollution. Thank you.

**Mr. Speaker:** I am sure that the hon. member for Nipissing would allow me at this time to advise the House that we have a distinguished visitor from Australia in Mr. Speaker's gallery below on the east. He is Mr. A. A. Street, who is a federal member of the Australian Parliament from a constituency in the state of Victoria, and I am sure that he will enjoy his short visit to this assembly in the province of Ontario. I wonder if Mr. Street would rise and be recognized.

The hon. member for Nipissing.

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I rise to support the bill of the hon. member for High Park on behalf of our party. Since he has discussed in depth the chemical process of the production of dead water, particularly by the use of polyphosphates, perhaps I could place this problem in a larger context of our total environment in which we find ourselves.

Today we speak about the biosphere—that ring of life on the surface of this planet on which we live. We should make no mistake—this is our life-support system. We are cruising through a hostile universe, at an absolute rate of speed which we cannot calculate and in an absolute direction which must forever remain unknown.

We are just like the astronauts, except that our vehicle is more commodious. But let us never forget that this is Earth and that our atmosphere and our waters together are absolutely vital to our continued survival.

Unfortunately, however, we are bad astronauts. We haven't had the training and the discipline to perform those tasks upon which our survival depends. Nor have we thought it necessary specifically to purchase the recycling equipment to ensure that our environment is not degraded to the point where it will no longer support life as we know it.

In this sense, air and water pollution are inseparable, and one of the concerns in our party is that this pollution is the responsibility of more than one Minister. Furthermore, it seems very difficult to get the government down to the nub of the problem. And I think that within this bill the nub of the problem is secondary treatment. Meanwhile, the air grows turgid with sulphur dioxide and our waters grow thick with organic matter and radical salts.

The American Aldo Leopold has said:

The fact that modern man is constantly moving into new environments gives the impression that he is constantly enlarging the range of his evolutionary capabilities and thereby escaping from the bondage of the past. The assurance with which we regard this assumption is inverse to the degree of our education.

This planet has been plundered, the biosphere battered, the earth pulled apart. Significantly, these are all unexaggerated denunciations of worried, thoughtful men—men who see no compromise in their struggle to steer governments away from the prospect of disaster.

As Professor Rene Dubos has pointed out:

Certainly we can adjust to a remarkable degree, but only at the cost of the unborn, and the genetic future of the human race. Every time our bodies adapt to new stresses, they do so at the cost of damage to the genetic line, quite apart from the psychological effects on those now alive. It is a basic fact of biology that man can only survive uninjured as a species to the extent that he maintains or creates around himself an environment similar to that in which he evolved.

In Paris, in September last, 50 world authorities meeting under the auspices of UNESCO recognized this. Throughout all their studies there was one common thread. "We have to keep the BIOS vigorous." In crude terms, they mean the "life-soup"—the things formed by the association of living organisms and water and soil and atmosphere.

The continuous revitalization of this matter is brought about by successive processes of synthesis and destruction. On the land alone,

fifty-five billion tons of humus rot each year over the entire surface of the globe. This stupendous activity is caused by higher and lower forms of life: worms, insects, fungi, bacteria. In the end, 90 per cent of this material enters the atmosphere as gases of various kinds.

The golden rule of balance is to take out nothing but the income, and the educational process in which Dr. Shulman and myself are now taking part goes by the name of land-ethic. A name coined by the late Dr. Albert Schweitzer, pointing out that most people believe that they have to deal only with the relationship of man with man. We know that this is not the case.

It is against this background then that we can paint the dreary picture that has already been outlined earlier. Man creates in the laboratory these long-chain molecules—the polyphosphates referred to in the bill—and eventually dumps them into rivers and streams, where they do not break down.

Novelist Farley Mowat has complained about the plastic bottles on the shores of Newfoundland which drift down into the St. Lawrence and other areas. These containers are so indestructible that they not only survive the journey with the current for thousands of miles, but they also stay around the shoreline, apparently indefinitely.

By the same point we can see the gross disfiguration of the environment that these bottles cause. Yet exactly the same thing happens with the contents of these bottles—as valency bonds have been used like fish-hooks to string more and more free radicals end to end to form microscopic monsters. And so we have molecules now that nature never saw, and does not know how to deal with. These are the real poisons, because there are no antidotes in nature's cabinet to take care of them.

We upset this balance at our peril. The state of Michigan has recognized this and Ontario has not. Let me read to you from the *Toronto Star* of January 23, 1969, and this is perhaps somewhat similar to what Dr. Shulman outlined earlier:

The State of Michigan has set June 1, 1977, as the deadline for correction of pollution from overflowing storm and sanitary sewers and the removal of phosphorus from waste waters, the International Control Commission was told Wednesday morning by Ralph W. Purdy, executive secretary of the Michigan Water Resources.

Mr. Purdy said that, where controls cannot be imposed at once, the commission



offers the opportunity for voluntary controls. But when controls are not carried out within a reasonable time, legal steps will be taken.

Secondary treatment is required as a minimum, unless it can be demonstrated that a lesser degree of treatment or control will provide for water quality commensurate with present and future water uses.

He commented that exception from secondary treatment must be justified to the Michigan Water Resources Commission and the Federal Water Pollution Control Administration.

Mr. Purdy said that the commission has set up laboratory facilities for the testing of the Detroit River and Lake Erie waters at 65 locations. Each month about 700 analyses are performed by the Michigan Commission on samples. Mr. Purdy said that municipalities discharging wastes in the St. Clair River must provide for phosphorus removal by June 1, 1972. We are not entirely satisfied with what has been accomplished to date, he said, but some progress has been made. We hope by 1977 to have the matter under total control.

Well, faced with this progress report from Michigan, the OWRC was asked to comment, and our Mr. Caverly did so. I do not like to refer to civil servants or commission employees by name in the House, but he did make these comments and they are public knowledge in the public press.

Mr. Caverly, then, was asked whether the fact that there isn't a similar programme to Michigan's in effect on the Canadian side, might not detract from the effectiveness of the Michigan programme, but he blandly replied that there was a difference of opinion but no conflict between the OWRC and the authorities in Michigan.

Later, in an interview, Mr. Caverly said criticism over a policy of blanket secondary treatment has already arisen at the northern Ontario town of Rainy River.

'I think there is too much emphasis being placed on this aspect of secondary treatment,' Mr. Caverly said. 'It is a waste of taxpayers' money.'

Now what kind of concern did he suggest in that statement? It suggests that OWRC does not have the global view of the urgency of the problem of secondary treatment and particularly the faulty phosphates. This gives strength to the position taken by my leader, Mr. Nixon, and by my colleagues from York

Centre and from Waterloo North. Mr. Nixon, speaking at the University of Windsor last week, gave forth against the organization of the International Joint Commission itself as a body whose teeth had worn down.

He condemned the attitude so far expressed in regard to conservation by Walter J. Hickel, the new U.S. Secretary of the Interior, and he called upon the Premier of Ontario to convene a conference of the governors of all the states, and the premiers of all the provinces, bordering on our joint waters, to lick this pollution menace together.

But he also recognized that Ontario must first put its own house in order, and, using the proposals worked out by my colleagues on the caucus as an adjunct to their study of regional government, he demanded that the OWRC be reformed.

I will not repeat the remarks of Mr. Good from yesterday. You will find them in *Hansard* in regard to regional government and the OWRC. But I will say that, every time the Liberal caucus meets—and in between times too, as we look at our mail—we are all reinforced in our belief that the time has come for a complete re-vamping of the role and structure of the OWRC.

Now it is becoming not only a matter of government administration and financing, but one of survival. We are going to turn OWRC into another Ontario Hydro, and it will sell its services and raise its money by debentures, without saddling the new regional government with this kind of debt. We'll keep the interest rates low by putting the provincial credit rating behind OWRC—that is, if this present government has any credit rating left by then.

Meanwhile, the report of the Provincial Auditor for 1967-1968, tabled only the other day by the Provincial Secretary, tells the story of a commission working at half potential—or less. If you will turn to page 12, you will see the sad tale under disbursements budgetted and actual, construction and installation, about half way down the page. (See table, page 1111.)

According to these figures, OWRC spent roughly one-fifth of what has been budgeted. While this might in part be explained by slow starts of some programmes and problems within the operations of the OWRC with the municipalities and the Ontario Municipal Board, an expenditure of \$14 million when the budgeted capital disbursement was \$65 million, indicates poor planning—it implies poor planning and bureaucratic stalling while our environment gets worse. We cannot afford to allow this to continue.



	Budget Net Capital Disbursements	Actual Net Capital Disbursements	Actual to Budget Increase	Decrease
Ontario Water Resources Commission— construction and installation				
municipal projects	7,000,000	2,576,000		4,424,000
provincial projects	58,000,000	11,493,655		46,506,345

This private member's bill then, represents an attempt to bring to the notice of government something that it should have been aware of for some time and indicates to it that secondary treatment is indeed essential. We support not only the intent of the Bill itself, but also the broader criticism which its tabling implies. That criticism, in brief, is that the Robarts government is living in the pure air and drinking the pure water of the past, while the people of Ontario wallow in the murk of an environment that will surely shorten all our days unless something is done now.

**Mr. J. Root (Wellington-Dufferin):** Mr. Speaker, I was not aware that this Bill was to be called today until I came into the House. We are in the process of moving over at OWRC. Perhaps some of the statistics that I might like to have read into the record are somewhere between 801 Bay Street and 135 St. Clair Avenue West.

However, I did listen with great interest to the remarks of the two hon. members and I want to make just a few comments.

I am not questioning the desire of the hon. members to improve the quality of water. That is the objective and the purpose of the Ontario Water Resources Commission.

I want to comment on one or two of the statements that were made by the member for High Park. He mentioned the effect that phosphate has—and particularly the phosphate carried in detergent—and suggested that these detergents might shorten the life of our lakes. I think we are all aware that there is a process of eutrophication going on in all of our waters. If you fertilize soil, you will grow grass or weeds; if you fertilize water you stimulate the growth of algae; that is just nature's response to fertile waters.

A suggestion was made that the contamination of man is speeding up the eutrophication of our water. Well that probably is right and the purpose of OWRC is to take every possible step to control the pollution that man does create in many ways. I notice his comment about pollution from the pulp

and paper plants and suggestion that the OWRC send men to the United States to learn how they deal with the problem. I would say to the hon. member and to the members of this House that the United States, and indeed countries from all over the world, come to the Ontario Water Resources Commission to find how we have become recognized as a leader in this matter of pollution control.

**An hon. member:** Well, if you are leading, you will lead anyone who wants to follow.

**Mr. Root:** I think I will have some comments about Lake Erie a little later.

Interjection by an hon. member.

**Mr. Speaker:** Order!

**Mr. Root:** Mr. Speaker, if I could have a little order. I appreciate your interjection there.

It is true that in the construction of a new paper mill there are advance methods installed for treating the waste from the paper mill. Keep in mind that most of Ontario's mills were built some 20 or 30 years ago and changes are being made. I want to be fair and say they have spent many millions of dollars and they will be required to spend many more millions of dollars before we reach all the objectives that we have in mind.

The hon. member for Downsview, I believe it is, wants to know whom do we lead. Let me remind him that since this commission was established we have given approval certificates for something over \$1.6 billion worth of works. Out of these works, over \$125 million—and this was a year ago—were for industrial waste; that is, where industry treats its waste on its own outside municipal systems. Many of the industries treat through the municipal systems. I said at the beginning of my remarks that I have not got the latest figures with me. These are figures for over a year ago.

A suggestion was made by the hon. member for High Park that Lake Erie is gone. Probably, this statement might have been

taken from some irresponsible comment. Lake Erie is not gone. Lake Erie is a lake that is fairly shallow, particularly at the west end. The temperature is higher and it is a more attractive lake in which algae can grow. But I would remind the members that approximately two thirds of all the commercial fish in Ontario comes out of Lake Erie. To say that that lake is gone is just not a statement of fact.

Mr. Speaker, I would like to go on and say that approximately 90 per cent of the waste that comes into Lake Erie comes from the American side. I would say that every major centre on the Grand River has erected or enlarged its treatment plant to OWRC specifications. At the present time we have projects in the mill going down to the small villages of 500 to 600—

Interjection by an hon. member.

Mr. Root: All of the municipalities on streams that are in the Lake Erie basin have spent a tremendous amount of money bringing pollution under control. There are one or two cities that were slow starting, but they are well underway—Windsor and so on. We try to be realistic and see that that programme is achieved in an orderly manner to keep these waters in good condition.

Interjection by an hon. member.

Mr. Root: I will tell the member when I get through with my remarks.

Mr. Speaker, let me say that we do work with the international organizations. Some of our staff work on a committee with the International Joint Commission; we have liaison with the Great Lakes Commission. We are not a member of the Great Lakes Commission because there are eight states, and we are one, and we do not want to get ourselves in a position where we can be outvoted and have them suggest that we support a programme that we are not prepared to support. But we have good relations. We meet with them and they meet with us. We know what their programme is, and we do everything possible to co-ordinate our programmes so that we advance together.

As I have said, the great bulk of the sewage or effluent coming into Lake Erie comes from the other side, and I say without fear of contradiction that Ontario is a leader in the programme we have had to control pollution including pollution into Lake Erie.

But the rest of the states have a big problem

to catch up with us. They have many more people and many more industries. It takes time and it takes money.

Interjection by an hon. member.

Mr. Root: I would say to the member for Downsview, Toronto has spent many millions of dollars. There may be times, with some of the old combined sewers, when it rains and you do have a bypass of diluted sewage because there is no purpose in running it through a treatment plant over-loading the plant. You might go down and deal with your planning people in Toronto and suggest that they stop giving out building permits and stop developing in Toronto until the storm sewers are separated from the sanitary sewers. That is an answer; and I would say that the hon. Minister of Trade and Development, who is endeavouring to decentralize industry, is probably helping Toronto in getting some of these industries out of Toronto and located in municipalities where they have the ability to treat the waste.

Interjection by an hon. member.

Mr. Root: Mr. Speaker, I did not get that comment. But I would remind the hon. members that we talk to Metropolitan Toronto and the municipalities, we are working with them. They have a programme and they are proceeding to bring this problem under control, it is a major problem. We on the OWRC recognize that it is going to cost a lot of money. We have a bit of sympathy for the taxpayer in Toronto, whether the member for Downsview has or not.

There are one or two comments by the hon. member for Nipissing. He suggested that secondary treatment was an answer. Secondary treatment is an answer to getting solids out of waste. But the problem of phosphates and nitrates is not as simple, because phosphates and nitrates go into solution and they just do not settle out. We are carrying on a study with regard to chemical treatment of primary and secondary treated waste but we are not too sure at this stage what the effects of this chemical precipitation of phosphates will have on nitrates and the effluent.

The member for Nipissing made the remark that two years ago we had \$65 million in our capital budget. That is right. Perhaps we were too optimistic that municipalities would sign the necessary agreements. We have been loath to force municipalities to sign agreements until they completely understand what they are getting into. And

that is the simple reason why, at the end of the year, the capital expenditure was only \$14 million. There were some big projects in the mill at that time. For example, the project out in Peel county, which would add up to almost \$88 or \$90 million over a number of years, was in the mill. It did not move as fast as we had expected. There are other regional projects where we are carrying on discussions, in addition to the many smaller projects for various municipalities. Some of these projects did not move as fast as expected, and you will find that since that year we have not asked for as much capital money because we have learned that some municipalities are rather loath to commit their people, until after a lot of consideration, to the various implications.

Mr. Speaker, I jotted down a few remarks when I learned that I was going to have to take part in this debate. The OWRC is aware of the effect of phosphates on water. Other jurisdictions are also aware of the effect of phosphates on water and we are carrying out studies with the objective of finding a proper method of dealing with this matter. But before we commit people to tremendous sums of money, we want to know that we have the right answer. We do not want to have to back up, and a few years later have the hon. members opposite saying we just made our people waste their money.

Mr. E. W. Martel (Sudbury East): What more proof do you want about Sudbury?

Mr. Root: Let us not talk about Sudbury, the only city in Ontario that is pouring all of its raw sewage into the lake. Let us not talk about Sudbury.

The OWRC is carrying on studies with the objective of finding a proper method of dealing with phosphates and their effects on water. Phosphates can get into the water from many sources. They could get into the water from raw sewage, if you want to talk about Sudbury. They can get into water from treated sewage, because phosphate goes into solution and at the present time will not settle out. You can get phosphate from the runoff from farms. You can get phosphate even from soil. There is a natural amount of phosphate in the ground when you have runoff.

This whole matter is receiving careful study by responsible organizations. Other jurisdictions are aware of this problem and we are in constant communication with them. As I

said before, we have been working with the International Joint Commission. We also work with the Great Lakes Commission. I can assure the House that the OWRC is aware of the effects of phosphates and are dealing with it.

If legislation is necessary, it may be that we have enough authority now, I am not sure; but if legislation is necessary when the studies are further advanced and we find that we need more legislation we will not hesitate to bring to the House a request for that legislation. But I am not prepared at this time to support Bill 15, with the amount of information that is available to me at the present time.

Section (a) of Bill 15 could deprive the housewife of detergents and quite frankly, they are only a small part of the phosphate load. I realize there is a substantial amount of phosphate in detergent. I am aware of that. We have been aware of it and we have been discussing these matters with the detergent industry.

They have been able to bring out a detergent which got rid of the foaming and they are making studies on how they can provide this very necessary material for the housewife. We hope that their research and our research along with the research that is being carried out by other jurisdictions will come up with the right answer.

Section (b) of the Act, from the information we have available at the present time, would tremendously increase the cost of treatment plants and it may not be the right answer, with the research that is going on. We have become aware of the importance of this matter, but we do not want to put an added tax burden on the people until we are reasonably sure that we are making the right proposal.

I will say this, Mr. Speaker, that we are considering asking for chemical precipitation of phosphates where we receive requests that treatment plants be enlarged on small streams where there is not sufficient dilution water to carry away the waste from secondary plants.

That matter is under consideration, but there is an economic factor. There are streams where developers want to go in and put in treatment plants where, according to all of our standards, there is not sufficient dilution water.

Now it may be that we will permit a few pilot projects to see whether this can help us solve that problem and allow development

in areas that we are loath to give our approval to at the present time.

Mr. Speaker, I just want to conclude my remarks by saying that I am not prepared to support this bill at the present time. We are aware of the problem of eutrophication of our lakes and our rivers. We are dealing with it. We are studying it, but I am not prepared to support this bill.

Mr. F. Young (Yorkview): Mr. Speaker, we have listened again to an apology for delay.

We have known, for a long time, of certain techniques for getting rid of the pollutants going into our waters—some of the pollutants at least. Those techniques have been developed in other areas and under other jurisdictions.

Somehow or other this government insists that it has to go through the whole process of research and development again before it can use these processes here.

The member for High Park has sent over to the chairman, or the representative in this House on the OWRC, a plan for eliminating phosphates, a plan which has been carried out. We hope he will study it and we hope he will take it to the OWRC and then return that plan to the member for High Park because this is something—

Mr. Root: Mr. Speaker, on a point of order. I have not had time to look at it. I think this is a sales pitch from somebody trying to promote something that they have developed.

Mr. Speaker, all of these matters are now with us and all of these sales pitches are being studied.

Mr. Speaker: Order. The hon. member has stated his point of order. If he would, I would be glad to have him enlarge upon it. If he is done with his remarks then the hon. member for Yorkview can carry on.

Mr. Root: The point is, this is not a report, it is a sales pitch, that is what I am suggesting.

Mr. Speaker: Well, I do not think that is a point of order. The hon. member for Yorkview has the floor.

Mr. Young: Mr. Speaker, there are a lot of ways of drawing red herrings across the trail. We know that some years ago a company from Denmark established a pulp mill in British Columbia where the pollution to water is minimal. That has been done.

We know that in United States pulp mills have been established where the same thing is true. That has been done. Yet, we are being told that in this province we have to have time for a pulp industry to develop techniques. They are researching. They are spending millions, but the fact is that our waters are still being polluted.

The hon. member spoke about Lake Erie and contended that Lake Erie is not quite as bad as has been pictured and that the fish population is still good there. Well, that may be true. Perhaps some people have presented Lake Erie as being far worse than it is today, but Lake Erie is in a desperate situation nonetheless.

I have here, a statement from Barry Commoner, who is chairman of The Department of Botany and director of the Centre for Biology of Natural Systems at Washington University, and he says:

In recent years Lake Erie has deteriorated so badly that the game fish that once abounded there are almost entirely gone and beaches are open only occasionally. Swimming is often curtailed because of high bacterial counts in the water and the revolting stench of rotting algae and dead fish on the beaches. Boat owners are hesitant to take their craft into areas where oily material will cling to the hull. In some parts of the lake the waters are a murky green from algae that thrive on the waste dumped into the water. During the summer months the western basin of Lake Erie contains a mass of algae that sometimes covers 800 square miles and has a thickness of two feet.

Mr. V. M. Singer (Downsview): Sounds good, does it not?

Mr. Shulman: That is the lake he says is all right!

Mr. Young: Then, he goes on to say:

Fish gave the first warning that the life of Lake Erie was changing. Until 1900 each of a number of valuable fish species—sturgeon, white fish, sisco, northern pike, walleye and blue pike—yielded annual crops of one million pounds or more. After the turn of the century there were successive reports of abrupt reduction of the fish crops. Typical is the history of the sisco catch—from 1885 to 1925 it averaged about 25 million pounds annually, about half the total Lake Erie fish crop. In 1926, the siscowet catch suddenly drop-

ped to about six million pounds. With some fluctuation, the catch has since declined even more, reaching a scant 1,000 pounds in 1965.

**Mr. Shulman:** Shame!

**Mr. Young:** Today the total Lake Erie catch is about the same as it was in 1900. But more valuable fish have been replaced by rough fish, sheepshead, catfish, smelts and carp. As a result, the money value of the catch has declined sharply.

I have a statement here from Stewart Udahl, Secretary of the Interior of the United States, and he is talking about the blue pike.

Blue pike production for 1956 was nearly seven million pounds, worth \$1,316,000. But in 1963 it was down to 200 pounds worth \$120.

And he goes on to say that, when a body of water the size of Lake Erie becomes so polluted in that short time it is a threat that cannot be ignored. Except for the size of the water body involved, this same situation exists all across the land. Whether it be detergent foam bouncing along the surface of balefully bubbling brooks, or the great cloudy mass of algae which is sucking the life-giving oxygen out of the waters of our greatest lakes, the overriding problem is one of pollution.

The time to deal with it is running out. Water is the conservation scandal of our time. It is without a doubt our most abused resource.

Mr. Speaker, the hon. member has been speaking of the cost to the taxpayers, cost to industry. What he refuses to face is that we are now paying the cost, the cost of pollution in many, many ways.

We had a debate in this House a couple of years ago about the situation at Spanish River where KVP is pouring its pollution into that river and the report of how the fishing industry and the marine life was affected there. In other words, the fishing industry in that river and in that part of the lake is being affected and we are paying the cost in the form of a decreased industry and in the decreased value of fish.

At the same time, the resort owners are finding their businesses affected and have for years and this is true of every polluted river. We cannot ignore the fact that our industrial life is paying the cost right now.

As far as sport is concerned, the swimming

is being affected in Lake Erie and along our rivers, Spanish River and other places. The old day of the swimming hole when young people and boys went out to swim near their own home towns is pretty well a thing of the past.

More than that, the people of Metropolitan Toronto—you say that the cost of cleaning up our pollution here on our lakefront is great, but the people of Toronto are having to drive north to Haliburton and Muskoka to find the recreation, the swimming and the boating there because they cannot go into the water here in their own backyard. Add up the cost of the gasoline, the cost of the whole business of seeking recreation a distance away from our homes and we find something of the cost we pay.

Now, back in 1959, according to an editorial in the local paper of March 31, 1965:

In 1959, the then Premier Leslie Frost implied that Toronto could have full use of the beaches restored by 1961.

By 1961, he said. In 1962, the authority said, "wait till next year". In 1967, the outlook for the western beaches is still uncertain.

Talk about cost; the cost of pollution. Not only the cost this way but the money cost which today is going into larger profits perhaps for many of our industries and a little bit smaller tax bill for our people; sooner or later this cost has got to be met out of the taxes or the people, any way, to clean up the situation. Far better to get at it. The sooner we get at it, the less the cost will be.

Mr. Speaker, I see that the time is running out, but I do want to emphasize this fact, that the—

**Hon. J. H. White** (Minister of Revenue): It is running out on the NDP.

**Mr. Young:** Running out on the Tory government.

The fact is that today this government can grapple with this problem and can solve it. The techniques are known, all it lacks is the courage to grasp the nettle, and face a problem that has to be solved. In the long run, the cost is going to be far less than if we allow this pollution to continue and then have to face up to it in the fullness of time.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): It is not my normal practice to comment on the speech but I do not think I have ever heard a—

**Mr. Speaker:** Order! The hon. Minister is out of order.

**Hon. Mr. Rowntree:** —an irrelevant, unintelligent approach to a problem—

**Mr. Speaker:** Order!

**Hon. Mr. Rowntree:** —as was presented from one of the—

**Mr. Speaker:** Order! The hon. leader—

**Hon. Mr. Rowntree:** —one of the finest men—

**Mr. Shulman:** The Minister is drunk!

**Mr. Speaker:** Order! The hon. Minister will adjourn the House. We will be done for the week.

**Hon. Mr. Rowntree:** On Monday we will proceed with the Throne Debate, and I now adjourn the House.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, February 10, 1969

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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MONDAY, FEBRUARY 10, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today our guests are in the east gallery, and they are students from Western Technical Commercial School in Toronto and York Humber High School, also from Toronto.

Petitions.

Presenting reports.

Motions.

Mr. Reilly moves that Mr. Rollins be substituted for Mr. Olde on the standing agricultural and food committee.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

## THE DEPARTMENT OF CORRECTIONAL SERVICES ACT, 1968

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Department of Correctional Services Act, 1968.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purposes of this bill are twofold; first to increase the possibility of rehabilitation of the prisoners; and second, to reduce the amount of homosexuality in our prisons by allowing conjugal visits.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans** (Wentworth): Mr. Speaker, before the orders of the day I have a question of the Minister of Highways.

Will the Minister inform the House what action has been taken to alleviate the flooding problems affecting the homes of residents of Ancaster township, in the area of Woodworth Drive, caused by the construction of Highway 403?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, recent investigations by the department engineers would indicate that there

is no flooding of homes on Woodworth Drive. Modifications have been made to the drainage scheme in the area in connection with the construction of Highway 403 and ditch cleaning operations planned for this spring will generally improve the natural flow of water in the area.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** Mr. Speaker, I rise on a point of privilege, in reference to an article in the front page of Saturday's *Telegram*, in which there are two quotes. The first one reads: "Leslie Rowntree said last night that Doctor Morton Shulman threatened to get him"; and the second is: "The Financial and Commercial Affairs Minister said that Doctor Shulman said he would 'make me pay' for refusing to answer a question in the Legislature."

I wish to state for the record, sir, I have made no such comment at any time; and furthermore, at no time have I had any conversation with the hon. Minister on this or any other subject.

**Mr. Speaker:** The hon. member for Oshawa.

**Mr. C. G. Pilkey** (Oshawa): A question to the Minister of Trade and Development.

1. Has the Minister made representation to Consolidated Industries Incorporated, of Cleveland, parent company of Kelvinator of Canada, urging them to retain the 340 workers in their London, Ontario, plant who received their layoff notices last Friday?

2. How many jobs were lost to Ontario in the last five years because of American take-over of industries?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, my colleague, the hon. Minister of Revenue (Mr. White), has already talked to the president of the local unions with reference to this close-down. We read about it in the press and the minute we read about it we had our industrial officers contact Kelvinator to see what could be done to help both the employees and the company.

Insofar as the second question is concerned I will take this as notice, Mr. Speaker.

**Mr. Speaker:** The hon. member for High Park.

**Mr. Shulman:** I have a question for the Minister of Correctional Services, Mr. Speaker.

In future tear gassings at Millbrook will it be possible to take sufficient precautions to prevent accidental gassing of prisoners in other wings?

**Mr. Speaker,** this is a supplementary question that was not accepted the other day.

**Hon. A. Grossman** (Minister of Correctional Services): I take it that the hon. member has a supplementary question all ready.

**Mr. Shulman:** The Minister has just heard it.

**Hon. Mr. Grossman:** Mr. Speaker, I have sufficient confidence in the staff at Millbrook and, for that matter the staff in all our institutions, to feel assured that they always take such precautions.

**Mr. Shulman:** Why did it not work last time?

**Hon. Mr. Grossman:** That is the hon. member's opinion, not the opinion of the members of my staff — and that is not my opinion.

**Mr. Shulman:** That was the statement made by the Minister the other day —

**Mr. Speaker:** Order!

**Hon. Mr. Randall:** Maybe the wind was blowing in the wrong direction.

**Mr. Shulman:** There is lots of wind in his institutions.

I have a question, Mr. Speaker, for the Minister of Municipal Affairs. It is in five parts, Mr. Speaker.

1. Did the department issue receipts in March 1968, for goods for Cambrian Stationers and National Cash Register, which in fact had not been received?

2. Were invoices for these supplies sent to the audit office with a "goods received" stamp falsely signed?

3. Were arrangements made with these companies to put on March dates in order to empty the unused maintenance funds, and were these goods actually received in the following fiscal year?

4. When the auditors examined the department's books last June, did they detect this discrepancy?

5. During the 1967-68 fiscal year were over 25 per cent of the expenditures under maintenance charged to the wrong votes?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, in reply to the first part of the question, the department received invoices in March, 1968, in advance of some of the goods being received.

2. The invoices were falsely signed. Unfortunately several had been processed in error. However, these were detected by the audit examination and were subsequently corrected by journal entry.

3. No arrangements were made as described in the third part of the question. When purchase orders are placed, it is expected that the goods will be delivered on the date specified. However, there are occasions when the supplier is unable to meet the specified date, although he may have made partial delivery. Usually this creates no great problem, however, at the end of the fiscal year. It can affect the funds for the following year. Therefore every attempt is made to be sure delivery is made prior to March 31, in order to charge to the funds allotted for this purpose in that fiscal year.

4. As I have said this was corrected immediately; the audit staff advised the department of the error. As to whether that was in June, I think it was prior to June.

5. The answer to the last part of the question is no. The accounting method used was such that the goods were received into one account and then redistributed to the user account by the use of a journal voucher. This method was changed and goods are charged to the user vote at the time of delivery.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. McKeough:** Yes.

**Mr. Shulman:** Has sufficient change been made now so that in future no receipts will be issued for goods that have not been received? In other words, can we be sure this will not happen again?

**Hon. Mr. McKeough:** There have been some changes made, yes.

**Mr. Shulman:** Thank you.

**Mr. D. Jackson** (Timiskaming): I rise on a point of order, Mr. Speaker, concerning a recent statement that was made in committee.

At the first meeting of the committee on natural resources and tourism we were told by the chairman—and he was supported by

several other members—I believe in error rather than a deliberate misleading of the committee, that we had no powers to direct anyone to appear before that committee. However, on Wednesday, November 20, on page 10 of *Hansard*, the chief government whip stated, I will quote, as follows:

Shall be empowered to examine and enquire into all such matters and things that might be referred to them by the House, and to report from time to time their observations and opinions thereon with the power to send for persons, papers and records.

So, Mr. Speaker, I would like to submit to you that the committee is empowered to look into certain aspects of natural resources and tourism; they are directed to look into those aspects of natural resources and tourism and we do have the power to bring people before us so that we can question them. And I would like here to guide this committee so that this mistake will be corrected and we will have proper guidance from our chairman in the future.

**Mr. Speaker:** I would point out to the hon. member for Timiskaming, as I have done on previous occasions when another member brought some similar matter to the attention of the House, that the committees, once set up, are autonomous within the limits of their jurisdiction and their powers.

If there is any reference desired to the House, it should be made in the ordinary way by the chairman of the committee by means of reports from the committee asking for either additional powers that the committee feel they do not have, or whatever the committee may wish. Therefore, I would respectfully suggest to the hon. member that such is the proper procedure in this instance. I am sure that the House would be glad to receive any report which the committee might wish to bring which would request some additional powers that are not already in the committee.

**Mr. G. Ben (Humber):** I accept the point made by Mr. Speaker in this regard. I would, however, like to draw to his attention that the quandary in which the hon. member who just sat down finds himself—as far as his committee is concerned—is not unique. Other committee members may also be experiencing the same difficulties.

For example, Mr. Speaker, the committee on health has decided to subpoena a number of individuals, and a number of questions arise from this: (a) Have they the right to subpoena? Is that the same as to “send for”? (b) If the person who is called fails to appear, what sanctions can they impose? In other words, can they charge him with contempt?

(c) Can we give witnesses the protection of The Evidence Act of Ontario and Canada?

I think these questions are of general interest to all committees, Mr. Speaker, and I think it would assist the work of this House and the work of the committees, if Mr. Speaker would take it upon himself to consult the chief law officers of the Crown and render as soon as possible an opinion which would be sanctioned by this House as to those particular aspects of the jurisdiction of these committees.

**Mr. Speaker:** I would agree with the hon. members for Timiskaming and also for Humber. These particular matters arise from time to time and they always caused difficulty. The difficulty was when Mr. Speaker produced an omnibus ruling, such has been suggested, by the law officers of the Crown. The hon. member for Humber will know, being a member of the legal profession, that different circumstances, of course, require and compel different actions as far as procedure goes.

I would be most pleased to discuss the matter with the Clerk of the House, with the chief law officer of Her Majesty in our province, when he returns from his present occupation and we will endeavour to see if there can be more guidance than that already given.

But my own view is that when these occasions arise—when things become difficult—the committee usually retains counsel and that counsel then advises the committee as to its legal rights and powers.

I think that is very wise, because the circumstances for each investigation that the committee makes differ. I understand that such is already being done by one of the committees mentioned by one of the hon. members. I would be pleased to follow this up and see if we can arrive at something which will be of assistance to all the members, in all the committees.

**Mr. Jackson:** Further point of order, Mr. Speaker. I intended to submit a question to the House leader this morning, and was refused by your office on the grounds that the House leader does not accept questions.

The question should have been answered by the Prime Minister (Mr. Robarts). However, we all know that the hon. Prime Minister will not be here. It is my opinion that it is a question of urgent, public importance, and that it should have been answered by someone; and the House leader being, in

effect, the Prime Minister in the Prime Minister's absence, I submit to you that your office should not have refused it, but should have allowed the question to be directed to the House leader.

**Mr. Speaker:** May I first point out that there could be a great difference of opinion as to whether the actual question submitted was one of great public importance. It certainly was of importance to certain persons.

Second, I would point out that under the traditions of questions, questions are directed to the Ministry, the Ministry is represented by the Minister. The House leader—if there is such an official in this House—is not the head of a Ministry as such.

Therefore, so far as I am concerned, the hon. members, in asking questions, must direct them to the Ministry as represented by the Minister of whom they wish to ask a question.

Until there is some different ruling given, either by this House—the normal procedure of changing rules—or by directing Mr. Speaker, I remain firm that they must be directed to a member of the Ministry and not to a nebulous person who has no standing, so far as I know, apart from the Prime Minister, as House leader.

Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Hon. the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. L. M. Reilly (Eglinton):** Mr. Speaker, you will recall on Friday when this debate was adjourned that I was discussing the difference in the attitude of leaders of the unions; how some were unilateral in their viewpoints without discussing or reading the report of Mr. Rand, and how others of course had found that there was some benefit from it. I had indicated to the House that Hugh Buchanan, the vice-president of the Ontario federation, found that there were several proposals, which, if implemented, would be helpful.

**Mr. P. D. Lawlor (Lakeshore):** The member has had a hard time finding anyone.

**Mr. Reilly:** Mr. Eric Hartley, president of the Ontario Federation of Construction Asso-

ciations, expressed himself in a similar vein. He is reported to have said that the unions will defeat their own purpose if they carry out threats of a one-day work stoppage.

"Such work stoppages are illegal", he said. "This kind of action underlines the need for legislative changes to overcome abuses of existing legislation". He appealed to the unions to co-operate with management "to put our houses in order or government will be forced to do it for us".

The Toronto *Globe and Mail* also wrote some editorials in support of the late Mr. Justice Rand and his proposals. In the issue of September 6, there was a two-column editorial entitled, "A Fine Controversial Report". In the opening paragraph it says:

Ontario owes much gratitude to Ivan C. Rand for the job he tackled as the Royal commissioner to inquire into labour-management problems in this province. The 84-year old former Supreme Court of Canada Justice has done more in the past two years than most men half his age would have either the capacity or the daring to undertake.

The editorial concludes by saying:

The Rand report, in fact, is a document which must command the industrious and immediate attention of the Ontario government. Premier John Robarts could not be expected to accept all its recommendations; but certainly he should examine them all with an open mind, and with the determination that the examination will lead to nothing less than revolutionary legislation.

Again, on November 7 another editorial appeared in the *Globe and Mail*, which points out the need to protect the public. It is only a short editorial, Mr. Speaker, and deserves to be read in its entirety. It is entitled:

#### THE FORGOTTEN PUBLIC

Labour Minister Dalton Bales reminded the Ontario Federation of Labour this week that he must delay action on the controversial Rand Report on Labour Disputes until he has heard the views of interested parties. He mentioned, of course, the opinions of organized labour and organized management, both of which are preparing better documented analyses than their shoot-from-the-hip first reactions. He will also seek guidance from a special inquiry into construction labour relations and the forthcoming federal task force report on labour relations.

The missing voice in Mr. Bales' choir of advisers is the public itself—the confused



and ignored third party the Minister recognizes "is from time to time caught in a squeeze that is not of its own making". In whatever he can salvage from the bold catalogue of Rand proposals, Mr. Bales must give high priority to ways of protecting from unreasonable injury the public witnesses to private quarrelling.

One need not stretch the memory far to identify strikes which have caused more harm outside an industry than within: the Seaway and Lakeshore holdups of last summer would do for a start. Even the endless strike of Quebec liquor employees, in addition to the ruin it visits on the workers themselves, has robbed the public coffers of badly needed funds.

Obviously, Mr. Bales' meditations must include as a means to protect the public some of the Rand views on compulsory arbitration. He is right to give a full and realistic hearing to the views of the parties such solutions would bind but he cannot ignore the fact that at some stage in most disputes, the interest of the voiceless and innocent disorganized third party must take precedence. A government, as Mr. Bales wisely recalls, "has the responsibility for legislating on behalf of all groups in society."

No doubt the theory that compulsory arbitration could lead to defiance and anarchy will be drawn to the Minister's attention. But disorder and violence are normally the refuge of those with bankrupt arguments. Mr. Bales must map out his strategy on more rational premises. Almost any change would be an improvement on the status quo.

Several other newspapers across Ontario have reacted favourably to many of the late Mr. Justice Rand's recommendations. Here are some excerpts from an editorial in the *Toronto Daily Star* of Friday, September 6, under the caption, "Rand report: An end to jungle law?"

After this summer's series of inconvenient and costly strikes, the public—if not unions and management—should be receptive to the theme of Ivan C. Rand's Royal commission on labour disputes.

That theme, stated with force and urgency, is that there must be more regulation of labour-management relations to uphold the interests of society as a whole.

"The alternative," says the former Canadian Supreme Court justice, "is social anarchy and chaos, the reality of which we are witnessing today in different parts of the world."

He sees no ethical basis for strikes by public service employees, and would subject them to compulsory arbitration by the Industrial Tribunal. The *Star* agrees, provided such a tribunal is obliged to adopt standards that guarantee public servants fair wages and working conditions compared with those in private industry.

The commissioner has made a conscientious and intelligent attempt to balance the rights of, and the economical pressures on, labour and management during a strike.

They conclude the article by saying:

The Rand report is the work of a great jurist who cares about social justice as well as industrial peace and public order. It deserves careful study—not snap condemnation or endorsement—as a blueprint for labour law reform in Ontario.

Under the caption "Rand Proposes Prickly Solution", the *London Free Press* says this on its editorial page of September 7:

Everything in the Rand Royal commission report is intelligently reasonable which was only to be expected from Ivan C. Rand.

Unions must be required to be responsible for their actions, and Mr. Rand would make unions legal entities, able to sue or be sued in civil courts.

There lies the rock on which the whole plan may founder.

If unions are considered corporate entities, if they can be sued for infringements of the contracts they make for their members, unions are going to have to exercise much greater responsibility or face punishing judgments against their treasuries. Wildcat strikes such as the recent Ford walkout could lead to a Ford suit against the union for lost profits during the walkout.

Unions will fight this vigorously, indeed have already reacted strongly against the idea. It will be a brave government which will introduce it.

It should be introduced, because unions today are just as powerful (often more so) than the corporations with which they deal. If corporations can be sued for failure to adhere to a contract, unions should be responsible in law also.

The powers suggested for the new labour tribunal are almost dangerously sweeping. If it is established, it will require much discussion and debate before it is in legislative form. In the long run, some such tribunal will be required; otherwise the

province's economy can be gradually damaged to the detriment of everyone in Ontario. The punishing strikes of the past several months have persuaded many people that new controls are needed on both labour and management.

Mr. C. G. Pilkey (Oshawa): Would the member accept a question, Mr. Speaker?

Mr. Reilly: Well it is possible, Mr. Speaker, that I will perhaps answer his question as I go on through the debate. If not, I will be glad to consider it at the end.

Mr. Pilkey: Not likely. Oh no; would the member not accept a question?

Mr. Reilly: I cannot anticipate his question, Mr. Speaker, but I am suggesting to him that I may be able to answer his question as I proceed through the speech.

Mr. D. Jackson (Timiskaming): He can hand it out but he cannot take it!

Mr. Reilly: To continue:

Mr. Rand's competence is unquestioned. The whole labour-management question has had a thorough airing in hearings before him. Ontario has been well served by his prodigious efforts and he is to be commended for his work.

Under date of September 9, the *Hamilton Spectator* had a lucid and enlightening editorial about employer-employee relations. Here is part of it in which they refer to the Rand report:

And Mr. Rand is generous. Generous because he is prepared to accord unto labour leaders, company presidents, his proposed tribunal members, politicians, and the public itself, collective possession of his own quality.

Here memory stirs. Just as Mr. Rand a couple of years ago reviewed for the federal government the conduct of Mr. Justice Leo Landreville and found it wanting according to his, Mr. Rand's, standards of morality, he has in this case reviewed the rationale of labour disputes and found it wanting according to the standards of his own wisdom and intellect.

In both cases he sets goals to which men may aspire but which they seldom attain. Mr. Rand, a remarkable man, seeks the same remarkability in others.

Would that he could find it, but we don't think he can.

The danger of his approach is that the organs of communication, vested interest,

propaganda and politics may cloak the word "tribunal" in the cloth of slogan and send it crashing into the legislative ashcan; a verbal shibboleth too controversial to be touched.

Yet there must be a tribunal somehow, somewhere, under some name, to give the public a voice in the clanging disputes which inconvenience, economically penalize, and infringe upon the rights of the great mass of people who are indeed a legitimate third party to collective bargaining.

Mr. Rand has imposed on the Robarts government a duty of political expertise and statesmanship. The tribunal as he describes it cannot come to be, not yet anyway, because its creation would be destructive and its function abrasive and totalitarian in the eyes of men.

But a lesser tribunal, with the power to inform the public, exert moral suasion, and to rule on specific, limited aspects of the rights of workingmen, employers and public is a distinct necessity.

Mr. Speaker, the *Financial Post* of September 14 carried an article entitled, "Climate Seems Right for New Laws to Curb Unions' Power". Here are two short paragraphs which illustrate the opinion expressed:

Legislative limits on the way in which unions handle power are likely to increase over the next few years. The climate is right. Legal and academic thinkers are increasingly critical of organized labour. Public opinion towards unions appears increasingly short-tempered. Sympathy for labour has been dissipated by the various strikes in public or semi-public services which at one time or another in the past two years have involved teachers, hospital employees, municipal employees, railroad workers, postal workers, even liquor store clerks.

These strikes have inconvenienced large numbers of people not directly involved.

Referring to the late Mr. Rand's proposed industrial tribunal the *Financial Times of Canada* in its issue of September 9 has this to say:

Behind the tribunal proposal is Mr. Rand's concern that the disruptive forces of a labour dispute be confined as much as possible to those directly involved. In essence, he says that the rights of both management and labour must on occasion be subordinated to those of society. But he stops short of recommending blanket compulsory arbitration.

This is similar to the position taken by the British Columbia government earlier this year when it established a labour commission with powers to impose arbitration when the public good is endangered. No other province has anything comparable. Mr. Rand's goals are quite clear:

"What is sought is, within the limits of fairness to both parties, to increase the pressures toward agreement with the minimum of external intervention."

Mr. Rand leaves no doubt as to the importance he attaches to his subject: "... the question of labour relations is considered to be one of the most, if not the most, important internal issues facing western democracy.

"We have not, as yet, produced an acceptable framework of ideals to replace the crudely developed bargaining, conciliation and strike ritual; and only by a concentration of first-class abilities in action can we hope to evolve schemes of solution which will modify or eliminate the present disfiguring and wasteful procedures."

Mr. William Gold writes an interesting article in the *Spectator* under date of November 1, under the caption "Labor's Real Motive". Referring to Rand's recommendation about a labour union being regarded as a legal entity, he states:

The feeling persists that the labour leaders are really concerned over other, less publicized portions of the Rand report—portions which have a great deal of intrinsic validity and which do not depend upon the creation of the tribunal for enactment.

These provisions threaten the position of every labour leader in Ontario because they stipulate that a union should be designated a legal entity with the power to sue and be sued. In other words, any capricious one-day strike like the one now contemplated would probably result both in damages being assessed against union funds in civil court and possibly even proceedings against the union leaders in magistrate's court.

The recommendations also embody a number of technical methods for democratizing existing union structure. These would force union executives to consult more closely with their members; make them more vulnerable to the complaints of members; make it more difficult for international unions to stifle those who believe in Canadian autonomy.

It is therefore most important that the public at large be aware that the real point at issue is not really a tribunal of an awesome and repugnant nature, but a number of highly sensible and long overdue proposals quite rightly designed to put union leadership in the same category as everyone else—that is, under the law.

And what is wrong with putting the labour unions under the law? Labour unions have been recognized as legal entities in British Columbia and in Manitoba. Both these provinces have passed legislation making unions legal entities capable of suing or being sued. Why would union leaders resent their organizations being designated as legal entities? Is there something to hide? If it is a responsible trade union movement surely it has nothing to fear. Of course it will mean a greater discipline over militant members will have to be exercised, and that the leaders will have to be more responsible.

My viewpoint is that there is ample resources of manpower and money at the disposal of large unions. If they can finance huge strikes they can certainly finance a court action. The commissioner expresses it emphatically in his report when he says that:

A union should be made responsible as any individual or corporation is for wrongs, under the general law, done to others. We are well past any situation in which, for the benefit of any group, exemption from that responsibility should be continued.

The highly esteemed former Justice of the Supreme Court of Canada also indicated in his report that the public interest is often adversely affected when strikes occur. Today the public is demanding that it should not be inconvenienced unnecessarily by lengthy and expensive strikes. Granted that "a strike" is a legal act in Ontario and a recognized tool in our industrial relations today, but it is rapidly losing its effectiveness. When a strike occurs, how long it lasts, what inconvenience it causes the citizen, and what ill-effect it has upon the economy, deeply concerns the person on the street. Often the neutral person, a non-participant in the strike, is more adversely affected than the actual strikers.

Why is it that so many union leaders presuppose that strike action is inevitable? A settlement for the dispute must be found and ultimately often arises as a compromise. This province cannot afford to have a crisis in its industries week after week, and month after month. Surely there is a better method of settling labour disputes. Yet it appears to be

getting worse from year to year and some strikes seem to linger almost indefinitely.

Most labour leaders have said that compulsory arbitration is not the answer, but they have been saying this for ten years. Then what is the answer? Commissioner Rand in his report indicates there are some essential services that should not be jeopardized by strikes. In fact, one of the key points of his report was that government should have the power to declare when a dispute is not in the public interest and refer it to the tribunal for arbitration.

In other words when direct negotiations and mediation have failed, it may be necessary to resort to compulsory arbitration. In fact, better settlements are often made through arbitration than by a strike. It has not been proven that arbitration will produce less for the employees than a strike. In other words, it is my view that no group should have the right to deprive people of the necessities of life. This is particularly true of the essential services provided by government. If competitive industry goes on strike citizens can generally get a competitive product elsewhere, but when a government service strikes, there is nowhere else for them to turn. Not only is it true in the government sector but also in other sectors of our economy.

Many industries that extend beyond municipal or provincial jurisdiction, such as the trucking industry or a privately owned gas company, could constitute a monopoly in their fields and are of great public concern. According to a newspaper report, 250,000 householders in New York City were deprived of fuel delivery because the drivers were on strike.

Now a fuel truck driver at this time of the year becomes pretty essential. Absence of fuel can have ill-effect upon the health and well-being of the individual. It could be argued by union leaders that homeowners affected can visit their friends or buy auxiliary heaters, or just suffer the inconvenience in silence. Regardless of the circumstances and the reasons behind the strike, innocent people were involved in what many erroneously consider to be a private warfare.

The *New York Times* of Monday, December 16, concluded its analysis of the critical New York situation as follows:

#### SNOW AND STRIKES

New Yorkers, digging themselves out from under the season's first heavy snowfall yesterday, could take comfort from the fact that the snow had held off until 20,000

Consolidated Edison employees began reporting back to their jobs after a two-week strike.

Quite apart from the damage that snow and ice inflict on transmission lines, a further hazard to electric service is presented by the salt-spreaders the city uses to keep the streets passable. The salt, filtering through manholes, plays havoc with underground cables. Even the supervisors who manned Con. Edison plants throughout the strike could not have coped with that kind of disruption.

The article concludes by saying:

Now that the Edison workers have ended their exercise in irresponsibility, fuel oil drivers are moving into the vacuum with a runaway strike that jeopardizes household heat in the midst of a flu epidemic.

The final sentence, Mr. Speaker, is this:

—The Christmas gift New Yorkers need most is a strike insurance policy covering all vital services.

Commissioner Rand points out that some of the powerful international union leaders are willing to consider a form of arbitration. Mr. George Meaney, president of the AFL-CIO presented to President Johnson's committee, a submission that strongly recommended arbitration by an independent board where collective bargaining was deadlocked.

According to a report in the *Globe and Mail*, of December 19, Mayor Lindsay is considering use of Taft-Hartley law in New York's fuel strike. It goes on about the strike:

About 250,000 persons already were reported shivering in homes where central heating was cut off for lack of oil. Hospitals and nursing homes lowered their heat, although given top priority on available oil.

Mayor John Lindsay asked his legal aides to determine whether the federal Taft-Hartley Law could be invoked to force an 80-day cooling off period in the strike.

One of the most controversial points in the Rand report is the creation of an industrial tribunal. One basic opposition that I have to it is that it seems to intrude on free collective bargaining. I resent further encroachment of government into the affairs of business and labour; and this is not the first time I have said this in the House.

I do not like an additional governmental body telling anyone what must be done, particularly without having a right of appeal from it.

If we are to have a tribunal, the right of appeal must be included and the tribunal's powers must be very carefully defined by the Legislature. An impartial tribunal, non-political in structure, and comprising highly competent personnel selected from the ranks of industry, labour, academic and legal professions, could help solve some of the labour controversies which exist today.

Another recommendation of Commissioner Rand is that an opportunity should be given to employees to ascertain whether a strike should continue. Sometimes the decisions of a few do not reflect the real wishes of all the workers. I personally have received telephone calls from the wives of employees who are on strike and have been told that their husbands would like to return to work but are bound by a strike vote conducted months earlier.

Mr. Rand suggests that after 45 days the employees should be permitted to ask for a secret vote to ascertain whether the strike should continue or not. This seems like a good idea to me. What harm is done if we allow the employees involved to find out by secret ballot whether it is really the wish of most of the membership, or whether it is a few union bosses who wish to continue the strike?

Another suggestion that the late Mr. Rand makes in his report is that after 90 days either management or strikers could make an application to the Tribunal for an award. I don't think that this is an unreasonable suggestion. In fact, I think there is a lot of merit in it. This would help to avoid the conflict and the difficulty that the hon. member for Oshawa (Mr. Pilkey) talked about in connection with the Proctor Silex strike in Picton, Ontario.

If a tribunal found that the Proctor Silex Company had been unreasonable and had not bargained in good faith, and had been paying inadequate wages in comparison with other firms in the same industry, a decision by the tribunal could result in ending the strike. As things stand today a company can successfully defeat a strike. I should judge that the hon. member for Oshawa and all members interested in labour would meet this with a lot of acceptance by workers who are anxious to return to work, and get on with their job.

Secondary picketing or the extension of picketing against third persons was another item discussed in Rand's report. In my view every employer has the right to continue in business and it is not fair to the businessman operating a legitimate business to have some-

one unfairly picket his place of business. For instance, in the Peterborough *Examiner* strike some local drug store might be selling newspapers, which represents less than 1 per cent of his total business volume, yet he is embarrassed and unnecessarily humiliated by a demonstration of pickets from a nearby plant.

Interjection by an hon. member.

Mr. Reilly: I know Peterborough better than my friend the hon. member does. Yes, better than he does.

In a case like this the commissioner contends that secondary picketing should not be allowed, and I agree with him wholeheartedly. Certainly I am not happy with labour laws which permit interference with the business of an innocent person who is in no way a party to the dispute. The late Mr. Rand has suggested correctly that picketing should be restricted to the place of business or the place of employment that is directly involved in the labour dispute.

The former justice of the Supreme Court of Canada has also made some strong recommendations about injunctions. As I understand it, injunctions are generally granted after court hearings at which both parties are represented.

Mr. I. Deans (Wentworth): The hon. member does not understand it, my friend!

Mr. Reilly: Hold off, I say to my friend, until he hears the full statement, and perhaps he will change his tune.

But *ex-parte* injunctions have often been granted arbitrarily on the evidence of one side, generally management, where they would submit evidence that there had been or was a possibility of picket line violence or damage to company property. The commissioner indicated that *ex-parte* injunctions should only be issued in case of an emergency, and I do not quarrel with that suggestion. Undoubtedly an emergency may exist where damage or obstruction or injury may take place.

In my view, there is room for the use of an emergency injunction, but as a general rule if strikers behaved responsibly an emergency would not be necessary. I agree with the thought that when a party is accused of something, he should be notified and should have an opportunity to defend himself. In this way both parties would be represented before an injunction is issued.

On a personal note, I was keenly disappointed that Commissioner Rand failed to make a clear-cut recommendation proposing



that The Labour Relations Act be modified to at least give a person who cannot in good faith endorse or financially support a certain union the freedom to "opt out" without any fear of losing his livelihood.

I have previously indicated to this Legislature a number of instances in Ontario where men who are deeply convinced that they should not in any way support certain trade unions were discriminated against and lost their employment. In my view, these workers, practically all of whom are also voluntarily supporting the government-certified Christian Labour Association of Canada, should at least be given the legal right to pay the equivalent of trade union membership dues to a recognized charity of their own choice, or to a charity mutually agreed upon by the parties involved.

I respectfully ask the Minister of Labour (Mr. Bales) to give immediate and serious consideration to this urgent need and to introduce, at the earliest opportunity, an appropriate amendment to The Labour Relations Act which will grant employees, who, on account of their cherished beliefs, can not in good faith support a particular union, the legal right to pay the equivalent of union dues to a charity as proof of good faith in the matter. This is certainly the absolute minimum that the government should do for these conscientious citizens.

I recommend therefore, to the Minister, that he introduce an amendment providing that any employee who satisfies the Minister to the extent that he declares and explains in an affidavit that his basic beliefs prevent him as a matter of conscience from being a member of or paying dues or contributions to the trade union that is a party to the collective agreement to deduct from his wages for remittance to a government-recognized charitable organization an amount at least equal to the dues that a member of the trade union is required to pay, shall be exempted from paying union dues.

There already are good Canadian precedents for this type of protection of civil liberties. The Trade Union Act of Saskatchewan gives the Labour Relations Board the power to grant identical exemptions. The federal government's Treasury Board and the Public Service Alliance of Canada have included similar provisions in their collective agreements covering civil servants.

Right now, as I am talking, five employees of the Burlington Board of Education will probably lose their jobs because they refuse to authorize their employer to deduct certain

union dues from their wages. It should be pointed out that these five caretakers have many years of seniority. They have been employed with the board of education for several years and were hired long before the Canadian Union of Public Employees became their fellow-workers' bargaining agent. It should also be remembered that these employees have offered to pay at least the equivalent of union dues to a recognized charity.

For this legislative assembly to ignore this deplorable discrimination would be to sanction the denial of the fundamental freedoms and civil rights to which every Canadian citizen is justly entitled. Especially after we have just celebrated the twentieth anniversary of the United Nations' universal declaration of human rights. We should have the courage of political conviction and the deep concern for justice necessary to ensure that the freedoms of association, religion, opinion and expression as well as the rights to work and to free choice of employment are indiscriminately extended to all. Such positive, legislative action would be entirely in keeping with the spirit of our own civil rights legislation as well as with the letter of the UN's declaration, which in article 20 states that "no one may be compelled to belong to an association."

Surely, in this decade when we have practically everywhere gone out of our way to recognize the right to dissent and men's freedom to do so, we can hopefully also display some tolerance to those relatively few workers who on the basis of their particular beliefs refuse to pay union dues. Surely we have not become that insensitive to minority rights that we will continue to ignore this serious civil liberties problem. Surely there is still plenty of tolerance among us to allow for difference of opinion and for mutual respect.

It is my earnest hope that the hon. members on both sides of the House will all support my urgent plea that the government introduce an amendment to The Labour Relations Act that will effectively end this intolerable form of discrimination.

In closing, let me repeat that generally speaking Commissioner Rand has made many worthwhile observations and suggestions for the improvement of labour relations in Ontario. It is my sincere hope that the Minister of Labour and his executive staff will study these thoughtful recommendations and wherever possible introduce appropriate legislation to implement them. Such legislation should safeguard the fundamental freedoms and legitimate rights of all involved in labour



disputes today, namely, the trade union, management, as well as the worker and the public.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker, may I take this opportunity to commend you once again, sir, on the quality of your performance in interpreting the rules and procedures of this House, and in maintaining stability and sensibility during those uproarious, frolicking moments when pandemonium attempts to take over.

Your job is not one for beginners nor is it one for the timid and undecided. I commend you, sir, and hope you will continue to fervently lay down the rules and directions for those on all sides of this House who occasionally stray.

The Speech from the Throne for this second session of the 28th Parliament by our new and honoured Lieutenant Governor was one of enlightenment and reassurance in many ways—and as well—outlined in a rather fair and accurate way the state of the province and certain conditions existing for which I am sure the people of Ontario are mighty thankful.

I allude in particular to statements regarding: "Opportunities for human betterment which abound in every land."

No province in Canada—and I question if any province in the world—can provide the same opportunities for human betterment for those who are able and willing both mentally and physically to apply their talents, their skills, and their knowledge. No province in the world has provided more for her people than this great province.

And into the future—it is certain and sure this province can continue to maintain its enviable position—continue to maintain it with the quality of our systems, with our rich resources, with our climate, and with the will of our people to progress and surpass past performance.

But it can continue to maintain it only if great care and forethought is exercised in the planning and regulation of our society.

Whether or not the degree of care and forethought necessary to ensure our future is being applied to the planning and regulation sufficiently in all directions is open to question.

Only by examining and re-examining those areas which greatly affect our people and our economy can we ensure complacency is not overtaking us—that the maximum concern and effort is being applied by all members of the

government and their staff to the problems existing, and to future planning for the betterment of our people.

And by planning I include, Mr. Speaker, the provision of funds to make possible implementation of plans. With this thought in mind I would like to suggest to this House, Mr. Speaker, that the system of highways connecting the capital city of Canada with the rest of this province is a most inadequate system—inadequate in that some stretches of highways have not sufficient capacity to service a town, let alone a metropolitan area; inadequate in that some stretches of highways are exceedingly dangerous with their narrow gauge surface and deep ditches; inadequate on one stretch of highway in that the volume of traffic must surely exceed the safe capacity by 100 per cent.

Added to this is the unusual nature of the highway—a nature which for some unknown reason seems to create a proneness to accidents for many who drive on it. The record of accidents and deaths on this stretch of highway, Mr. Speaker, is so bad it is known in eastern Ontario as the "killer strip".

And this substandard two-lane stretch of highway occurs, Mr. Speaker, in the main highway connecting the capital of Canada with the province of Quebec's four-lane highway leading to the city of Montreal.

It is possible to appreciate, Mr. Speaker, that because of the presence of the Federal government in Ottawa this government may not feel the need for industrial and commercial development—which only occurs with a good system of roads—has to be promoted quite so rapidly as other parts of the province. This may be a valid reason—if it is the reason—but it has to be a very narrow approach if it is.

What, Mr. Speaker, could be more fundamental to our international economic position than the impression we give to the representatives of other countries who stay in such large numbers in our national capital.

Surely, there is no more fundamental reason than to create a good impression on foreign residents and visitors to our national capital and the surrounding area—good impressions to ensure that foreign nations look upon us as a country which believes in and follows high standards. Thereby we ensure that our own representatives, in seeking foreign markets, are looked upon in that light.

Then, too, Mr. Speaker, the people of eastern Ontario surely must have a right to the same opportunities of commercial and

industrial development—which comes with good highways and good transportation systems—as people in other parts of Ontario, if we are going to attempt to adhere to the principles of a just society.

I have looked carefully at the plans the Minister of Highways (Mr. Gomme) and his department have developed for the national capital area—plans which would connect our national capital to the borders of our great southern neighbour with a four-lane highway, and plans which would connect our national capital to our cherished sister province to the east with a four-lane super highway.

Mr. Speaker, the Minister of Highways has in fact formally announced the detailed planning and construction programme for Highway 417—a four-lane route to connect our national capital with the four-lane highway which was completed two years ago by the province of Quebec to the border of Ontario.

As I understand it, the Treasurer (Mr. MacNaughton) will make funds available to complete this highway in six years. It can only be concluded then that Ontario is eight years behind Quebec in recognizing and providing adequate highways to the national capital.

The announcement of a detailed planning and construction programme for a four-lane highway to connect the national capital to our southern neighbour—a highway which will carry the load presently being carried by Highway 16, the one commonly referred to in the national capital as the cow trail, has not yet been made.

In this case it can only be concluded that the Treasurer is not yet willing to provide the funds to let the Minister of Highways move ahead. It is quite evident from the activity of surveyors in the area that The Department of Highways is ready to go when Treasury indicates a willingness to finance the project.

Mr. Speaker, the new highways I mention are long past due—and with respect, Mr. Speaker—I do suggest the Treasurer should provide the funds to the Minister of Highways that he may implement his plans and clear up this depressing condition existing around our national capital.

Poor highways is one basic problem around our national capital, a problem which is hindering industrial and commercial development in the area and hindering our image in foreign countries.

But there are other problems—problems which are much closer to the people and which are having a pronounced direct effect

—particularly so on the very large number of our people who just do not have sufficient earnings to circumvent the ill effects of the problems.

And there are several severe problems of this nature, Mr. Speaker. Pollution of our Ottawa River, and pollution of our Rideau River—the summertime recreation and playgrounds of so many of our people—is by no means the least of these. This pollution is caused by uncontrolled waste disposal from shore establishments, by farm land run-off along the shores, and by boats.

The Ontario Water Resources Commission deserves great credit for the degree of pollution control it has already instigated in the area; one shudders to think what it would be like today if it had not been involved in the area expansion over the past few years. Unfortunately, it seems they cannot always move firmly in the direction they know they should, and occasionally mechanical break-downs occur and pollution control goes way out of control.

Only last summer the beaches on both river were closed for an extended period of time just when they were most needed. The total effect on our people, with the loss of their recreational facilities during the hot summer weather, is difficult to assess with any sort of yardstick we're used to. But it's not hard to believe our children greatly need this type of recreation and occupation during the summer months when school is recessed.

And it is easy to believe the incidence of mental instability will increase among our adult people without the therapy this type of recreation affords.

Imagine for a moment if you will, Mr. Speaker, that the water recreation facilities are suddenly taken away from everyone in this province during the hot summer months. Can you imagine the outcry of despair? With this thought in mind, you may have a measure of the way it affects so many of our people in the national capital area—people who cannot afford the costs to go elsewhere. And they number in the thousands.

Mr. Speaker, the hazards to pollution of the rivers in the national capital area must be eliminated—completely eliminated if possible. Where it is not possible, or where there are obstacles, I would, with respect, request the details be made known.

This problem must be cleared up—we must not force our people—either due to carelessness, neglect, or predictable breakdown—to lose their facilities for another summer.

Roads and pollution—two very real problems in our national capital area. But these two problems, bad as they may be, are completely overshadowed by the plight of many of our people who are either on low fixed pensions, on low weekly earnings, or on assistance.

All of the people in these groups are caught up firmly in the squeeze of rising costs. Add to this problem a severe deficiency of low rent housing and you arrive at the extreme situation where they cannot provide for their needs. It is a set of circumstances beyond belief—in one of the richest provinces in the world—and in the national capital of this country.

How this could occur and what all the circumstances surrounding this situation are, is not yet clear. But it is abundantly clear the situation exists, and exists in a severe and extended way. There is never a week goes by that I do not receive phone calls from people needing assistance—people who have low incomes of one form or another, or who are on government assistance.

In the cases investigated by myself or by my secretary, and the very substantial number of cases reported, the need for further assistance is genuine in the fullest sense—many are suffering varying degrees of hardship and discomfort and in some cases are in need of substantial help. Many cases could be detailed but no useful purpose would be served by them at this time. But let me outline one or two examples of rents, rent increases, and budgets that you may be able to get a measure of the situation.

On the matter of rents only: A year ago I had correspondence from several public service superannuates living in apartments in the centre of Ottawa. One tenant with a one-bedroom apartment had been paying \$160 a month—his rent increase last year was \$25 a month for a total of \$185 a month. The other tenants were faced with similar increases.

Another case I have had recent correspondence on—a tenant on a fixed pension has been renting a two-bedroom apartment for several years, a minimum standard unit in a building 33 years old. Before May 1, 1967, the rent was \$105 a month. On May 1, 1967 it was raised to \$115 a month. He now has notice that by May 1, 1969, it will be raised to \$150 a month—a 30 per cent increase. I understand the other tenants are faced with the same increases.

On the matter of rents and budgets—one case about as difficult as I have heard of

was a responsible woman in the constituency with four children she is determined to look after. Her husband had gone astray some time ago, and she was on mother's allowance. I first heard from her on Friday, October 11, 1968. At that time she reported that she had 60 cents in her purse and no food in the house. In the investigation carried out, the following details were reported:

She had moved into their three-bedroom rundown apartment in December, 1966, at a rent of \$75 a month. On April 1, 1967, the rent was increased to \$95 a month. During the summer of 1967 the landlord removed the oil space heaters and installed a furnace.

On September 1, 1967, the rent was increased to \$115 a month. On April 1, 1968, the rent was again increased to \$125 a month. On October 1, 1968, the rent was again raised to \$150 a month. The mother was forced to give notice of vacating even though she had no place to move. At this time her mother's allowance was \$238 a month plus the federal baby bonus of \$20 a month. From this budget deduct rent, light, phone. This leaves less than \$100 for food, clothing, drugs, and incidentals for one month for five people.

Fortunately after she had vacated and separated her family among friends for three weeks, the provincial representatives were able to get her into a subsidized low-rental unit. On Monday, February 3, 1969, she reported that she can now buy enough food so that she and the children are not hungry all the time, but cannot afford to buy clothing. So far they have been able to get by with clothing provided by friends and the church.

Just two further examples of the hardships unconscionable rent increases can create:

The first is the case of a man and wife—50 years of age, with six children from four years to 19 years of age, who rented a house in the centre of the constituency from a Hamilton landlord who had just purchased it. Rent for this so-called four and a half bedroom house had been \$100 per month. The Hamilton landlord raised it to \$175 per month.

The husband is unable to work due to illness. In order to get by they have three boarders who each pay \$100 per month, and a 19 year old daughter who brings home \$145 per month. Added to this is family assistance of \$295 per month, and baby bonus of \$36 per month. Carefully note there are 11 people in this so-called four and a half bedroom house—which necessitates the father,

mother, and four children sleeping in one room.

The last example I want to bring before you is a man and wife in their early 40's with six children, in age from two to 11 years, who rented a so-called three-bedroom house from the same Hamilton landlord. Rent previously for the house had been \$100 per month. The new landlord raised it to \$150 per month.

The father is unable to provide due to illness; his outstanding debts amount to \$1,400. This family gets by barely with the \$324 per month supplied by the family services, the \$38 per month baby bonus, and one boarder who pays \$60 per month. Note there are nine people living in a so-called three-bedroom house with one used for a boarder and the others for the family of eight.

These last two examples, Mr. Speaker—when you deduct rent, heat, light, phone, and so on, and assess what has to be provided from the remainder in the way of food and clothing, you quickly realize the serious implications of unconscionable rent increases.

From these examples, Mr. Speaker, I would hope you can get some idea of what is happening. There is probably little to be gained in detailing more cases. There are quite a large number of them, and from what members from other cities say, it seems conditions there are as bad and maybe in some cases worse.

The city and department records are available for those who are interested, and if really interested, go from the records and talk with the people—and when you talk with the people, carefully assess the way in which they are compelled because of market conditions to distribute their money.

Some time ago when we in the national capital were warned of the serious situation existing, and the possibility of malnutrition among some of our people, I, like most others, failed to give serious recognition to the warning.

As yet I am not aware that it has in fact occurred, but no longer will I be surprised if it does, for the conditions necessary for it to exist are there—clear and definite, and the city council of our national capital has properly recognized this hazard of the children of our have-not families.

Many hours have been spent trying to decide the best approach to this problem—so far it has not been possible to develop any single plan since no one approach will prove satisfactory and because so much is

interwoven with government policy on inter-related matters.

The approach to part of the problem over a long period is not so difficult in a manageable way—primarily it means building a sufficient number of housing units to meet the total needs of the community with rent adjusted to income and reasonable expenses.

In determining the rent, due consideration must be given to all reasonable operating costs including location and transportation. With regard to the type of housing to provide, Mr. Speaker, there is no substitute for single detached units for families, if there is to be any hope of generating pride of ownership and good citizenship among our have-not children as they grow up.

The record past and present of families with children in large multiple occupancy units is not enviable, and in the long run may cost far more to our society than the single detached. Most of the knowledgeable people I have talked with are of the firm opinion that low-rent multiple occupancy units must be restricted to those on low earnings, inadequate pensions, and assistance, who do not have children.

The short-term approach, the approach to meet the needs right now and for the next two years is by far the most challenging and the most serious since it is a near desperate situation for many people. Surely, Mr. Speaker, it must be recognized as a near desperate situation when the city council of our national capital would ask for rent control in the light of the record of rent control in other cities and the deteriorating effect it has had on housing.

In the face of the very strong opposition it cannot help but generate in the business community and already has, as several members of this House must know, and having regard to the fact that many of the council members may be landlords and thus the controls are self imposed.

To fully understand this situation, it is quite necessary to go amongst the people who are experiencing the difficulties, and discuss with them their monthly budget, that is—How much for food? How much for clothing? How much for medicine and so on? And finally, how much for rent?

For the group of people with low earnings, and/or low pensions, you will find in general the percentage used for rent is far in excess of what it should be. For the group on assistance, the problem seems to be that when the field worker dealing with a particular case adds up allowances and

needs, to arrive at the dollars and cents assistance allowance, the amount used for rent is arbitrarily fixed at some figure which is far less than the amount actually paid for rent—and as I understand it, they usually instruct the assisted people to look for cheaper accommodation—and when cheaper accommodation is not available, what do they do?

A case in point reported to me on December 19, 1968 was, two families on assistance where the rent paid was \$190 for a three-bedroom row house and the amount allowed for assistance was \$150. This difference between the rent allowance and rent paid can only be made up out of the clothing and food allowances.

The end result is that not enough is left over to provide for food, clothing and other necessities.

It is quite easy to sit back on each individual case and say: Why do they not do this? Why do they not do that? Why did they not save their money when they were working? If it were I? and so on.

Well, it should be kept in mind, Mr. Speaker, that if the groups we are discussing had all these answers, very few of them would in fact be in the grouping. With regard to the rent being paid — and the increases in rent during the past while — it seems quite evident the most exorbitant increases are occurring in units occupied by those in the groupings I have indicated, and I suppose it is because it is generally known that they have not the money to move with, and if they had, there is no place to move to.

In contrast to the grouping on low budgets, little is heard from the great majority of tenants except that their rents go up somewhat and so do their earnings.

The problems, Mr. Speaker, of those on low, fixed incomes, and those on assistance, in this period of rapidly increasing costs, and unconscionable rent increases, are most difficult problems. For the long term there is little doubt a consolidated assistance programme must be formulated which takes into account all factors, and variables, and which fully recognizes that a small percentage of our people cannot, for various reasons, properly provide for themselves.

The programme we have now is piecemeal, suffers inadequacies, and provides no incentive. For the short-term—until the shortage of low rent housing is alleviated — there are three approaches which must be considered.

The first is to allow for full rent paid in determining assistance to those presently on

assistance, and assisting those on low fixed income who are slowly going under with unconscionable rent increases. It is quite apparent when you study the problem in depth that rent control for the city of Ottawa would not be required if the assistance programme were administered having full regard to existing conditions.

The second approach is to legislate and provide control over unconscionable rent increases, and thereby interfere with private business and eventually wage control and all this brings about.

The third approach is to leave it the way it is and let those in their distress and need continue, and hope we will not incur any long term ill effects from it. How it would be possible to follow this approach when children are involved is beyond my comprehension.

Mr. Speaker, this great province of ours has provided well for its people in past years. The incentives to industry and the resulting expansion of industry have kept us moving ahead at a great pace and within general terms, is providing more for everyone. The programme of forgiveness loans as an incentive to get good management who know how to earn profits into depressed areas is a superb one. It is to be hoped the Minister of Trade and Development (Mr. Randall) will continue to vigorously pursue his programmes — and ensure industry and commerce does expand to provide jobs that industry and commerce do make large profits, for in the first instance, they are the ones who must earn the wealth to pay all the bills.

The percentage of our people needing substantially more help is very small, but in terms of numbers — even one who is not getting sufficient food or adequate clothing is one too many.

The wealth of this province can be distributed a little bit more, Mr. Speaker, in order that our have-nots can be adequately looked after, and it must be. It is certain and sure that the basic shelter grant is a long way from being the right way to do it. I find it hard to believe that a government would collect hundreds of millions of dollars in taxes, then give it back to the people telling them they are over-taxed, and knowing all the while they are going to have to collect it back in, and at the same time asking the federal government for more tax room.

If the millions of dollars used to pay the basic shelter grant — and paid in millions of cases to people who did not need it and did not look for it — if these millions had been



used wisely where it was needed — the city council of our national capital would not find it necessary to ask for rent control.

Mr. Speaker — it will take a good deal of courage on the part of this government to do the redistribution necessary to relieve and rectify the distressing situations existing — and certainly a good deal more than reflected in this session's Speech from the Throne.

Mr. D. Jackson (Timiskaming): Mr. Speaker, in rising to speak in this debate I had no intention of speaking on the Rand report. However, following that rather vicious attack on unionism that we got from the other side of the House, I feel that someone from this side, and particularly this party, should at least say something about it.

The hon. member for Eglinton (Mr. Reilly) has stated that we need all of these changes in order to make unionism and management co-operation work in Ontario. First of all he has failed to realize that we have a workable formula providing that government enforces it and that is cooperative, collective bargaining.

The Rand report has spelled out that after 45 days we go into compulsory arbitration to settle something that should have been settled by two people across a bargaining table which is completely ridiculous.

Does anyone in this House feel that two people are going to bargain in good faith when they know that after 45 days they can go to compulsory arbitration and someone else will make the settlement for them. Surely no one here can believe that; and I respectfully submit, through you, sir to the member for Eglinton, I do not think he believes it either. I very seriously question his motives in attacking unionism.

Hon. A. Grossman (Minister of Correctional Services): Out of order!

Mr. R. Gisborn (Hamilton East): Is the member saying the previous speaker had no motive behind his speech?

An hon. member: Is there any motive behind this member's speech?

Mr. Jackson: Very definitely!

Hon. Mr. Grossman: That is what the rules say.

Mr. Jackson: May I say that I seriously question his stated motives?

Hon. Mr. Grossman: That is worse!

Mr. Jackson: Mr. Speaker, when I first rose in this House in the last session to speak on the Throne Debate, I stated that although I would like to congratulate you on your appointment to the Speaker's chair, I would reserve judgment until after I had seen your performance in the last session.

Well, Mr. Speaker, in spite of many rulings that went against things that I had to say, the many times that I was ruled out of order, and in spite of what happened this morning when I rose on a point of order, I do believe that you have done a good job in that chair. Not only have you been elected to it, I feel that you have earned it.

I would also like to congratulate the member for Waterloo South (Mr. Reuter) on his reappointment to Chairman of the whole House, and in doing so I would like to say that I feel—

Mr. Gisborn: Have to reserve judgment on him too.

Mr. Jackson: —maybe his temperament does not suit him to it, because many times, I am quite sure, he felt like throwing the gavel at someone and getting up out of the chair and leaving the House; and I would suggest that he either increases the strength of his tranquilizers, or gets a heavier gavel and improves his aim.

Interjections by hon. members.

Mr. Speaker: Order, please!

Mr. Jackson: I find it very interesting listening to these members, Mr. Speaker. However, because of the time, I would like to go on.

Again, in my speech of last year, I mentioned the terrible condition, the deplorable condition, of the highways in northern Ontario, and over this last year I must admit that some work has been done. Various sections of some of the highways I mentioned have been paved; some of the holes filled in, but the only thing I can say to be real truthful is that with the work that has been done we can go a little faster between the holes.

They have not done a job on our highways that is good highway construction in my opinion, and in the opinion of most of the people in the north, I might say. We have patched, we have ignored, we have put gravel where we need pavement, we have put pavement where we need gravel, and all we are doing is perpetuating the problem that we



have had for the last 50 years in the north— or for the last 25 years at least.

In particular, Mr. Speaker, in the last session I mentioned the bridges in our area. In bridge construction there are many types of bridges. There are truss bridges, cantilever bridges, suspension, and all of the different types, and not being an engineer I cannot pass judgment on which bridge is better than the other or which bridge is the preferred bridge for a certain application.

In our area, though, we do not really care what kind of bridge is put up. All we do ask is that a bridge is put there when it is needed and that it is a safe bridge. To go into this, Mr. Speaker, I would just like to read a letter into the record. It is from the ratepayers of Marquis township, and it says:

The Department of Highways put up a sign some time ago saying "Bridge Closed for Repairs"—

And, Mr. Speaker, that sign has been there for three and a half years.

But as yet there have been no repairs or action taken on this matter.

It is our understanding that The Department of Highways are responsible for the repairs of all bridges. This bridge route is used for mail and a school bus service but it has been closed. The bus will not drive over it and the plough will not plough it. As it is now the bus has to take the long way around, which makes many extra miles a day for small children living on this road to travel.

I wrote to the department and I spoke to the Minister on at least two occasions about this bridge, and I would like to read some of the Minister's answers:

The department's engineers have investigated this request and have indicated that due to many previous repairs carried out on this structure, they cannot in all conscience recommend safe repairs at present short of reconstruction.

Our investigations indicate that the school bus route and system for picking up the children, while involving some increase in mileage, can be arranged without creating real hardship warranting replacement of the structure at the estimated cost.

And I will come back to that, Mr. Speaker.

I would like to go to one other bridge. I might also mention this bridge has been out for a length of time. It is still out and I will take it from there. The bridge, Mr. Speaker, I think almost equals an Ellery Queen novel,

because we could call it "The Case of the Missing Bridge". Seven years ago there was a Bailey bridge across a river. One morning the residents in that area awoke and the bridge was not there any more; it had been taken away. It was taken away, Mr. Speaker, by The Department of Highways because it was not used enough. They felt, because the traffic over that bridge did not warrant a bridge of that type, they would just take it away. That was fine; if it were the decision of the department that they would put in something else and make it work, we had no disagreement. However, a letter dated September 17, 1968, after the bridge was out for six years, stated:

In reply to your letter of August 29, 1968, in connection with a request for a culvert, I have received a report from our district office which states that steps have been taken to supply and instal 50 feet of 60-inch-diameter culvert.

This letter was in answer to a letter written by one of the residents in Pense township, a man whose livelihood is directly involved with this bridge. Without this bridge, he does not have access to his farm land, he does not have access to his bush land, and effectively he has no income because of this bridge that was taken out. Six years afterwards, the department has said that it will put in a culvert.

To go on, Mr. Speaker, I received a letter from this gentleman—and I will not read that one into the record. It says that, although the construction was started and the culvert was put into place, the job was never finished last year. And we have wondered why.

In answer to my enquiries of the department, I would like to give you just a little bit out of a letter from the engineer in the New Liskeard district:

Subsequent to that date, my municipal foreman endeavoured to instal a culvert in late September. However, we found it necessary to abandon the project due to heavy rain and breakdown of equipment. It is my intention to proceed with the bulldozing and backfilling operations later this month or in January, once the frost is in the ground to facilitate movement of equipment.

If we continue to have difficulty at that time, the project will be postponed until next summer.

I submit, to you, Mr. Speaker, that there was no intention of doing it in January—it

has not been touched—and it was fully intended by the department to postpone it until summer.

It will be seven years that that culvert and that bridge have been missing. For seven years the man has not been able to farm his land, he has not been able to cut his bush in order to provide even a minimum income—all because of the disregard of this government for the little guy in the country.

But to go on again to another one: Mr. Speaker, I would like to point out that in the New Liskeard district, which takes in quite a bit of area—only a small part of it in Timiskaming—in organized townships we have 169 bridges, in unorganized townships we have 92 bridges. And I would venture to say without any fear of contradiction from the department that at least 50 of those bridges are in a state of disrepair of some sort, that at least 20 of them are to be considered unsafe at this moment. I would also venture to say that it has been brought to the attention of the department at least 50 times; each time we receive the same old answer that because of lack of use, because of expense involved, there is no reason to put that bridge in or no reason to worry about repairing it.

I have another letter here, Mr. Speaker, I would like to read. It is addressed to the road superintendent, New Liskeard, Ontario. It says:

Dear Sir:

It has been brought to my attention that since some time in December the school bus driver has been instructed to have the children leave the bus at the bridge on the Wabi river at Uno Park, walk across the bridge, and the bus follows after, because the bridge is unsafe.

It has also been brought to my attention that the other bridge on the Wabi river on the concession road between Kearns township and Harley township has also been restricted to loads of less tonnage—as a matter of fact, to a maximum of four tons, which the driver tell me is less weight than the empty school bus.

Someone from the department also made the statement that he would not even drive his car across these bridges because of the danger of the bridge collapsing.

This is a very disturbing matter. My children, as well as about 30 other families, are involved in this. The bus driver is responsible for the children from the time he picks them up until they are

brought to the school or back to their homes. What happens to the children if the bus does go through the bridge, even though the children are not on it? Does the bus driver have to risk his life? The bridge that has already been restricted to small vehicles is no better; already it has been admitted that this is also unsafe.

I really don't know what your answer to the problem would be, but admit the dangers, close the bridges and don't jeopardize the lives of our children.

I disagree with that letter. Close the bridges? My opinion is that this government should do something to repair those bridges. They tell us it is not economically feasible to repair a bridge, yet they will force the school bus to drive 40 and 50 miles out of its way to force children of six, seven and ten years of age to ride a bus for another hour a day. They will force farmers to go 40 miles out of their way in order to get to their farms and to town to get necessary supplies. And then tell us it is not economically feasible to repair a bridge!

Mr. Speaker, I suggest that the people in the north pay their taxes—they pay them with some question, but we do pay them—and I think we have a right to roads and a right to safe bridges.

The Minister has said at least twice and his aides have said it many times—and I speak of the Minister of Highways—that one third of the budget of Ontario is spent in northern Ontario on highway maintenance and construction.

I am not even going to quarrel with that. But, he uses it as an excuse not to build highways, not to repair highways, not to repair bridges. When he does that, I do have a quarrel. Using that Minister's argument, that the revenue from the district does not allow the expenditure that we need, then he must take in the revenue from all sources—as this government has told us they do so many times—and put it into the general revenue fund. And if he does that, and compares the income that we get in northern Ontario from the \$1 billion in wealth that The Department of Mines claims that comes out of there, then I can assure you there should be a lot more money available to look after a few roads.

Mr. Speaker, last fall we had the opportunity to join with all of the members in visiting northern Ontario. For my part, I jumped at that chance. I thought it was an excellent chance to toot our horn a little bit; for the members from southern Ontario to

see what our problems were first hand and to acquaint them with the vastness of northern Ontario. This was the expressed purpose, according to the government.

I hesitate to inject a sour note into it—and I hope that I do not, because I will qualify what I have to say at the end. I found that the first part of that trip was nothing more than a busman's holiday; everyone had a good time, they enjoyed one another's company and I think that was quite correct. I have nothing against it. However, when we arrived in the first town and the hospitality of that town was given to us, the town was thrown open to us, we were treated to northern hospitality at its very best.

I can only say to this, that I expected northern hospitality because I know what it is, and these towns gave us the very best, the chambers of commerce went out of their way to make sure that we enjoyed ourselves. The companies and the employees, wherever we had a tour or wherever we appeared on mine or timber property, went out of their way to make sure that we saw their operations and saw everything there was to see.

However, I felt that the purpose of seeing the problems of northern Ontario had been forgotten, that we were there all right but the problems were in the backstreets; the problems were not where we were.

As I said, Mr. Speaker, I would qualify what I had to say. Although I injected a sour note into the proceedings today on our trip to northern Ontario I realized, as did this party after we were there for a day or so, that it was not necessary to stay with that tour and it was not necessary to be fooled by the Tory government's attempt to fool us; that if we wanted to see what went on we were quite able to do so by getting away from the tour. And I would say that the leader of the NDP (Mr. MacDonald), on his little fishing trip, found out more about the problems of northern Ontario than this government has found out in 25 years of being in power.

I, for one, had the opportunity of touring an Indian school in Kenora; a school that very shortly will be closed down. It is being closed down because the government felt it was too expensive to keep up. It is being closed down because of the re-organization of school boards—and maybe all of these things have their place—the cost, the administration. But in this particular case, this school was occupied. It was a residential school and it was occupied by children in the intermediate grades, Indian children whose parents had many problems and I am

not going to go into the Indian problems because I do not think that today is the time to do it. It will be gone into very thoroughly before this session is over.

But those children have very definite problems. They are going to be taken out of a residential school and thrown back into an atmosphere of complete poverty, places where the parents do not care whether they live or die, where they do not get enough to eat each day and in fact if they go back into that atmosphere it is very unlikely that they will continue on in school either.

I suggest to this House, through you, Mr. Speaker, that if the members on that tour had seen that, they would agree with me that that school cannot possibly be closed. It has to stay open just on the basis of humanitarian principles. If we just think of the dollar bill rather than the well-being of the child, this is going to be a poor world to live in.

We had the opportunity to fly over much of the northern country and I think, at that time, that some of the members realized how vast northern Ontario was and maybe realized a little bit why we have problems—because of the vastness of the territory. But I think most of them failed to realize when we flew out of Fort William and Port Arthur—two towns that I have yet to hear anyone in this House speak about—the pollution in those areas. Yet for 50 miles anyway, out into the lake, there is a great wide streak of green scum caused by pollution from Fort William and Port Arthur and it was quite visible from the air.

The English River is so badly polluted that it is almost past the hope of ever recovering because of pulp mills and towns like Dryden that dump their sewage directly into the English River.

In Port Arthur we had the opportunity to visit the Ontario Hospital and we were quite surprised—I was for one—at the people that run those hospitals. I was amazed, when I saw the situation, that this government could find people to work in those hospitals under the conditions they do. You go into a room and find one teacher with 15 children who are hopelessly mentally retarded and trying to do a job. I am far from being a psychiatrist or psychologist or anything else, or even a child worker, but it does not take a trained person to see the hopelessness of trying to do anything for these children under those circumstances.

We spoke to the teachers in those schools and they told us their problems—where they

converted boiler rooms into classrooms; where they finally had to take the auditorium and cafeteria and convert it in order to get classrooms to teach the children. And this government speaks of what they are doing for mentally-retarded children. I am sorry that the Minister is not here because he sits there with a smile on his face when we speak about it, as if it is a joke. Surely, Mr. Speaker, there is no one here that feels it is a joke.

In Longlac we were told by, I guess the press relations people of the company that was putting on the tours for us, that serviced land could be sold for \$300 to \$700 a lot. Well, one of my other colleagues and myself took the opportunity to visit with one of the counsellors from Longlac and the bad part about this was that this counsellor was an employee of the company that was putting on the tour and he told us that it was quite right, you could buy the lot for \$700 but after you had bought it there was something like \$250 to \$300 a year amortized over ten years to pay for the services that went with it.

So during that tour I felt that many, many times we were misled but I also felt, Mr. Speaker, that every time we were misled there was an opportunity for these members to find out the truth, if they had taken that opportunity. And the criticism that came of the leader of the NDP was unfounded, when he decided to go with a man and spend the afternoon fishing—while the rest of the members took a boat tour I might add. The hon. member for York South decided to take a boat tour with someone who had some knowledge of the area and was willing to impart that knowledge to our leader. The criticism was unfounded, because in that short afternoon our leader came home with more information than he would have got if he had stayed on 15 of those boat tours and listened to the press relations men of the different companies and the chambers of commerce.

**Mr. W. Newman (Ontario South):** I do not recall that event being that way!

**Mr. M. Makarchuk (Brantford):** There are a lot of things the member would not be able to recall.

**Mr. Gisborn:** The member was lost in the trees that trip.

**Mr. Jackson:** I think he was maybe one of the members that took the boat trip.

Interjection by an hon. member.

**Mr. Jackson:** That is something I missed, and I would like to thank my colleagues for mentioning that.

When we went into Kenora we had heard, Mr. Speaker, many stories about the problems in Kenora with the Indians. We were told that when you go into Kenora the first thing you are going to be struck by is the Indians lying around the streets. They are lazy, they do not want to work, they are winos, and most of us who had never been to Kenora before took it for granted that we would see some of this. I think we were all amazed when we arrived in Kenora, by aircraft, and we walked up the streets, and I think maybe I saw one or two Indians on the street, and the rest were conspicuous by their absence.

We held a meeting that night with various interested persons in the hotel room, and one of the things they came out with when we asked about this Indian problem was, they said, "Well, how can you have an Indian problem when they have spent two days cleaning them out of town, and cleaning up the streets?" The newspaper in Kenora ran a nice little article, I do not have it here, I am sorry. It was a letter from a woman, a resident of Kenora, who stated that the members from Ontario should visit more often because she had never, never seen the streets so clean.

Now, if we are going to see the problems of northern Ontario on these tours, it cannot be done with that system. If the chambers of commerce of these towns clean up only for us, they are doing a serious injustice to themselves, because how can the members of this House do anything to solve their problems if they hide their problems from us?

Mr. Speaker, I have a letter from some interested people in Ear Falls, Ontario, which is the site of the Griffith mine and the large hydro dam. It is something that concerns a lot of us in northern Ontario — and that is bus service for children.

Since the new school boards have come in, it has meant bussing children to school sometimes an hour to an hour and a half, each way, so that children who are going to school in the wintertime leave before daylight, and they arrive home at night after dark. It is a continuing problem throughout northern Ontario.

Ear Falls has a problem that is a little different, but it is basically the same thing. They have to go across that dam to go to school, and because most of the children in the area are not the specified one mile from

the school, in fact it is only about nine tenths of a mile, they are forced to walk to school. For many months, many weeks, there are extended periods of 30 and 35 degrees below, and the dam itself is ploughed for one lane of traffic. This means the children have to walk on the street, or on the road, with traffic coming both ways. There is a sidewalk, however, but if it is not cleaned off, the children cannot walk on it. Those who do walk on it, because of the height of the snow that is built up on it, risk the chance of falling over the side of that dam.

I think it is ridiculous, first of all, Mr. Speaker, that any child should be forced to walk to school nine tenths of a mile, half a mile or a quarter of a mile, at 40 below zero. I find it further ridiculous that this government, and The Department of Energy and Resources cannot keep that sidewalk cleaned off. It is their dam and a public highway, I might add. And I would ask the Minister, right now, through you, Mr. Speaker, to take steps to ensure that it is cleaned off. I would ask through you, sir, that The Department of Education take a much more serious look at the bussing of children to schools in northern areas.

White River, at the moment, is thinking of changing over and going in with the school board in Wawa. If they do, it will mean that some of these children will ride over an hour both ways to school. And, as I have previously said it will mean that they leave for school sometimes earlier than their parents leave for work and they will arrive home at times when —

**Hon. A. F. Lawrence (Minister of Mines):** What is the alternative; the two-roomed little red schoolhouse?

**Mr. Jackson:** Well, Mr. Speaker, surely a man of the intelligence of the Minister of Education (Mr. Davis) — I admit to his intelligence — can think of something.

But even in the case where they have to ride on a bus for an hour, it is better than walking, and if the Minister of Energy and Resources had been in the House a minute ago, Mr. Speaker — maybe he would like to comment after I finish on their lack of maintenance of that dam, where they do not clean off the sidewalk so the children can walk on it.

The people of Ear Falls also complain about the police service. However, I think that is something I can work out with the people involved.

Mr. Speaker, in our area, we find ourselves facing a new school board with a director of education, who has a salary anywhere up to \$20,000, or \$30,000, and six or seven members who are being paid up to \$2,400 per year. Previous to this, we had a system that was almost volunteer. Some of the members were paid, in most cases they were not. There was no administration cost other than a small indemnity to the members of the board who appeared at meetings, usually \$15 per meeting.

The school board area that I reside in has recently hired an administrator at a cost of \$22,000 a year. The members will all make \$1,000 a year, a cost to the taxpayers in that area of somewhat in the area of \$30,000 a year, which we previously did not pay. When the Minister stood in this House, he spoke of regional school boards being the answer to our taxation problems, to our school problems, to all of the problems concerned with education.

I submit to you that, rather than cure our problems, it has only added to them. The Minister should take stock of the problems that are in the north and do something about them before we get to the point where we have to do something about them.

Mr. Speaker, the member for Sudbury (Mr. Sopha), when he spoke in the Throne Debate, put forth a rather well-documented picture of the problems of northern Ontario. And just before he finished, I felt like patting him on the back. It put forth all of the facts. It gives this House a clear picture of what had to be done in northern Ontario.

But then when it came to telling us what should be done, he reverted to what I had expected—let us have another study. One thing we do not need is another study in northern Ontario. We have had studies of the number of fish in the lakes; we have had studies of the number of trees in the forests; we have had studies of the number of holes in the road; they have counted our people seven thousand or eight thousand times; they set up regional councils, development councils; they have taken urban and rural studies. I suggest to you, Mr. Speaker, and to this government, that the time for studies is almost over. But maybe the time for action is here.

I will come back to that Mr. Speaker, I would like to make a comment on the member for Renfrew South. We spoke on the problems of closing the bush to lumber operators, and how it would affect employment



opportunity in the Renfrew South area, particularly in Barrys Bay. He gave us very, very good reasons—reasons which I still agree with—why we cannot close the bush to these timber operators.

On at least two occasions I have mentioned the problems we have with companies at home, which own large blocks of timber and do not cut them. Eventually this timber will overmature and it will be lost to us—lost to the people of Ontario forever.

However, his argument was not based on motives of employment, as much as it was on motives of profit. The burden that would be placed upon the lumber companies if they could not cut within 500 feet of a lakeshore, but instead would face a 5,000-foot reservation that was proposed in some of the briefs. I agree with him that if we change that limitation to 5,000 feet, it will compound an already drastic problem that faces the whole north, and all of eastern Ontario—that of unemployment. If we change this at this time without giving reasonable alternatives for employment to these people, it will mean the same as a gold mine closing down: the whole population will have to move. And I would like at this time to support that member, even though I again question the motives of the member—and I say I question. I would like to support him and say that, if this government or any agency of this government changes those rules so that one man loses his chance for a livelihood or his source of employment because of those changes, without providing an alternative source of employment for that man, then we have perpetrated a serious injustice on society, on those people.

To go back to what I was saying about the north, we have passed the point where we need all of these studies. There is no doubt that as we go along we are going to find we make mistakes. But it seems to me if we do not do anything in northern Ontario, we cannot make any mistakes; we will have another study and will put it off for another year.

They have told us that we are going to have regional government. Well, Mr. Speaker, I would like to know when we are going to have it. The people, the residents of Teck township, the Tri-town area—in fact all through the north—they have made urban renewal studies, they have made pollution studies. I am sure that this government knows—I do not have to read it into record—there must have been thousands of studies done. For what purpose, if all of these studies are

in vain and the regional government—whatever it is, when it does come—nullifies all of this work? And it will, in the case of many of the urban renewal studies.

For many years, it has been suggested that some of the government departments—and I speak specifically of two, The Department of Mines and The Department of Lands and Forests—decentralize some of their operations. And I would suggest, Mr. Speaker, one of the basic moves this government can make to help the residents of northern Ontario is decentralization of government departments.

It does not make much sense to me—and it does not make much sense to a lot of other people—that The Department of Mines with 90 per cent of its concern in northern Ontario should be in Toronto. It does not make much sense that The Department of Lands and Forests with 90 per cent of its concern in northern Ontario should be in Toronto. And it does not make much sense to us, when with all of the problems of urban crowding and the problems that we have with lack of industry and lack of employment, that this government continues to centralize all of its offices in Toronto.

During the talk on pollution on the last private member's bill, I am a little sorry I was unable to get in on that debate, because I feel that the Ontario Water Resources Commission does a reasonably good job, when it is supported and is able to do so. Last summer, in fact in the last Throne Debate, I drew attention to the fact of Kerr-Addison gold mines and how they are polluting Larder lake. The Minister said he was going to look into it, and subsequently there was a study made.

The Ontario Water Resources Commission sent a representative into the area, he made a study, and I am sure he must have by this time made submissions to the department; however, when I asked the Minister when the report is coming in, he said it had not been submitted. If this is true, Mr. Speaker, that six, eight or ten months after a study is done and no report has been submitted, then the Minister is not doing his job in keeping the Ontario Water Resources Commission doing their job. And I wonder maybe if it is not just because there is a problem involved in Larder lake. First of all, it would mean challenging a court decision. Surely this government is big enough to challenge a court when it becomes necessary. It means directing a company to do something that this government failed to do 25 years ago; it means changing their point of view. But



most of all, it means that if they do not do it, Larder lake will be lost to the future inhabitants of that area through pollution and through the lack—or should I say the very refusal—of this government to do anything about it.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): The report has been given to me, and I have met with the management of the mines. I would think that when spring comes, and provided they found the soil conditions are right, the problem will be solved. If soil conditions are not right, the gold mine will close down and 788 people will not have a job in Larder Lake. So it is at that point right now.

**Mr. Jackson:** Mr. Speaker, I thank the Minister for his enlightening news, but this is the old bug-a-boo they have been tossing at us for 25 years.

**Hon. Mr. Simonett:** It is not a bug-a-boo! This could happen.

**Mr. Jackson:** You know, Mr. Speaker, that the people of that area are not quite stupid enough to believe that. And they also believe that—

**Hon. Mr. Simonett:** I am stupid enough to believe it when I see the figures.

**Mr. Jackson:** I have asked the Minister for the figures; I have asked the Minister to let me see the report and he refuses. Now if he has a good point—and maybe I will agree with him that he has—his complete refusal to let us see these reports, or even tell us what is in them half the time, only leads me to believe that it is just because the government and this Minister have not got the intestinal fortitude to move on it.

This year, Mr. Speaker, the township of Teck celebrates its bicentennial. Fifty years ago it was incorporated as the township of Teck, and before I go any further I would like everyone here to know that we will hold our celebrations from July 13-19, and that they are all quite welcome and we can assure them of a good time.

I would like to point out, Mr. Speaker, that in spite of what this government has been doing in Teck township, in spite of the Kerr-Addison, Wright-Hargreaves, the Silvanite and the many other mines that have been closed down, that township is in its 50th year and will be there for another 50 years, no thanks to what this government has done for it. Because in the 25 years this government has been in power, Teck township and all

of Timiskaming has gone downhill and would be continuing to go downhill if it had not been for the spirit of the people who formed Teck township 50 years ago. I can assure this government that, had it not been for the spirit of those people in Teck township, and had it not been for the attitude of this government towards Timiskaming in failing to do anything about their problems, it is very unlikely I would be here today to tell them that they are not doing their job. Thank you, Mr. Speaker.

**Mr. A. Winkler** (Grey South): Mr. Speaker—

**Mr. Speaker:** Perhaps the hon. member in view of the hour would move the adjournment of the debate.

**Mr. Winkler:** Thank you. Exactly. I will so move.

Mr. Winkler moves the adjournment of the debate.

Motion agreed to.

#### NOTICE OF MOTION

**Mr. G. Ben** (Humber): Mr. Speaker, I move, seconded by the hon. member for Algoma-Manitoulin (Mr. Farquhar), Resolution No. 2 which reads that, in the opinion of this House, Ontario should establish a system of compensation for victims of crime.

Mr. Speaker, my colleague, the member for Dovercourt (Mr. De Monte), who will follow me today, and many other of my Liberal colleagues who will not have time to speak in this hour, are firmly behind the urgent intent of the resolution standing in my name. This, Mr. Speaker, is not just the isolated thinking of the member for Humber. It is, indeed, the consensus of the studied conclusions of thinking men all over the world. The regrettable fact of all this is that, while in many parts of the world, action has been taken, here in Ontario, nothing has been done; nothing that would compensate the victims of crime on a general scale, in recognition of the social obligation of the state towards the individual in this regard.

The position of this party with respect to compensation for victims of crime is well documented in this House. We welcomed the proposed legislation in 1967, willingly made our suggestions, and ultimately argued our case for minor changes to clarify the intent of the Act and avoid any possible chance of misinterpretation on the part of the law enforcement compensation board. Perhaps for

political reasons these suggestions were brushed aside; subsequent events proved what an ill-advised move this was.

Let me direct your attention to section 3, part I of the 1967 Act to provide Compensation for Injuries Received by Persons Assisting Peace Officers:

Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from assisting a peace officer, as defined in the Criminal Code (Canada), in arresting any person or in preserving the peace the board may, on application therefor and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation, and the decision of the board is final and conclusive for all purposes.

We have always maintained that this wording of the Act is ambiguous to the point of excluding from the interpretation those people who endeavour to stop a criminal before the police arrive. When questioned by the deputy leader of the Liberal Party, the hon. member for Downsview (Mr. Singer) about this point, the Attorney General (Mr. Wishart), on June 9, 1967, stated that:

If the action of the person injured has resulted in knocking out criminals or slowing down or stopping the commission of a crime even though the peace officer was not at that moment on the scene, I think there is a discretion wide enough to be translated or interpreted as assistance.

This was the statement, Mr. Speaker, of the Attorney General in a reply to an accusation or statement by the hon. member for Downsview that this section, that this Act, would not offer any compensation to a person who arrived to enforce the law before the police came on the scene.

The first time this legislation was tested was in the case of Larry Botrie. For those members of the House who are not familiar with this case, I shall provide background details. Ron Haggart in his Toronto *Telegram* column of November 2, 1968, described it this way:

As an \$85-a-week Toronto taxi driver, Larry Botrie worked for his brother in a successful two car business within the black and white fleet of Metro Cabs.

During the afternoon rush hour one day in April 1968, Botrie picked up three young passengers aged 23, 15, and 14 at the corner of Winchester and Parliament streets. They told him they wanted to go out of town, to Midland, but in fact they

planned to tie him to a tree on a lonely road, steal his money and his car.

On Yonge street, just north of Highway 401, Botrie became suspicious of his passengers and asked to be paid in advance. When they refused, he turned into a Shell station where he had sometimes bought gas, telling his passengers he was going to call the police.

In the front seat, a 15 year old boy pulled a bread knife from under his jacket, held it against Botrie's chest, and told him to drive on. At the same time, the 15 year old yelled to Dennis Boyd, 23, to get out the gun that was hidden in the back seat.

Botrie pulled the knife from the boy's hand, jumped from his car and shouted to the gas station attendant Fred Durzi, "Get the police, get the police."

Boyd pulled the trigger of the shotgun and Botrie fell to the ground. When he began to crawl, he was shot again, twice. Not long after, when the police had arrived, Patrol Sergeant Charles Fox faced into the same shotgun, took out his own pistol and killed Boyd with a single shot through the heart.

While he was a cab driver in Toronto, Larry Botrie sent \$35 a month home to his widowed mother in Lebanon. It cost more than \$4,000 to ship his body home and hold the funeral in Bshmoon.

An application by Botrie's estate was made to the law enforcement compensation board. The law enforcement compensation board decided that granting an award would be taking too wide an interpretation of the Act, that it was basing its decision on "the plain, literal, and grammatical meaning of the words" of the Act. So this test proved the Attorney-General's words of assurance to be empty ones.

Further proof that this board is little more than a token gesture by the government in an attempt to hoodwink the people of Ontario into believing that "their government cares" is the amount allocated for this fund—\$10,000. Surely this is a dead giveaway that the government did not expect to be taken seriously.

I could go on for hours Mr. Speaker—days even—presenting hypothetical cases that would tear The Law Enforcement Compensation Act to pieces; rather, I intend to make a few positive suggestions for the improvement of the Act.

I suggest to you that you study The Criminal Injuries Compensation Act, 1967, passed

by the Liberal government in Saskatchewan. The wording of this Act is crystal clear and leaves no room for misinterpretation. Sections 8 and 9, dealing with payment of compensation, are as follows:

Payment of Compensation:

8. (1) Where a person is injured or killed and the injury or death—

(a) is the result of an act or omission of another person that occurred in Saskatchewan on or after the first day of September, 1966, and is within the description of any of the criminal offences set out in the schedule to this Act;

(b) resulted to the person while he was, on or after the first day of September, 1966, arresting or attempting to arrest a person who committed, or was committing or who was suspected of committing or having committed, a criminal offence; or

(c) resulted to the person while he was, on or after the first day of September, 1966, rendering assistance to any law enforcement officer in Saskatchewan who was carrying out his duties with respect to the enforcement of law;

—the board may, in its absolute discretion, upon receipt of an application in writing, make an order in accordance with this Act for the payment of compensation:

(d) to or for the benefit of the injured person;

(e) to a person, in respect of pecuniary loss suffered or expenses incurred by the person, as the result of an injury to a victim where the maintenance of the victim is the responsibility of the person; or

(f) to any or more of the dependents of a victim.

(2) Notwithstanding that a person for any reason is legally incapable of forming a criminal intent, he shall, for the purposes of this Act, be deemed to have intended an act or omission that caused injury or death for which compensation is payable under this Act.

9. The board, in making an order under section 8, shall consider and take into account all such circumstances as it considers relevant to the making of the order and, without limiting the generality of the foregoing, the board shall consider and take into account:

(a) any behaviour that directly or indirectly contributed to the injury or death of the victim;

(b) the financial need of the person who was injured or of the dependents of the victim.

These two sections are worded in the only way possible in order to protect victims of crime.

If Larry Botrie had been the person committing the crime, and had been sentenced to a term in prison, provision would have been made for his family; but because he was trying to prevent a crime, to help preserve the peace and was killed doing it, no compensation is available. We are looking after two of the people responsible, but not his family. We are so preoccupied with catching and punishing criminals that we forget their victims.

Here is another example. Last year, a mother called me at the office—sorry, it was in 1967—and told me that her 17-year-old son had been attacked in a Toronto park by a 15-year-old boy with a knife. Her boy was in hospital in critical condition that might force doctors to amputate his leg.

That meant he would be crippled for life from the age of 17—making his way around with crutches or a wheel chair or artificial legs and unable to find a well-paying job. His parents would have to shoulder the enormous financial burden because, in this case, nobody was financially responsible or liable.

The boy who wielded the knife could be sued, but as he was only 15 years old he can hardly be called financially responsible, and his parents, well, they were not responsible for their boy's actions. And present Ontario law does not make society responsible either.

It makes society responsible for the apprehension and trial of the guilty boy, but it doesn't protect or compensate the victim. This family may be brought to financial ruin as a result of the knifing.

It is a prime example of what can happen when a government refuses to accept responsibility for protecting the citizens it is serving. The Conservative government of this province has been procrastinating for years in suggestions for a system of compensation for crime victims.

The scheme to compensate those who are injured while assisting police officers did not help the boy who had been stabbed in the leg with a knife and it did not help Botrie. What we need in this province immediately is a plan to compensate victims of crimes of violence for personal injuries, or in the case of death, the heirs of the victim.

To underline this point, I should like to read into the record at this time, an editorial from the Toronto *Telegram* of February 3, 1968, entitled: "Help the victims". This refers to a federal attempt to fill the gap left by Ontario. After saying that, the *Telegram* applauds all concerned with the Federal private member's bill to compensate crime victims—which incidentally was introduced by Ralph Cowan, the gentleman who represented federally, the riding I represent provincially. It goes on:

Since most of these, by statistics, come from the less fortunate groups in our society, the hardship imposed on them by the death or disablement of a breadwinner has been extreme.

Certainly such government assistance has been underplayed and understated in the struggle for the long list of social reforms achieved in the last 25 years.

Crime is on the increase in our society and so are the number of people committing murder.

Even the most heart-felt sympathy from neighbours, the community and the mass media is cold comfort when financial sustenance is no longer forthcoming to families of victims of sudden and brutal crimes.

The hardships extend beyond loss of income to legitimate debts which a family must continue to bear, including medical costs, payments into hospital and pension schemes.

There should be no argument either in Ottawa or across the country that such a payment scheme will be on a cost-sharing basis among the provinces. The two concerns are that legislation will be slow in coming—as most social legislation of this kind seems to be—and that the amount will not be enough.

Living costs are heavy on all alike, not scaled to income resources. In those enlightened places where payments are made to the families of murdered men and women—Britain, New York State, California—the amounts have never been enough to meet immediate cash and other personal requirements.

And it ends by remarking that care should be taken to see that this admirable legislative proposal includes an adequate cash outlay, in line with the size of the need, and to meet the constant inflation from which the suddenly impoverished suffer so much.

My point, of course, Mr. Speaker, is that Ontario's lack of action is underlined by fed-

eral private members having to attempt to fill the breach.

The tragic facts are these: 79 per cent of the victims of crimes of violence suffer financial loss. Only 4 per cent ever recover any money from their attackers; 42 per cent of the cases involve medical costs. Only 36 per cent were covered by insurance; of that number, less than half recovered full costs. One third of the victims of crime suffered income loss; only two per cent of this number ever received full compensation.

The total financial loss of 172 cases surveyed by the Osgoode Hall law study of 1966 was the sum of \$23,329—an average loss of \$251 per victim.

The British scheme, covering 50 million people, cost \$2 million in its first two years, and is expected to settle down at an annual cost of \$2.5 million per year. This suggests that a scheme to redress this state of affairs would cost the taxpayers of the whole of Canada, only about \$1 million a year, less than one thirteenth of what it cost to refit the carrier *Bonaventure*.

Dr. Allen M. Linden, who conducted the Osgoode Hall study, remarks that the general feeling seems to be that if you kill the murderer you have somehow automatically compensated the victim. The law of tort exists on paper only, he says, in respect of those who don't have the money to sue, and for whom there will be, in any event, no hope of settlement from an impoverished criminal.

Most criminals just don't have the means to pay compensation these days, so the ancient Anglo-Saxon theory of tort has gone by the board in these cases. It just doesn't work.

Because the British scheme has barriers which say you must lose three weeks' salary to be able to claim, and since this loss cannot be more than twice the average industrial earnings, it is clear that the poor do better than the rich in this regard, and that people who have merely been frightened or scratched are deterred from running to the compensation board without first giving the action some thought. Both these provisions keep down costs without perpetuating injustice.

We ought not to shy away from this piece of social legislation merely through the fear that its costs will be open-ended—that they will run away with us. On the contrary, world experience suggests otherwise.

Thus, in only 11 cases did the British board award a compensation sum of more than 81,000 pounds sterling. Its highest

award, 85,000 pounds sterling—about a quarter of a million dollars—was paid to a widow with two children whose husband died from a heart attack after chasing a housebreaker.

Even though I mention these large awards, Mr. Speaker, I would point out to you that the total sum paid out was at a rate of approximately \$2 million a year.

**Mr. D. M. De Monte (Dovercourt):** That's about 54 million people too.

**Mr. Ben:** Roughly 54 million people; we are surmising that Britain has a population of approximately 50 million, but perhaps 54 million may be closer.

Remember, this scheme does not include property losses. This is a people-oriented scheme, which is perhaps why it is foreign to the property-dominated aspects of our law as it stands.

Yet, as Alec Samuels recently pointed out in the University of Toronto *Law Journal*, the chance of being a crime victim is too slight for an individual to take out his own voluntary insurance policy. It is cheaper not only for the individual, but for society as a whole, for the state to insure all its members by the kind of legislation we are now proposing. It is also fairer to the poor who are more exposed to crime.

The member for Dovercourt, I know, intends to go into some detail as to the actual coverage afforded by the Saskatchewan bill and to make some suggestions for importing this type of legislation into Ontario. I would merely end by remarking that surely the hon. members of this House will agree with me that immediate action must be taken, in order to provide proper protection for our citizens.

The sad truth is that at present, in Ontario, the cost of being a good citizen is just too high.

**Mr. A. Carruthers (Durham):** Mr. Speaker, before I make my remarks to this resolution I would like to point out that what the hon. member for Humber asks for appears to be an elaborate and ultraexpensive scheme of compensation for victims of crime, regardless of what he would have this House believe. This, I am sure, is what he proposes.

I would also like to point out that his suggestions and requests are not unique or extraordinary. It is not so long ago that this House heard almost similar proposals on this very subject. As a matter of fact, Mr. Speaker,

the entire issue was given considerable time in this House resulting in the introduction of legislation now known as Bill 130 which deals with compensation to persons who may be injured or killed while assisting a peace officer.

Now, Mr. Speaker, I do not question or deny that the state owes a duty of protection to the individual. Many people have suffered directly or indirectly, as a result of criminal actions by others. This situation has led several countries to consider ways in which loss and suffering of the victim can be compensated. New Zealand introduced the first working scheme on January 1, 1964, when The New Zealand Criminal Injuries Compensation Act came into force on that date. Great Britain followed on August 1, 1964, and California on January 1, 1966. A number of other jurisdictions, including several Canadian provinces, have either introduced legislation more recently or expressed an intention to do so.

But I would point out that all present schemes are confined to compensation to victims of violent crime and in some instances are further restricted to victims who can establish "need". In Canada, Saskatchewan has an Act dealing with compensation for victims of violent crime who can establish "need" which is effective retroactive to September 1, 1966.

Provision for the ordering of restitution by the court at the time of conviction of a criminal charge is made in sections 628 to 630 of The Canadian Criminal Code and as a condition of probation in section 638. No statistics are available to show the extent these provisions are used and how successful they are, but it would appear that very little use is made of sections 628 to 630. Relatively frequent use is made of the provisions of section 638 but the order often proves quite fruitless.

Mr. Speaker, last year, the Canadian Corrections Association released the results of a study that was made into the possibilities of compensation for victims of crime. This study was extensive in that it recommended compensation to just about everybody for everything. It goes on to state that we are most active in catching and punishing the criminal and growing attention is being given to his rehabilitation. However, little or nothing is done apart from general welfare provisions to assist the victim of crime who may be physically incapacitated or indeed financially ruined thereby and whose dependents may be deprived of his support if he is killed or



permanently injured. I think we are all acquainted with instances of this type.

Protection for the individual against injury or loss as a result of crime is closely related to protection against risks of other kinds. It does not matter whether a person is injured through an accident or through a criminal act; his loss and needs are very similar.

There are, unquestionably, groups of innocent people in this province who sometimes suffer considerable loss and hardship when they become involved in the aftermath of a crime and I am aware of a number of these. These are innocent people who are prosecuted for, or even convicted of, a crime. If the charge is serious, the individual may be held in custody for several months awaiting trial or appeal and his legal and related fees may run into several thousands of dollars. If he is convicted, he may spend several years in prison.

The Corrections Association does admit that it is difficult to establish rules covering compensation to such individuals without becoming involved in compensation of all persons charged with an offence and found not guilty. However, it does suggest that consideration should be given to finding a solution to this dilemma.

To continue, Mr. Speaker, the association report states that there seems to be no logical justification for restricting compensation to victims of crimes of violence as is done in all present schemes. Non-violent crimes can cause more serious and more permanent hardship to the victim and his dependents than those crimes of violence that cause only temporary physical injury.

A victim of a criminal act should be compensated even if the act in question does not lead to any prosecution or conviction, either because the offender cannot be found or because the evidence against the accused is insufficient, or because the offender is legally innocent owing to his young age, insanity, or similar factors. These are just some areas spelled out by the Canadian Corrections Association that we should consider. There are many more that I could bring to the attention of this House. However, time does not permit.

To sum up, Mr. Speaker, I want to go on record as supporting the principle of compensation for victims of crime. But I hesitate to go beyond simply giving my support in principle. The matter is so greatly involved and so far-reaching, that it requires extensive and exhaustive study and research by persons who are qualified to do so—persons who are

experts in criminology and in areas of finances and compensation.

That is why, Mr. Speaker, I would urge at this time that this government establish a commission to investigate and study the proposals made by the hon. member for Humber. It is only in this way that we can be made aware of all the unforeseen dangers that could only serve to defeat a scheme if it was introduced prematurely.

Mr. N. Davison (Hamilton Centre): I rise, Mr. Speaker, to support Resolution No. 2. When I first introduced a similar resolution a few years ago, I told members about a person who had voluntarily gone to the aid of a policeman who was in such difficulties that he had no time to deputize him, or whatever was necessary at that time, to provide him with protection should he be injured. In fact, this public spirited citizen *was* injured and, since he was self-employed, he suffered considerable loss of business over a lengthy period of time, as well as medical expenses and pain—all without any compensation.

I am pleased that The Law Enforcement Compensation Act 1967, which was proclaimed last April, will now provide protection in similar situations. It is always gratifying when the government sees the wisdom of measures one has promoted and enacts legislation. Moreover, The Law Enforcement Compensation Act 1967 only accepts part of the responsibility which is ours when we endeavour to prevent crime. We try to establish law and order and to see justice done. Most of our attention, as I have pointed out before, is given to those who commit crimes.

Lawmakers and courts seem to feel that by punishing the criminal, justice has been done to the victim or to the victim's dependents. Nothing is further from the truth and other governments — Great Britain, New Zealand, New South Wales, the States of New York and California, and, in Canada, the Province of Saskatchewan — have established varying forms of compensation for victims of crime.

Professor Allen M. Linden of Osgoode Hall Law School presented a statement to the House of Commons standing committee on justice and legal affairs last year, in which he pointed out the need for this kind of legislation. He stated that while the victim has the right to bring civil action against the criminal, this right is usually a hollow shell. In addition, few victims know of this right. I take it from his remarks that neither our law enforcement agents nor our judges bother to inform the victim of this right — but in any case I could see the widow of a mur-



dered man would have considerable difficulty recovering compensation from the murderer sentenced to life imprisonment. There would be little possibility of receiving compensation from thugs guilty of beating their victim and so on.

No, it is our collective obligation to compensate the victim of crime because we, that is to say the state, have not been able to effectively carry out the responsibility of preventing crime. The idea is not new because we have already accepted this principle in the field of car accidents and industrial accidents. Professor Linden estimates that the annual cost of a Canadian plan similar to the British, but exclusive of administrative costs, would be about five cents for each Canadian.

I was amused last year by the Liberal members' criticism of the wording of the NDP resolution. They felt the words "victims of crimes of violence" were too limiting. I do hope they forward this criticism to Premier Thatcher whose Liberal government in Saskatchewan allows compensation for victims of *violent* crime. Oh yes, while they are doing that they might just add another criticism — why must the Saskatchewan victim first establish need? Since when has the principle of justice been satisfied on the basis of need?

An excellent editorial appeared in the *Hamilton Spectator* of March 22, 1968, sparked by the report of the Canadian Corrections Association, which was headed by Dean Thomas Feeney of the Ottawa Law School. I would like to bring the editorial to the attention of the hon. members:

A national study group, the Canadian Corrections Association, has advocated a system of government compensation to victims of crime. The plan would pay for injury, income and property loss and legal fees. The concept is excellent and should, eventually, become practice. It is a Canadian disgrace that victims of criminals have been ignored like unwanted dogs. Widows with children, the breadwinner gone, have been left to fend for themselves.

Ironically, in keeping with the distorted "sob" climate now prevailing, great sums have been spent, and even tears shed, over the criminal responsible. Reform is fine; the victims deserve some sympathy at least, and some help. Some compensation schemes already exist. Three years ago Hamilton established apparatus to compensate people suffering injury or loss while helping police. No claims have been made. Queen's Park followed last year with a similar scheme. Saskatchewan allows compensation for vic-

tims of violent crime, when they can establish need.

Ontario's McRuer report on human rights recommends some broadening of Ontario's plan but would not extend compensation rights over victims of criminal violence generally. The Canadian Corrections Association would have the province provide coverage for victims of all types of crime. Corporations and businesses which the association felt should carry insurance would not be eligible.

The principle could be applied readily to victims of violence and fraud whose losses can be assessed with reasonable accuracy. If theft compensation is enacted, it must be on a straight insurance basis, with rates that reflect coverage. As in private insurance, there must be an onus on the insured to justify his claim. Theft insurance in Ontario is adequate and relatively cheap . . . The Corrections Association's ends, for theft compensation, could be achieved by making ordinary theft insurance universal.

Provincial governments should study and implement the association's proposals on a point-by-point basis, beginning with compensation for people who are injured or suffer loss of property and earning power through crimes of violence. Early consideration should be given to fraud victims—such as the elderly people swindled out of their life savings by phony bank inspectors. Fraud losses often can be accurately pinpointed by bank records.

As the association has noted, Canadian law concentrates on capturing, punishing and rehabilitating criminals, not on helping their victims. This needs correcting.

In closing, Mr. Speaker, I just want to make this comment. Liberal and Conservative speakers on this subject last year placed great emphasis on the fact that the cost would be very little and this is probably right, if Professor Linden's estimate of five cents per person across Canada is correct. However, I do not believe the hon. members should be swayed by a dollars-and-cents argument. Either it is right that victims of crime should be paid compensation or it is wrong. I believe that justice cannot be completely served by punishing the guilty. Justice will only be completed if the victim is compensated. Nor do I believe the victim must be subjected to a means test to receive compensation.

Mr. De Monte: Mr. Speaker, in rising to support the motion of my colleague, the member for Humber, I am struck by the

reactionary attitude from the member for Durham. It is a typical Tory reaction to forward-looking legislation which this party has attempted to foster through the years.

He speaks of the question of risk and the fact that we have a section in The Criminal Code that covers—to a very, very minor degree—compensation to some victims of crime.

I do not think, Mr. Speaker, that that section purely means that The Criminal Code intended some people to be compensated. All it intended was that on a question of suspended sentence the judge can make an order for retribution. And there are many jurisdictions in the world, Mr. Speaker, where the criminal courts do bring down judgments of retribution that they must pay certain funds to the victim of a crime.

But it is interesting to note also, Mr. Speaker, that when a criminal court makes a judgment to the payment of certain funds, usually the criminal has not got the funds to pay the judgment. I think that is why forward-looking legislators should consider an Act to cover people that are hurt by the actions of a criminal.

There is no doubt, Mr. Speaker, that we attempt to compensate many people in society for acts or omissions of other people or acts or omissions that have been committed by themselves. Workmen's compensation legislation is an illustration of payment of compensation for acts or omissions committed by a person.

The member for Humber has dealt in detail with a lamentable incident involving a taxi-driver and the tragedy of false hopes that were raised by a general belief that Ontario's Bill 130—An Act to Provide Compensation for Injuries Received by Persons Assisting Police Officers—offered wider protection than in fact it did.

Rightly or wrongly, the remarks of the Attorney General in this House gave hope and comfort beyond the actual reach of the Act, and so the letdown served to underline the urgency of the need for a really adequate statute that would fully provide for the payment of compensation in respect of persons either injured or killed by criminal acts or omissions in general.

This debate has again served to underline the fact that, here in Ontario, we do not have, as yet, an Act that will compensate victims of crime and it has pointed up the gap that therefore exists in this aspect of our just society. Let me deal with the limited case first—where people are active in preventing the commission of crimes.

Mr. Speaker, we all recoil in horror at incidents like the Kitty Genovese affair, or at reports that people have locked their car doors and driven by while a person is being victimized by a criminal. Yet this climate will not change for the better until one of the deterrents to human action is removed—the concern of a breadwinner for his prior obligation to his own immediate family over and above an act of compassion or valour toward a stranger.

There will still, of course, be the factor of fear of physical injury and pain, and this will continue to deter many people from preventing the commission of crimes or assisting those who are involved. But that other nagging thought—that one might lie for months or years in hospital, or forever in a tomb, while one's family is forced on to welfare and condemned to penury, will disappear. In this respect, a broader Act will do what Bill 130 failed to do.

But even that is not enough for me, nor, indeed for the authors of the Osgoode Hall study on compensation for victims of crime. For these people, and for an increasing number of people around the world, the moral commitment of society to its citizens must be translated into a legal guarantee, that if civilization means anything, it means protection from the law of the jungle and its consequences.

The province of Saskatchewan has recognized this broader principle and has brought down An Act to Provide for the Payment of Compensation in Respect of Persons Injured or Killed by Certain Criminal Acts or Omissions. These acts, for which the victim can claim compensation, include offences with explosives, rape and attempted rape, abandoning a child, causing bodily harm, criminal negligence, attempted murder, murder and manslaughter, administering noxious substances, setting traps, criminal negligence in the operation of a motor vehicle, drunken or impaired driving, assault of various kinds, the dangerous operation of a vessel, kidnapping, robbery, intimidation by violence or threats, and abortion.

There are many more sub-headings but this serves to show the scope of this very humane Act. It gives the members here some idea of how far the Saskatchewan Legislature has gone in recognizing society's obligation to the individual.

A board composed of three paid members appointed by the Lieutenant-Governor-in-Council (two of whom constitute a quorum) and having the powers of commissioners under

The Public Inquiries Act, may, in its absolute discretion, upon receipt of an application in writing, make an order for the payment of compensation.

A clause which I want to underline, and to which I ask members to listen carefully is this: Notwithstanding that a person for any reason is legally incapable of forming a criminal intent, he shall, for the purposes of the Saskatchewan Act, be deemed to have intended an act or omission that caused compensatable injury or death.

Compensation may be awarded by the board in respect of: expenses reasonably incurred as a result of the victim's injury and any other expenses that, in the opinion of the board, it was necessary to incur; pecuniary loss to the victim resulting from total or partial incapacity; pecuniary loss to dependents as a result of the victim's death; other pecuniary loss resulting from the victim's injury; and pain and suffering of the victim.

The board may receive evidence that would be admissible in a court of law. It may hold hearings in camera for obvious reasons where intimate sexual details are submitted, but also where the person whose act or omission caused the injury or death has not been charged with a criminal offence or, if charged, was not convicted.

In other words, if the act in itself can be defined by the board to be a criminal act, compensation can be payable therefore. In other words, suppose an insane person commits a crime, suppose a very minor person commits a crime, the interesting thing is that this Act is victim-orientated and it is designed to help people who are victims of a criminal act or omission, no matter if the person who committed the act is not convicted by a court of law.

The other aspect of the Act in Saskatchewan is that the Attorney General may make the person who committed the act responsible to pay the victim and the Attorney General can request the man to appear before the board and show cause why an order should not be made directing the person to pay to the board all or any part of the amount of compensation paid and payable.

Let us then, look to the position of the victim of crime in Ontario, and see if we cannot make it more in accord with the humane provisions of the Saskatchewan Act. There is no doubt that the Saskatchewan Act could go further. As has been pointed out, it is limited to victims of crimes of violence. I would like to point out that this resolution

is a resolution that sets out that there should be compensation for victims of crime.

More and more countries around the world are realizing that this is a community obligation, an essential facet of civilization. Criminal Injuries Compensation Acts on the statute book are a sign of the progress of a country, province or state, and we, in Ontario, cannot afford to lag behind in the provision of this kind of protection.

It is, of course, entirely proper that the first call upon our legal system should be the catching and the punishment of criminals for the stability of society. But when it comes to its other concerns, then we find that the rehabilitation of the criminal has been accorded a far higher priority than has the welfare of the family of the injured or murdered victim. I do not mind the processes of justice being concerned with the things that they are, so long as they are not pre-occupied with them to the exclusion of compensation for the victim or his dependents.

It may be said that we have a law of tort, but this recourse is often beyond the means of the victim of crime. Further, he knows that, in the great majority of cases, the criminal is without means with which to help redress the wrong. Only four per cent, in fact, of the victims of crime ever get anything as the result of civil action.

Based on the British costs, an Act like this in Ontario would cost about \$250,000 a year, Mr. Speaker. That is not very much money, when you consider the social benefits received by these victims.

Then there is one other aspect of the situation—the inconsistency and injustice become even more pronounced when you note that the widow of a person killed by a negligent act can collect up to \$35,000 in damages from an unsatisfied judgement fund. But the victims of somebody murdered by an uninsured and penniless murderer can collect nothing. This person goes on to fall back on the welfare rolls.

In supporting this resolution, I ask this House to give serious consideration to compensating victims of crime.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker I rise to support the general principle of the resolution placed before this House by the hon. member for Humber. I think that the tragic and brutal murder of Acting Sergeant McMurrich in Hamilton Mountain at mid-year perhaps brought this whole situation well into focus.

As I sat here, Mr. Speaker, listening to this debate, I could not help but project some of these thoughts that must be running through the mind of a friend who is in this House today in the East Gallery—a man by the name of Eliassie from the Eskimo settlement of Povungnituk in New Quebec, a community where they have not had a policeman visit the settlement, in two and a half years.

Related to the intricacy of our so-called southern civilization and its compounded problems, I want to bring to the attention of this House that the city in which I live had its own Act with respect to compensation for victims of crime—perhaps limited in many ways but nevertheless it is a start.

This Act respecting the city of Hamilton, 1965, is special in that it was made possible by legislation put through the Ontario Legislature in 1964, giving the city of Hamilton the right to incorporate the Act. The portion of the Act in which we are interested here today reads as follows:

Notwithstanding any or other special or general Act, the corporation of the city of Hamilton may in its sole and absolute discretion award special compensation as the board of police commissioners of the city of Hamilton may deem proper in circumstances, to any person who has sustained loss by reason of property or by reason of personal injuries, to the death of any person occasioned by such person having volunteered or otherwise assisted a police officer in the execution of his duty or having in other manner assisted to the administration of the law, and in rewarding any such awards the board shall take into account any companies' awards to such persons in respect to any such loss pursuant to the provisions of section 122 of The Workmen's Compensation Act.

The members of this House might be interested to know that the city of Hamilton clerk today informed me that there have been very few claims under this provision of this Act. This also makes me wonder, Mr. Speaker, that if the city of Hamilton can initiate efforts to protect its own citizens, then why not commit all other municipalities to undertake similar responsibilities. This would not only provide each municipality with compensation for citizens that best suits that municipality, but it would also eliminate the necessity of establishing what could be an involved and expensive provincial system which may in the future years actually be more a burden on our citizens.

During last year's estimates, I was interested in the comments regarding the workmen's compensation board, and so-called allegations of the red tape and bureaucracy of that body. Similarly, Mr. Speaker, the definition of the word crime, as enumerated by a previous speaker this afternoon, raises in my mind the almost conceivably endless list of crimes that might qualify for such compensation. In other words, it could very well be a Pandora's Box.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, you know that a couple of times a week we engage in private members' hour. One of the anomalies of the hour is that irrespective of what matter is introduced by the private member, we accord it the condescension or the courtesy of the other side agreeing with it, and I thought perhaps for a moment today we would have the refreshing spectacle of a member of the government actually taking issue with a piece of legislation which the Opposition is promoting.

As a matter of fact, out of that, I do not quite know what, the hon. member for Durham finally did. He started off by saying that he felt that the cost would be atrocious, and then he proceeded to defend the recommendations made by the Canadian Corrections Association which were far wider in their scope and implications than anything in existence in legislation today in any jurisdiction, and therefore, I would assume, being wider and more far-reaching, would have cost more. Perhaps some day we will get a clarification of what I consider the relative confusion involved in this statement.

**Mr. V. M. Singer (Downsview):** He agrees with it in principle but he wants it to be studied.

**Mr. Lawlor:** Yes, I suppose it comes down to that.

**Mr. Singer:** A good Tory approach to almost everything.

**Mr. Lawlor:** I am always gratified to have the hon. member for Downsview come floating in on his helicopter. It's always a crash landing, you will observe.

**Mr. Singer:** It's more effective that way.

**Mr. Lawlor:** The point is he never gets off the ground again.

The former Mr. Justice McRuer has some interesting things to say about the compensation for victims of crime. He does not go into it very deeply because on the whole he

feels it does not fall within the scope of his recommendation, but at page 846 he says this:

There is a basic inconsistency and injustice in the social and legal system which compensates a person injured in an industrial accident, even though his negligence may have contributed to the accident, but which requires him to bear all the cost of similar injuries resulting from a criminal attack, even though he is completely innocent.

He gives a couple of other reasons in there too, as to the rationale of this legislation. In the Canadian Correction Association brief, they go on and give a wider range of reasons, the obvious ones being, as all the individuals who have spoken emphasized, "to rectify a grave injustice, which is not otherwise covered," but they also say that it would have a good effect in overcoming public apathy in relation to both the victim and the criminal.

It would help in law enforcement and therefore compensate a great deal for loss to the public generally, and compensate for itself in this way—through an increased vitality in law enforcement. They go on to say that it would also have an immediate impact on crime prevention, which again, would be a saving from the left hand of what you are giving away with your right. And you are not being given out very much, as the statistics are laid down thus far, for this sort of legislation. As a matter of fact, taking these areas into consideration, it very well may pay for itself.

The association gives a final reason which kind of interests me these days, particularly as I become concerned about men who have been released from prisons and the horrendous state of individuals who have criminal records in our society and the way we treat them, and their possibilities for rehabilitation under the present ethos.

They say here that the availability of compensation should help overcome the hesitancy that some employers feel about hiring a person with a criminal record, and it very well might have that effect, or in some cases do away with the necessity of bonding a person with a criminal record. That would be all to the good, particularly in the area that if they cannot get the bonding, of course, they cannot get the job.

The whole business sends them right back to the reform institution or to the penitentiary, simply because we have made no provision for people in these categories, and we make it worse by not bringing about legislation of this kind which may very much alleviate the situation.

You have heard talk about how expensive or inexpensive it may be. Professor Linden has estimated the cost for Ontario at about \$400,000. The member for Dovercourt, in his estimation based on British projections, put it at \$250,000.

In any event for the benefits conferred—for the alleviation of human misery involved, and for placing people who have been deprived of, say, a father through a murder in the family—are out of all proportion to what any projected costs that I have seen would be.

Finally, Mr. Speaker, may I say that as is usually the case, we are beginning to lag behind. Many jurisdictions have been mentioned here, starting with New Zealand in 1964, and those forerunners of decent legislation, which we are always borrowing from and never seem to be able to initiate, such as the state of California and the state of New York. In the past two years, both brought legislation into being under this head.

True, the legislation is largely confined to victims of violent crime, and the report before us has argued that there is no logical necessity or reason why it should be so confined. Other types of white collar or silk glove crime can inflict much greater hazards and much greater injury upon the head of its victims than a violent crime, but this has been initiated, it is going forward, and it is high time that this government introduced legislation to protect its own citizens under this head.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, tomorrow we will carry on with the Throne Speech debate.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, February 11, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 11, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our visitors today are students in the east gallery from Main Street school in Toronto, and from Bishop Ryan High School in Hamilton; and in the west gallery, from the Adult Education Centre in Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE APPRENTICESHIP AND TRADESMEN'S QUALIFICATION ACT, 1964

**Hon. D. A. Bales** (Minister of Labour) moves first reading of bill intituled, An Act to amend The Apprenticeship and Tradesmen's Qualification Act, 1964.

Motion agreed to; first reading of the bill.

**Hon. Mr. Bales:** Mr. Speaker, the provisions of the bill are designed to clarify the intent of the Act as to persons who may work in or may be employed in certified trades.

The amendment will also provide greater assurance that only properly qualified persons are being employed in certified trades.

The amendment will also provide greater assurance that only properly qualified persons are being employed in certified trades.

## THE HUMAN TISSUE ACT, 1962-1963

**Mr. F. A. Burr** (Sandwich-Riverside) moves first reading of bill intituled, An Act to amend The Human Tissue Act, 1962-1963.

Motion agreed to; first reading of the bill.

**Mr. Burr:** Mr. Speaker, the purpose of this bill is to enable more effective use to be made of bodies of those who die accidentally.

## THE SECURITIES ACT, 1966

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Securities Act, 1966.

Motion agreed; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, the purpose of this bill is to ensure that in addition to the liability of an insider to compensate a person for loss suffered as a result of the use of confidential information by that insider, this bill makes it an offence for the use of such information.

**Mr. Speaker:** The hon. Minister of Health has answers for two questions asked previously.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, the hon. member for High Park asked two questions before the Christmas recess.

Question 440:

Part 1: Since the cost of the Yorkville hepatitis epidemic has been established, what is the purpose of the further \$18,000 expenditure announced in the Legislature yesterday?

Part 2: What is the name of the person who recommended that this study be made?

I want to emphasize again, sir, that there was no epidemic of infectious hepatitis; there were only two cases of infectious hepatitis, the others were diagnosed as serum hepatitis. The experience in Yorkville, last summer, with hepatitis gave us a unique opportunity to study not only the question of serum hepatitis but also other broader aspects of a medical and socio-medical nature.

Part 2: A committee of senior experts under the chairmanship of the Deputy Minister of Health recommended the carrying out of this further study.

In answer to the hon. member's question No. 439:

Has the department received a recommendation from Dr. J. A. Gamarra of the Toronto East General Hospital, and passed on by The Department of Labour, that x-rays be required before men are allowed

to work under air pressure? What action is being taken?

The Department of Labour has responsibility for supervision of the health and safety of workers in compressed air. The Department of Labour referred a submission received by it to The Department of Health. This submission included recommendations made by Dr. Gamarra dealing with medical supervision of compressed air workers. This submission was reviewed by the staff of my department.

Dr. Gamarra had recommended that x-rays of bony joints be taken as part of the pre-employment examination. While this may be of value in individual cases where indicated, it is not felt by officials of my department that such extensive x-rays were required for every worker as a pre-employment procedure. In individual cases this is a matter for the discretion of the examining physician.

**Mr. Speaker:** The hon. member for Huron-Bruce has questions of the Minister of Agriculture and Food.

**Mr. M. Gaunt (Huron-Bruce):** My question to the Minister of Agriculture and Food, Mr. Speaker, is as follows:

In view of the fact that European buckthorn is a host to rust spores, will the Minister consider legislation to prohibit the distribution of this plant, particularly since certain distributors of nursery stock use European buckthorn as a bonus upon purchase of certain quantities of nursery stock?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I can assure you that the Clerk of the House was not counselling me as to how I should reply to the hon. member's question, even though I could have used the advice, Mr. Speaker. I am sure the hon. member who asked the question will recognize that European buckthorn is really the host plant to leaf rust, not stem rust.

There has been considerable discussion concerning European buckthorn and its prevalence throughout the province of Ontario. It is known to exist in most counties of Ontario, but I think the hon. member would agree, Mr. Speaker, since the oat crop is not generally looked upon as being quite as important and prominent a crop in the cropping procedures of farmers in the province as it once was, that leaf rust, while admittedly a damaging factor in the growing of oats, is really not as much of a problem as it might have been even a few years ago before corn and barley became so prominent in growing.

Now we feel that because of the fact that this is a leaf rust problem and not a stem rust problem, and inasmuch as a great many of the newer variety of oats such as Gary, Russell, Stormont and, I believe the new one, Kelsey, that came out last year, are all resistant to leaf rust, that this really is not as much of a problem as we might have thought it to be.

I would suggest that the few shrubs that might be sold, as the hon. member suggests, as a bonus to nursery stock orders, really would not have a very marked effect on increasing the degree of leaf rust that would be prevalent in the crops. Leaf rust travelling from the buckthorn plant does not travel nearly as far as the type of stem rust that is attached to the barberry bush. It is a different type of spore, and so to generate leaf rust, it has to be almost next to the oat field, and I would suggest that even the few plants that might be sold on this bonus basis would not really have much effect.

If a farmer were ordering such quantities of nursery stock, and he was growing oats, and he recognized the problem of leaf rust being associated with the host plant, buckthorn, he need not accept the offered bonus plant—but rather might ask for some other shrub—perhaps a rose bush which the selling agency might consider as a substitute.

**Mr. Speaker:** The hon. member for Essex South has a question of this Minister. Today we are asking questions Minister by Minister.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a four-point question of the Minister of Agriculture and Food.

1. Is the hon. Minister aware that under the amendment to section 16, paragraph 1, of the Ontario Flue Cured Tobacco Growers Marketing Board, general regulations 68 and 69, the words "on the tobacco farm" have been deleted?

2. Is the Minister aware that this change allows non-performing farmers that were part of a multiple farm ownership to stay alive—that is, to not lose their basic acreage rights?

3. And further, single tobacco farm owners lose these basic rights if they do not perform in a three-year period with 50 per cent of their annual acreage allotment being grown.

4. Will the Minister consider the removal of section 16 in its entirety, or amend the regulations to permit those farmers with tobacco equipment and facilities to participate in a leasing arrangement subject to annual

board approval, similar to that which is now existing in the Ontario commercial fishing industry?

**Hon. Mr. Stewart:** Mr. Speaker, I wish to advise the House, through you, that the amendment to the Ontario Flue Cured Tobacco Growers Marketing Board general regulations to which the hon. member for Essex South referred, was filed with the farm products marketing board on January 31 last. I would advise, Mr. Speaker, that the regulation in question is made by the local board which is democratically elected by tobacco growers with the very purpose of regulating, among other things, the granting or cancelling of quotas. I am sure you would agree, Mr. Speaker, that it is not the purpose of this Act that either myself or the farm products marketing board interfere at this stage with regulations that the growers' own elected body has made to govern their own trade and industry.

Of course, if any person considers himself to be adversely affected by this amendment, he has the right under section 10-A of The Farm Products Marketing Act; to appeal first of all to the local board, and if still not satisfied, then to the farm products marketing board. In the event that such an appeal is made, the farm products marketing board has the power to over-rule the local board if it thinks it advisable.

**Mr. Paterson:** Would the hon. Minister accept a supplementary question?

Could the Minister advise me as to how many members of the local board are multiple farm operators? Do you know that offhand?

**Hon. Mr. Stewart:** Sorry, Mr. Speaker, I have no idea.

**Mr. Speaker:** The hon. member for Essex-Kent has a question of the Minister of Transport.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I have a question of the Minister of Transport.

Is the Minister aware the license bureau offices in Chatham are only open for six-and-a-half hours a day, five days a week, and is he prepared to have the hours extended to what is considered a normal working day of eight hours?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, as I have just received this question and another one from the hon. member for Grey-Bruce (Mr. Sargent), as I entered the House less than five minutes ago,

may I, with apologies to hon. members concerned, and the House, ask that they be put off till tomorrow?

**Mr. Speaker:** May I point out to the hon. Minister that I am sure that will be accepted, but I would suspect that the statement that the Minister only received it as he entered the House would leave his staff in a peculiar position, because they have had the questions for some time. I would think that it would be quite in order for any Minister to take a question as notice without that explanation. Otherwise it would be obvious from the hon. Minister's statement that the Speaker and his staff had not performed their duties of transferring these questions when they received them before 12 o'clock noon.

**Hon. Mr. Haskett:** Mr. Speaker, may I point out that I was tied up at the National Urban Transportation Conference at the Royal York.

**Mr. Speaker:** It is quite understood that the Ministers very often do not receive questions personally until they come into the House. But I would again point out that these questions are transferred to the Minister's staff when they are received—in any event not later than about 12.30 noon.

The hon. member for Grey-Bruce has a question of the Minister of Energy and Resources Management.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, could the Minister advise when the government is going to take a firm stand on the blackouts and Hydro strike, and restore 100-per-cent operation to the people of Ontario?

Will he further advise if he can operate on one third of the staff, and are we overstaffed by hundreds of millions of dollars by using the standby staff in effect today?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, as yet there have been no blackouts in Ontario as a result of the so-called rotating strikes which were implemented last week. However, Ontario Hydro cannot guarantee that these practices of harassment will not result in power interruptions, although it will do everything possible to keep facilities in operation and avoid them.

In answer to the second part, Ontario Hydro does not consider itself overstaffed. Supervisory personnel is being employed in emergency situations to maintain power supply. But this is unsatisfactory and cannot be a solution except in such circumstances, and of course they know nothing of being

over-staffed with hundreds of millions of dollars.

**Mr. Sargent:** Will the Minister clarify the banner headline in the *Toronto Daily Star* today, that you are buying power elsewhere to avert blackouts?

What is the true position today of the very fact that the lives of every citizen in Ontario can be—

**Mr. Speaker:** Order, order! The hon. member is—I am sorry, I apologize to the hon. member; he gets going and I get lost. Carry on.

**Mr. Sargent:** Well I do, too.

**Hon. S. J. Randall** (Minister of Trade and Development): Give him a club.

**Mr. B. Newman** (Windsor-Walkerville): He is not afraid to admit it.

**Mr. Sargent:** No, I think it is a very serious situation. We want to know the truth of this. The Minister says we are not having a blackout but the headline today says Hydro is buying power elsewhere to avert blackouts. Now what is the true story?

**Hon. Mr. Simonett:** Well, Mr. Speaker, I might say that I have not read the headlines in the *Toronto Daily Star*. I always save that until later in the day because some of the headlines in there make me cross and I do not like to be cross during the afternoon.

Nevertheless the member is talking about buying power. Hydro is continually buying and selling power to other power companies in the power grid so there is nothing new about buying power.

**Mr. Speaker:** The hon. member has a question of the Minister of Trade and Development.

**Mr. Sargent:** Are the members any clearer than before he answered that? There should be a Cabinet shake-up over there.

**An hon. member:** There is nothing there to shake up.

**Mr. Sargent:** Nothing to shake up is right.

A question to the Minister of Trade and Development. Will the Minister advise if all patents on new ideas or inventions or technological research discovered at Sheridan Park are retained, or are they in the name of the people of Ontario?

**Hon. Mr. Randall:** Mr. Speaker, to clarify the question, Sheridan Park is a research

centre in which we have not only the Ontario Research Foundation but independent research companies. Any work done by the independent companies, of course, is their exclusive right to license, or they may maintain the patents they find out there for themselves. If they contract with the Ontario Research Foundation and do work for them — or in other words, they hire our scientists — and develop any patents and know-how, that again belongs to the man who contracts for it.

Now, if the Ontario Research Foundation, in its work, develops any licensed know-how or patents, we advertise so that the manufacturers in Ontario may have first call on it, first opportunity of refusal, and then we license anybody out of Ontario whether it be in the rest of Canada or off-shore. But, we always retain the right for an Ontario manufacturer to come back and get a licence to manufacture the same product and ship it anywhere we had previously granted a license.

**Mr. Sargent:** Is the Minister aware that in Japan a parallel situation exists, except that the government retains all the patents in the name of the people of Japan, so why should we finance \$50 million of research when we do not have the benefit of the resulting patents?

**Hon. Mr. Randall:** Mr. Speaker, I do not know what they are doing in Japan except, as I say, around the world today —

**Mr. Sargent:** The Minister is over there enough, he should know.

**Hon. Mr. Randall:** I just suggest to my hon. friend that patents do not have much validity in the world today. The patent situation is breaking down in many areas. Most of the time, with patents that we develop in our research here — and in many other places where you can get a patent — that does not mean necessarily that it can be economically manufactured. We have many patents from the Ontario Research Foundation but they are not all economically feasible to manufacture.

Insofar as the research is concerned, what we are looking for is new ideas, new methods, and a lot of these are not patentable, I can assure the hon. member. But, if there is a patent there we make sure that we are well covered.

**Mr. V. M. Singer** (Downsview): I thought they were not valid any more.



**Hon. Mr. Randall:** I did not say that; I said in many areas of the world they take a very dim view of anybody with a patent, as the member knows. We are doing that even up in Ottawa today, and if you —

**Mr. Singer:** The Minister just wiped out the Minister of Transport.

**Hon. Mr. Randall:** If you try and get patents in many parts of the world you will find that you have it for two or three years and then if you do not act on it, it becomes void, then anybody can use it.

**Mr. Sargent:** Would the Minister clarify one more point for me?

Does the Minister not agree that if the people of Ontario finance research to get new technology, that we should have the benefit of the patents on it?

**Hon. Mr. Randall:** That is just what I finished saying. If we develop any patents, the people of Ontario get first call on them.

**Mr. Sargent:** I mean the royalties therefrom.

**Hon. Mr. Randall:** Yes, if there are any royalties through the Ontario Research Foundation. I agree with the hon. member.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question for the Minister of Labour: Has The Department of Labour granted permission to The Department of the Attorney General to pay less than the legal minimum wage for the province of Ontario to its employees?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question, the minimum wage applies to the private sector. Wage determination for all departments is determined or dealt with by the Treasury Board and the civil service commission, not The Department of Labour.

**Mr. Speaker:** The hon. member for Grey-Bruce has a question of the Minister of Municipal Affairs of last December, No. 347. I do not know whether the Minister has the answer, or if the member has the question.

**Mr. Sargent:** I remember the thought. I do not have the wording of it here.

**Mr. Speaker:** I will send the question over and it can be asked. The Minister may take it as notice if he is not prepared to answer.

**Mr. Sargent:** Thank you, Mr. Speaker. A question for the Minister of Municipal Affairs:

What effect will the imposition of regional government have on the present local option legislation now in effect in many municipalities? And, has the government in its current study of the liquor laws considered doing away with this outmoded provision, in light of the great changes in municipal governments forthcoming in the province shortly?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, in reply to the hon. member's question, I would say that the answer to the first part of the question is that under section 84 of The Liquor Licence Act the readjustment in municipal boundaries would not alter the local option in effect, in a municipality or parts thereof.

The second part of the hon. member's question should be proffered to the Provincial Secretary (Mr. Welch) through whom the liquor licence board reports to this House.

**Mr. Speaker:** The hon. member for High Park has a question of the Minister of Municipal Affairs.

**Mr. Shulman:** Mr. Speaker, for the Minister of Municipal Affairs:

Is the *St. Mary's Argus Journal* correct in its editorial of December 18, 1968, in which it states that the rebate from the new provincial tax assistance fund exactly equalled the local tax charged on summer cottages of American residents?

If this is correct, how did this strange situation come about?

Does the government intend to take any action in this matter?

**Hon. Mr. McKeough:** Mr. Speaker, the hon. member's question is in three parts. On receiving the hon. member's question this morning we contacted the editor of the *St. Mary's Argus Journal*, a paper to which we do not normally subscribe. He advised that the editorial in his paper was based on an article which he believed originated in a Toronto newspaper but he was unable to be more specific.

A quick check of our records did not reveal any situations of this kind existing either in, or within the immediate vicinity of, the town of St. Mary's.

However, we were able to confirm that two properties in the village of Grand Bend did receive rebates which equalled the taxes. Our records do not include information which would give the nationality of the owners.

In reply to the second part of the question, the tax rebate could equal the taxes levied on a property when the assessment on that particular property is low, and this happened in a number of instances throughout the province.

Three, we would advise the hon. member that this matter and other matters related to the Act are under consideration.

**Mr. Shulman:** Mr. Speaker, would the Minister allow a supplementary question?

**Hon. Mr. McKeough:** Yes.

**Mr. Shulman:** I am still a little confused on this subject. Does it not seem odd to the Minister, regardless of the nationality of the person owning the property, that the rebate could equal the total tax bill?

**Hon. Mr. McKeough:** This happened in a number of instances throughout the province. If, for example, the assessment were \$2,000, we pay the taxes on the first \$2,000, then obviously, the rebate would cancel the taxes. It happened in a number of instances.

**Mr. Speaker:** Does the hon. member for Grey-Bruce wish to re-submit his question about the liquor laws and regional government, or does he wish his question transferred by Mr. Speaker to the Provincial Secretary?

**Mr. Sargent:** Well, why can he not answer it now? That is what he is getting paid for.

**Mr. Speaker:** Mr. Speaker will transfer the second part of question 347 to the Provincial Secretary, and the hon. member might find his copy, or we will give him a copy and he can ask it tomorrow.

**Mr. Sargent:** Thank you, sir.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. E. A. Winkler (Grey South):** Mr. Speaker, I had the privilege of gaining the floor last evening when the House adjourned and I must admit that with the focus of attention in other quarters in the country, the tenure of debate here—particularly yesterday

—seemed not to be so active. I think the eyes of the province are watching, with interest, the possible developments in the national capital. Nevertheless, it has somewhat of a bearing on part of my remarks later on.

Mr. Speaker, initially, I would like to report to the House that on my return to my constituency last Friday evening, I joined with a number of residents in the village of Dundalk and from the township of Proton where a number of people suffered great loss as a result of a disaster late last fall. It was my privilege to represent the government for the financial contribution that was made to the fund that was distributed, and I was asked to extend to the Legislature, to the Prime Minister (Mr. Robarts) and particularly, to the Minister of Agriculture and Food (Mr. Stewart), the sincere thanks and gratitude of the reeve and all of the people there concerned.

**Mr. E. Sargent (Grey-Bruce):** Why did the member not mail it?

**Mr. Winkler:** It happened to be my privilege.

**Mr. Sargent:** Well, we do not get that chance.

**Mr. Winkler:** It had to be distributed along with the other funds that were collected, if the member will understand that system. I was invited there for that occasion and I went. If the member is not invited on those occasions, I say, "tough luck." Next, Mr. Speaker, I want to—

**Mr. V. M. Singer (Downsview):** We do not understand why they should distribute the cheques.

**Mr. Winkler:** The members hear a lot of things that they do not understand over there.

**Mr. Singer:** Yes, Tory patronage is very hard to understand.

**Mr. Winkler:** Well, Mr. Speaker—and I will not be sidetracked in the course of my remarks at all times—when we speak about patronage, the government of Ontario looks like a bunch of kids compared to that outfit in Ottawa. Would the members like to hear about the Liberal payoff? Do they want to hear about it? I can read it to them at great length.

Interjections by hon. members.

**Mr. Winkler:** Unfortunately, they know. They know only too well.

Interjections by hon. members.

**Mr. Winkler:** Sounds like it will be better than yesterday, Mr. Speaker.

**Mr. M. Shulman (High Park):** What happened after the member's speech of last year?

**Mr. Winkler:** I would like to tell the member for High Park, when he talks about my speech last year, that he has proved everything I said since that time.

**Mr. Shulman:** Mr. Speaker, the member is wrong again, as usual.

**Mr. Winkler:** I have the floor, Mr. Speaker.

**Mr. Shulman:** Mr. Speaker, I am asking if the member will accept a question.

**Mr. Winkler:** I refuse. And if the member for High Park wishes to use the floor of this assembly, Mr. Speaker, for the purposes that he has been using it: for stage play—yes, and much, much worse than that, for the disintegration, as far as I am concerned, of the rules and procedures of this Legislature and other legislative bodies—he can go ahead. But then we will know what grave he is digging. That is his own.

**Mr. W. G. Pitman (Peterborough):** Let's go back to Ottawa.

**Mr. Winkler:** The member can go if he wants to. I will stay here.

**Mr. C. G. Pilkey (Oshawa):** What happened last year?

Interjections by hon. members.

**Mr. Winkler:** Maybe you did not give me the floor, Mr. Speaker; I may have misunderstood.

**Mr. Speaker,** I would also like to refer very briefly now to the rules of the Legislature and express some personal views on the subject. There are, in my opinion, three areas which are of vital concern. One is the question period and I must say that today and yesterday were not symptomatic of the situation that has existed. Second, is the matter of supply. Third, is the length of time for the Throne and Budget debates.

There has been a substantial discussion on this subject, Mr. Speaker, in other quarters and I believe that this body can make desirable changes without limiting the time of free speech.

Since being elected to the Legislature, it has been a constant concern of mine how the

Prime Minister can be so tolerant of the abuses that take place and—although I have not discussed this matter with him privately—my suggestion here is that he might discuss whatever action he deems necessary with other leaders and then implement the measures that will eliminate most of the abuses.

First, Mr. Speaker, the question period, in my humble opinion, is much too long almost every day of the week. Certainly, the rule of urgency is seldom taken into account or into consideration—particularly by the questioner. No reflection there on your judgement, Mr. Speaker. It is ludicrous, as we have witnessed on several occasions—particularly Wednesdays, when the question period lasted until 4.30 p.m. or even later, leaving one or one and a half hours for House business. I suggest that is not a healthy state of affairs.

Second, Mr. Speaker, the delaying tactics of the last session during debates on supply were equally ridiculous, in my view, and we all know there are a number of solutions to this particular problem. One would be a given period for total debate. A second solution would be, of course, time limit on speeches. The third would be a referral of departmental estimates to committees.

On the Throne and Budget debates, in these two areas, Mr. Speaker, I believe the Legislature should place either a time limit on total debate or a limit on individual speeches. This could be—

**Mr. Pilkey:** Closure!

**Mr. Winkler:** Exactly. I expected that but this is not the case. This could retain the right of every member of the Legislature to speak without curtailing in any way his or her right in supply or committee which ever course, whether it be one or both, might be followed.

In placing the recommendations before the Legislature, Mr. Speaker, I would point out that the leaders or chosen spokesmen of any party—on any subject being introduced—have the right to reply without limitation.

There are a number of other subjects too, Mr. Speaker, that I want to discuss briefly and I will endeavour to heed my own advice in doing so.

At this particular juncture, Mr. Speaker, I think I would like to say a few words about the agricultural industry, and we are aware that it has been given a rather comprehensive new approach. The current status has been placed, for the first time in my view, before the urban sector of our society in a

very vivid way. There are a number of newspaper articles, and particularly do I compliment the one that appeared in the *Toronto Daily Star* some time ago.

The realization, first, that the people who supply the food for this country receive a dollar an hour, or less, for their efforts, and second that the return on farm capital before income tax is less than three per cent, certainly indicates that we live in a very selfish society. Urbanites should strive to make this area of our society somewhat more just.

There are many reasons, Mr. Speaker, why the people in rural areas are leaving—but opportunity, or lack of it, seems to be the greatest of all. In this regard, I believe it is important to make some remarks in regard to the population of the county that I have the pleasure of representing along with another colleague across the floor.

The population of Grey county in the last hundred years has decreased by almost 9,000 souls. There is only one very small area that showed any degree of steady growth and, in fact, one of the more rural areas suffered a loss of 50 per cent of its population in that period of time.

**Mr. R. Gisborn (Hamilton East):** Under the Conservative government's policies.

**Mr. Winkler:** Oh, the reason they left was all federal policy. Also the average income in these areas, leaves much to be desired. The recent increase in personal income tax has placed a further ridiculous burden, in my humble opinion, on the people. This, I believe, is termed as social development tax, but we know how it is being taken.

Mr. Speaker, these last few months, and this has bothered me no end, I have heard a member of the Liberal Party saying very openly and publicly that the federal government should consider a tax reduction for the higher income tax brackets.

With the present lack of leadership in this regard in Ottawa, and with the increase in personal income tax, I want to say that the most justifiable change that could be made is a substantial raise in the income tax exemption to assist everyone in the lower tax brackets. There is no just society for the farmer or the labourer when he negotiates a very small raise, or a raise of any kind in his income, if the government moves in unilaterally and takes it all from him. And that is what has happened in this past year.

We in the rural areas, Mr. Speaker, know very well the problems of the metropolis, and this may be one of the reasons for our choice

of living in these areas. But I suggest that this government could play a much larger part in the development of the rural areas by releasing some of the "golden horseshoe" congestion down here and adopting a vigorous programme to make the decentralization of industry a very desirable move. I think this could be done. As a matter of fact, I think this must be done for the sake of both separate communities in our society.

In our particular area, I support those who desire and request better road access to the southern markets of the province. This, too, is a very essential part of our economy and we will not progress unless we have this improvement in transportation facilities. There is a programme which has been brought to the attention of the Minister. I was interested to hear the member for Ottawa Centre (Mr. MacKenzie). I think it was, talk yesterday about the needs of the roads in the national capital. I am very well aware of this.

It used to be a very humorous thing when we would think of the developing nations sending delegations to Canada's national capital to borrow money to build airports and access roads to airports. They would go bumping all the way out to the Ottawa airport on the most ridiculous roads you have ever seen in order to carry our money home to build their own.

Now, we feel somewhat in the same position in the constituency of Grey South. I have made previous mention of this. The Minister knows my position in this regard. He knows the roads I want and I stand very firmly for the people of Grey South in demanding these access roads which, as I have said, are very important to our economy and to our future.

Mr. Speaker, I have a number of other subjects to deal with, but I think that at this juncture I would be remiss if I did not make some passing reference to the importance of what is taking place in the national capital today in regard to our province.

I was very interested in the discussion that took place this morning. And if anyone in this province does not think they are living in a great land and in the greatest province of Canada, indeed, in North America, one would only have to listen to the Premier of Newfoundland to hear him mention the wealth and the riches and the greatness of our province. He put that very clearly.

In regard to what is happening, Mr. Speaker—because it is of great national interest, as well as of particular interest in

the province of Ontario—it was interesting to hear the discussions and the areas of dissent.

Indeed, I have heard it said, and I am sure that all of us in our constituencies at some place or another have heard it said, that they are not so interested in the language aspect of what is happening in Ottawa because Ontario is an entity unto itself; and they resent, to some degree, the application of a second language on us.

This is not the right position of leadership, of course, and I am satisfied that our leader is taking the right and the responsible position at that conference, along with his colleagues. I would like to go back and quote from one of his statements on the Confederation of Tomorrow Conference, page 51, where he says:

Because, after all, whatever political forms we may create, whatever reasons we may talk about, these are created and they exist only for the purpose of serving individual people.

Mr. Speaker, in that whole catalogue of statements, this is one statement that pleased me in regard to my political philosophy more than any other. I believe that I have tried to develop my service to my people, to my country, and to my province in this way. I believe this is Tory philosophy to the bone, that we have greater respect for the individual and his rights than any other political party in this country.

Further, Mr. Speaker, quoting from the very same document, the Prime Minister of Ontario put it this way.

We stated without equivocation that insofar as it was both practical and reasonable, we would attempt to ensure that both English- and French-speaking residents of Ontario will be able to deal with their local and provincial governments, and be educated in the language of their choice.

There is no indication of imposition here, and yet it was evident and it was clear that the Prime Minister of Canada wanted to force this on that conference and on every province of the Dominion of Canada before he would discuss any other subject. Well, now, let us see why. One of the statements that I listened to this morning that was of vital interest to me, was when financial aspects were being discussed, and when I think of the fiscal and financial matters that are extremely important to us, it disturbs me when I find that Mr. Trudeau has opted out of so many programmes. This only costs this province an awful lot of money—this

particularly at the expense of a province which states that it is unequivocally in favour of the equalization principle that has been implemented in the past in this Dominion.

What has happened of late? First we know, and this goes back some time, the federal government opted out of the technical training programme in this country. That cost a lot of money. Secondly, it opted out of hospital grants. Members will recall a few weeks ago the disastrous headlines in the Toronto paper about the hospitals that have to delay expansion. I have had Liberals with the audacity to tell me that was the provincial government's fault, when they have withdrawn from this programme and taken the money out of the field that was meant to construct these very facilities. Nobody can deny that—you will have your chance to speak.

The next thing is that they backed off from the health resources fund to a substantial degree. They have increased the shared cost of medical and health service to the Indians, another additional cost on the province of Ontario. And last, and the one I regret most, and maybe I should not even mention it, is the federal government's withdrawal from ARDA.

I think particularly of the drainage programme in Ontario that is so important to our rural areas and to our farmers. They have backed off this programme before they have fulfilled their commitment to the farmers of this province, and there is no question about that.

Mr. Speaker, I note that today there is some reporting here on the federal tax course in regard to agriculture. They have come down with the suggestion, following the Ontario report, that supply management is the big thing in agriculture today. And supply management for the sake of the agricultural people of this province means only one thing—it means controlled production all the way.

I believe that the report of the Ontario task force was a much better one. It was much more related to the problem as it exists for our farmers in the province of Ontario, because I must admit that in due course it may be that supply management will have to be implemented. But first and foremost I believe that the federal government has a vested interest to see that national marketing boards are put into effect for the benefit of the people in this industry.

Mr. Speaker, I was surprised two weeks ago when I attended a meeting in Ottawa and heard the federal Minister of Agriculture



say that the farmers of Canada are becoming much too efficient, surpluses are again evident all over the place. He mentioned attending a meeting in Paris and he mentioned the products that are in surplus supply. Now, I do not mind him saying that, because it obviously is a fact, but here in the federal task force finding, they say that the farmers have to become more efficient. What for?

Now, Mr. Speaker, I do not deny that they will become more efficient; I do not deny that they are very efficient now—the agricultural producers of this country and particularly the province of Ontario. But I think the time has come, Mr. Speaker, when we, not only in Ontario but in the entire Dominion of Canada, have to take a little more realistic view of our position in the world. We have to start feeding the people who do not or cannot produce the proper amount of food for themselves.

There is no question about the fact that if a certain percentage of the gross national product were set aside for this purpose, I think Canadians would be proud of the opportunity to join with their fellow men in this great world and see that the areas of conflict that might exist, if it is over food, can gain from our ability to produce. I think that the farmers then, too, would be in a much better position.

In any event, there are other programmes to be explored before any suggestion of supply management is brought into effect—for instance, the two-price system which also is all involved in the argument that I set forth. But I will not accept, as it is printed anyway in the newspaper report, what has been achieved through the course of their studies.

Mr. Speaker, further with regard to the matters that are under discussion in the national capital today, and the one, of course, that I admit concerns me most, is the fact that this morning the Minister of Finance, Mr. Benson, as well as the Prime Minister of Canada, Mr. Trudeau, when they were questioned on the opt-out programmes that the federal government has left, were asked, "What will there be in way of abatement to assist the provinces to maintain these programmes?" I believe it was Mr. Benson who said to Mr. Trudeau, or it might have been the Prime Minister who said it himself, "We also have to balance our budget".

Now what is happening, Mr. Speaker—and I think the people of the province of Ontario should know this long, loud and clear—is that the federal financial situation has been one sad mess; that the great deficits that have

been piled up there are now going to be paid for by the provinces because they are opting out of these programmes, and they will use the money to pay that deficit. That is exactly what they were saying this morning. That is exactly what they were saying to me this morning over that TV programme.

**Mr. Singer:** How about the deficit here?

**Mr. Winkler:** Since the member for Downsview has entered the debate, I have a couple of things to say to him, too. If the last federal estimates had been down from a year previous, I would be prepared to say that they are achieving a goal, but you know as well as I do that they are up over nine per cent, and this is absolutely disastrous.

Interjections by hon. members.

**Mr. Winkler:** I happen to have a fair voice too, and I think I can stay with the member for Downsview.

I have an article here from the *Star* of December 17 where, on that date—and it is higher now, the federal government has said so—the interest charges on the national debt—and I am sorry the member for Grey-Bruce went out because this is very interesting to him—were \$1,474 million, more than the annual expenditure of nine of the provinces of Canada.

Now, who is going to pay for this? The province of Ontario will bear the lion's share if the present trend is continued, and the taxpayers of the province of Ontario should know this, because the Liberals will use it against the present government of Ontario to defeat them.

I have here a clipping from the *Globe and Mail*, dated August 9, 1968, when the leader of the Liberal Party emerged from a meeting with the Prime Minister of Canada to say that this fall the provincial governments would be assembled. What for? To bring in a new programme of taxation. Why? I think that the leader of the Liberal Party should tell us what he learned that day, what kind of intrigue was brought about in the office of the Prime Minister that day. It is very obvious that the programme started then. And we shall just watch how the Prime Minister of Canada tries to invade this province on another subsequent occasion. I might not be too old in political life but you cannot fool me on that one.

**Mr. M. Gaunt (Huron-Bruce):** What a vivid imagination!



**Mr. Winkler:** Not too much imagination. The member will learn too.

**Mr. Singer:** Did the member lose his place?

**Mr. Winkler:** Yes, I did. Mr. Speaker, I say this in criticism of the provincial government, I am concerned with the degree and with the extent of the authority of boards and commissions of this government, as well as I am concerned in other spheres, in other jurisdictions in Canada, with the authority of these boards and these bodies.

I regret to say that in my humble opinion on many occasions when decisions are being made out of the body politic, they do not recognize the local or the human factors, and in such cases, we then, as the elected representatives, feel as though we are not a part of the legislative body or not a part of the decision that is being made.

Mr. Speaker, regarding area government I must congratulate the Minister of Municipal Affairs (Mr. McKeough) for his recognition of planning and action in that regard, but in the democratic sense I would caution him to use the area of consultation and flexibility in the application of this form of government. The acceptance clause of this legislation, in my opinion, Mr. Speaker, is one of the most important.

As I have said to this Minister on previous occasions, I believe officials of his department are much too dictatorial in the rural areas where there can be orderly progress without complete control. In this regard too, Mr. Speaker, there should be a much closer liaison between Municipal Affairs, the Ontario Water Resources Commission and the Ontario Municipal Board because in many matters, in many instances, it seems almost that there is an intrigue to frustrate rather than to assist the progress that should be taking place.

Mr. Speaker, as I said initially, I did not want to take too much time of the House, but I have other matters I would like to place before you.

One, Mr. Speaker, is to lend my support to those who want hospitalization and OMSIP brought together for those who cannot afford to pay for these programmes. I refer, of course, to the premium-free coverage and the methods of qualification. Further, I would like to see this government supply more coverage for the chronically ill in nursing homes through the Ontario Hospital Services Commission, or to start a separate system for this purpose.

There is, Mr. Speaker, a serious lack of accommodation in this field for the elderly

and the infirm. The doctors face a double dilemma today of the proper utilization of active hospital beds as well as the few chronic beds that are approved by the Ontario Hospital Services Commission from time to time. I am aware that the long-stay patients, convalescent and chronic, are not welcome in active treatment facilities and it is therefore essential for the consideration of this field to be at the most economical level possible. I am hoping that the health committee as is constituted now will, at the conclusion of its considerations, bring some recommendations to the Legislature in that regard.

Also, Mr. Speaker, remaining in this field, I would like to draw to the attention of the House a practice now going on in the field of adoption which I think most of you will find unwarranted and extremely questionable. Perhaps you have read the item in the February edition, and I have the article here from the *Telegram*, in Toronto, which reports that Metropolitan Toronto Children's Aid Society is engaged in exporting children to the United States and to other countries for adoption.

Apparently, 80 such adoptions were carried out in this way last year with the Metropolitan Toronto Catholic Children's Aid Society being the most active. Now, I mentioned this simply because I believe that the Roman Catholic population of this province is equally concerned and will be equally concerned as I am, and I am sure that they are not aware of the situation that is going on.

They are just as good residents of Ontario and Canada as any one in this Chamber. The story quotes a Mr. Markel, director of the society, as saying that his society arranged 75 of these adoptions. He gives as an excuse the inability to find good homes for these children, many of whom are Indians—from the province, of course.

I find that difficult to comprehend in a province with a population reaching nearly seven million people. I also find it difficult to accept when I realize that Ontario adoption services find good homes for upwards of 8,000 children each year, including children of all racial backgrounds, and children with unfortunate disabilities. The programme in this province is second to none in the hemisphere. I would agree that the inter or intraborder are acceptable when it involves a relationship, blood lines or that sort of thing. These could be accommodated by either order in counsel or some other machinery that the government would care to establish.

But I consider it deplorable that we would deal with what society seems to regard as castoffs by sending them across the border. If good homes can be found for these children in other countries, I am certain homes of equal qualities can be found right here.

I have never found a citizen of the province of Ontario wanting in any way so far as heart or consideration is concerned and I think the record to date in this field of adoption proves that particular point. Mr. Speaker, I would further say to you that, in this regard, it is a peculiar thing that we spend a lot of money bringing immigrants to this country—a lot of money training them and so on—to make them good citizens of Canada.

At the same time we are prepared to place our children out of the country for adoption. It seems to me that they have a right to the heritage into which they are born and it seems to me that the province of Ontario should see that they stay right here. We need their contribution in the future as much as we need the contribution of those whom we allow to come by immigration.

However, Mr. Speaker, if the practice is to persist, I say why should we do it piecemeal? If we are going to get into the business of exporting one of most of our precious assets in this regard—which is people, of course—then let us be real professionals about it, instead of going about in this way. We should develop advertising campaigns, reach every state of the Union, telling Americans that Ontario wants homes for its children. That is the logical extension of the present trial programme going on now.

But I submit to you, Mr. Speaker, this is not what we want. I am confident that there are Canadian homes for these children, confident that Canadians want to accept the responsibility for any child born within our borders no matter what the circumstances of his background may be. Now, Mr. Speaker, in accordance with my opening remarks, I will conclude at this point and I will retain my contributions in other fields for supply when that opportunity presents itself to me.

**Mr. G. Ben (Humber):** Before going on into my own address, I would just like to comment on the speech of the member for Grey-Bruce. Either he is against hunting or he is an extremely poor hunter, because he spent the last 45 minutes doing nothing but passing the buck. I was intrigued by the way he raised his voice and shouted quite loudly on one occasion when he had a criticism to make of the federal Liberals. But in the rest of his speech, which was nothing

but an outright condemnation of the way his party is running this province, he just rattled off at what you might call a ghost-speed. It is a pity that he is not sitting on this side of the House because obviously he was offering more criticisms than plaudits for this government.

Mr. Speaker, it is customary on an occasion, when a person rises and speaks for the first time after a new Speaker is in the Chair, to make some complimentary remarks about Mr. Speaker. I have no intention of doing that. I had occasion to spend eight days in the company of you and your wife and gained an extremely high regard, respect and deep affection for your person.

However, I feel that I would be a hypocrite if I were to rise and make the usual statement pertaining to Mr. Speaker. Although I have respect for the man who occupies the Chair of Mr. Speaker, I must in all honesty say that during my term in this Legislature I have developed nothing but extreme contempt for what has degenerated under this government to what is called the Speaker.

At one time, the Speaker held a very laudable position in British government, and, in some jurisdictions still does. But there seems to have been a change which is not recognized by this government. At one time the government was always seeking to extract money from the King's subjects, and it was the duty of the Opposition to try to avoid granting this money to the Crown.

Somehow, somewhere, I do not know how or when—and I find it deplorable myself, Mr. Speaker—the role has been reversed. The government is trying to avoid draining dry the taxpayer, and the Opposition parties—whatever they may be in whatever jurisdiction—are trying to persuade the government to spend more, spend more, spend more.

I do not know when that change took place, it might be an interesting bit of historical research to find out when it occurred and how it happened. We find the position where at one time the Speaker represented the people who did not want to spend the taxpayers' money, but he is now appointed by the people who do want to spend the taxpayers' money. In fact, the Speaker still represents the people who do not want to spend the money, but he is now almost a different guy.

Furthermore, at one time, the Speaker had to protect and intercede for the members of the House against the arbitrary decisions or the whims of the Crown. Now it has changed

in this province to the point where the Speaker on many occasions represents the Crown against the subject. I should add, Mr. Speaker, in this regard your conduct has been laudatory, and that you have addressed the government benches as sharply—and on some occasions much more sharply—than you have members of the Opposition.

I raise this point and I open my address in this manner, Mr. Speaker, because for years the Opposition has been asking the government to revise the rules of this House and update them in its proceedings—but with no results. I feel, Mr. Speaker, that the larger share of Mr. Speaker's duty is to give the Opposition the benefit of the doubt, just as the King's or Queen's subject is given the benefit of the doubt in a court of law. That is, if there is a dispute as to whether something is in order, or is not in order, then Mr. Speaker should try to find a precedent which would favour the applicant rather than the government. That to me is the British form of justice.

What happens if there is a dispute? A clerk of this House manages to dash into his hutch like some witch doctor, rummage about his bottles of herbs, and come out with some precedent, or some custom, or some usage—

**Mr. P. D. Lawlor (Lakeshore):** Necromancy.

**Mr. Ben:** He learned it at Scarborough College. And sometimes there is a precedent or usage which is diametrically opposite to the written rules that at one time were applied in this House. What I deplore, Mr. Speaker, is that I do not have a key to that hutch, and if I did I would not know where to rummage to find all these rules and precedents and usages. Why should not the members of the Opposition have available to them this body of custom and usage and precedent? Surely we are just as entitled to have it as is the Clerk of this House. If we did have it, Mr. Speaker, perhaps we would not question the rulings of the Chair so frequently because we would know what had been decided previously.

So I offer it for the reason, Mr. Speaker, and only for the reason, that perhaps my complimentary, backhanded insult to the Chair—in which I am sure Mr. Speaker understands what I am about—might just shame this government into sitting down and appointing a committee to go into the rules of procedure in this House, update them, and create a body of written rules and regulations and precedents, which would be available to all members of this hon. House, and not

something that was drawn out of the air with some hocus-pocus or neocromancy, or alchemy, or whatever it is that perhaps the hon. member for Lakeshore—

**Mr. Lawlor:** The member had better go to community college.

**Mr. Ben:** I will have to go to community college and learn all these phrases that the witch doctors use. Mr. Speaker, since you are making a valiant effort to bring back to the Chair the dignity that it once held, perhaps you might persuade this government that it is time that Parliament was given back to the people and its representatives, and they had a chance to practise what history preaches was their common law right.

Now, at the beginning of the session, Mr. Speaker, prior to the establishment of the various standing committees, a discussion was initiated by the hon. leader of the Opposition on a matter of government commissions. It was felt that a longer and more searching look should be taken at the multitude of various boards and commissions that are in existence and seem to be proliferating daily.

The whole matter was shrugged off by the Premier as being inconsequential, with the statement that the standing committee on government commissions was free to call before it any and all government boards and commissions it wished and to examine them as closely as it desired.

This was a magnificent gesture on the part of the Premier, but unfortunately the gesture was rather empty, Mr. Speaker. Why do I call this gesture empty? Because it is humanly and physically impossible for the standing committee, with the time available to it, to call before it the responsible officers of all the various boards, commissions, and agencies now in existence. It is not even possible to give a cursory examination to the majority of them.

Let me read, Mr. Speaker, the list of boards and commissions given to us by the secretary of the committee last year. I do this for the benefit of those hon. members of this House who do not sit on the standing committee on government commissions, and were not given this list. Here they are:

Crop Insurance Commission of Ontario; Farm Products Marketing Board; Ontario Livestock Board; Milk Commission of Ontario; Ontario Telephone Service Commission; Ontario Research Foundation; Ontario Energy Board; Ontario Northern Transportation Commission; Hydro Electric Power Commission of Ontario; Ontario

Water Resources Commission; Ontario Securities Commission; Ontario Hospital Services Commission; Alcoholism and Drug Addiction Research Foundation; Labour Relations Board; Ontario Athletics Commissioner; Ontario Human Rights Commission; Workmen's Compensation Board; Mining Commissioner; Niagara Parks Commission; Liquor Control Board of Ontario; Liquor Licence Board of Ontario; Soldiers' Aid Commission; St. Lawrence Parks Commission; Ontario Highway Transport Board; Ontario Racing Commission.

Mr. Speaker, the historical philosophy of democratic and representative government was that the people could control their controllers through the Legislature. In turn, elected members were accountable to the people through that same Legislature. They could be replaced periodically if they did not measure up. Yet at the same time as we have been preaching that man should be the master of his own destiny, we have been developing a giant, bureaucratic octopus, with its tentacles probing into all areas of human endeavour.

The list of boards and commissions which I read to this House establishes that. This bureaucratic octopus was developed into an almost independent branch of the civil service with only token and spasmodic control by us, the legislators.

In his book, "The Government of Canada," Professor MacGregor Dawson indicates that there has been a constant trend from merely police functions, to what are known as "service functions", the promotion by positive measures of such things as public health, housing, employment, conservation, and price stability.

Professor Corry, in his book, "Democratic Government in Politics," agrees with this statement and says that the trend has been very rapid due to the absolute impossibility of the Legislature's finding the time to make the vast number of decisions that are now required.

How much truer has that statement become even since it was made by Professor Corry. I doubt if even he visualized how fast these boards and commissions could proliferate, and yet, Mr. Speaker, the government still continues to pretend to know what the administrators, the civil service, the officials of these boards, commissions and agencies are doing, and we, the legislators, continue to pretend to be aware of everything the government is doing.

To give you an example, Mr. Speaker, after the list which I read to you was received by me, I delved into the report that had been made by Mr. Walter Gordon on "Economics in Government", and I found another list of government boards, commissions, and like agencies in that book. I passed this list to Miss Wendy Hansen, of our staff, with a request that she make the necessary enquiries to determine which of these agencies listed were still in existence, and which had either been wound up or merged into others. I was naive enough to suggest that she start with the office of the legislative council, feeling that there would be maintained some records as to when these agencies were established and whether or not they were still functioning.

Miss Hansen was unable to obtain that information from that office, but instead was referred to the office of the Attorney General, the chief law officer of this province. You guessed it, Mr. Speaker, that office did not have the answers and referred the young lady to the office of the Premier.

Mr. Speaker, she could not get the answer from the office of the Premier of this province—from the man who is supposed to have all the answers—but was told that she would have to call each agency separately and determine from each agency whether it was alive or dead. I presume if no answer was received to a call, the agency was probably dead, and the body is still lying around waiting for the hon. member for High Park to perform an autopsy and to hold an inquest.

Mr. Speaker, let me read to you a partial list of all the board, agencies, and similar commissions. Some of them may be duplications, although I have tried to eliminate them, but there are some 90 of them, aside from the ones like the accountant of the Supreme Court of Ontario, which, to my knowledge, has not been looked into in a long time:

The Artificial Insemination Board; Board of Censors; Board of Parole; Board of Review-Welfare; Board of Directors of Chiropractic; Board of Directors of Drugless Therapy; Board of Directors of Masseurs, of Osteopathy, of Physiotherapy; Embalmers and Funeral Directors; Boards of Examiners of Optometry and of Operating Engineers; and of Chiropody.

We have Cemeteries Advisory Board, Civil Service Board of Review, Civil Service Commission, Commission for the Investigation of Cancer Remedies and Commissioner of Police for Ontario.

We have committees for the designated building trades; for the designated trade of barbers; for the designated trade of hair-dressers; designated trade of motor vehicle repairers; designated trade of workers in servicing and installation of air conditioning and refrigeration equipment.

We have defence training boards—no, I will leave that out. We think we do because we have never been able to find out whether we have these or if they are still there or not. We have—and some of these have changed their name—the Governing Board of Dental Technicians and the Grand River Conservation Commission, if that is still around. I understand that the Premier has a cottage in that area.

Then we have the joint advisory council re the civil service; Lake of the Woods Control Board, if that is still around. Then, of course, there is the Liquor Control Board of Ontario and the Liquor Licence Board of Ontario. We have the Medical Advisory Board of Welfare; and the milk industry advisory committee of Ontario—I think that is gone. We also have the Milk Industry Board of Ontario and the Milk Producers Co-ordinating Board.

We have the Mining Commissioner, the municipal advisory committee, and the Macdonald Institute. Then we have a number of others, starting with the name Ontario.

The Ontario Agricultural College, the Ontario anti-discrimination commission, which is now, of course, the human rights commission; Ontario archeological and historical place advisory board; Ontario cancer institute, Ontario cancer treatment and research foundation, and another half dozen of those.

We even had the Stallion Enrollment Board and I do not know whether that was just a list of all the bucks sitting on the government side.

And then there is the sulphur dioxide committee. I would like to know what happened to it, together with sulphur fumes arbitrator, and right down to Workmen's Compensation Board, Ontario.

**Mr. A. B. R. Lawrence (Carleton East):** Will his speech be categorizing and pointing out to us which of these boards he would like to see done away with?

**Mr. Ben:** Mr. Speaker, perhaps the hon. member just came in. I trust he just came in, because if he was here from the beginning he would have heard me say that we have not been able to determine which of these

boards are still in existence. A member of our research staff was sent to the legislative council and, in turn, was referred by legislative council to the office of the Attorney General. He was then referred by the office of the Attorney General to the office of the Premier, and they could not tell us which of these boards were in existence and which were not.

**Mr. A. B. R. Lawrence:** Are you going to suggest that any of these boards be cut out and the responsibility shifted?

**Mr. Ben:** I think it is rather an asinine question, Mr. Speaker. How can I suggest which of these boards be cut out when I do not even know whether they are in existence, and if they are, what function, if any, they are performing?

**Mr. A. B. R. Lawrence:** Why does the member not find that out first and then tell us what he would do?

**Mr. Ben:** I will tell you, Mr. Speaker. Since I have already gone to three top offices at least, I thought that the hon. member for Carleton East would take it upon himself to delve into this list to determine which of them are still in existence and just what their functions are. And I am sure that the standing committee on government commissions would appreciate a brief from the hon. member setting forth just which of these are in existence and what their functions are.

**Mr. A. B. R. Lawrence:** Well, can the member pick one that he wants to abolish?

**Mr. Ben:** How can I possibly tell him that I want something abolished if I do not know whether or not it is in existence?

**Mr. A. B. R. Lawrence:** Why does he not go and get his information and then come back?

**Mr. Ben:** The fact remains that there is a government member who cannot tell me which of these are in existence and he is asking me which I want abolished.

**Mr. A. B. R. Lawrence:** They are all in existence now.

**Mr. Ben:** They are all in existence! Well, that is fantastic, Mr. Speaker; that would be over 100 or 115 boards and commissions.

**Hon. J. H. White (Minister of Revenue):** Which would the member eliminate?



**Mr. Ben:** Name one? The government of the province of Ontario as run by the Tory party.

Interjection by an hon. member.

**Mr. Ben:** That is not very constructive. Mr. Speaker, if they are found to be alive, what then? Some of these boards and commissions, such as the Workmen's Compensation Board, the Ontario Hospital Services Commission, The Ontario Securities Commission, and the Ontario Water Resources Commission have been raked over the coals continually in this House with little or no visible effect on their decisions or policies. Others—in fact, the majority of them—have gone merrily on their way without too much discussion and certainly with no brakes being applied to their programmes.

As recently as January 5, 1968, these agencies were taken to task by William Anderson, president of the Canadian chamber of commerce at a meeting in Vancouver. The *London Free Press* quoted him as decrying the establishment of such a complex system of government and at the present time almost one-third of the gross national product must be devoted to the perpetuation of the agencies of control and regulation that have been set up.

Gordon Sinclair, that pillar of virtue, making comment the same day over CFRB radio, expressed concern and suggested that the day was fast approaching when all the earning from all the people would be required to keep the mammoth government and its agencies functioning.

And this is no exaggeration, keeping in mind that not only two senior levels of government, but also the municipal governments, have such boards and commissions. The municipal governments have school boards, library boards, parks boards, hospital boards, planning boards, cemetery boards, health boards, police commissions, children's aid societies, and the like.

A recent article from the Municipal Research Bureau indicated that there are exactly 101 such agencies in Metro Toronto alone. I would like to see them all abolished and the government given back to the people. Many of these boards and commissions are, in fact, controlled by provincial boards through such means as subsidies, grants, licences, permissive legislation, and rules and regulations.

In most cases, where we have established these outside boards and commissions, we have given them such broad powers that even

the courts appear to have no right to overrule them and other avenues of appeal seem also to be lacking.

In fact, in many instances, review by the courts has been expressly forbidden. Professor Corry has said that boards are often, at one and the same time, detective, prosecutor, judge and jury. Those who made the law also interpret it and enforce it. The board is likely to be biased in favour of the policy it is trying to enforce.

Allowing a board or government department or anyone else to be the judge of his own case leaves something to be desired. He goes on to say that, on the other hand, it is to be argued that this combination of legislative, executive and semi-judicial powers in the hands of a board or commission is not likely to be seriously abused as long as the Legislature has the authority to take back the power it has given.

I quarrel with this argument, Mr. Speaker, for one can only control abuses if one knows that they exist. As was demonstrated by Miss Hansen, government can hardly know whether abuses exist in these departments if they do not even know if the departments exist. At least three provincial boards or commissions, the workmen's compensation board, the Hydro-Electric Power Commission, and the Ontario Water Resources Commission, seem to hold the powers that Professor Corry deplors. At the same time, they give the impression of being beyond the control of the Legislature.

They are, in fact, their own lawmakers, detectives, prosecutors, judges and juries. Probably the worst example of the power to delegate authority is to be found in The Ontario Water Resources Commission Act. This Act, as written, demands obedience. It does so with such authority as to raise the hackles of many people who have fled, or whose ancestors fled from Europe to escape the dictator or the autocrat.

It can be suggested, with some authority, that there is no actual right of appeal against the directives under The Ontario Water Resources Commission Act. The ghost of totalitarian government once more raises its ugly head.

Section 18-1 of The Ontario Water Resources Commission Act reads:

The commission and its employees and agents may at any time, for its purpose, without consent, and without compensation, enter into the lands or buildings of the province or any municipality or of any person or into any highway or road under



the jurisdiction and control of any public authority, and make such surveys, examinations, investigations, inspections or other arrangements as it deems necessary.

How is that as an example of democracy in action? "At any time," "for its purpose," "without consent," "without compensation." The hon. Mr. Justice McRuer must have choked when he read that.

Section 39 is what I would call a Star Chamber section. Subsection 3 gives the municipality the authority by bylaw to enter into an agreement with the commission for the provision of and operation by the commission of water works or sewage works for the municipality.

Subsection 4 of section 39 permits council to construct works and enter into agreements with the Ontario Water Resources Commission without the consent of the taxpayer. This is contrary to the principle held valid for many years and long embedded in The Municipal Act that major and costly municipal works are not to be placed on a taxpayer by bylaw without first giving the taxpayer an opportunity to vote on the matter.

Not only is the taxpayer deprived of the right to vote on a bylaw but even the protection of having the bylaw scrutinized by the Ontario Municipal Board is almost denied to him. The following subsection, subsection 5, provides that where approval of the bylaw is required by the board, the application for such approval shall be made by the commission on behalf of the board.

In their book "Modern Government" Professors D. G. Hitchner and W. H. Harbold have this to say:

If administrative irresponsibility is not to result, administrators must be accountable to political leadership, and in democracy this means primarily to elected officials.

Insofar as the Ontario Water Resources Commission is concerned, Mr. Speaker, the only responsibility it has is to make a report annually to the Minister containing such information that the Minister may require.

A further requirement exists that the Provincial Secretary (Mr. Welch) lay the report before the assembly. I can hardly call this control in light of the various phrases used to define the commission's powers. Here are some of them, Mr. Speaker:

Section 22, subsection 4: "Upon such terms and conditions as the commission may determine."

Section 30, subsection 3: "Where, in the opinion of the commission;" subsection 4:

"As may be required by the commission;" subsection 5: "As may be directed from time to time by the commission."

Section 31, subsection 1: "As the commission may require; subsection 2: "As the commission may deem necessary".

Section 38, subsection 1: "That it is of the opinion".

Section 39, subsection 6: "Have been discharged to the satisfaction of the commission".

Mr. Speaker, let us take a closer look at this fantastic setup. Section 3 of the Act permits the appointment of a commission of between three and seven members including a chairman and a vice-chairman. The Act also allows the commission to hire, pay and direct the required staff. The present commission consists of a chairman and a vice-chairman who happens to be an hon. member of this House, and four commission members.

Under their direction is a general manager with five assistants. Each of these assistants is responsible for a variety of divisions and has a number of directors reporting to him. Most of the directors of the divisions have an assistant and staff to fulfill the duties allotted to that division. The administrative branch consists of the following: information, legal, personnel, systems and data processing, feasibility study and supply.

The divisions are: construction, finance, industrial waste, laboratories, plant operation, project development, research, sanitary engineering and water resources.

But hold on, Mr. Speaker, that is not the end yet. Within these divisions are the following branches: balance sheet, bacteriological, biology, chemistry 1, chemistry 2, projects, property, technical advice, special studies, design approvals, engineering, plumbing, boating, water quality surveys, regional service planning, surveys and projects, water well management, hydrological and river basin research. As a matter of fact, it sounds like the curriculum from the school of practical science at the University of Toronto, does it not, Mr. Speaker?

**Hon. Mr. White:** The member has emptied the Liberal benches pretty well.

**Mr. Ben:** They know all this. This is for the benefit of the uninitiated on the government side.

**Hon. Mr. White:** Press galleries are empty as well.

**Mr. Ben:** Mr. Speaker, I want to go on record that I am not trying to take any credit

away from the Ontario Water Resources Commission. A thorough study of its activities indicates that the reputation they hold, as best in the world in their field, may be well earned and not just granted to them. But one cannot avoid wondering why the same organization and zeal is not applied to such areas as mental health, juvenile delinquency, the reduction of alcoholism and drug addiction and the improvement of automobile safety.

Mr. Speaker, an example of bureaucratic independence is the Ontario Hydro. If education is the sacred cow of this province then, without a doubt, Ontario Hydro is the sacred bull. To criticize the Hydro is like denying the diety, one gets no answer from either.

Last year, and the year before, I criticized the Ontario Hydro for its decision to erect a fossil fuel hydro producing plant on the shores of Lake Erie near Port Dover, rather than a nuclear fueled plant and the construction of another nuclear fueled plant was announced by the hon. Minister with considerable fanfare not too long ago.

The criticism fell on deaf ears. To me, a majority decision such as this should not have been made by Hydro officials but by the members of this House or, at least, by a committee of this House.

The decision, in 1966, that it would build a coal fired power plant in Ontario, the major uranium producing area in the world, was announced by Hydro on August 31, 1966. Two months earlier, on June 17, the Tennessee Valley Authority announced that it would build a nuclear power plant in Alabama near the major United States coal producing area, the area that the hon. Minister of Energy and Resources Management (Mr. Simonett) informed us earlier this year would be the area from which we would be buying coal to fire our fossil fueled plants.

Ontario Hydro did not release detailed cost figures for its new station; TVA immediately published detailed costs and supporting reasons for its decisions.

The TVA report showed a preference for nuclear power in every respect—capital cost, fuel cost, operation and maintenance and thus obviously, total cost.

In addition to the published comparisons between the TVA, Cumberland City (coal) and the Brown Ferry (nuclear) plants, I was able to obtain some figures for comparison with respect to the Pickering (nuclear) and the Lambton (coal) plants, since the latter costs will approximate those of the Port Dover station.

I will not, Mr. Speaker, guarantee the accuracy of my figures for the Ontario operations—the Pickering plant, for example, has run into some unexpected and costly delays—but I will say that I threw these figures at the Ontario Hydro officials last year and year before when they were before the standing committee on government commissions and they refused to deny the figures were close enough to be accurate.

These, Mr. Speaker, are the figures, and in order to understand it, perhaps one should mentally use some captions. The first one would be the item, the next would be for the TVA's Brown's Ferry nuclear plant, the next one for TVA's Cumberland coal plant, the next one for the hydro electric power commission Pickering nuclear plant and the last one for the hydro electric power commission Lambton coal plant and these are the figures.

The net plant capacity: two units in megawatts: The TVA would have 2,129,000 kilowatts. The TVA Cumberland coal plant 2,205,000; the hydro electric power commission Pickering plant 2,000,000; and the hydro electric power commission Lambton plant 2,172,000.

Hon. J. R. Simonett (Minister of Energy and Resources Management): That figure has been doubled.

Mr. Ben: I beg your pardon?

Hon. J. R. Simonett: That figure has been doubled.

Mr. Ben: Yes, it has been doubled since. It was not at the time. These figures were given to your people.

Investments in millions of dollars: For the Brown's Ferry plant \$247 million; TVA Cumberland coal \$258 million; Pickering \$500 million; and Lambton \$217 million.

Production plant: Dollars per kilowatt for Brown's Ferry 116; for Cumberland 117; for Pickering 250 and for the Lambton coal 100, which, subsequently, I learned from questioning the hon. Minister, would be closer to 135.

Energy costs, mills per kilowatt hour, interest and depreciation on plant investment: For Brown's Ferry, 0.89; for Cumberland coal, 0.90; for Pickering, 2.46; and for Lambton, 0.98.

The fuel costs—again in mills per kilowatt: For Brown's Ferry, 1.25; for Cumberland coal, 1.69; for Pickering, 0.97; and for Lambton coal, 2.81.

Now I will go down further so that I shall not bore this House with a lot of figures, although I would like to have the permission of the House that I could just give the rest of the figures into *Hansard* because the total cost works out this way—this is in mills per kilowatt: Brown's Ferry, 2.39 mills per kilowatt—that is per kilowatt hour; Cumberland coal, 2.90 mills per kilowatt hour; the Pickering station, 3.92; and the Lambton coal, 4.06.

So no wonder, Mr. Speaker, that at the time the announcement was made the story was going around the street that half a million dollars had been paid into the Tory coffers to induce the government to buy coal, and since that time nothing has been said or done to dissuade me from believing that statement.

Incidentally, Mr. Speaker, when I presented these figures to the officials from Hydro, Mr. H. A. Smith, the chief engineer of the hydro electric power commission stated that I had obtained these figures from one Winnett Boyd. As usual he was wrong. I am indebted to Mr. Boyd for much of the knowledge I have managed to acquire on nuclear energy, for I have read the brief he presented to the House of Commons special committee on research during the 1960-61 session of the Parliament of Canada, the papers he delivered to the first Canadian conference on uranium and atomic energy, held at the King Edward Sheraton Hotel in January of 1950, and the luncheon address he delivered in October of 1959 at the Ottawa regional technical conference of the Engineering Institute of Canada. But, then I am also indebted to others for much information. For example, to Mr. Smith, for much of my information concerning the Canadian systems came from Mr. Smith himself and his illustrious boss, Mr. George Gathercole, the Chairman of the Hydro Electric Power Commission of the hydro electric power commission.

The figures on the American operation, of course, came from the "Comparison of coal-fired and nuclear power plants for the TVA System" as quoted in *Nuclear Industry* of July, 1966, but most of the other information came from "Present and Future Development for Bulk Supply of Electricity in Ontario" by the chief engineer, given by him to the annual meeting of the Engineering Institute of Canada at Toronto in May of 1965; "Energy Transportation Costs and their Effect on the Market for Nuclear Power in Canada", a paper presented to the Canadian nuclear association conference in Winnipeg in May of 1966; and "Power Pace", an address by

Mr. Gathercole to the electrical day luncheon at the CNE August 31, 1966, a copy of which the hon. gentleman sent to me.

The point I am making, Mr. Speaker, is that most of the figures for the Canadian operation came from the illustrious gentlemen who operate the Hydro electric power commission of Ontario.

Before analyzing the figures which I just gave, I think it would be proper to give to the members of this House, through you, of course, Mr. Speaker, some basic information about nuclear power.

Basically, Mr. Speaker, a nuclear power plant is similar to a conventional thermal plant, with the reactor acting as the furnace. The uranium serves as fuel in a nuclear reactor just as coal, oil or natural gas is used as a fuel, in a conventional thermal power plant.

The heat produced by burning either fossil fuels or uranium, converts water into steam to rotate turbines which, in turn, drive electrical generators. The energy produced is fed into transmission lines and on to the final users.

There are different types of reactors, using various forms of uranium as fuel in use throughout the world. Basically the different types of uranium fuel may be divided into two classes: natural uranium, and enriched uranium.

The natural uranium element is composed of three uranium isotopes:

- (1) the uranium-235 isotope, which constitutes only .71 per cent of the uranium element as found in nature;
- (2) the uranium-238 isotope which constitutes 99.25 per cent of the uranium element found in nature;
- (3) the uranium-234 isotope which constitutes .01 per cent of the uranium element found in nature.

The essential ingredient is the fissionable material contained in uranium-235 isotope, i.e., the U235 atom which readily splits when struck by neutrons.

Neutron fission takes place when a neutron, slowed by passing through a moderator—usually heavy water or graphite—strikes the nucleus of the U235 atom and splits into fission products which fly apart creating heat. At the same time more neutrons are given off to permit a continuation of this fission process.

There are three basic types of reactors; the type using natural uranium metal or oxide

clad with zirconium alloy, the type using enriched uranium, and the fast breeding types. The last is still in the prototype stage and when fully developed will be the closest thing to perpetual motion there is.

Enriched uranium is natural uranium in which the percentage of the fissionable uranium—U235—has been increased from .71 per cent up to four per cent. The enriching of natural uranium is carried out by a process of gaseous diffusion.

The United States owns three gaseous diffusion plants and Great Britain and France one each. The American plants represent an investment of about \$2.5 billion and they consume about 50 billion kilowatt hours of electricity per year—equivalent to about 40 per cent of Canada's total current yearly consumption.

Obviously Canada could not afford to establish such a facility for its own use but the new centrifugal process being developed by Germany could be put into operation at a cost of between \$50 and \$100 million and could be built in many countries by private enterprise.

**Hon. Mr. Simonett:** Where did the member get those figures?

**Mr. Ben:** These? I got these particular figures from "Uranium, the Fuel Source of the Atomic Era" put out by Burns Brothers and Denton. The Minister can get them free, but if he wants, I can get him a copy.

**Hon. Mr. Simonett:** He had better check out that last figure.

**Mr. Ben:** From \$50 million to \$100 million—let the Minister give us the correct figure; I will be very happy to get it, I would be very happy to have the correct figure.

**Mr. Singer:** Sit down while he gives it to you.

**Mr. Ben:** Oh, I would have to grow old and be like Rip Van Winkle.

Because Canada did not have available to it until quite recently enrichment facilities, it proceeded with the development of the Candu, or natural uranium type reactor. Unfortunately our reactors are of the Candu type.

I say unfortunately, for although such a type is cheaper to build, the fuel costs are, in the long run, higher and therefore so is the cost per kilowatt hour as demonstrated by the figures I gave you earlier.

But to get back to the comparison of costs. The delivered cost of coal to the TVA plant was 18.9 cents per million Btu or the equivalent of 1.69 mills per kilowatt hour including interest on inventory. Annual requirements would be about 6.5 million tons and this is the figure if you will recall that came from the hon. Minister in response to a question that was put to him by me last month.

Four U.S. suppliers quoted on a coal supply for periods ranging from 10 to 20 years with delivery by unit train or barge. The coal bids were subject to escalation. In contrast the nuclear fuel costs were firm until 1974.

For the purpose of arriving at the figures I gave you it was assumed that the Ontario Hydro coal-fired plant will require approximately the same quantity of U.S. coal—6.5 million tons, and as I say, I got that confirmation from the Minister. This will cost us \$32 million annually in U.S. dollars plus an escalation in price.

In addition there will be the transportation charges from the U.S. mines to Port Dover. This is estimated at \$2.66 a ton for another \$17 million in Canadian funds, again subject to escalation, and for the benefit of the hon. Minister, Mr. Speaker, I might point out that these figures I am giving are 1966 figures when I first raised this issue with the Minister with regard to the other plant.

With costs of mining and costs of transportation increasing annually you can now see where I arrived at the annual cost of \$50 million U.S. annually.

In the letter to me which enclosed the speech of August 31, 1966, of Mr. Gathercole, the hon. member for Muskoka (Mr. Boyer), the vice-chairman of Ontario Hydro, emphasized:

To achieve maximum efficiency and the lowest kilowatt-hour cost, a nuclear station must be operated continuously with a minimum of stops and starts. When electrical consumption during the course of a day shows wide variation which must be met instantaneously, modern coal-burning plants can be operated much more flexibly than nuclear installations to meet this type of variable demand on the system.

However, subsequent checking of Ontario Hydro data reveals that this is misleading. Hydro is planning to use its big coal-fired plants for base load as well as peaking of output. In fact, this makes good economic sense, for the large capital investment and fuel handling and storage required could not

be justified by infrequent use. Indeed, Hydro assumes an 80-per-cent capacity factor to reach the figures I gave you. If the capacity factor drops to 58 per cent, the cost rises to 4.53 mills per kilowatt hour.

All that I have given you, Mr. Speaker, leads me to ask these two questions: One, why is the Hydro not calling for competitive tenders on nuclear power plants of proven design and performance? In not doing this, it is being derelict in its duty to the citizens of Ontario. Two, why is the Hydro allowing the delays in the Canadian nuclear power development programme to force it into building more coal-burning power plants which will saddle us with a U.S. coal bill for as long as they run?

I might point out, Mr. Speaker, that the figures I was giving here dealt only with the cost of the one coal-fired plant that was announced in 1966. There was a coal-fired plant that was announced last month or during this session, by the hon. Minister.

The plant being of almost similar capacity, similar amount of coal being used, it will double; in other words, our deficit in U.S. funds will amount to \$100 million annually.

Up to this point, Mr. Speaker, I have dwelt on the economic advantages of nuclear fuel as against fossil fuel or coal. But there are many other advantages to the use of nuclear fuel.

First, nuclear fuel needs no large storage area for stock-piling. A coal-burning plant requires a large storage area.

Second, nuclear fuel causes no pollution of the air. A coal-burning plant causes pollution in two ways: the coal dust which blows off the stock pile, and the sulphur dioxide and other chemicals that pour into the air from the smoke stack.

Third, any nuclear fuel that is required to keep the reactor charged can be brought to the plant in a truck. A coal-burning plant needs complex dock or railhead facilities.

Fourth, the cost of nuclear fuel is rather constant. The Hydro can obtain a long-term contract at a fixed price. Coal, because of labour and transportation problems, constantly fluctuates—usually accelerates—in price.

Fifth, a strike of coal miners or of transportation workers, if it was of long duration, could virtually close down the plant. We could always bring coal by rail from the east coast but there is a subvention of approximately \$7 per ton and the Prime Minister has already pointed out that we pay 40 per cent of the federal bill. It would be the tax-

payers who would be paying the subvention or the greater part of it. In essence, we would be in the power of a foreign power for our power.

Sixth, using coal as the source of power is going to cost us approximately \$50 million annually in much needed foreign exchange per plant. Nuclear fuel would be purchased in Canada with Canadian dollars.

Seventh, the use of coal as a power source creates jobs for American workers. The use of nuclear energy would keep Canadian workers at their jobs.

The announcement to build the new plant came at a time when Canada's uranium industry was going abroad, as the Minister of Trade and Development (Mr. Randall) was going abroad to extol the merits of buying uranium and nuclear reactors from Canada. I wonder how they explain away Ontario's action to prospective buyers. The decision of Hydro makes fools not only of the uranium salesmen, but of our Minister of Trade and Development, who also, as I said, travels the world shouting "Buy Canadian". He must now be doing so with tongue in cheek.

I repeat, Mr. Speaker, a decision of this magnitude, involving a capital investment of over \$200 million, plus an annual expenditure of \$50 million, should have been made by this House. But I am afraid that is like throwing words into the wind as far as this government is concerned. We will continue to have a deficit of some \$100 million while we supply jobs for American workmen, and perhaps we may even see a future shutdown of the uranium industry in Elliot Lake and Blind River. The government will probably say that we want to cut inflation and that is why we are cutting jobs.

**Hon. Mr. Simonett:** I would doubt that very much.

**Mr. Ben:** The Minister would doubt that very much. Well, I will tell him, if the miners up in Elliot Lake and Blind River are digging uranium it is no thanks to this government.

**Hon. Mr. Simonett:** Mr. Speaker, if it was not for the Ontario government and Hydro we would not be opening up Elliot Lake at this time.

**Mr. Singer:** On what point is the Minister rising? Only one member can have the floor.

**Mr. Ben:** Mr. Speaker, I welcome that interjection because this is as of January, 1968. The hon. gentleman, the Minister who



sat down, implied that it is this government—by building one or two measly inefficient nuclear plants—that is keeping the miners of Elliot Lake and Blind River working. Let me read to you a list, Mr. Speaker, of the number of plants that were under construction or scheduled for operation throughout the world in January of 1968:

Oyster Creek, Jersey Central Power and Light, supposed to have gone into operation in 1968; Nine Mile Point, Niagara Mohawk Power, November, 1968.

**Hon. Mr. Simonett:** All enriched uranium.

**Mr. Ben:** Oh, not all enriched uranium, no.

**Hon. Mr. Simonett:** Tell us the truth.

**Mr. Ben:** I will read the Minister what they are. They are not all enriched uranium. And if they were all enriched uranium, I might point out that only one of them here is a Candu type, which is a condemnation.

**Hon. Mr. Simonett:** What is the Candu?

**Mr. Ben:** Candu is using the raw, natural uranium.

**Hon. Mr. Simonett:** That is what I am getting at.

**Mr. Ben:** All right. Only Ontario—and I think in India—are they using this type. They cannot sell it anywhere. And only this province is fool enough to go and buy it.

**Hon. Mr. Simonett:** This is developed by your Canadian government, a Canadian industry—

**Mr. Ben:** Canadian industry, nonsense! It was some idiots up there who made a bad guess and they will not change their mind. They are going to continue to say that Candu is the type when the Minister well knows, Mr. Speaker, that it is the breeding type that is going to be the nuclear reactor of the future, because it is sort of self-perpetuating. As it burns uranium it is creating more uranium. This is a perpetual motion machine, a perpetual power machine.

**Hon. Mr. Simonett:** But there are none developed yet.

**Mr. Ben:** I did not say it has been developed, I said it was going to be the one of the future.

**Hon. Mr. Simonett:** It has never been developed.

**Mr. Ben:** But the fact is that all over the world they are using enriched uranium reactors.

**Hon. Mr. Simonett:** So we are better than the United States.

Interjections by hon. members.

**Mr. Ben:** Oh, it is all right, he is just pretending he knows something.

**Hon. Mr. Simonett:** I do know that much.

**Mr. Ben:** The Oyster Creek plant is 640 kilowatts, Mr. Speaker; the Nine Mile Point 600; Robert E. Ginna, Rochester Gas and Electric, 470; Millstone Point, Northeast Utilities 650; Indian Point No. 2, Consolidated Edison 1,033.

**Hon. Mr. Simonett:** These are all enriched.

**Mr. Ben:** Yes, and these are kilowatt hours. Dresden No. 2, 3, Commonwealth Edison, 809; Quad-Cities No. 1, 2, Commonwealth Edison, both 809. These are thousands of kilowatts.

The list continues: the Palisades, Consumers Power; H. B. Robinson No. 2, Carolina Power and Light; Turkey Point No. 3, 4, Florida Power and Light; Brown's Ferry No. 1, 2, Tennessee Valley Authority, of which I spoke to you. Monticello, Northern States Power; Point Beach No. 1, Wisconsin Electric Power, Wisconsin Michigan Power; Oconee No. 1, 2, 3, Duke Power; Vermont Yankee Nuclear Power Corporation. Incidentally, there are only a few of them that are less than half a million kilowatts.

And then there are applicants for construction permits: Malibu, Los Angeles Department of Water and Power; Fort Saint Vrain, Public Service of Colorado; Public Service Electric and Gas (with Philadelphia Electric), Atlantic City — a joint development; Diablo Canyon, Pacific Gas and Electric; Peach Bottom No. 2 and 3, Philadelphia Electric, with Public Service Electric and Gas participating. When I say No. 2 and 3 I mean the second and third. And all down the line, as I say, the only one that has a Candu type is some place in India and in this province. Why? Because it is more expensive to construct, but the fuel is cheaper, so that in the long run it is cheaper to operate.

The rest of the world uses our fuel too. They get it enriched but they operate the plants cheaper. They buy fuel from Ontario, enrich it and sell it all over the world. There are enrichment plants in Britain, they have enrichment plants in France, they have enrichment plants in the United States. And the



United States government has decided that it is going to allow other countries to use these plants to enrich the fuel.

At one time, when the Kennedy programme was developed, the United States government did not enrich uranium for other governments but that policy has long gone by the board.

Now, Mr. Speaker, I just wanted to point out the enthusiasm of the so-called government commissions and how they operate—without our knowledge, without even our concurrence, or even our consent, they give powers out to themselves.

I could go on Mr. Speaker, and do the thing with a few other departments, but I think that the point has been made. I also had intended to go into the subject matter of housing, however, that would involve another 40 minutes. However, I think maybe I will.

Mr. Speaker, our current housing programme, which theoretically at least, is designed to fulfil one of the three basic elements of the living standard — food, clothing and shelter — has piteously failed to satisfy that fundamental and very pressing need.

The housing programme—and particularly the housing programme here in our own province — has failed, and is failing to such an extent that sociologists, housing experts and the vociferous press, have taken to referring to our housing programme — both public and private — as a mess.

The supply of new housing in recent years has been steadily and consistently outdistanced by the demand — a demand I might add, that shows not the least sign of lessening. Quite the contrary; demand for housing is increasing daily.

Like most major problems, the elements of this particular predicament are deceptively simple. Supply no longer can keep pace with demand. In essence, we are endeavouring to squeeze a quart into a pint pot. This endeavour, noble though our motivations may be, is in itself an enlightening exercise in frustration.

Experts, of course, differ in their opinions as to what to do about the housing problem. However, all would appear to agree that our housing programme has failed in several ways.

It has failed essentially because housing construction is falling far behind the population increase. In 1966, for example, fewer than 135,000 dwellings were started in this country. There should have been at least 150,000 according to H. W. Hignett, who is president of the Central Mortgage and Housing Corporation.

Last year's housing starts again failed to

keep pace with demand or with housing needs. Again they lagged far behind the demand, estimated to be at least 190,000 units by the Economic Council of Canada.

These figures, of course, are nationwide, but since our own province of Ontario houses approximately one-third of this nation's entire population, we have been served a correspondingly large portion of the housing mess of pottage. Ontario has not been the least to suffer as a result of this housing crisis.

I hesitate to use the word crisis, which by implication denotes a chronic condition. But what is the housing situation in this province if not chronic? Chronic also implies a deciduous condition, thereby presenting the very real hope for a remedy. Meanwhile this perplexing situation persists — a true Gordian knot that will be cut only when this government decides to take swift, concrete and realistic steps to provide the solution.

The demand for adequate housing in Ontario, which is as great, and in many instances greater, than that prevailing in other provinces of this nation, has been intensified, and is continuing to be intensified, by urbanization, by immigration and by net family formation. The situation is further aggravated by demolition of existing housing — demolition to make way for highways, expressways, subways, and ever-increasing number of public buildings and for re-development.

We are confronted with the considerable problem of providing shelter for 100,000 additional persons every year. And this is no mean task.

Immigration alone accounts for a very large percentage of this province's families seeking homes. In addition, we have the quite understandable boom in births of the immediate post-war period contributing to the increasing demand. The so-called war-babies are now reaching adulthood. They, in turn, are getting married and creating families of their own.

Natural births are—or until the advent of the Pill, were—on the increase. All this is being compounded by the current massive movement of people from rural areas to the cities. This persistent perennial migration means that much good rural housing is being simply abandoned. It also means crowding in the cities, and soaring land values. These skyrocketing land prices speedily reflect on the net housing costs.

The *Monetary Times*, for example, reported that in April 1964, 17 per cent of all new houses in Toronto could be bought for less than \$16,000 each, and that only four per

cent cost more than \$30,000. The average cost per house then was \$19,297.

A scant 14 months later the housing scene underwent drastic changes. In June, 1965, fewer than one per cent of new homes were obtainable for \$16,000, while 31 per cent cost more than \$30,000, bringing the average cost to \$27,622.

This highly unrealistic metamorphosis, I hasten to point out, occurred in little more than one year.

As we all are quite well aware, the change did not cease there. The price of houses—as in all commodities affected by supply and demand—kept on increasing. The outcome of these artificially swollen prices has effectively placed home ownership beyond the reach of an ever-increasing segment of our population. This is hardly a situation in which we can take pride. Far from it.

The opportunity to acquire adequate housing accommodation is—or most certainly should be—a basic, inalienable human right. A right to be exercised by everyone.

Dr. Albert Rose, a professor of social work at the University of Toronto, says that he considers the assurance of the opportunity to acquire adequate housing accommodation to be a basic human right; that he considers this to be a self-evident truth.

When an important proportion of a national community's population is unable, through its own resources, to satisfy one of the three basic elements of the living standard—in this case housing—there is a *prima facie* case for government action in what has been a personal or private matter for hundreds of years. This is Dr. Rose's opinion. It also happens to be my opinion. He adds:

It is now acceptable more and more throughout Canada that many of our efforts in such fields as education, maintenance of sound employment standards, and fulfilment of reasonable productivity goals as well as many more economic and social objectives, are subverted by the absence of adequate housing accommodation for many thousands of Canadian families.

We support the expenditure, or at least the raising or lending, of hundreds of millions of dollars each year to accommodate families who might otherwise find it absolutely impossible to acquire homes. This is primarily because most Canadians feel that this is a matter of importance to the entire Canadian society.

Because we have set a relatively high standard for ourselves among the nations of

the world, we Canadians are tremendously concerned with our failure to ensure adequate housing for every individual and family in our nation.

We feel consciously that it is unreasonable to expect thousands of elderly people to live in miserable, inadequate, cold, unlit and unventilated single rooms in the remaining old buildings in the centre of our large cities.

We feel that it is unreasonable to expect thousands of our families to raise their children and to expect their children to escape the circumstances of their parents, if they must live crowded together in smaller and poorer accommodation than we feel can be made available at reasonable cost to every family in our society.

Dr. Rose adds that our interference in the housing market through the passage of national and provincial legislation is designed to assist those families whom we select on the basis of certain criteria as the most appropriate beneficiaries of our programme. Contrariwise, we attempt to eliminate from consideration those individuals and families whom we judge on the same or other criteria to be able to take care of their own housing needs.

In the course of time we have created in Canada a simple tri-partite division of families on the basis of a simple income distribution.

We have assigned to each of these three layers in our society a certain role with respect to their capacity to meet their own housing needs.

In the upper third, or upper stratum, of our society—a segment which is roughly ten to 15 per cent of our population—those individuals and families, by the very virtue of their incomes, can afford to buy houses almost without regard to price. The sole exception to this might be the ultra-luxurious accommodations which are beyond the financial capacity of all but a mere handful of families within any metropolitan community.

This upper stratum is the only group in our western industrial society who can meet their own housing needs with their own resources and their own capacity to borrow in a money market.

The middle layer of stratum of our society is composed of those families and individuals in the 60 to 90 per cent region in our total income distribution scale. This group, which is by far the largest in Canada, now benefits substantially from the housing operations supervised by Central Mortgage and Housing Corporation in its administration of The National Housing Act.

Ten years ago, Dr. Rose says, we would have included the entire middle stratum group as those for whom the provisions of The National Housing Act were intended.

But over the years we have watched the provisions of The National Housing Act become less and less available to families in the lower half of this middle stratum of the income scale. These provisions are being increasingly utilized by the upper income half of the middle stratum group.

Dr. Rose calls these facts a truly social and economic phenomenon of the first importance in Canada, because, without admitting it, a very substantial proportion of those in the upper half of the income distribution are in fact subsidized in their search for adequate housing accommodation.

The bottom layer of Canadian families and individuals, those in the lowest income scales, are the persons for whom direct public intervention in the housing market has always been intended; those for whom, in the most part, public housing has been considered justifiable, in particular, public housing where the price to be paid by the buyer has been subsidized by one or more sets of taxpayers.

These families are judged by economists to be almost entirely incapable of acquiring sufficient housing accommodation adequate in space and quality to meet their needs.

In Dr. Rose's opinion, this division of our population into three main groups, classified by income, amounts to a set of judgements that have guided us either consciously or unconsciously for more than 30 years—a set of judgements that have influenced our approach to providing legislative and financial resources to help Canadians attain a basic element in their standard of living.

This, of course, is only one sociologist's opinion—an opinion based without doubt on findings arrived at through protracted and profound studies of the housing situation. It strikes me as being a very reasonable and accurate opinion indeed.

The cause of the ailment, and I think we must acknowledge the fact that our housing programme is certainly ailing, is one thing. The remedy is quite another matter. What exactly is to be done to alleviate this very unfortunate and distressing state of housing affairs?

I think that none of us, even had we both the desire and the inclination, wants to stop population growth. Having due regard to certain biological functions and necessities, it is my firm opinion that a power much

greater than that wielded by this House would be necessary to cause a complete cessation of natural births.

Our country is under-populated; therefore, we must maintain the flow of immigrants to these shores. Again I am confident that not one of us wishes to cut off this immigrant flow even though immigration accounts for a great percentage of this province's families seeking homes.

But by the same token we must not ignore the consequences of over-population through concentration. Immigrants, very understandably, want to settle in the cities for the very sound reasons that cities offer the greatest employment opportunities and higher wages.

This continuing mass influx to our urban centres places a fantastic strain on our already overstrained housing situation. It does not require an expert to see that our cities are literally bursting at the seams.

Normal population increase and the additional increase caused by immigration is further compounded by the drift to our cities from rural areas. This migratory trend continues, and will continue, unless something is done to check it. It is my considered opinion that the migratory trend can indeed be checked.

We are all fully aware of the casual agency behind normal population increase, and I trust we are all in agreement that we should leave well enough alone in this regard. I trust we are also in agreement that to tamper with immigration would be foolhardy, to say the least.

So what about the migrants—those thousands of rural area dwellers who, year after year, pull up stakes and head for the cities? What is this magical magnetic force that causes people to abandon their rural homes and draws them citywards?

The answer would appear to be a simple one, superficially at least. People flock to the cities first of all because of the amenities city living offers. In the cities we have a concentration of those things that are indicative of the affluent life. For one thing, there are employment opportunities in the city that are all but non-existent in rural areas.

Cities need a constant, reliable work force. Cities offer theatres, a wide selection of schools, social centres, various institutes of advanced learning and other cultural institutions. Cities offer a particular brand of social life and they offer numerous welfare services.

All these amenities make the cities appear very attractive. These are tremendous drawing cards to those country dwellers who perhaps consider their rural lives to be less than ideal. This, in effect, is a clear case of Mohammed coming to the mountain. If this migratory, nomadic trend is to be discouraged, there is only one thing to do—take the mountain to Mohammed. Carry the mountain of social amenities right into the backyards of the country dwellers.

If the migratory flow is to be stemmed, then the first step would be to supply all these things in rural centres, centres other than Toronto and the larger cities. Let us take our cultural amenities to the smaller rural towns.

A good start has been made to provide a mobile, circulating Royal Ontario Museum. Follow this up with a circulating art gallery for each small country town.

The art gallery in Toronto has thousands upon thousands of dollars worth of art treasures, paintings and sculptures, lying in the basement collecting dust simply because there is no room to display it. Why not dust off these art treasures and put them on display where they belong? Let them see the light of day. Take these treasures into the rural areas where I am sure the people can appreciate the beauty of a Rembrandt or Cezanne every bit as much as those of us who live in the cities.

Follow these circulating exhibitions with a mobile theatre company—called the Ontario Theatre—and with a mobile ballet company. Let us provide travelling shows, concerts—take the Toronto symphony on tour—carry the mountain right to Mohammed's front door.

It is up to us to create a cultural upheaval, a cultural revolution, in this province. It is up to us to provide schools to ensure an adequate supply of trained personnel. It is up to us to provide the amenities of city living for each small provincial town.

If we can do this, if we can only make a start, then the glamour of city living will perhaps be less appealing to those in rural areas. Perhaps they will lose the seemingly overwhelming desire to migrate to the cities. Who knows, perhaps we will not only stem the flow, but reverse the trend completely.

At the moment, those of the administrative or executive class are extremely hesitant to leave the city to go to smaller towns. Small towns lack what these people want for themselves and their children. These people demand more than merely a good salary. They

demand good educational, recreational and social facilities for their families and themselves.

If we can only make rural living more attractive by providing all these amenities, then one day the drift might even be away from the cities instead of towards them.

If we can accomplish this or even a small part of it, then I feel that it would be a major step in distributing more equitably the undue stress and strain that is weighing on our housing, a strain that is bogging it down into a morass from which it daily becomes more difficult to extricate ourselves.

Housing is simply not being built fast enough to meet current demand or to substantially reduce the backlog of slums and overcrowded dwellings. Decent housing has become far too costly for ever increasing numbers of middle and lower income families.

Homes are not a luxury, they are a necessity. People need a place in which to live. This is irrefutable fact. They need a place not only in which to live, but a place in which to eat, sleep, bring up their families and to relax.

But there is more to a home than just that. The psychological benefits of a place of one's own are truly enormous. There is no yardstick by which these massive benefits can be measured. This, in a sense, is the manifestation of the territorial imperative, the driving force exhibited by even the humblest of the Creator's living animals, let alone man.

Lack of adequate housing can be the root cause of countless social ills. Child welfare authorities report that bad housing is an important factor contributing to child neglect, to ill health, to family breakdown and to delinquency. Experts and housing consultants say that housing simply cannot be separated from other services that aim to increase human well-being.

Bad housing does nothing to increase human well being. Bad housing can, and often does lead to physical and mental illness, disturbed children, poor study habits, truancy, drop-out and marriage breakup. The general poor environment is a hazard that I feel it is our duty to eliminate—an obstacle that we must surmount.

We must also recognize the fact that although bad housing may be the root cause of these distressing conditions, good housing does not necessarily cure them. However, there is not the slightest doubt that good housing will do much to create a much more congenial environment.

Dr. Rose points out that housing is a fundamental, constitutional responsibility of the provincial governments in Canada. The decision, he says, to pass legislation and to provide the legislative resources to enable Canadian families and individuals to acquire adequate housing accommodation is a political decision that will be taken when and if it appears politically advisable, and not necessarily because it appears socially advisable.

The significant expenditures required to improve the housing conditions of thousands of Canadian families and individuals can only be sought through the borrowing capacity and tax-raising facilities of the federal government.

Ottawa can make substantial amounts of money available, either directly or on loan, to the provincial governments who have constitutional responsibility.

According to G. E. Mortimore, a former welfare writer who is currently reading for his doctorate in social studies at the University of Toronto, the provincially owned Ontario Housing Corporation has been a trail-blazer in public housing. The Ontario Housing Corporation has bought and built far more public housing than any other agency in Canada.

But, Mr. Mortimore points out, the achievement of the Ontario Housing Corporation is measured in thousands of units. The need, he says, is measured in hundreds of thousands.

Even the most generous estimate of what the Ontario Housing Corporation has done, the hon. Minister's estimates of 13,500 units built, planned or under construction, represents only a mere nibble at the edge of the total need. It is time for the hon. Minister to stop nibbling and to sink his teeth well and truly into the problem facing this province.

A major cause, perhaps the most significant one, of the housing scarcity, is the high unit cost. Spiralling housing costs due in large measure to the increasing demand and the diminishing supply have made houses so expensive that between one-third and one-half of Canadians cannot afford to buy or rent homes of their own.

That was the opinion of the Toronto architect, James A. Murray, who reported the result of this nationwide research in a book, "Good Housing for Canadians". Since the report was issued in 1964, housing has become much more costly as I showed previously.

A year ago, the cheapest possible house in Metropolitan Toronto which could be financed through mortgages, assisted by the federal government—a \$17,500 three-bedroom house in the suburbs—demanded a down payment of \$3,500 and an \$8,000 a year income to keep up the payments.

For a family of three or four children, a down payment of \$5,000 and an income of \$10,000 a year is the absolute minimum, and these figures are probably conservative. Perhaps these figures are conservative in more ways than one.

These down payments, which in far too many cases are impossibly high, have the effect of forcing more and more women out to work to help their husbands eke out the family income and in order to accumulate enough money to make the down payment. For years, married women could go to work or stay home, just as they chose. If they wanted to earn some pin money, they went out to work. If not, they stayed home to look after their husbands and children, the choice was theirs alone.

Now it appears that in too many cases women have no alternative. They must go to work. As a consequence, home life suffers.

What exactly causes the high cost of housing? First of all, scarcity. Too many people seeking too few houses results in a seller's market. Secondly, available land is not being used to its fullest advantage. Too few units per acre are being constructed. Increase the number of units per acre and the unit cost must of necessity come down. This is simple arithmetic.

The cost of servicing lots also adds appreciably to the overall net cost to the buyer. Let us not insist that developers provide services that the purchaser has to pay for now. Payment for services such as roads, sidewalks, sewers and utilities results in the astronomical down-payments. Why not let the government capitalize this cost of services and permit owners, or prospective owners, to pay for them over five, ten or 15 year periods. This would appreciably reduce the amount of the down payment that is now required, and bring house purchase within the range of a much, much larger group of the population.

The government could also make money available for second mortgages at more reasonable interest rates than those now prevailing. Does it not make sense to this government that to cast its bread — and I assure you there is no pun intended — upon the waters, is the obvious, logical procedure to



follow? Cast thy bread upon the waters, for thou shalt find it after many days. That scriptural advice is 2,000 years old, Mr. Speaker, but it is still topical.

Surely it is clear that this particular type of bread-casting would, beyond any year or nay, result in the immediate alleviation of our housing problem.

If this government could also be prevailed to avert its fond gaze from the large metropolitan centres and glance occasionally towards the smaller towns, it might find some glimmer of hope in this direction.

For example, provide expanded rail services for smaller towns, systems like GO-Transit. Provide commuter services for country dwellers who aspire to work in the city. The workers would then have the best of both worlds and it would serve to ease the strain on scarce city housing. If adequate commuter services were provided, then there would be no need for the much vaunted satellite cities. Satellite cities, *per se*, can never solve the housing problem; they would merely shift the problem to some other locale.

Cities, like Alice when she drank the contents of the little brown bottle, keep growing and growing until they at last become quite unwieldy and unmanageable. A limit should be placed on their ultimate growth in order to keep them within workable limits.

It is becoming increasingly difficult to create a balanced, spacious environment in existing cities. It is becoming more and more difficult to find suitable land to provide housing for the population. The larger the city, the greater the possibility that older houses will deteriorate into slum dwellings.

Dr. A. J. Dakin, head of the division of town and regional planning at the University of Toronto, says that everyone talks about slums and the high cost of housing, but nobody does much about the problem. Mark Twain said exactly the same thing about the weather.

If Canadians are in earnest, Dr. Dakin said, they should do what several European countries did long ago — set a minimum standard of decent housing for everyone, and use the power of the public treasury to work for that standard.

In the ratio of housing completions to increases in population, Canada lags far behind Britain, Sweden and West Germany. We also trail some distance behind Belgium, Denmark, Finland, Italy, France, the Netherlands and Switzerland, and a short distance behind the United States. Canada actually

stands in twelfth position among industrial western nations in the ratio of housing completions to population increase.

Canada should not stand in twelfth place, she should be setting the pace for the rest of the world to follow instead of trailing behind.

One reason for the slow pace and high cost of housing in Canada is that building methods are old fashioned and inefficient. Elliot Yarmon, president of Tankoos Yarmon Ltd., was quoted some months ago in the *Monetary Times* as saying:

You watch a house going up, it is a cumbersome, old-fashioned sight, with three men standing around smoking while one drives a nail. And this feather-bedding approach continues at a time when skyscrapers can be raised by two floors a week.

The revolution, if there is to be one at all in the housebuilding industry, must come in techniques and engineering and construction.

Another factor contributing to the high cost of housing is that people want, even demand, houses completely finished with every modern convenience and appliance.

People are demanding finished recreation rooms with built-in bars; they demand garages, wall-to-wall broadloom, dishwashers, eye-level ovens, air-conditioning, landscaping and other luxury appurtenances that could very easily be done without to begin with. Builders, of course, are only too willing to supply all these things since it means a larger net profit to them.

These frills are certainly not necessary; they are luxuries, while the house itself is not. All they do is add appreciably to the cost of the house and to the amount of the down payment required.

New housing projects have been known to swamp schools, with unexpected numbers of new pupils. There is federal aid for housing but none for schools. Cost of education is one of the greatest single expenses borne by present day governments and the government simply must endeavour to keep these education costs down.

In recent years, education seems to have assumed the qualities of the golden calf, to be worshipped by everyone. Although we must acknowledge that education is of the utmost importance, it must be kept in perspective. In order to exercise this phantom educational golden calf, the government might provide the solution by building its own schools, thereby saving on architects' fees. School designs might



easily be standardized. After all, a classroom is a classroom.

The classroom itself is relatively unimportant, it is what is taught in that classroom that counts. Of course, schools ought to be esthetically pleasing, that is not my objection. Schools must be bright, comfortable and airy, providing an atmosphere conducive to sound work and study habits of our children. What I do object to is the wide variation in individual school design.

No two schools built in recent years look alike. Yet they all succeed in looking like schools. Schools, like churches, have a characteristic appearance that cannot be disguised. But the physical differences, so far as I can see, are useless and perform no worthwhile function, at least for the benefit of the students.

There is, however, one thing these design dissimilarities bring about, and that is increased cost. Thank heaven we have long ago graduated from the little red schoolhouse era. But surely a realistic standardization of design would be a feasible answer in beating the astronomical education costs, and particularly the cost of school buildings.

The building block type of construction which was demonstrated so dramatically by Expo's Habitat could easily be modified and adapted for school construction. Standardized units, pre-built in a central workshop, could be added to existing school buildings as and when necessary.

To those people who may feel disposed to criticize this suggestion on the grounds that these units may be esthetically displeasing, may I just say, take a long, hard look at our existing school portables. I have seen beaten-up army huts that look like palaces by comparison.

Another field in which the provincial government might easily become interested is the provision of heating for homes. This heat could be supplied from nuclear and thermal power plants, now or in the future as more are constructed.

Nuclear power requires a great quantity of water, therefore plants must be built adjacent to lakes or some other plentiful source of water. When the water passes through the reactors it is heated to very high temperatures. This hot water is then dumped into the lake. Why not utilize this hot water for heating homes and factories instead of sluicing it away as waste? The water is clean; it is very hot, and therefore very useful.

In Iceland and New Zealand natural hot water geysers are utilized for just such pur-

poses. Why not in Canada? The benefit of this low cost heating could be passed on to home owners. I realize that nuclear power is far removed from the housing situation, but I think it is important that we explore every avenue in seeking the solution to the crisis.

It is a frustrating thing to watch the housing crisis go from bad to worse while thousands of Canada's old houses, which should still have many years of useful life, fall into disrepair and decay simply because not enough incentive, financial and otherwise, is given to the owners to keep them in a state of repair.

It is frustrating to watch while dozens of areas in our cities deteriorate into slums. Slums and overcrowding seem to go hand in hand. Overcrowding is an evil, or rather, the results of overcrowding most certainly are. Recent riots and violence in the streets of American cities were spawned in the overcrowded ghettos. People were herded together in their tenements and their high-rise slums until they had no elbow room. They were stifled; they had no breathing space and something had to give.

It was simply a case of the hypothetical, irresistible force encountering the immovable object. The position grew to be altogether intolerable, so it erupted in violence, in riots, in shooting, killing, looting. Mob rule prevailed. It was the call of the wild—evolution in reverse. People reverted to animal instincts, the most powerful of which is self-preservation.

And who was the culprit—the real culprit? It was no individual or individuals. It was sub-standard, overcrowded housing that sparked the upheaval.

There is no excuse or no need for overcrowding in Canada. We have enough land—land to spare. We still have countless millions of acres of virgin land in this country of ours. The land is there, all we need is someone to do something with it.

If necessary, let us take our cities to the country. Russia is doing this with apparent success. If they can do it, why can't we? It is high time we rid our minds of the concept that downtown Toronto is Canada's true mecca. It is high time we faced the housing problem squarely and come to grips with it.

The current cry is for national Medicare. Medicare may cure an existing ailment, it will not prevent the ailment. For too long, far too much money has been spent on cures and not nearly enough on prevention. Adequate housing, rather than Medicare would do much to prevent the countless physical, mental and social ills that beset our society.

But there must be a degree of priority in the housing field until all demands are met. Large houses should be restricted or reserved for large families. If two people choose to live in a ten-room house, then penalize them for this luxury.

Let there be a loosening of restrictions on zoning, as in wartime. Why not permit people with adequate accommodation, like many of our senior citizens who own large homes, and who live alone, take in roomers if they so desire?

This would be a two-fold benefit; it would serve to relieve the abject loneliness of many of these older people and it would provide them with a modest income to supplement their bare existence. It would also serve to provide temporary living accommodation for small families and individuals, thus easing the housing shortage.

At the moment, we subsidize rentals for welfare cases. Then why not subsidize the cost of houses, subsidize the mortgage by forgiving a portion of it every year if certain standards are met and maintained.

There are many things that can be done to relieve the housing crisis. Others will no doubt deal with these at much greater length and in greater depth than I. But the problem will certainly not solve itself, neither will it accommodatingly go away if we close our eyes.

To use the words of Shakespeare's Macbeth, who also had certain work to do with some dispatch, "If it were done, when 'tis done, then 'twere well it was done quickly". The thing to do is to start, and the best place to start is at the beginning. I would suggest that this government:

- (a) Draw up a clear list of goals.
- (b) Launch mass production housing immediately.
- (c) Step up production of public housing.
- (d) Offer long-term, low-interest loans for house purchase.
- (e) Set up a pool of publicly owned land for building sites.
- (f) Offer worthwhile incentives for owners to fix up old houses.
- (g) Make sure that urban redevelopment projects bring a net gain in housing, not a loss.
- (h) Concentrate on private rather than commercial projects, homes rather than office buildings.
- (i) Work in fact to bring about a uniform building code for the whole province.

Mr. J. W. Snow (Halton East): I see the member has been reading my speeches.

Mr. Ben: Oh, I read them, and they were very good. I only hope that the government reads them.

In Metropolitan Toronto, right at this minute, there is something like a surplus of two million square feet of office space. There is no rhyme or reason in redevelopment of this nature. There is a notable lack of sound organization methods behind it. This is lopsided planning.

This prompts me to question the wisdom of mortgage and trust companies who invest in excess office space while there is a dire shortage of housing space.

There was a furore recently when the multi-million dollar Eaton centre aborted in its early stages of gestation. This may not be the tragedy that some people think it was. Had the Eaton complex got off the ground, that would have taken much more money out of the mortgage market, channelling it away from house builders and developers.

Mr. Speaker, we must relieve the housing shortage. We must provide our people with adequate living accommodation. We must permit people to have a degree of pride in their lives and homes. Surely that is the right of every Canadian.

And I hope, Mr. Speaker, that in dealing with this subject the government members took cognizance that I was not criticizing them but offering concrete suggestions for the benefit of the people of this province and I hope that you will pay some heed to those suggestions.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, in joining this second debate on the Speech from the Throne in which I have the pleasure to participate, I would like to say a word of congratulations to the Lieutenant-Governor, the man whom I think we will all agree is both a diplomat and a gentleman. And nowhere was this shown more clearly than in a little note left on our desk in the past few days—I never received a more subtly worded invitation to have a drink in my life, and I thank him for it.

Mr. Speaker, I wish to extend my congratulations to you, in your capacity as Speaker, without going overboard on the way you handle this House. Sometimes it strikes me that you have some of the capacities of a Supreme Court judge, with just a touch of the curmudgeon. I suppose in their cases they are constantly being fretted, and as they

grow older, it seems that their bad days come to outnumber the good. Your capacity as a Speaker thus far is numbered in the number of your good days. They have been very numerous. Your bad days have been very few and far between. We can pretty well detect them in advance.

But I suspect that on some occasions before I leave this House—on some of those gloomy and jaundiced days, the House will be emptied or at least certain members over here will disappear out the door. I trust this will not take place. But you know, the hazards of human nature are such, and the tempers on occasions are such as to lead to this eventuality.

I would like to turn my congratulations upon the new Minister of Revenue (Mr. White), a man for whom I have the greatest affection, believe it or not. A person who sits over here and does not know the Minister very well can gauge his character and disposition only from the rather raucous rejoinders he makes. This is a rather misleading portrait of this man.

In the long hours of the summer when we sat together on that committee we would often go from eight o'clock or nine o'clock in the morning until midnight with a break for lunch and dinner, and he handled the internal affairs with the utmost diplomacy. He was always, in his own interest and in the interest of the government, angling for a consensus. It practically broke his heart on any occasions when any of us would really take a strong and adamant stand against his position, indicating we were not so likely to change.

This seldom happened, largely because of this man's adroitness. Sometimes I even felt, it hurts me to say this, that we were being taken in, as a subtle masquerade; that to this government's necessity of conducting affairs on the economic level of this province with greater acumen, the device was to suck the members of the Opposition into agreeing to major proposals and then toss it back in our teeth at the end of the day.

I am sorry the Minister is not here, because he would no doubt remember this, and begin to toss back when the occasion arises, which will not be long.

He has a touch of a statesman about him, and the sooner he gets away from the disposition of the gut politician and increase the capacity of his statesman's qualities, which he has, the sooner he will be in a position to become the future—

Interjections by hon. members.

**Mr. Lawlor:** I did not think all those accolades should fall on deaf ears. This is the last time it will happen to you so far as I am concerned. I think it is worth repeating to this extent because it may operate as some kind of index on your future conduct. I was saying that perhaps at the moment he is too much of the gut politician, that my experience with him in the summer indicated that he has the qualities of a statesman; an ability to look above issues and to be a bigger man than what he appears to be slumped over there.

And I was recommending that he develop the one set of qualities and play down the others. As a matter of fact, I think he has been doing that, with an eye to his future leadership potentialities. Because if they have not recognized these capacities, and I am sure they have, then it would not at all offend me as a member of the Opposition to see him sitting in the seats of the mighty, in a higher seat than he is at the moment.

This man who could work from eight o'clock in the morning until midnight in a driving way, and who after midnight, would come and propose that we go out on the town and spend a few hours and come back and start work again. That really tickled me. Anybody who has got that ability should be the Prime Minister.

I am not going to speak further because he will have the opportunity on the Budget Debate and in his estimates, as they come forward, to establish his credibility as the new Minister. I would simply take this occasion to remind him of what we did say on that committee. And when considering the legislation that he will bring down shortly in taxation matters in this province, I would ask him to keep very much in mind what, in effect, we all committed ourselves to.

I would like to read from paragraph 9, and paragraph 15 of the preamble. It says:

The major premises on which our recommendations are founded, is that the combined provincial and municipal tax burdens should be allocated in a manner which recognizes the ability to pay principle. It is the opinion of your committee that this requires a progressive distribution of burden, to achieve this. We think that an increased reliance on corporate and personal income tax is necessary and we strongly recommend that when additional revenues are required, these two taxes be used to yield an appropriate share of the increment. We may

further note that there are other reasons commending a more intensive use of these taxes but we shall defer for the moment our discussion of them.

And then, after our ill-fated food proposals, he says in paragraph 15:

By applying their principal recommendations to fiscal 66-67 the Smith committee estimated that the provincial tax revenues would have increased by \$381 millions and that the revised retail sales tax would account for approximately 66 per cent of this increase. We assert that this sales tax share is intolerably large. It is more appropriate that greater reliance be placed on the personal and corporate income tax, and this we recommend. There are theoretical difficulties concerning the incidents of the corporate income tax, but this does not merit the lessening of its relative importance in the provincial tax structure. I shall abide the results—and I suppose these matters are not entirely in your hands—but if you are half as persuasive with your own Cabinet as you were on that committee, some of these goodly words might come into being.

The one thing one learns psychologically on this committee is that everybody objects to taxes. I mean, one knew it ahead of time but it came home with a terrible force. Smith who recommended an array of taxes in various forms, very inequitably, would never, never tax newspapers. This was taboo for Smith. The churches, of course, do not want to tax the churches, we have had evidence of that.

The New Democratic Party, and the rest of the world, as far as I could find out—except for the Liberal Party in this House—would not dream of taxing food. I know a man who is opposed to the taxes on prayer shawls.

Interjection by an hon. member.

**Mr. Lawlor:** That passed the member by, did it? Well, take a look at your own report and you will see there is not a word about taking any exception to or objection to that food tax. You were caught with the proverbial pantaloons in your hand.

I shall take the opportunity to drive the point home. I know some people who are opposed to the taxation of prayer shawls, and others to the taxation of electric light bulbs. The Minister of Revenue, the chairman of our committee, had a peculiar penchant of his own. He would never tax books. This was a sacred subject. At no time should they come

under consideration. The people of Great Britain, in the depths of their agony, would not tax books and therefore there was some kind of sentimental aura about books which somehow drove the Minister to think that they were so precious as to be beyond taxation.

Interjection by an hon. member.

**Mr. Lawlor:** He is beyond that, is he?

The next item I would like to discuss, Mr. Speaker, has to do with a certain newspaper article that has appeared recently connected with the bar association. I am a little irritated by the article and I think I will say a word or two on it. The hon. Attorney General (Mr. Wishart), who is unavoidably absent here today, can speak for himself and the government in the passage of this bill, but as a member of the committee who worked it over, I do find that there is a certain amount of insouciance, if not downright ignorance, involved in the statements made by a four-man committee, and others, at the current meeting of the bar association in Windsor.

They should be taken to task on this sort of splendid show, because of what they have claimed here. Mr. George Mace, corporation counsel for metropolitan Toronto predicted that the new statute with its vagueness and contradictions would become a gold mine for lawyers.

He goes on, "instead, a whole new Act was brought in instead of accepting the old Act." In other words, which they had already learned, and, you know, it is pretty difficult to change after 45. He had learned the rules of the game, but we had brought in new rules and it was going to upset him for a day or two, sitting in his bath. I think he would have to pull up his socks and learn what we are trying to do.

Instead a whole new Act was brought in, set out in vague language, which is most difficult to understand. You see, he finds it difficult to understand. I thought it was as clear as most legislation, but, there again, Mr. Mace described the new Act as putting heavy and cumbersome obstacles in the path of the movement towards giving equity to expropriated property. Well, the man could not have read the thing. This is a city solicitor?

**Hon. A. Grossman** (Minister of Correctional Services): Is he a lawyer?

**Mr. Lawlor:** Well, I agree with you, in part. They are all lawyers. He is probably a good Conservative lawyer.

And then my friend, Hyliard Chappell says some appalling things, which I am sure he will be ashamed of at the day of judgement. They go on down the page with the belief that—

The Ontario government has failed to consult the legal profession and other interested parties before going ahead with the new statute. This was voiced later at the general meeting of the Ontario branch which ended the three day annual meeting. A tough resolution which regretted the tendency of the government to depart from the practice of consultation with the profession was watered down (which is pretty much in character) to regretting the occasions in which this was done. It was adopted by only a handful of lawyers.

**Hon. Mr. Grossman:** Watered down at the bar.

**Mr. Lawlor:** I think I'll get a little watered down myself.

**Mr. Gisborn:** How about the Liberals taking the vote off every one over 50?

**Mr. Lawlor:** Well, the fact of the matter is, as we all know, that the young lawyers had an adequate opportunity to present their position. The report of the Ontario Law Reform Commission which formed the substance—to a great degree the very words which were placed into this new statute—was issued September 21, 1967. How can they say that they do not know what is going on? If they do not know, it is their own fault. They have had plenty of opportunity.

They are caught asleep at the wheel half the time, making so much money that they cannot possibly attend to the affairs of the public weal and then complain afterwards as to what their responsibilities are. As a matter of fact, on the other hand, a number of very distinguished lawyers did appear before the committee, on several occasions—I will not go over the list of names—but they made very fine recommendations and seemed to understand. Certainly they took no exception of this kind to the statute as it went through.

Now, in the final summing up of the debate on this, I, too, stood in this place, and said that there were ambiguities, unresolved conflicts and difficulties, in the statute. You do not have to be a legal genius to detect that. The fact of the matter is that this Act establishes a completely new principle, and to say that you can amend an old Act or modify it somehow — as some of these ginks say — and still catch the flavour is

wrong. The whole thing had to be rethought. This new principle of equivalence for accommodation — a home for a home — is valid, and it was a most commendable principle that this government brought in. For them to miss the boat, miss the point as to what has been attempted here in the terms of a piece of legislation which cannot, in my opinion, be matched in any other jurisdiction, seems to me a dereliction of their responsibility.

I have no doubt that in ten years this Act, the bill that we put through, will be twice as large as it is at the moment. In other words, with all the acuteness in the world, the Legislature — and the lawyers had better come to realize this, I only realized it when I came to this House — legislation cannot dot all their "i's" for them. Legislation is becoming infinitely complex. You cannot spell out, in its full ramifications every possible situation as they did 25 years ago.

The legislation, when it comes down in its new form, sets up a skeleton, and it is up to the legal profession and the courts to put the flesh on that skeleton. We can give guidance, we can give direction, and we can show the intention of the Legislature. We can go deeper than that, we can give the structure, and we have done that in my opinion. Now the testing of courts will show where its defects are. For them to blandly and bluntly say that it is defective without knowing this in advance and not having studied it as we have, again, is a piece of impertinence. Apart from the fact that they had the law reform commission report — it was available to them — they had plenty of opportunity to appear before the committee, particularly as we sat in the evenings after seven o'clock, as you remember. They would have been free from their offices had they so wished to attend.

The one concrete and valid suggestion that I have seen in this article touching the thing, is one that the member for Downsview and I raised *ad nauseam* throughout the whole thing; that the expropriating authority is one and the same legal person as the approving authority. If they would look at the debates in *Hansard* — I could not condemn anybody to doing that — but if they did glance at it before they spoke, they might have seen the numerous recommendations we made.

We launched into the field of the relations between mortgagees and mortgagors—a completely new field. I would say there was fairly excellent drafting in that particular area, and even at such points where we did not make any great inroads we pretty well



confirmed the existing law of injurious affection. What are they talking about?

If they wish to raise this kind of stink then let them have the decency to pay attention to what goes on in this building and to come before us, if they have valid recommendations to make. We would be most pleased to listen, we always do, but to push this any farther seems to be a bit wretched.

Now, no longer in the capacity of a hard-headed legal eagle, but in my capacity as dreamer, I want to launch out into a philosophical dissertation. The balance of my speech, Mr. Speaker, is divided into two parts. All Rome was divided into two parts, we can take either part as we please.

One will be our constitutional problems, about the division of power. An attack was made by the hon. members of the Opposition last week upon the government touching their complete and utter failure to tackle this most crucial issue. Everybody stands up and admits this issue is central to the whole debate going on today in Ottawa, but our government has not given us any forthright guidance on it, or any real indication of their intentions about it.

Interjections by hon. members.

**Mr. Lawlor:** The only thing I have seen in this regard is the statement made by the hon. Minister of Financial and Commercial Affairs (Mr. Rowntree), saying he was prepared to turn over pricing policy and the control of prices to the federal government, which I thought was a very intelligent thing for him to be prepared to do, but apart from that just what have you recommended in terms of division of powers.

**Hon. Mr. Grossman:** There is no leader of any government in this country that has ever informed his Legislature in as comprehensive a manner as our leader has in this matter.

**Mr. Lawlor:** Not on this matter. I mean you can defend his position on other grounds but not on those grounds. You can say he is a subtle fellow and he does not want to commit himself in advance when he wants to see what everybody else says and then move in as an honest broker, or as—I do not know what—in order to save the situation because he is not committed to anything in advance.

If that is the sort of argument you use, I would not buy it, but I would say it has some sense. To say that you presented any kind of policy to us is nonsense.

This is an area which I would like to explore in the next little while but I think, so that the blood pressure does not rise, I shall turn to the subject of philosophy. I want to talk about the nature of man, about human freedom and about rights. Up until the past few years there has been a certain theory of man in western civilization. It has always been that man was a rational animal, and this is pretty well the accepted idea, that he had a nature of a fixed kind, that we knew what man was all about.

But new winds are blowing in the world in this regard. The claim now is, by some of the best boys in Europe, that man has not a nature at all, he is infinitely malleable, infinitely adjustable, he has no terminal; there are no ends for human activity. Human activity is a self developing sort of thing; man is to the heart of his being an historical being; he is shaped by history and he shapes history; and he shapes history through shaping himself.

Therefore, you come to the theory that man is really not determined in his nature at all, but is constant, on-going, self making. Now this "self making" means, in terms of our life, that man has for the first time in history entered into a path of full responsibility for himself and for his environment, and this is a new thing in the world—full responsibility for himself; for shaping himself; for the act of consciousness; and for the act of reflection; whereby he comes back on himself; growth in terms of consciousness; in terms of intensification, of deepening, an ever on-going deepening of himself—without end; an endless, infinite act of self knowledge.

This is what has happened and it imports all kinds of political things—for instance about planning and about the need to bring intelligence to bear, not to work by chance as the Tories operate—very often in Liberal philosophy too. You have too much dependence upon chance; you leave gaps in the universe; you let chaos reign and call chaos good, and this chaos leads to all kinds of—

**Hon. Mr. Grossman:** The member started out with philosophy and now he is getting political.

**Mr. Lawlor:** You are getting pure political philosophy.

**Mr. J. E. Stokes (Thunder Bay):** Political philosophy?

**Mr. E. W. Sopha (Sudbury):** Pure Marxism!

**Mr. Lawlor:** Who said that?



**Mr. J. L. Brown** (Beaches-Woodbine): Marx said it.

**Mr. Lawlor:** The heritage of capitalism—the background of it—however it might have modified itself. The beast bears the same spots; it has been to treat man inhumanely; it has been always to treat man as a thing, as a cog, as a machine among machines; and that includes the managerial class, the executives, everybody is treated in the same impersonal, inhuman fashion.

It is this attempt, approach or attitude towards human beings that is subject to condemnation; it leads to mental illness and a widespread diversity of mental illness in our society. It also leads to a debasedly material approach to everything, so that in a civilization such as ours a poet, for instance, has no honour in his own country.

These are tertiary people; we toss them off as being unimportant. We shall indulge them once in a while because we happen to have time, but as far as matters of this kind are concerned this is a part of the whole mentality. It also affects our whole educational system, not only affects it, but afflicts it.

At lunch hour today, or earlier this morning on the committee, Lloyd Dennis appeared before us on education and Dennis' remarks would have shaken the members up a bit, I suspect, as to his knowledge and his insight. This report embodies exactly the sort of thing I am trying to say, that man is a changing creature; the change is not only all around us but accelerating, and it is not in any way to be discounted or regretted; it is to be accepted and redeemed.

Change is not good in itself, but the direction that we give to change is the important thing, and that direction must be in terms, of course, of increased consciousness in human development, and you can only do that by supplying the material base.

If it cannot be done by the individuals themselves, it must be done pervasively and wholeheartedly by the community, and at the centre of this philosophy, is the theory of community.

The government has not got a concept of community—which is a form of amity and mutuality and friendship which our economic institutions lead to binding men together. Your economic institutions divide men, cause alienation in the society, deep distress to each other. The whole tendency is the opposite. All Dennis is trying to do is the simplest thing in the world—change human nature.

**An hon. member:** What do you think of Marxism?

**Mr. Lawlor:** Oh, I think Marxism has certain fundamental defects—its limitations on the powers of the human being in terms of self development to transcend himself. I think there has to be a religious dimension, otherwise you cannot transcend.

**An hon. member:** Is the member not glad he asked?

**Mr. Lawlor:** Therefore, that is the first. The thing is that they have a deeply totalitarian structure in their society; and thirdly they have a dialectic operative there. But, as you know, it is a material dialectic, but you are closer, in the Tory philosophy, to materialistic dialectic—the dialectic of matter, if I may say so, than people like myself are, because you have the same material components. A firm, same, material component has been the life-blood of this society as the Marxists do and therefore your party.

**An hon. member:** Did you hear that?

**Mr. P. J. Yakabuski** (Renfrew South): I do not know what it means but it sounds good.

**Mr. Lawlor:** Last year I spoke about a Jesuit by the name of Teilhard de Chardin. In his theory there is a kind of drive—a divine drive—in human nature that is taking us to higher and higher positions, a gain of consciousness, of awareness, of self awareness, and therefore at this height of self awareness we can shape ourselves and shape our society, and move things to a human image, etc.

I do not believe in this doctrine insofar as an internal necessary development is concerned. Really, there is no theory of progress. There is only a theory of what I call precariousness. We hang on the edge. And in this regard I would like to quote from the great Jewish philosopher, Martin Buber, whose "Paths in Utopia", which I would recommend to the Minister of Reform Institutions, as this man's knowledge of Israel and the way in which that society shapes itself is in quite grave contradistinction to the nature of the society that you on that side of the fence promulgate and promote.

Buber says, "Man is not travelling along the high road at all, but is picking his precarious way along a narrow edge between two abysses." And that is just about it.

Man has no fixed human nature. He is a deeply historical creature, oriented therefore onto the future. And it is those people whose eyes are focused not on the past and it cannot be focused on the present, but on to the

future, trying to ferret out to the best of our intelligence what the shape and size of that future will be and the projections of what we think human beings do and because we have seen them do it and be it in our own lives, to shape the society in that direction and to—

**Mr. Sopha:** In other words, we must invent the future.

**Mr. Lawlor:** We must invent the future, that is a good phrase, thank you. Invent the future now, because the future is already here in that sense. It is because of what we want it to be that it will be if we want it to be enough. Otherwise you again leave everything to chance, to chaos. You know the old Tory philosophy of blundering from left to right, ameliorating here and patching up there but never really launching forward in a forthright programme to bring the thing up to date, into the 20th century, and encourage and advance human progress.

In this particular context, I have only one other word to say. It has always been traditionally held, as in Aristotle, that man is a rational animal thing, which he is not at all, because man is no sense an animal. At the best, man in an incarnate spirit—

Interjections by hon. members.

**Mr. Lawlor:** Oh, rationality enters into it and spirit as well, but first of all he is not an animal. Where the rationality comes into it, we will deal with later.

Interjections by hon. members.

**Mr. Lawlor:** Rationality has to do with deductive logic. Human beings, in my opinion, do not operate by a deductive process, that is, a standard or norm policy. The important process is intuitive and the terms of any syllogism is always set up in an initial insight or intuition. How you get from one to the other is part of rationality. But man is an intuitive creature, not a rational creature.

**Hon. Mr. Grossman:** The member should put that in his next election pamphlet.

**Mr. Lawlor:** I never thought I could get worked up over that. The end of man is not happiness. Happiness at the best would be a byproduct. Too often it seems this is a fault in our civilization. Happiness, being identified usually with pleasure, whether it is or not does not matter, is not or should not be taught as the end of the human being.

We are made for more heroic stuff than that. We do live in states of risk and the states of risk, as I just indicated, are the

things that should be our driving forces. And self-sacrifice is inevitably involved in this sort of thing and that is the price that has to be paid.

For people to go around whining about happiness all the time and expecting it to be conferred upon them one way or another seems to me to undermine all the marrow and all the gumption they may have. Man, as I said, is a self-rationing being. I will not go into the religious dimension, there are possibly other courses operative there. But at the heart of his being lies his will and the will means freedom. And it is on freedom that the development of the human race and human beings depends — in theories of freedom of the proper kind. It has very little to do with free enterprise which is a game of chaos and old might. It is an abrogation of human freedom because you do not make decisions in that particular circumstance, at least, not on a macrocosmic level. You make it down there individually. You just do not accept the full impact of the 20th century when you say that sort of thing.

I want to talk, therefore, about freedom for a few moments because a great deal is mouthed in this House about this concept, as it is being mouthed at the moment even by me.

There seems to be two distinct ideas of freedom. The first, which I will call English freedom, is valid, in my opinion, but not by itself. It is essentially an approach to, and a necessary condition for, a second kind of freedom which will I call, French freedom. It probably should not be called French, it is Latin. It comes out of Greece and Rome largely, but I will call it French because of the debate that is going on in Ottawa at the moment.

This division between two concepts of freedom is deeply rooted in the minds of these two people, not that there are a good many Frenchmen who are under the delusion of the English freedom, and not that the odd Englishman who happens to have seen what the French form takes, etc., but part of the welfare of our present political problems, and part of our present troubles, are caused by misconceptions or unclear notions of what is involved in these two ideas of freedom.

May I say, before going on, that they are usually set up in contradiction, as though they are mutually exclusive. But the contention, and it is a fairly novel contention as far as I know, is that they are one dependent upon the other. One has to be achieved in the process of achieving the other.

In other words, they are mutually inter-related, they are in a state of dialectical tension. The English freedom has a very little—

**Hon. Mr. Crossman:** I pity the poor *Hansard* reporter —

**Mr. Lawlor:** The mood of the moment is dialectic so you cannot escape it; it means that you do not take things categorically, one thing implies another, that is all. The English freedom has very little intellectual content, as befits the English. It is negative in conceptualism and direction. It is a matter of emotion and disposition. It is, as they normally put it, as a freedom from — actually, it arose as a tossing off of tyrannies; of the denial of certain state rights such as the divine right of kings. It was getting rid of something. It is almost exclusively concerned with the individual.

It is individualistic and it dislikes law, any form of imposition has precisely that, as an oppression or an imposition, and it is known as freedom of self-realization. It can be seen as an amoral freedom. It is never moral. It can be amoral; at its worst it is immoral freedom because it stresses absence of restraints and constraints, all external restraints of whatever kind, physical, institutional, legal, spiritual, as necessary to freedom.

For this freedom everyone is isolated, a naked savage on his way to some nebulous personal autonomy. It says, "I am free, if at all to do what I like, and if I cannot do what I like in the free enterprise system, and in the economic realm or any other place, if I am not free when I like, or whatever the reason —"

**Mr. T. Reid (Scarborough East):** Would the hon. member accept a question?

**Mr. Lawlor:** "— for whatever reason, then to the extent that I cannot do what I like, I am not free." It is the freedom sought by —

**Mr. T. Reid:** Is the member free to accept a supplementary question?

**Mr. Lawlor:** — the child.

**An hon. member:** He is exercising his freedom.

**Mr. T. Reid:** Could I ask the hon. member, if I understand the member correctly, is he saying that man cannot be free unless there is tyranny? Is this correct?

The second question I would like to address to the hon. member, Mr. Speaker, is: Would

the hon. member say that a man is free if he wills himself to be unfree?

**Mr. Lawlor:** In the first instance, what I was saying was something historical. This is the way this English freedom has arisen. Historically—as a result of the Jacobites and others through the divine right of Kings or jettisoning, or a refusal to have—and so it has a deep animosity against law. It thinks that the state or any form of imposition cuts back on my freedom. Now John Smith feels it is necessary to do that in order to live. But the fact of the matter is that it resents any kind of authority as being an imposition. The second point is that you did not ask to ask the supplementary question, so I will not answer it.

**Mr. T. Reid:** I will get you.

**Mr. Lawlor:** I say that this English freedom is a freedom sought by the child prevented from having his own way. As Rousseau said, it is to obey myself alone—the fundamental British right to do as one pleases without interference from anyone, especially the government. It has to do—

**Mr. Sopha:** Well, that is the modern phenomenon of anomie, is it not?

**Mr. Lawlor:** Yes, that is right, that is involved there too. He is a good Marxist, this fellow. It has to do with mobility, with the ability to move around and to move around mentally without let or hindrance. It has enormous merits and has made a single contribution to the human race, particularly to the theory of democracy. It is the freedom of a bird to fly. Some philosophers call it freedom of spontaneity as contrasted with the second freedom, freedom of autonomy.

But it is still a defective, immoral, anti-social, and really quite narrow freedom if taken all by itself and in the absence of the second French freedom. The second freedom is freedom of maturity. It is a freedom not of self-realization merely but one working on a wider context of freedom; freedom of self-perfection which can only be achieved in society socially and in accord with development of all the virtues.

This second freedom introduces two elements not found in the first freedom. It has the moral dimension which preconditions, which means also, in turn, a social dimension having to do not with my personal likings or dislikings but with personal responsibility. It tends to lie in a cluster or family of concepts like duty and law and as an instrument of

growth and guidance and a regard for legitimate authority.

Freedom is a positive power of doing or enjoying something worth doing or enjoying. It implies not merely a legal but an actual probability of developing human capacities. It implies that human beings have structures, directions and functions which have developed to make them more fully human beings, and that there is no end to becoming more fully a human being in its strictest Kantian form. It has a puritanical power.

I am free only when I am doing my duty, but it has other features more in line with the Bible where St. Paul says that the truth shall make you free. In this context only the truth will make you free. Untruth will make you unfree, obviously. John Stewart Mill says untruth, truth, do not matter, all will make you free provided that it is not imposed upon you. Which means the truth shall make you free, which also means that anything else—untruth, perfidy, lying—will enslave you.

It imports the notion of self-enslavement, which the English freedom leaves out. For in English, there is only one sort of slavery, a master with a whip. But for this second

freedom of autonomy with its moral dimension, the person can enslave himself while trying to realize himself, when he subjects himself and becomes the victim of his own appetites, passions and self-interest. These are then the two freedoms, English and French. They have always been opposed and usually kept separate and distinct, but I think—

**Mr. Speaker:** Perhaps the hon. member might adjourn the debate and give the members the opportunity to digest his philosophical discourse, and tomorrow he then can continue uninterrupted.

Mr. Lawlor moves the adjournment of the debate.

Motion agreed to.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, we will continue with the Throne Debate tomorrow.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, February 12, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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WEDNESDAY, FEBRUARY 12, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have many guests present in the galleries, and later we will be joined by others. At the present time in the East Gallery, we have students from Gladstone senior public school, Toronto; and in the West Gallery, from Glenview senior public school, Toronto; and at 3.00 p.m., later today in the West Gallery there will be students from the University of Western Ontario, London; and in the East Gallery, about that time, students from Windsor high school of commerce.

Petitions.

Presenting reports.

**Mr. A. B. R. Lawrence,** from the standing private bills committee, presented the committee's second report which was read as follows and adopted:

Your committee begs to report the following bills with certain amendments:

Bill Pr3, An Act respecting the city of London.

Bill Pr11, An Act respecting the city of Cornwall.

Bill Pr 15, An Act respecting the town of Mitchell.

Bill Pr18, An Act respecting the board of education for the city of Windsor.

**Mr. Speaker:** Presenting reports.

**Mr. S. Apps** in the absence of **Mr. N. Whitney** begs leave to present the first report of the standing agriculture and food committee, which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 17, An Act to amend The Milk Act, 1965.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

## THE MENTAL HEALTH ACT, 1967

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Mental Health Act, 1967.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill requires that when the courts refer a prisoner for a mental examination he be seen by a psychiatrist. The purpose of this bill is to clean up the very bad situation of the Don Jail.

**Mr. Speaker:** Introduction of bills.

**Mr. J. Renwick** (Riverdale): Before the orders of the day, I would like to take the earliest possible opportunity to express to you, sir, and to this House the total dissent by this party from the statement made by the Prime Minister in Ottawa yesterday to the effect that Medicare is, in his opinion, one of the greatest frauds ever perpetrated on people in this country—

**Mr. Speaker:** Order, the hon. member, of course, is not in order because the statement of the Prime Minister of Ontario—whatever it may have been—is one which he was entitled to make as leader of this government.

The problem of privileges of the members of this House does not arise, nor is it a point of order.

**Mr. J. Renwick:** Without questioning your statement sir, may I say that I very carefully selected the first occasion on which I had the opportunity under the rules of this House—

**Mr. Speaker:** Order. The hon. member did not have the occasion to rise when he was out of order. The first occasion would have been when he partook in a debate or when the particular matter in question was raised. It is not a point for debate now, it is not a point of order, it is not a point of personal privilege. Therefore, it was not the first opportunity the hon. member had. The first opportunity, he took, but not the first opportunity that he had.

**Mr. J. Renwick:** Mr. Speaker, this is the first opportunity that I have had on the occasion of this session of the House —

**Mr. V. M. Singer (Downsview):** Point of order, Mr. Speaker.

**Mr. Speaker:** State your point of order.

**Mr. Singer:** Once you have made a ruling, the ruling stands and the debate cannot be continued.

**Mr. Speaker:** That is quite correct, and I am sure the hon. deputy leader of the New Democratic Party realizes that.

**Mr. J. Renwick:** On a point of order, the question I raise is a very simple one. Does it mean that in this Legislature there is no opportunity for a person to stand and express his dissent about a matter which is taking place in Ottawa and which is of the greatest concern to the people of this province?

**Mr. Speaker:** The hon. member, I think is confusing two or three things. First of all, the hon. member had the opportunity—if he felt that this was of urgent public importance—to place a motion in the hands of Mr. Speaker at the proper time today, and to have it debated if it were proper as a matter of public importance, which he feels affects all the people of Ontario and is urgent. I would call to his attention that it would probably be the proper way to proceed.

Secondly, the hon. member certainly is not in order in endeavouring to debate in this House speeches made by officials of the government outside this House unless, as I pointed out, they do reflect upon the personal privileges of the members or a member of this House. And I think that is a reasonable ruling based on our rules and precedents, and a fair one. And certainly it was open to the member to proceed as I had suggested first. Whether it would have been accepted as being of urgent public importance by this House and debated, I do not know. That would be for the House to decide.

**Mr. J. Renwick:** Thank you, Mr. Speaker, for your guidance, and I will leave any further comment to my colleague, the member for Lakeshore.

**Hon. J. H. White (Minister of Revenue):** Well, the hon. member has proven the point.

**Mr. E. W. Sopha (Sudbury):** Well, it was a shocking thing for a responsible statesman to say.

**Mr. Speaker:** Order!

The hon. member for Essex South has a question of the Minister of Energy and Resources Management.

**Mr. D. A. Paterson (Essex South):** Yes, Mr. Speaker. What action is the Minister planning during the present session to prevent pollution of our waterways by refuse from pleasure craft? Are holding tanks and cleaning facilities part of the Minister's programme at federal and provincial dock installations? Will such facilities be managed by his department?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, in answer to the first part. Ontario Regulation 365 is now in effect and no further legislative action is planned for the present session.

Second part of the question. The programme for facilities to pump out holding tanks on boats. We expect these facilities to be installed by various organizations and it may be that there will be federal and provincial installations. And the third part. These facilities will not be managed by the Minister's department.

**Mr. Paterson:** Might I ask a supplementary, on a point of clarification? Is the Minister making arrangements, say with The Department of Lands and Forests, to create facilities of this type at some of their dock facilities in the northern part of our province?

**Hon. Mr. Simonett:** I understand that OWRC are contacting all departments in government as well as private marinas and those that are interested in pump-out stations.

**Mr. Speaker:** The hon. member for Wentworth had my eye, and he has a question of the Minister of Highways, I believe.

**Mr. I. Deans (Wentworth):** Mr. Speaker, to the Minister of Highways: Has any investigation been undertaken by The Department of Highways to determine the table level and flow pattern of water under the Ancaster subdivision, known as Perth Park, both prior to and since Highway 403 construction began?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer is no, and from my information, the high water level is well below the elevation of the basements of the houses in this subdivision; therefore, a survey is not considered necessary.

**Mr. Deans:** Could I inquire, Mr. Minister, how you could then have determined that there was no flooding problem the day before yesterday if you had not investigated?

**Mr. Speaker:** I would like to ask the hon. deputy leader of the New Democratic Party whether he or someone else in his party

would wish to place a question of the Minister of Highways which stands in the name of the leader of his party on February 6 last, and have it cleared. It is quite in order, if you wish, to place questions for another member.

**Mr. J. Renwick:** Mr. Speaker, I think I will wait until the leader's return tomorrow.

**Mr. Sopha:** No doubt he will have something to say about that statement too, when he returns.

I have a question of the Minister of Labour. Does the Minister anticipate that there will be a larger number of arbitrations involving police forces and municipal police commissions this year, and, if such be the case, does the department have a sufficient number of arbitrators to deal with them?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member. Where arbitrators are required to be appointed, in reference to a police arbitration, the appointment is made by the Attorney General under the provisions of The Police Act. If the Attorney General wishes to use a list of arbitrators that we have in the department we shall be pleased to supply it.

**Mr. Sopha:** May I ask a supplementary question? Speaking hypothetically, supposing the Attorney General has a surfeit of arbitrations and resorted to this department; would the Minister then have a sufficient number of arbitrators to furnish the Attorney General?

**Hon. Mr. Bales:** Well, it would depend on the situation at the time, but we have a fairly substantial list which we could make available.

**Mr. Speaker:** The hon. member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** A question to the Minister of Labour: Can the Minister advise the House when The Ontario Labour Management Arbitration Commissions Act 1968, which received Royal assent on June 13, 1968, will be proclaimed?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question, the Act will be proclaimed as soon as the personnel for the commission has been settled. I believe that will be within the next month.

**Mr. Speaker:** The hon. member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Two questions, Mr. Speaker, for the Minister of Health.

Is the Minister aware of a plan proposed by Mr. Paul St. Jacques, of Sault Ste. Marie, and concurred with by some doctors, dentists and optometrists, that health services could be provided to people living on remote northern reserves?

Will the Minister co-operate with all concerned to facilitate such an arrangement to provide these much needed services?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, the answer to the first part of the hon. member's question is no. We have heard some rumours of this but we do not know anything about it. In answer to the second part, we are trying to get the information to the end that we may co-operate in every way possible.

**Mr. Stokes:** I have a second question for the Minister. What provision will be made to provide health services for people living in Pickle Lake and Central Patricia when the health nurse is moved from that location to Osnaburgh by The Department of National Health and Welfare?

If no alternative services are provided, will the people from Central Patricia and Pickle Lake be allowed to seek health care from the nurse who will be relocated on the reserve at Osnaburgh?

Will this nurse be required to serve all people in the area or will she only provide health care to treaty Indians?

**Hon. Mr. Dymond:** In reference to the first two parts of the hon. member's question, Mr. Speaker, our information from The Department of National Health and Welfare is that when the nurse is moved from Central Patricia to Osnaburgh she will serve both areas.

The third part of his question: This will depend on The Department of National Health and Welfare policy. Their usual practice has been that while the nurse's main responsibility has been to treaty Indians, some services have been provided to other residents of the area. Through my department, a public health nurse and public health inspector make periodic visits to the area.

**Mr. Stokes:** Will the hon. Minister accept a supplementary?

Is the hon. Minister aware that the nurse we are speaking of is serving an area of approximately 20,000 square miles, and it is impossible for her to get around to these areas? Is it possible the Minister's department might indicate that they would put

some personnel in the area for that express purpose?

**Hon. Mr. Dymond:** Mr. Speaker, we are not so concerned with the areas, but the number of people being served and how they are scattered over the area. I think the nurse's ability to provide the services is dependent upon this.

We are trying to get this whole matter of Indian services straightened out but so far we have not succeeded with my counterpart at Ottawa. Nevertheless, he too is trying with us, to find a solution to this very great problem.

**Mr. Speaker:** The hon. member for Grey-Bruce has a question transferred yesterday from the Minister of Municipal Affairs to the Provincial Secretary. He might perhaps ask it.

**Mr. E. Sargent (Grey-Bruce):** Yes, Mr. Speaker; has the government, in its current study of the liquor laws, considered doing away with this outmoded provision in the light of the great changes in municipal government forthcoming in the province shortly by regional government?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, the hon. member and I have exchanged correspondence on this subject earlier at which time he was assured that the liquor laws and regulations of the province were currently under review. I am not prepared today to discuss whether or not the government has any plans along this line, because the study is still going on and it will be a matter of government policy, once that study is completed, as to what the outcome will be.

**Hon. Mr. White:** He should declare a vested interest in these questions.

**Mr. Sargent:** A question to the Minister of Tourism and Information: What are the terms of the contract of the new director of the centennial project?

Why is it necessary to have a continuing consulting contract with the retiring director who is now living in England, and what are the terms of his contract?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Mr. Speaker, if I may, I would like to take this question as notice. I would explain to the hon. member that the new director general is a civil servant.

**Mr. Sargent:** Did the Minister explain to me?

**Hon. Mr. Auld:** I am saying that the new director general is presently a civil servant and will continue to be, consequently the civil service commission will have to set a salary for the position. The previous director general was a contract employee and the same conditions will not apply, but I will have all the information the hon. member wants in a short time.

**Mr. Sargent:** A question to the Minister without Portfolio: Is it true that the Minister has an assistant and an office staff?

(2) How many?

(3) Why?

(4) What are the salaries involved in the setting up of this office?

**Hon. T. L. Wells (Minister without Portfolio):** Mr. Speaker, at the present time I have a staff of one. I have a full-time secretary who is paid in accordance with the salary schedules established by the Civil Service Commission of Ontario.

Next week I will be engaging an executive assistant who will be coming to work with me to assist me in my duties as a member of the Executive Council of the province of Ontario. He will be paid in accordance with the salaries established for similar positions in the public service.

**Mr. Sopha:** Will he have an office?

**Hon. Mr. Wells:** Of course. All these things, Mr. Speaker, will be reported in the public accounts in due course.

**Mr. Singer:** In two years.

**Mr. Sargent:** Could the Minister answer a supplementary question? What are his duties?

Interjections by hon. members.

**Mr. Singer:** He needs all that assistance.

**Mr. Sargent:** A question to the Minister of Economics and Development.

**Mr. Speaker:** Perhaps I might advise the hon. member so that he can be right when placing questions, the department is now Trade and Development.

**Mr. Sargent:** Trade and Development—thank you, Mr. Speaker.

Will the Minister, as per yesterday, advise the House of the amount of revenue accruing to the province from the sale of patents from the Research Foundation over the past 10 years?

**Hon. S. J. Randall (Minister of Trade and Development):** \$11,480.

**Mr. Sargent:** Would the Minister answer a supplementary? Is he justified in spending \$50 million to get \$11,000 worth of technology? This is the intelligence of this department—\$50 million for \$11,000.

**Mr. Speaker:** The hon. member for Sudbury East has a question?

**Mr. E. W. Martel (Sudbury East):** A question to the Minister of Energy and Resources Management. How many megawatts of power were purchased from the United States on November 14, 1968?

How many megawatts were purchased from the United States throughout the month of November, 1968?

At what cost per megawatt was this purchased from the United States?

What was the selling price per megawatt in Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, I will have to take the question as notice. It has been difficult these last two or three days to get the answers we require from Ontario Hydro.

**Hon. Mr. Randall:** Mr. Speaker, I have one unanswered question here from the hon. member for Oshawa. If I may I would like to answer that question he asked me the other day. I shall repeat the question. How many jobs were lost to Ontario in the last five years because of American takeover of industries?

I think, Mr. Speaker, in assessing the impact of American takeovers of our industries the net effect on employment rather than gains or losses should be considered. Precise data on U.S. control of Ontario companies and its net effect on employment in the province are not available, but examination of overall statistics suggests that secondary manufacturing employment increased from 680,000 in 1963 to an estimated 803,000 in 1968. This is an increase of 18 per cent over the five-year period, which compares favourably with the performance of the Canadian economy.

During this period, 251 branch plants of U.S. companies were established in the province. These plants employed a total of 20,145 persons on their staffs. These data seem to suggest that the effect of American takeover of industries may not have been negative but rather positive on our employment. It does not include the employees that went into the UAW with the automotive pact and those that went into the farm industries and the machine industries since. In other words,

these industries have expanded and are not included in the 20,145.

**Mr. Speaker:** The hon. Minister of Transport has answers to questions previously asked.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, yesterday there were two questions directed to the Minister of Transport that I asked to be put over until today because of my being involved in the morning with the National Conference on Urban Transportation. I did not receive the questions until I came into the chambers, as I explained. I wonder if the member for Essex Kent would like to ask his question, or the member for Grey South his question.

**Mr. R. F. Ruston (Essex-Kent):** Is the Minister aware that the licence bureau offices in Chatham are only open for six and a half hours a day, five days a week? Is he prepared to have the hours extended to what is considered a normal working day of eight hours?

**Hon. Mr. Haskett:** Mr. Speaker, this is the first complaint that I have had of our agent in Chatham. The office there maintains normal business hours, I understand, but this may not be adequate at this time of the year. We expect our issuers to give good service to the public and I have already directed that steps be taken to extend the services required.

**Mr. Sargent:** Is the Minister aware that tens of thousands of used Volkswagens have been sold to Americans as new cars? Will the Minister advise as to the situation in Canada, and what steps are being taken to protect the Canadian public?

**Hon. Mr. Haskett:** Mr. Speaker, I have read in the newspaper of the situation in the United States to which the hon. member refers. We have no evidence that a similar situation obtains in Canada and the best information I can get is that the importation of used cars into Canada is prohibited by the federal government, except in special cases such as those of settlers' effects and the like.

**Mr. Sargent:** Mr. Speaker, would the Minister accept a supplementary?

In view of the fact that over a million people have not bought their plates yet, will you extend the date beyond February 28?

**Hon. Mr. Haskett:** Mr. Speaker, I do not accept that as a supplementary question to the first. It is of interest to us all.

Mr. Speaker, before the Christmas recess, the hon. member for Grey-Bruce raised the question of including a coloured photograph of the holder in his driver's licence in consequence of a recommendation on page 122 of a report of the Ontario Police Commission in 1964. At the time, as the report was not identified, you will recall, I was not in a position to provide a proper answer. When subsequently the hon. member did identify the document, I indicated I would look into it. Accordingly, I now offer this statement.

Licences are issued to indicate that the holder is qualified and entitled to operate a motor vehicle in Ontario. This is the measure of my department's responsibility in this area. However, the driver's licence is widely used as a primary identification document and the value of a forged licence lies in the facility it provides in this way, rather than in its use as a driving authority.

Very little trouble has been experienced through the use of forged licences for driving authority and the particulars contained in the licence, together with the additional information contained in our files, have proved sufficient to identify the proper licence holder.

At first sight it might seem that the inclusion of the holder's photograph would improve the licence as an identification document. Nevertheless, the person who is consciously setting out to provide himself with a false identity will welcome any device which will make his forged documents appear even more tamperproof; and licences bearing photographs, even when in colour and produced as a single sheet of paper can be easily and quickly forged.

When a driver changes his address, he is required to notify the department and is then sent a new licence. In order to have a photograph on this new licence he would have to attend personally at one of our offices and be photographed. I suggest that the inconvenience this would cause to more than 3,000 drivers each day would result in address changes remaining unreported with the consequent loss of accuracy in our files and additional burdens being placed on enforcement agencies in tracing drivers.

The inclusion of a photograph would increase the cost and time of licensing while the results achieved would not increase the effectiveness of the licence for its primary purpose.

Mr. Speaker: The hon. member for Ottawa Centre has a question of the Minister of Social and Family Services.

Mr. H. MacKenzie (Ottawa Centre): Mr. Speaker, a question of the Minister of Social and Family Services:

1. Would the Minister consider directing the field workers of his department in the Ottawa area to use the full rent paid in calculating the required budget allowance for those on assistance rather than an arbitrary figure set by the field workers until the housing crisis on low rental housing units is ended?

2. Would the Minister consider establishing a programme of assistance for those in the Ottawa area on low incomes who are suffering hardship due to unconscionable rent increases until a sufficient number of low rental housing units can be erected to stabilize the market?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I came directly to the Chamber from Ottawa and I shall take those questions as notice and perhaps have the answers for tomorrow.

Hon. Mr. Welch: Mr. Speaker, before the orders of the day I would, with a great deal of sadness, like to advise all members of the House that I have just learned of the death of the hon. member for Middlesex South (Mr. Olde).

I am sure that we would all agree that this particular news will leave a void in this House. He was a kindly, quiet and much respected gentleman and no doubt tomorrow, on the return of the three leaders, we will have an opportunity to pay a more adequate tribute to the memory and to the work of this much respected gentleman.

In the meantime, with your permission, Mr. Speaker, perhaps we could rise to pause for a moment in our deliberations today to mark this very sad news.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, I shall shortly resume my heavenly flight from yesterday. But to come plummeting down to the earth on a rather more mundane matter for the present moment.



Yesterday, in the headlines of the Toronto *Daily Star* it reads "Robarts calls Medicare a Great Fraud" and in the body of the article it says:

The federal government's Medicare programme is one of the greatest political frauds ever perpetrated on the people of Canada, Ontario Premier John Robarts charged today, at the Confederation Conference. Looking Prime Minister Pierre Elliott Trudeau straight in the eye, Robarts denounced Medicare as a "Machiavellian scheme that will cost Ontario people \$225 million a year—"

The paper goes on to tell who Machiavelli is and what his schemes are.

I would say just in preface to the thrust of my remarks that the language utilized here is, to begin with, indecorous, intemperate, inaccurate, ill-considered, misguided, petulant, and obtuse.

**An hon. member:** That is a pretty accurate—

**Mr. Lawlor:** He spoke of a great political fraud, we will come to that in a minute. He spoke of a Machiavellian scheme. Well, that is to say the least a misrepresentation of the position of poor Machiavelli himself, he "out-Machiavelled" Machiavelli; because for the Florentine, schemes of this nature were supposed to be covert, quiet, hidden, no one is to know about them.

People in this country have known of this scheme since 1919 and before. It has been around for 50 years in the forefront of many political debates. How can it be called "Machiavellian"?

In fact look at the voluminous Hall Committee Report. I do not see how any of you can really take exception to it as well as statements by my leader in the House earlier this year, have both shown that Ontario can afford Medicare. The only thing that one can say is that the Medicare scheme for this country is just the reverse of Machiavelli. It is the only honest, open, efficient, intelligent way to handle a grave social ill and great need.

The Premier is prejudiced.

**Hon. S. J. Randall** (Minister of Trade and Development): Have you had a look at the U.K. economy lately—?

**Mr. Lawlor:** The Premier's prejudice so confuses his mind that he cannot even get his history straight. And it is pure prejudice. How can he possibly say, and what basis has

he got for saying that he represents the opinion of the majority of people, either in this country or in the province of Ontario? He went to the polls in 1963 and again in 1968 on the pretence that he had a Medicare scheme. He did not explain its ramifications. He suppressed all that information. If there is a fraud involved here, it is a fraud of the Premier of this province and his party upon the people of this province. The PSI has just raised its family premiums 46 per cent to \$19.40 a month—\$232.50 a year.

The government has recently raised its OMSIP premiums by 18 per cent to \$177 a year. Taking these combined totals of the PSI and the Hospital Insurance premiums it comes to \$1 a day per family or \$365 a year.

Now under the federal scheme, if you opt in you can have this virtually cut in half. What is your pretext, what is your reason for saying just the opposite?

Interjection by an hon. member.

**An hon. member:** Bankrupt Tories, bankrupt Tories!

**Mr. Lawlor:** It is one thing for the Premier of this province to disagree with Medicare on a philosophical basis. It is another thing for him to go about the country calling it a fraudulent scheme. And secondly, for him to state, without proof or foundation that he speaks for the people of this province in this regard—

**An hon. member:** Forty-two per cent of them!

**Mr. Lawlor:** This is a matter of straight opinion. He is entitled to his, but to presume to go to Ottawa as the official representative of this province and to explode into an intemperate statement about a matter which is fundamentally a personal prejudice or arises out of his alliance with the insurance industry in this province—is nothing short of irresponsible..

Where, where is the carefully cultivated picture of calm deliberation now? Where is the neutrality, the objectivity, the equitable temper and the neutral point of view? The Premier has done himself and this country a great disservice in the way he conducted himself on occasions at this conference.

I shall quote from a statement made by my leader.

Having failed to pressure Ottawa into reneging once again on its commitment to introduce Medicare, the Ontario Tories are

now using their influence to bolster sentiment that the province should not participate. They used two arguments; I will only give you the first.

The first is that Ontarians cannot afford to contribute towards medical costs in other provinces. This is a sentiment which comes poorly from a government whose leader only last Christmas was talking of a billion dollar Canadian development fund to which Ontario would make a large contribution.

It is a sentiment that runs counter to the whole underpinnings of Confederation.

He is up there presenting a fair face, pretending on one hand to make contributions to regional development and that Ontario, one of the wealthiest provinces, should carry its fair share and weight in order to unite us, to keep us together.

On the other hand he undermines it, on the chief and fundamental—and possibly even the last—major piece of social security in this country which will have the benefit of raising the health standard, and therefore the productivity of everybody in this country.

Interjections by hon. members.

**Mr. Speaker:** I would point out to several members on each side of the House, that this is the opportunity for the hon. member for Lakeshore to make his contribution to the Throne Debate, and I would ask that he be given a hearing.

**Mr. Lawlor:** Mr. Speaker, I said, as pointedly as I know how, how I believe that far from aiding and abetting the cause of Confederation on this fundamental issue, there is a great undermining going forward; and the Premier will not soon be let forget it.

Mr. Speaker, I wish to return to the constellations. As I indicated to you yesterday, I allow myself, if I can put it this way, at least once a year, an indulgence.

I personally make what I consider a fair contribution on all kinds of concrete issues. But I think that once a year, the House and the people in the province can afford, so far as I am concerned, to deal with what I would think are background issues, the things that shape our lives and our ways of thinking. These unconscious assumptions make us take the positions that we finally end up with, perverse as they may be from the other side of the House.

My contention is that the perversity arises from poor thinking. If we could just have a little stirring at some higher level, it might

trickle down to bringing about progressive, intelligent, social policies. It is the obtuseness and the intelligence that is blocked, that unblocked, could bring about the kind of things in the working lives of people that we on this side of the House, in this party, stand for.

Yesterday, I had gone over just briefly what I was presenting to this House as a new dynamic conception of man, as a self-maker, fully responsible for himself and for his world.

Man has come into his material inheritance, and he now sets about to humanize himself and the world about him. This can only be done in some theory of community. It means in part that intelligence—not chance and not fate or some impersonal, economic or other mechanism—must guide us.

The parties and the governments of the west, particularly in North America, with the last dregs of irrationality—the Tory government over there, and the Republican Party in the United States, that sort of thing—are slowly creeping out of credibility.

They are the ones who, because of their belief in a fundamentally chaotic universe and irrational modes of thought, bring about most of the social ills; or at least do not amend them, do not ameliorate them. In other words, what I want is that the Invisible Hand become visible; that we plan and direct our own future with a view to heightening human life.

Some of the members think that the policies we are putting forward over here would not heighten it, but would possibly lower human life. But I suggest that it is their passive posture before faith, wherein lies the seed of decline and decay and the shuffling off of primary social responsibilities.

I also mentioned in this context that control to this idea of man, in order that he may have the scope in which to shape himself, is the fundamental, deep idea of freedom. Under this heading, I outlined what I thought were two distinct theories of freedom, mostly held to be irreconcilable.

One of them I called English theory and it had little intellectual content; I called it a "freedom from". It is freedom that is disrespectful of, or at least, sceptical towards all types of authorities, laws, institutions, governments and everything but the isolated, atomic individual.

This is also called a freedom of self-realization or spontaneity or exercise. All these words in different philosophies are the ways of expressing this mode of freedom.

The second mode of freedom I chose to call French; simply, I suppose, because it is part of the Latin mentality, and because of the contrast between two modes of thought involved, which is reflected in the constitutional debate, as to the way in which both these parties approach problems, of say, fundamental human rights and as to what they think human society is all about.

This is a "freedom for"; it is called sometimes a freedom of autonomy or of self-perfection. It is a freedom not from, but of, law, within the law. It is a mature, socially and futurely oriented freedom in responsible possession of our lives.

Therefore, we have the two freedoms. They have always been opposed and usually kept separate and distinct. I think, that although they seem to be contradictory they are actually complementary. That is, they are reconcilable. One cannot exist without the other if full human liberty is to be achieved.

The one exists, in what we called yesterday, a dialectical tension. The French I have said, depends upon the English freedom in a certain way, in that although I may be free in my spirit, even while locked in a dungeon, this cannot really be considered a very ideal mode of existence.

The entrance to the house of freedom begins in freedom from external physical coercions, and it requires customary morality, that is the morality that is engendered from heaven knows where, and which imposes its opinion upon everybody as to the way they should dress, think and act—it requires that customary morality, the unthinking force of gossip and opinion which irrationally binds men to be relegated to a place which does not coerce. That is what John Stuart Mill spent all his time talking about in his book called "Liberty". He pointed out—he went so far, as a matter of fact, in this regard, as to say that he wanted to promote eccentricity for its own sake, because the weight of public opinion upon men's minds was becoming increasingly greater in his day. It was the chief scourge of liberty and, in a large measure, remains the chief scourge today, over against the state, which has largely, in my opinion, emacipated men, at least materially.

Primitive societies are known by the number and weight of their totems and taboos, their conventional wisdom. Only after these initial conditions of external force have been removed can the second freedom really come into its own. That is, a self determination

in righteousness, and in human amity, can be gained only in a social context.

Freedom of licence can be turned into freedom of law, moral or legal. Law is to be obeyed, to be absorbed and to be lived into, provided, of course, that it is just law. The freedom has its own disciplines. It is a discipline and not a vagary, as the English think. A man's freedom, the ideal, I would say, lies in his ability to do as he ought. This is the foundation and not the enemy of liberty.

These two freedoms come together in any theory of human rights. Human rights come from inside us. They evolve and expand and become more definite as the centuries go on, because we are men. Just because we are men, because a man is a man, just because of that, he has rights. He has rights to life and to all the available means, material and otherwise, to the development of that life and community.

This is basically an act of faith — it cannot be proved, and it is on that faith that the whole development, the structure of the life of democratic societies rest. When faith is lost in this, then there is a disintegration of the role of man. Unless you believe in a fundamental equality, and unless you believe and give all the means to life. This is socialism in operation. And the law, the external arm —

**Hon. J. H. White** (Minister of Revenue): The NDP advocates breaking laws.

**Mr. Lawlor:** Oh, never, never. I fail to understand that statement. If you Tories over there erect a structure of unjust laws, then I think the best thing to do is to oppose it. And it is very lawful to encourage the breach of the law if the law is not just. That is the duty of good citizens.

**Hon. Mr. White:** That destroys your whole argument.

**Mr. Lawlor:** No. You just do not follow the argument.

The only law that is binding is a just law. Any law that you make to set up arbitrary standards, to defend the interests of a particular segment of society, those laws are not just and therefore ought not to be obeyed. Any man with a conscience should run against them. He does not have to do it violently, now, that is why we are here, to change them.

**Mr. M. Makarchuk** (Brantford): It has been legally decided at Nuremberg.

**Mr. Lawlor:** I am here at the moment to try and change you, and that is rather more

difficult. So we will stick to the line. The law is there to see that rights, but not privileges which are the opposite to rights, are abided by. Rights are the guideposts to human dignity and to just law. If they are interpreted in the English fashion, in an extreme way only, they are rights without responsibilities, and if incorporated into the French context, they are seen to involve not just an external relationship or mutuality of people, but a binding, natural covenant among men.

That is the condition of an internal, a willed, a voluntary mutuality in society. A right is fundamentally a moral concept. It is not an artificial creation of the law or some pact or some special contract made somewhere along the road. That is in most doctrines, which say ultimately that rights are mights, which also means that "might is right", and that is the law of the jungle. And that is the law that prevails and continues to prevail and which you people over there continue to defend and which you continue to promote, and which remains the *raison d'être* for your existence.

It is not the rule of the strong, the shrewd or the cunning as in our society. They are not concessions by which to live in some questionable peace. In the thought of Stoics and Scholastics, and increasingly in modern jurisprudence, they are seen as intrinsic and natural to men. They are not created by man, they are recognized by him, in an always deeper recognition, or refusal to recognize as in the case of all fascisms, incipient or real, and in the case of communism.

They are not mere legalities set up to secure people against force. They are derivable, they are not, as Bentham says, creatures of the law, derivable from their governors. On the contrary, they govern the governors. They are not powers, as Spinoza said: "Every creature has as much right as he has power." They make power. They make power human. They contain and they shape power. They turn power to virtue. They are not to be identified with the strong arm. They transcend law, but they have their efficacy as embodied in the law.

There is a curious relationship between the theories of rights and the theory of righteousness. In other words, unless the theory of rights develops and entrenches and gives some deep, solid entrenchment to the development of minds, and leads in that direction it is useless. It must not be used as an instrument against them by conferring rights, sometimes called privileges, upon segments in society, then it is self defeating.

The right to liberty; the fundamental rights are to liberty and equality, because it is a matter of faith that all men are ultimately equal. That is what the present distribution of income, for instance, in Ontario denies.

Now, Mr. Speaker, having set up this background as to man in the modern world, the problems of freedom and the human rights.

I now wish to turn to the import of those thoughts with respect to the constitution of Canada. How can we help but be aware of what is going on in Ottawa at this present time? It seems to me, regrettably, that our country has reached a nadir in its development.

It is at a very low point, and the confusion and the squabbling that is taking place in our capital has been contributed to, as I have indicated earlier, by our province itself. The ingrained selfishness, the posturing for special positions, the renegeing from an overall philosophy whereby we must bind ourselves into unity to preserve our identity against the incursions of American culture, all these things can cause — in any citizen concerned about these matters — deep, deep feelings of sorrow. We, in this province, who have the impetus and the carriage of these affairs, as I suggest no other province has, have to some degree, at this stage at least, failed in an initial responsibility, to produce more fleshed-out proposals with respect to the division of powers.

We are doodling at the present time and while we doodle, Levesque continues to rise in the forum of his own province. You know, in the old days we used to use England as a foil against American modes of life and culture. This was our means of sustaining our identity. It seems to me now that Britain has faded and no longer exercises that perspective, that influence, that the only thing we can possibly do which will give us distinction, which will make us decisively different from the United States, which will give us a hegemony and a direction of our own, is to ally ourselves as intrinsically and deeply as we possibly can with the French side of our culture.

This is the barricade. The French will save us, we will not save the French. We will go down the drain in 50 years without question. You have already sold out over there economically. From the point of view of a person like myself, the economic sell-out is almost fundamental. You cannot retain your identity in these concepts if you have given away your

material basis for that identity. Human beings are so fashioned—

Interjections by hon. members.

**Mr. Lawlor:** You think that a man is a truncated creature, his head in one place and his feet in another. This is a grave tragedy that is happening here. Quebec has tried in its own power to offset it. It has set up the Quebec Development Corporation.

It took over the electric facilities of the province. It is trying to arrogate its economy in a way that is self-determining. In the meantime, the Minister of Trade and Development gives away the largesse of our wealth, and so on. There was never a greater sell-out than is taking place here, all in the name of trade and some kind of posturing, some kind of economic opportunism; he must give credence to this.

**Mr. E. W. Sopha (Sudbury):** He would sell the whole of Ontario to the Americans.

**An hon. member:** He would give it away.

**Mr. Lawlor:** But he will pay them to take it, too.

**Hon. Mr. White:** The member does not understand the situation at all.

**Mr. Lawlor:** In any event, my suggestion here—

Interjections by hon. members.

**Mr. Speaker:** It could be that the debate would proceed much better without the verbal interjections of certain members of the House who know better and, I would hope, would show that they know better. The hon. member for Lakeshore has the floor.

**Mr. Lawlor:** Thank you very much, Mr. Speaker.

You know, they are up there debating about who has jurisdiction over external affairs. Sometimes I think they all have jurisdiction over external affairs. Each one of them acts as though the other were an external affair. We have international relations with Quebec and international relations with British Columbia and vice versa all the way around the table. You would think a number of foreign countries were sitting down to discuss things together. They may as well have offered the constitution under this particular head.

But I want to return in order to reinforce what I said before about the degree and kind

of co-operation that we English-speaking Canadians ought to accord Quebec. In other words, I said to you that Quebec may be our salvation and not the other way around. If we enter into that sort of thinking, that our distinctiveness, uniqueness and possibilities, the development of our destiny in this country would be in that direction—and, thank heaven, on the whole the thrust of the government over there so far as language is concerned (not economics), has been in that direction. In other words, of spreading the dual languages to the deepest possibility right across the country. That is our only hope. If it is not done forthrightly, and done with great immediacy, I think we will go down the drain.

Where will we stand if Quebec does declare itself independent? Certainly we cannot raise our hand or dream of doing so should it do so. We may not accord with Rene Levesque's idea of a common market in trade and economic relations once that position is achieved. We may try to punish them; I have no doubt that we have it in us to do so. We have always done so, as I shall try to prove in a few moments, to react vindictively with respect to the demands of the province of Quebec. But unless this basic ancient animus on the part of the people is overcome, unless they rise above themselves in this hour of our destiny, I see little hope.

Once Quebec separates, we are all done for, as far as I can see, at least as far as I am concerned. I am bereft, I see no future. What will happen to the Maritimes? Their natural gravitation will pull with the U.S., Quebec—they have ancient loyalties—and it will be hard for them to pull out, but the pure weight of economic circumstances will bring that about. There are always rumblings in British Columbia on separatism. Once Quebec is out, the same thing will happen there. A total disintegration of our country will take place. We will be absorbed into the American maw. The benefits of the American dream are fine, but they can have it.

We have a dream in this country of our own, and it is in quite contradistinction to the dreams that they have. They are too moved by emotion, they are not sufficiently balanced in their approach to the problems of life and they are swept by internal dissension, a dissension of which we want no part. These people, friendly as they may be, have in my opinion a low cultural tone. Our possibilities in the realm of education, in the intelligence of our people, in the business of



being able to order our own lives in a different tenor, to add another colour to the spectrum of the world—which is what our task really should be—will all be voided the day Quebec pulls out, as far as I can see.

**Mr. A. B. R. Lawrence** (Carleton East): The member sounds like Rene Levesque himself.

**Mr. Lawlor:** I cannot accept that. I have been saying that I believe in unity, and I think we have to bend over considerably from our previous attitudes with respect to this unity and somewhat further than what we have and that our goodwill is not yet sufficient unto the need. One of the proofs of it is our position on medicare. But there are a number of other proofs of that. We are making gestures, but thank heavens we are, otherwise it would dissolve. But the fact is that we have a long way to go in terms of attitudes and in terms of sympathy and insight into the French fact, than what we have thus far got.

However, I am saying that Rene Levesque is the boy who wants to pull out. He thinks the whole operation is a joke. I do not think he has thought his position out very well. For instance, in the case of the Bank of Quebec—he wants to set up their own bank—he thinks they can handle their credit and conduct their own economic affairs. He does not say what role the Royal Bank of Canada, for instance, would play in that province, and I would daresay the powers and potentials of the Royal Bank of Canada over any conceivable Bank of Quebec would be quite overwhelming. But he does not spell this sort of thing out and, as I indicated earlier, he does not have any real indication that we might be prepared to go along with that even if we reach that stage. But let us not talk about that. I mean not that we do not face it. The fact is we must not allow that to happen. The position taken by the Union Nationale has sufficient merits and sufficient grounds that we can find some kind of accord by way of the proverbial Canadian compromise whereby we can weld ourselves into some kind of unity. It is my purpose to discuss that.

The first point I want to mention touches The Official Languages Act. You know The Official Languages Act in this whole context is not something fundamental—it is elementary. If that cannot be passed and accepted throughout this country—and gladly—then we have good grounds for despair, because that is an elementary first step towards any type of accord or understanding at all.

I want to refer the members of the House, if they have not already seen through the arguments used the other day in the *Globe and Mail* by Eugene Forsey, which I think are devastating as against the position of the former Justice Thorson, whose position so far as I can see is not only purblind but legally unsound.

Now as far as our history is concerned—you know I am not going to rehearse that tragic story—no nation on the face of the earth, I expect with any length of life, has any worse history than ours. I suppose, on the other hand, that the history of Turkey cannot be said to be any better. It is just that—if you look at English history for instance, its long periods of relative peace where people were forging some kind of unity and getting together—and we are able, because of the length of the perspective of British history—we are able to see bright spots and dark spots. But looking at Canadian history, I regrettably have to say that I cannot see very much but dark spots. It is a twisted history full of animus and full of violence and full of all the worse human emotions and vindictiveness to which we English people are prone. In other words, the people on the other side of the fence are not shining examples, but at least they were a subject people who tried to live on their own and any time they tried to raise their heads, even in accord with our principles, we would step on them.

I do not want to document this. I do want to make a mention of a couple of facts in connection with this just to confirm it. This is the context out of which we have to operate. This lies in the memory of Quebec. This is the way they talk, because unconsciously it is the heritage that they suffer from. There is disrespect; there is suspicion and there is also fear. They know that in the past we have not been up to much good you know.

In Burinot's Manual of the Constitutional History of Canada, he talks about General Murray on page 9. He was appointed Governor of Quebec on November 21, 1763. He was the first Governor commanded to execute his office according to his commission and, accordingly, to make laws with the advice and consent of the council in the Assembly.

The persons duly elected by the majority of the freeholders, "the respective parishes and places were required before taking their seats in the proposed Assemblies, to take the oaths of allegiance and supremacy and a declaration against trans-substantiation." At the very beginning nobody would take any



oaths and so they did not offer any representatives and they were not allowed to sit on the Assemblies and this went on for 50 years.

These tests, and so on, were rife in Great Britain at the time and were introduced here in a context, where 50 to one were Catholic citizens of this country. That is the kind of context out of which they operate and which they react from.

In this regard, there is a magnificent document which I have not read until recently. It is Lord Durham's report. A few years later, when the two races could not possibly get along together—you know, the insurrections of 1837-38 took place—Durham was sent out here to try and find some grounds for pacification.

As a result of this he recommended the unity of the two largely, so far as I can see, so that the French imbalance in numbers would be offset, although this was offset anyhow by various schemes and manipulations to keep the council a form of the executive council. And the constituent assembly were in a position where they could override the numerical French representatives.

But in any event, the same observation has been impressed upon me—the conviction (by the way, he writes marvellously well) as he says: “for the peculiar and disastrous dissensions of this province there existed a far deeper and far more efficient cause, which penetrated beneath its political institutions into its social state. It was a cause that no reform of constitutions or laws that should leave the elements of society unaltered could remove, but it must be removed ere any success could be expected in any attempt to remedy the many evils of this unhappy province. He continues:

I expected to find a contest between a government and a people. I found two nations warring in the bosom of a single state. I found a struggle, not of principles, but of races and I perceive that it would be idle to attempt to any amelioration of laws, of institutions, until we could first succeed in terminating the deadly animosity that now separates the inhabitants of Lower Canada into the hostile divisions of English and French.

What a commentary that comes down to us! To haunt us! The sins of the fathers in our own country!

Pierre Elliott Trudeau makes mention of this in his book. He said the end result was that for the mass of the people, the passage from French to English rule was

remembered, not unnaturally, not as an enslaving defeat but rather a liberation from Bourbon absolutism, but regardless of how liberal were the conqueror's political institutions, they had no intrinsic value in the minds of the people who had not desired them, never learned to use them, were not taught them, but who finally only accepted them as a means of loosening the conqueror's grip.

Trudeau goes on in this particular theme to recite the history of our defaults and defects in this regard; the Riel rebellion; the schools question, not only in Manitoba but in Alberta and Saskatchewan; the issues of conscription, the high-handed and arrogant way in which we acted in all these matters down through the years.

But as I say, what point really is there in flogging an issue of this kind, of regretting our past, unless to remind us that we have a great deal to regret, that we have a great deal to overcome, that we have a great deal to repent for. Only in that mood and only from that standpoint is it possible for us to reach an understanding with one of a very different type of mentality than ours in the case of the Frenchmen. We can all understand generosity; we can all understand the magnanimous hand and we had better practice and exercise it to a greater degree than we have up to this time.

But leaving this, I wanted to make mention of another passage which I noticed today in Pierre Trudeau's book. This was written, you know, while he was still an NDPer, so it is an extremely enlightened document. I notice that he has gone downhill ever since he became a Liberal. Have you not noticed that?

Pierre Elliott, in a footnote on page 69 mentions a man I knew once, Murray Ballentyne of Montreal. Speaking on the English network of CBC, back in 1954, he said:

We English-Canadians cannot have it both ways. Either we limit the life of the minority to a single province, in which case we cannot blame the French-Canadians for putting that province first; or else we accept their right to their language and their schools, wherever they are. Are we or are we not prepared to consider Canada a fundamentally bilingual and bicultural country?

That was in 1954; it is only beginning to dawn now—perhaps it is beginning to dawn too late.

Returning to the constitution itself, I would like for the next few minutes, Mr. Speaker, to run through some of—not, by any means,

all of—the Propositions of the government of Ontario which were handed to us late last week.

The first point is that there has been some argument, whereby biculturalism is put forward here, too, as maintaining the constitution just as it is. This is a status quo. Trudeau says that it has internal flexibility enough. Besides, this fact it is ignored that we have to fight bitterly every time we want to make the most minor change. This is one of his basic points.

This is where he was, I suppose, an incipient Liberal in this passage of this book, which says that all the constitution need not be changed. Of course, this is accompanied by a great shrug of shoulders.

The constitution need not be changed, but the fact is that the Ontario government, going up to Ottawa at the beginning of this week, thinks that the constitution should be changed. It points out on page 3 of the brief that the following sections of The British North America Act should be repealed because their provisions are spent, because they are now provided by appropriate legislation. They run to 19 various sections that ought to be repealed.

I want to point out to this House that 14 sections of the Act (there are 147 sections in The British North America Act) 14 have already been repealed and another 19 certainly have to be repealed. It is beginning to add up. There had been 21 sections modified—modified quite radically. And six provisions had been added by 1962. Then they go on with four sections which have to be updated. They have to do with the list of the four original provinces, seats of government, provincial government, that sort of thing.

Three more sections of the Act have to be drafted—in their opinion—having to do, for instance, with Royal discretion as to assent of the legislation. In addition, three more paragraphs should be repealed. These concern disallowance powers of the federal government. This government very often does show some sound good sense in this issue. Then there are the magnificent Quebec documents outlining their proposals. I mean, they really go into the matter—give it a public airing unlike ourselves. They, too, favour these disallowance and reservation powers.

How can provinces that have come into some degree of self responsibility, like ourselves—a mature Legislature—why should we be subject to these disallowance powers which keep the provinces in tutelage?

He then goes on with five more sections that should be concerned wholly with the internal constitution of the House of Commons and now have nothing to do with such an Act, and should not be embodied in the constitutional document at all.

In other words, on the base of running through what is otiose, what is completely outdated and what has no longer any efficacy at all so far as the running of other governments is concerned, we have many outdated sections. The constitution simply has to be amended.

Now, regarding the preamble to the constitution, Ontario again ought to be given credit, although I don't suppose too much credit is involved. It is obvious enough that we are no longer a colony of Great Britain, and it says we are. And as they say, that is the place for a preamble to a constitution, the place for aspiration, a place where they can set up certain ideals as to the possibilities of this country. It is at least something to turn to in terms of the great language of men; it is something binding to turn to in terms of hard words.

As to The Bill of Rights, after a lot of unbelievable waffling over there that this decision would not have been arrived at a long time ago. But the Attorney General fooled around with it. Finally they have agreed that we do need a Bill of Rights and that it ought to be entrenched in the constitution.

Well, yes, fundamental rights. But even the unfundamental ones were not given much cognizance until very recently, so that is a good move, and I think with a considerable measure of accord can be reached—and of course we are all in favour of that. You cannot trust men. I mean, there are too many vacillations in human affairs, too many pressures exerted upon us, not to have these things in writing.

You may say that the German is of a certain temperament, or the Russian has no tradition of democracy and responsible government—that sort of thing—therefore, for these cultural reasons they did not have a Bill of Rights. But the fact of the matter is—I can very well envisage it now on this continent, we have had something pretty close to it in the States at times. Men could go off the deep end, become incomparably disturbed over some future issue, where they would trample over the rights. It has been known to happen. Think of the padlock law in Quebec and the rather subtle use of power exercised even in this province.

We have to have these things written down in the Act as a barrier—they are hard to alter. Men must abide by them; they have it in black and white. It helps to stamp it on their memory, to become part of their bloodstream. Laws very often create the attitude and the atmosphere in which the things which are of a personal nature then can come into effect. The rights, place our fundamental liberties into a text, and embody that text in the constitution.

The real problem, of course, is the problem of the division of powers. May I say in preface to my remarks in this great issue that I would ask the government—the Prime Minister, particularly, Mr. Speaker—to give some consideration at this stage to setting up a constitutional committee in this Legislature.

The province of Quebec has had a constitutional committee studying its documents. That is a part of the reason at least why it is so much in advance of anything we have before us. They have been studying it, they have a committee listening to experts, papers to refer to, they ask the right people. The papers are referred back to the government and the members of the Legislature are given an opportunity to debate. Apart from some statements incidentally made in this House by the leaders of the various parties, there has been in my period of time here at least, no fundamental debate on this issue at all.

I mean, one can be dead wrong about distribution of powers, as to where they should lie in the future constitution. But if somebody does not start throwing out some sparks which somebody else can react to and get their teeth into, then I think we are going to be left holding the bag. I am certainly not prepared to let the civil servants of this province dope it all out for us and hand it to us on a platter.

That could very well be what happened in the terms of tax structure committees and onviewing inter-governmental bodies that are far removed from this Legislature and about whom once in a while, by a visitation from the Premier, we are informed about as to what they are doing.

I do ask you to give consideration to setting up a constitutional committee. It is an extraordinary situation we are in at the present time. I think we all agree upon that and therefore, the need for it is very great.

Now I want to speak for a moment about a somewhat touchy subject — special or particular status. This was bootied around quite beneath the level of intelligence throughout

the last federal campaign, with misrepresentations all over the place.

May I say that on this problem of particular status, it is a misrepresentation to claim that the position the Liberals then took regarding the position the New Democratic Party took at that time is not in line with our history and with the constitution itself.

You know Quebec has always had some kind of very particular status. It is written right into the constitution. The terms of appointment to judiciary. The use of the civil code in Quebec. The special language rights they are given in conjunction with English but Quebec is designated. Quebec is set apart in a way, in terms of our constitution, in terms of section 94 of the Act, in the problems, as I say, of schools.

In all these things, right from the initiation, everyone recognized that Quebec was in a rather unique position and that she had certain formidable interests which, on a growing English continent, simply had to be protected to that extent and at that depth, and I cannot see what the quarrel is all about.

I notice that the Quebec Liberals under the influence of Gerin-Lajoie in 1967, adopted a similar position recognizing the same sort of historical facts but then had a change of mind or a turn of coat. Now they have repudiated the position or at least, verbally have pretended to repudiate the position and yet, looking at the report of the meeting of the federation of the Quebec Liberal party held in Quebec last October, I would like to read you section 47 of that. It says:

It is to meet the profound objectives of Quebec and the rest of Canada at the same time.

That is pretty mealy mouthed.

. . . that we are proposing a type of federation of our own, invented by Canadians to meet their own situation. This distinctively Canadian federation would give Quebec jurisdiction in fields which it considers essential to the development of its collective personality while permitting the other provinces to entrust, to the federal government, a large share of its authority.

Now having repudiated, the special status, verbally and having drummed Levesque out, what on earth is that but special status, of one kind or another?

I think there is a certain hypocrisy present here and while I am not an advocate in my own personal opinion of special status as I will come to, as defined in terms of social-economic planning and as to the use of the economic instruments in the country, there is

an area in which this very well might have some validity.

Incidentally, about this particular problem, I would like to know where the Ontario Liberals stand.

Hon. Mr. White: They would like to know too.

Mr. V. M. Singer (Downsview): The member's repartee is just so quick and sharp!

Mr. Lawlor: Moving on and into the areas of the various heads of power — they are very quiet Mr. Speaker, this is most unlike the deputy leader to — on a challenge of this kind, to retire —

Mr. Singer: Well, we are polite.

Mr. M. Gaunt (Huron-Bruce): We are listening. We will have our say.

Mr. Lawlor: Very good. Very good.

I want to refer to an article contained in a publication which was circulated among the members, articles from *Le Devoir* earlier this year which peruses a great many attitudes and articles, conflicting articles, taking various points of view. A very valuable document this, and I am referring to the article of my friend (Andrew Brewin), in this book where he says:

I suggest that the federal authority must be preserved in such fields as credit, banking, investment, monetary and fiscal policy, tariffs and transportation. There is no room here for any particular status for Quebec or for any other province.

Again just what is being recommended by either the Liberals in Quebec under this head or by Le Parti Quebecois, René Levesque's party in this particular way insofar as, credit, for instance, is concerned is something that is very interesting and I will spell it out.

As you know, Le Parti Quebecois insists upon, within this common market proposal, using the currency of Canada. It continues to recognize the dollar as legal tender, and so on, within its own fields but just how it could go on recognizing the Bank of Canada, its expansion or contraction policies, which will undoubtedly affect the situation, how it can continue to operate or think of operating credit policies of its own, at least—let me put it this way.

There are areas in which a province can exercise fiscal and monetary responsibility particularly, fiscal. It can have an in-built credit expansion or contraction policy. It can have its own investment policy. We are recommending it every day for this prov-

ince. But that can only be done, in my opinion, in very close co-operation with the federal government and its policy.

If one policy is an inflationary credit policy withdrawing money from the market and the other policy happens to be expansionist and deflationary, then I would think that the country will run off the rails. This is just the problem of the counteracting policies.

The basic problem at this stage, to kind of anticipate what I am going to say towards the end—is that what has happened here, fundamentally is the lack of co-operation between the two levels of government.

Now this has been pointed out, it was pointed out the other day by one of the speakers on the Conservative side, pointing out and lambasting the Liberal government in Ottawa for its refusal to engage in a number of policies.

In other words, Pierre Elliott Trudeau, as he became Prime Minister, adopted in effect what was the policy of the separatists in Quebec. In other words, he has a water tight compartment theory of the constitution. He wants to divide up the powers into nice little packages and each one of them to have its own power, but, he just wants to leave them as the present powers basically. Fundamentally that is what he wants and he will not supply the money either if they want to operate within the ambit of their own particular power as granted by the 1867 constitution. Now, this airtight theory is unworkable, is unbelievable, in the constitution. This causes him to refuse a whole area of programmes of mutual co-operation and an internal consultations, and it is the breakdown at this stage—and it is getting worse—of the federal's government's consultative machinery that is one of the chief causes for the Balkanization that is upon us.

The degree of ongoing, immediate, day-to-day permanent consultation between all levels of government, between provinces and federal government has never been encouraged and this is the only way in which a co-operative federalism can be made viable. This is the failure on the part of the federal party. The provinces are all clamouring to consult because they have overwhelming obligations to their people, but this government sits in some kind of cool aloofness, abiding by an outworn and ancient constitution.

I will not go over the ground of hospital construction, the withdrawal of manpower, ARDA, a whole host of areas which we have seen the various premiers on television in the past few days raising and lamenting. This

government then when it does move into a budget policy eats up this justification for the Tory party in this particular regard, in my opinion, against the Liberal Opposition here in this regard.

Every time there seems to be any area for expansion into available economic resources, the federal government enlarges its defence policy or enlarges one of its own arrogated fields, it expands its diplomatic corps, it does everything in its power, as far as I can see, to cut off, truncate and diminish the role of the provincial governments. It cabbages funds and will not make and has not made provision, it is obtuse to making, adequate consideration for increasing needs of provinces.

The needs of the United States—and I am sure the same figures of the provincial and the local governments taken together have increased sixfold in the past 15 years over and against the needs of the federal government in the United States and I am sure the same applies here. Nevertheless, no cognizance—this is the basic reason for our rupture.

If there was economic stability and peace in Quebec, if they had anywhere close to adequate resources flowing from the federal government with its all encompassing taxing power, then I am sure that the acrimony and all the threats of pulling out that we face today would not and could not have taken place.

The economic has aggravated the cultural, and we are going to get the backlash. It is by refusing consultations that our major problems have arisen. In the United States, again at the present time, they are moving ahead in their constitution they have—somebody has created the phrase “a creative constitutionalism”. They say the economy of that country is no longer like a layer cake with the three layers laid one on top of the other, all acting in complete separation, all acting as distinct units with the lower units not having adequate resources with which to do their job. They claim the way in which their system is beginning to operate is that it is not a three-layer-cake, it is a marble cake. The colours are worked right in to the fabric of the cake.

You cannot segregate one area off from another. Irrespective of what the area that occurs to you might be, there are interleaving, overlapping responsibilities at all levels of government, to give cognizance of that area, to assist each other in that particular regard.

Now, at the present moment from our point of view here in Ontario, as presented in our

brief so far as it presents anything at all, and from the point of view of Quebec and the other provinces, we are going in a directly contrary direction. Again that gives me great pause because if the thrust, if the dynamism of contemporary economic situations is such as to require an alignment of powers and an interfusing of functions, if this is necessary and built into this economy, then how on earth can we preserve the vitality of our union and still have all this segregation and distinct powers that everybody is talking about? That is refusal to face up to the demands of the twentieth century and to this country.

In the other hand, what we have to do seems to me to go somewhere down the middle, as usual, usual in Canada, because the demands are there and Quebec does demand a special kind of recognition and this is even true about this province.

**Mr. E. Sargent (Grey-Bruce):** What can the member do about Quebec?

**Mr. Lawlor:** On the other hand, the needs of the economy mean that there is complete penetration right through, that there are no special powers, that there is no area that any particular province could arrogate to itself in exclusion of any other level of government, particularly the federal. And federal funds are necessary.

We had a solution, you know, back in 1941, to all this, which, largely because of the war, we were unable to accept, the Rowell-Sirois report gave complete taxing power, right across the board, 100 per cent taxing power to the federal government and then made arrangements to transfer funds back to the provinces on the basis of consultation and need.

That, if it had been adopted—again the boat was missed—and as so often in our history, and so that our final dilemma, the one we have come to today is that the whole direction of our policy on a social level runs counter to what must be the direction of our policy on an economic level. That can only bring about the gravest type of dislocation and collision and again the very possible breakup of the country.

In problems of immigration, Quebec is demanding that she be given the right to—some selective right to—the immigrants coming into that province, but I think we can concede that to Quebec, there is no particular problem there, I would not think. I mean, even constitutionally at the present time she



has some area there of self-determination touching the immigration policy.

Then in foreign relations—it seems to me that there again Quebec on her own hook, without consulting the government of Canada, ought to be able to conduct some foreign relations. For instance, if there is a conference involving the government of Quebec on the civil code, a conference of jurists somewhere, why would the federal government be particularly interested in being in attendance or having representation?

The next step is over to the problems of education. If the education problem is peculiar to Quebec, while there may be some consultation in advance with the federal government or some letter of credit type of thing, I see no reason fundamentally why the province of Quebec cannot have her own representatives on that sort of negotiation.

In other words, if the whole ambit of any particular field falls under all levels of government, as I am claiming, then the nice job in framing a constitution—and it is a nice job, it requires great delicacy and refinement now to indicate, to give guideposts to those areas in which primacy will fall here and where primacy will fall there.

If the education conference is international and concerns largely problems of French language or things that are peculiar to the culture of Quebec, I see no reason in the world why the federal government ought to take such a huff and puff stand on this particular thing. This applies too in the realm of communications and telecommunications. Could anyone here tell me why Quebec should not have her own satellite? There was an awful hubbub the other day about her sending up—if she wants to construct and pay for a satellite to transmit the French language and some pictures from Paris, France over to Quebec, I do not see any reason in the world why she should not be able to do so, or to instruct the people of Louisiana what is happening up here.

Yet, the federal government under Trudeau raises their hands in holy horror and says that this is a breach of the whole idea of confederation. Unless that sort of flexibility is shown in this division of powers business, we are not going to get any division of powers—we are just going to get a division of minds, and a division of the country.

I have noticed that Ontario made one gesture which I think I mentioned the other day, in terms of economic policy. The hon. Minister of Financial and Commercial Affairs

stated that he was willing to have the federal government exercise authority over prices.

Now, that would be a magnificent instrument, an extra instrument. We have had great difficulty bringing about economic rationalism because of a division of this power, and the failure to determine who really exercises it. It is like the things that upset and caused so much misery in the Privy Council during the Bennett regime, when one power was denied to the province here and then the federal government could not exercise the same marketing power and the whole thing was left in some limbo when nobody had any power, in a no-man's land.

This is the way our constitution was interpreted, and this spread because one could not control those areas of the economy, all sorts of dislocation, and therefore human beings suffered by it, and that is what it is all about.

In terms of marriage and divorce, this is being discussed. Why does the federal government have to have jurisdiction over marriage and divorce? Quebec wants it. I say, give it to her. She has her own peculiar religious institutions. She has her own way of regarding marriage.

We in the English speaking provinces have become, perhaps, more pluralistic with regard to our notion of what marriage ought to be and to the availability of divorce, to keep people happy. Therefore, this is a kind of a cultural revolution that is taking place where, in effect, marriage is breaking down under the English regime, and then the French at least, who want to consolidate the family unit, ought to be given some jurisdiction in this.

**Mr. Sargent:** Would the member let them have it?

**Mr. Lawlor:** Of course, I would let them have it.

**Mr. Sargent:** Can they not have divorces?

**Mr. Lawlor:** In the whole area of taxation, again our friend John Stuart Mill was the author of the distinction between direct and indirect taxation. Nobody, as has been pointed out, ever pays any attention to the direct or the indirect, but, nevertheless—and I come back to this—as things now stand, the federal government usurps the areas of financial growth and the areas of financial revenue for the various provinces. They move in ahead, they eat up the bundle; they are the firstest and the mostest, and Ontario and the other provinces are invariably ending up with less



and less room in which to move on the tax angle.

And for Joey Smallwood, I listened to him last night, Mr. Speaker. Unbelievable. Here is a province, vastly subsidized by the rest of the country, and the subsidies pour in with which to maintain and alleviate the life of his people, and he taxes certain things like liquor at a greater level. Then he blames the province of Ontario for not meeting these demands, when it is Ontario that makes it possible for them to exist at all. The confusion involved in this particular chicanery and that way of talking should be pointed out.

The area that is the real area of concern and difficulty, Mr. Speaker, is the area of social welfare. Just what do you do with social welfare? Rene Levesque demands that they have control, and so do Union Nationale. They want to control social welfare; they say that it is a cultural function. It gives hegemony to their people—and no doubt it does—but if it comes to a position where old age pensions, the Canadian Pension Plan, family allowances or baby bonus plans, unemployment insurance, and finally, Medicare, are supposed to devolve into the hands of the province, then it is simply unworkable. And I cannot believe that these leaders really think that it is, you know. Take unemployment insurance. Curiously enough, leafing through their various works and arguments, which are quite vehement and venomous at times, I see nothing said about what Levesque wants to do with unemployment insurance.

He talks a great deal about manpower training as being a provincial responsibility. That is fine, but I think again that the only viable kind of constitution that we can look forward to is redividing social welfare, not in terms of watertight compartments again—quite the contrary. By recognizing in the constitution the responsibility for all levels of government with respect to social welfare, and dividing the pie in the sense, at least, that the collection facilities and the disbursement of money were liaised with Ottawa, it gives our country centrality, it gives it uniformity, it gives it a kind of unity. These social welfare schemes—and I argued a moment ago in terms of Medicare, too—make an enormous contribution to welding us in unity, and will do some more in the future as their impacts become more felt. Therefore they should be maintained at the federal level. But the dispersal of funds, the administrative chores can be very well delegated to the provinces, which they are

not at the present time. And therein lies—and not just therein, but especially lies—the great defect in our constitution touching the problem of delegation.

There are some moot questions about it, but on the whole, Privy Council decisions have not allowed delegation to operate, and that would be fundamental, not only in the business of an ongoing consultation far deeper and more intimate than anything we have ever known. That is number one nostrum in this direction. But delegation of powers back and forth according to the exigencies—things change; constitutions sit there like rocks. It is very difficult, but if you write right into a constitution the conditions of its change, then you have something that may last quite a while and which may suave over all kinds of difficulties. And then that interdelegation of powers can be done in a multitude of ways. If a particular jurisdiction has a peculiar problem in terms of its agriculture, in terms of its regional development, then the kind of delegation that is appropriate to that particular province or circumstance can take place without disrupting, without requiring complete unanimity and uniformity across a country. A country as vast as this and as little populated, with such a diversity of regions, needs an inbuilt flexibility of principle.

This is the only solution. That sort of reasoning, that sort of approach to the constitution would be the way in which to preserve us. If we are going to get one, let us not have it on the Trudeau or on the Bertrand principle of dividing everything up.

**Mr. Sargent:** The member never had a chance to make any policy down there, so what is he worried about?

**Mr. Lawlor:** I think it is high time we did have a chance. It is high time that you jumped into the whirlpool and made your contribution, because I am sure that what you would have to say on the point would change a great deal up there.

As a matter of fact, it is very difficult to come down with a list of headings that would be under exclusive jurisdiction of the province of Quebec, let us say, or under any particular province. I am willing, as I indicated, to concede marriage as being one of these things. And of course, municipal affairs—but even in municipal affairs, these days, in terms of highway construction, in terms of housing policy, as has been pointed out, the interpenetration of governments, particularly the penetration of the federal

government, is not only crucial to the development of these schemes, but is taking place. That leads to the creative constitutional theory. If Quebec, again, wants to conduct its own housing policy, I would concede that. I mean, the monies are raised in Ottawa; let the Quebec people disperse their monies. They say that they designate that a particular department must spend it. That may be true. There has to be some kind of control over the spending power, but there should be large areas, too, where per capita grants are given. The widest area of self-determination, of autonomies in the province, ought to be preserved at all times.

The penal institutions: again, as in the present constitution, there is a wide variety of types of penal institutions. Again, I do not see the wiser heads in Quebec saying that any fundamental alteration of that should take place. I think that Levesque thinks that by opting out of having to spend money on defence, that he will have these extra funds with which to run such institutions and that he would set up his own penitentiaries in this regard. But it is hardly a responsible attitude to allow the federal government, in effect, to defend the province of Quebec without making a contribution to that defence policy, however benighted I think the defence policy to be up at Ottawa.

Well, Mr. Speaker, to wind up my contribution to this debate, I am calling for a creative federalism of ongoing and immediate consultation between all provincial governments and that we should have a permanent secretariat in Ottawa and that we should be kept informed. Also that Ottawa ought to be open and generous in its consultation; ought not to make decisions vitally affecting the life of a province without consulting that province in advance. That seems to me to be almost simplistic, but that is exactly what I say has not been done.

I therefore then go on, at the second point, to recommend that delegation be written into the constitution. The third point I wish to bring before the House is a request that we have a constitutional committee where the various members here can sit down and discuss these matters together. I felt a great emptiness in this regard, and I thank you for your kindness.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, I notice almost half of the members of the third party left the House during that long oration.

Mr. Speaker, since this is the first time that I have taken part in the Throne Debate

or the Budget Debate since this Parliament convened—I did not speak in the session last year—I want to join with other members in paying my tribute to you, Mr. Speaker, and to your Deputy for the way you preside over the proceedings of this House, keep order, and sometimes try to bring order out of a little bit of chaos. I want to congratulate you on the way you are handling the affairs of the House in a fair and impartial manner.

Mr. Speaker, I crave your indulgence and the indulgence of the House while I put a few comments and thoughts that I have into the record. I had hoped to make these comments during the Throne Debate prior to the Christmas adjournment. However, that was not possible since other members wished to speak. Some members spoke at very great length and used the time that could have been divided among the various members who were anxious to make some comment.

First, let me make some comment about the riding of Wellington-Dufferin, the riding that I have the honour to represent. For the benefit of new members, Wellington-Dufferin is one of the few ridings that are, in the main, rural.

However, with the tremendous industrial development that has taken place under the sound policies that have been carried out by the Progressive Conservative Party over the past 25 years, we are now feeling the impact of the industrial development.

There are many people, particularly in the southern parts of the riding, that are commuting to work in the industries that are locating in the Guelph-Fergus-Orangeville area and further south in the Oakville-Burlington-Milton-Acton and Metropolitan areas. Mr. Speaker, I would like to put in the record some statistics to back up that statement.

In 1950, the population of Erin village was 625. In 1968, it was 1,161. In 1950, the population of Erin township was 2,418. In 1968 it had grown to 3,362. In 1950, Eramosa township had a population of 2,398. In 1968 the population had grown to 3,295.

In other words, these three southern municipalities had grown from 5,441 to 7,818, a gain of approximately 45 per cent in a period of 18 years. This growth has accelerated in recent years as more and more people are establishing their homes in this attractive part of Ontario and commuting to work on the fine road system that has been built by The Department of Highways.

I might say that further acceleration of development is anticipated as industries are

establishing and looking for places to establish in this growing part of Ontario. Some of the smaller villages and towns have already secured industries, and others in Wellington-Dufferin are in the process of negotiating.

This development has been stimulated by the incentive programme that is carried out by the department headed by the Hon. Mr. Randall, namely Trade and Development. New subdivisions are starting in some of the smaller villages, and further evidence of the growth that is taking place is the fact that the school population has greatly expanded. Many of the schools are using portable classrooms to accommodate this growing population.

Mr. Speaker, with regard to the growth in the school population, let me put into the record some statistics. In 1950, in the County of Wellington there were some 5,346 pupils in the elementary schools and 1,089 in the secondary schools, for a total of 6,435. And by 1966, just 15 years later, there were 18,647 in the elementary schools, and 6,092 in the secondary schools, for a total of 24,739, a gain of 18,304.

In a 20-year period, we have seen the population of the city of Guelph, which is located in Wellington County, more than double. We have seen similar growths in other urban areas in the Wellington-Dufferin area. The rural population on the farms and in the hamlets and villages has grown by almost 50 per cent. Mr. Speaker, great changes have taken place in our communities as the result of the changes that are taking place in world affairs, our country, our province.

Following World War II, many people, many industries, looked for a more attractive land in which to establish. In the eyes of the world, Canada is a land of opportunity, a land of space, resources, mineral wealth, timber, water, energy of all kinds—oil, gas, coal, uranium, hydro power. We have recreation facilities almost unlimited, and the fertile acres to feed many more people. In Canada, we have freedom of speech and of worship and of action within the law. We are free to elect the men and women who make our laws. And so, our population has grown to over 20 million people.

In Canada we draw our blood lines from many racial origins. Let me say the people I have the honour to represent cannot get enthusiastic talking about two races or two cultures. We like to think of ourselves as Canadians.

Mr. Speaker, Ontario has been described as the keystone in the arch of the Canadian Con-

federation. We raise approximately half of the nation's budget. Over half of the New Canadians coming to Canada since World War II have settled in Ontario. We are one province, in a nation of ten provinces and two territories.

Over half of the new industries that have established in Canada since World War II have established in Ontario. Our population has grown from about four million to over seven, and is approaching seven and-a-half million. When you realize that Metropolitan Toronto contains fewer than two million people, we can get some idea of the impact of an extra  $3\frac{1}{4}$  or  $3\frac{1}{2}$  million people on our society and on our economy. Our population cannot move south because of the Great Lakes, which are on our international boundary. There are only two ways for the population to move and that is either up, or move north. As I mentioned earlier the population that is moving north is creating many changes in the area that I have the honour to represent.

Mr. Speaker, Ontario has pursued policies during the past 25 years that have made expansion possible. We think of the power development programme providing over 500 per cent Hydro expansion. With new plants very recently announced, we have piped in gas from Western Canada. We are developing nuclear power, power to turn the wheels of industry. Industrial expansion providing jobs for new people, highway expansion, development roads, roads to resources, the Seaway development, air transport, all of these stimulate trade and development of our resources.

The great changes that have taken place in our educational facilities provide the training for our young people moving into the professions, into industry, into business and into agriculture. Health units and capital grants for hospitals and many new social and family services help to make Ontario, our communities, attractive areas in which to establish a home, a business, an industry.

Improved highways and development roads and greatly increased municipal grants have made possible open roads for 12 months in the year in our municipal systems. Open roads make it possible for people working in industry, business and professions to live in attractive rural areas and commute to work in larger centres. Open roads, with year-round bus service, make possible larger school units offering educational facilities not available in the one-teacher, one room school.

Conservation authorities are developing many fine recreational facilities for our expanding population. Reforestation is an

important part of the sound conservation programme. Conservation authorities are creating large water storage areas that will play an ever-increasing role in the development of our area and our province. A constant streamflow is necessary to dilute treated sewage effluent from expanding urban areas.

Growing population and expanding industry are placing an ever-increasing strain on our water resources in southern Ontario, indeed in all parts of the province.

Mr. Speaker, the government that I support has been wise in planning for the future use of our land and water. Wise in planning for the education of the rising generation, some of whom will leave our rural communities to take their place in the large centres. The government has pursued sound policies to provide adequate health service for our people, and to make provision for those who, through no fault of their own, are denied the necessities of life.

Mr. Speaker, I have mentioned some of the things that have made Ontario an attractive place in which to live, to establish a business or an industry. I mention the impact of the population growth on the economy of the area I have the honour to represent.

Through the years I have had the privilege of representing Wellington-Dufferin, we have witnessed many changes. Highways have been built, rebuilt, resurfaced. Many miles of development road have been built, taking the burden of taxation off the local economy. Increased municipal grants have made it possible to keep our roads open, giving the farmers ready access to the markets—and the people who have moved into the community to traffic arteries on which they can commute to and from work.

While I am speaking of traffic arteries, I would remind the hon. Minister of Highways that Dufferin County and my home township of Erin are looking forward to the day when decisions here will be made that we hope will extend Highway 25 north through the Grand Valley area to join Highway 89 between Mount Forest and Shelburne. For the benefit of hon. members I could point out that there is a 30-mile stretch between Highway 6 at Mount Forest and Highway 10 at Primrose without a north-south highway.

People in the area feel that a highway between these two highways would not only develop the local area but it will give a short route into the Georgian Bay area for many tourists who would like to avoid the heavily congested area north of Toronto.

Mr. Speaker, I would not want to leave the impression with the House that we in

Wellington-Dufferin are not grateful for the tremendous improvements that have been made to our highway system under the 25 years of Conservative government. We are—but we feel that another north-south highway in the area will make it easier for industry and population to decentralize in close proximity to the great developments that are taking place along the north shore of the Great Lakes system.

Mr. Speaker, I was pleased to be one of the members who took part in the members' tour of northwestern Ontario to see the developments that have taken place in that part of the province. I remember the first members' tour that I took part in in the early 1950's, in northeastern Ontario when, I believe it was in early September, we drove from Cochrane north-west to Kapuskasing on Highway 11 that was not paved at that time; it was heaving. Great changes have taken place since that trip.

I remember my first trip into northwestern Ontario, when former Premier Frost cut the ribbon to open the highway to Atikokan and then signs went up "on to Fort Frances".

Again, it was my privilege a few years later to travel when the new highway and causeway, the Noden Causeway, was opened and made possible a circular route into the Rainy Lake part of the province. This summer, in connection with the Water Resources Commission work, and indeed last spring, I drove over that fine new highway up into Red Lake in the Kenora area. In all parts of the north we see new traffic arteries developing, roads into Manitouwadge, connecting links being built from Timmins to Wawa, a new highway on the north shore of Lake Superior—all playing their part in the development of this great province of Ontario.

Quite frankly, Mr. Speaker, I have been a little surprised at some of the speeches I have listened to from members in northern Ontario who have benefited from the tremendous developments of road systems that have taken place. Not only road systems, but power developments and new mines.

I remember one of the first policies that was introduced by the Conservative Party when they came into power was to stop the export of raw pulpwood. And that has meant the ability of new pulp mills to establish in new towns.

I was at Atikokan when they were pumping out the Steep Rock Lake. This year, we saw the development of the Great Griffiths Mine at Bruce Lake, south of Red Lake in

northwestern Ontario. Not many months ago, I sat on the industrial waste hearing that preceded the development of the Sherman Mine at Timagami. Truly, under the sound policies of this government Ontario has developed as it has never developed before in any similar period of time.

Mr. Speaker, I want to make a comment on a few highlights in the Wellington-Dufferin area during 1968. Many people, from all parts of Ontario, attended the international ploughing match that was held just north of Guelph, in the county of Wellington. Divine providence blessed that event with wonderful weather, and I believe records were established with regard to attendance.

As you hon. members may know, the county received its name from a great historic figure, the Duke of Wellington, and for the ceremonies in connection with the ploughing match, Mr. Bill Urquhart, of the Midwestern Ontario Development Association, dressed in appropriate uniform and took the part of the Duke of Wellington to give colour to the ceremonies. The match was held on the farm on Mr. John Gilchrist and other farms in the area.

Another highlight in 1968 was the winning of the Queen's Guineas by Mr. John Curtis of Belwood. Mr. Curtis is a Dufferin county young farmer and brought great honour to his county, to his family, and to himself in winning this coveted award. Mr. Curtis is typical of the fine young people we have on the farms in the Wellington-Dufferin area.

I would like to bring to the attention of hon. members the fact that since 1947 young farmers in Wellington and Dufferin have won the Queen's Guineas 12 times. That is an outstanding achievement when you realize these are some 37 counties in the province.

Other interesting information regarding the winning of the Queen's Guineas is the fact that Kenneth McKinnon of Hillsburgh, in my home township of Erin, won the Queen's Guineas two years in succession, in 1947 and 1948, something that has never happened since.

In 1962 and 1963, two neighbours in Eramosa township in my riding won the Queen's Guineas, namely Ron Storey and Sandra Peart. In 1964 and 1966, two members of another family won the Queen's Guineas, Linda Hasson and David Hasson.

Others who have won the Queen's Guineas between 1947 and 1957 in Wellington-Dufferin were Helen Anderson in 1957 from Dufferin county; Bert Tupling in 1965 from Dufferin county; Alex McIntosh from Wel-

lington county in 1950; Bill Dunbar from Wellington county in 1952; and Ross Graham from Palmerston in 1953.

Mr. Speaker, in spite of the fine soil and the fine young people growing up on our farms, agriculture has been faced with problems. The great expansion of industry in the province has created a great new, consuming market for the products of our farms. At the same time, the short work week, with rising costs of labour and equipment has presented problems to the farmer who is engaged in a vocation that cannot be rigid in its working hours.

The farmer works hand in hand with the great architect of the universe, and is dependent on the weather and is responsible for the care of his livestock seven days a week.

This makes it difficult for him to fit into the short work-week that is enjoyed by many other groups of people. I realize that the 48-hour week does not apply to farmers, but at the same time I am aware that the farmer has to bid for his labour in the labour market.

Marketing legislation has helped the farmer to bargain collectively. Opens roads 12 months of the year make it possible for him to get his produce to market quickly and in good condition. Junior farmer loans have made it possible for many of our young farmers to establish a farming operation.

The advancing costs of bank money and other sources of credit are presenting great problems. Many young people are asking if it is worthwhile taking the chance. The older people cannot farm indefinitely, and with the new tax policies that are being promoted by the federal government, it is going to make it very difficult for even parents to help their family carry on the family farm.

Mr. Speaker, I would want to say that the capital grants programme that was instituted by this government has made it possible for many farm people to improve their farming operation, and I would be remiss if I did not convey that message to the government and to the Legislature.

Mr. Speaker, I was not sure who made the interjection about the cost of education, but this government—in my area—is paying an average of 77.5 per cent of the cost of education and in some of the boards, well over 80 per cent.

Mr. V. M. Singer (Downsview): How about your urban colleagues? Let them say that.

Mr. Root: Well, Mr. Speaker, I will go on with my remarks.



In addition to the problem of hiring labour in a labour market that is protected by the short work week with advancing wages, and the problem of financing with today's high costs of money, the farm people are confronted with the problem of having to compete with imports that come in from other countries, probably from areas where the labour costs and the costs of production are not as high.

I asked for a few statistics regarding the exports and imports. I would like to put in the record some interesting statistics from the Dominion Bureau of Statistics regarding trade of Canada—exports and imports of the same products.

For example, in 1967 we imported \$26.5 million worth of beef. We only exported \$14.9 million. We imported \$10.3 million worth of pork, and on this item we did export more than we imported. We exported \$28.8 million.

We imported \$13.4 million worth of lamb, and we only exported \$83,000 worth of lamb. We imported \$2.7 million worth of turkey and other poultry. We only exported \$227,000. We imported \$9.1 million worth of eggs; we exported \$1.5 million worth.

We imported \$2.5 million worth of butter; we exported \$36,000 worth of butter. We imported \$14 million worth of cheese, and exported \$11.2 million. We imported \$1.2 million worth of powdered milk. Here we had a bit of a gain—we exported \$17.7 million.

We imported \$6.1 million worth of potatoes; exported \$14.3 million.

We imported \$85.4 million worth of vegetables and exported \$32.8 million. We imported \$205.6 million worth of fruits, and exported \$29.9 million. We imported \$42.1 million worth of corn, and exported \$784,000. On those commodities that I have mentioned, in 1967 we imported \$419.4 million worth of these products. We only exported \$152 million.

Mr. Speaker, I realize that our international trade is largely controlled by the federal government, but here again we have a problem where, on the commodities I have mentioned, we are importing nearly three times as much as we are exporting.

Again, a problem confronts the farm people. I only put these figures in the record in the hope that the federal people will keep in mind that agriculture is still the basic industry, and that our economy is not strong enough to import all the foodstuffs we need if we are to feed our people. Agriculture

cannot be subjected to a cheap food policy if we are to keep our young people on the farm and bid for labour on the labour markets, and for money in the high cost financial markets.

Mr. Speaker, I want to comment very briefly on something that has caused me great concern in the last session of this Legislature, and again in this session. I am referring to the amount of time that some members take in the various debates, making it almost impossible for other members to present the views of the people they have the honour to represent.

I could understand that in the first session, many new members wanted to speak at great length about their riding and problems that had been brought to their attention, but it seems to me that it is not fair to the taxpayers that 117 members, as well as their staff have to sit for days listening to one speech.

For example, this session the member for High Park (Mr. Shulman) an educated man, a doctor, took something like 69 pages of *Hansard* to make his Speech on the Throne Debate. The hon. member for Scarborough East (Mr. T. Reid), a university lecturer, I believe, a professor, took some 55 pages of *Hansard*. The hon. member for Riverdale (Mr. J. Renwick), a lawyer, took some 27 pages, and the hon. member for Sudbury (Mr. Sopha), another lawyer, some 25 pages.

Mr. E. W. Sopha (Sudbury): I wonder why I was so constrained that day.

Mr. Root: Thank goodness you were.

In other words, these four members—educated men—took 176 pages of *Hansard*. If everyone of the 117 members spoke as long as the hon. member for High Park spoke on the Throne Debate, it would require some 8,073 pages of *Hansard* to complete the Throne Debate. The time used during the Throne Debate by the four hon. members I have mentioned equalled almost three per cent of the total time used during the last session.

It would be interesting to know how much this would cost the taxpayers. I understand it costs over \$20 a page to print *Hansard*, let alone record it and edit it.

An hon. member: \$23!

Mr. Root: Somebody has interjected \$23. If 117 members took this amount of time on the Throne Debate or in any debate, it would require 8,073 pages in *Hansard*, which adds up to 1,850 more pages than the total number used for the last session, and it ran from



mid-February to late in July. In other words, there would be no time to do the business of the House. Under present rules of the House, we cannot—

Interjections by hon. members.

**Mr. Speaker:** Order! There is absolutely no excuse for members of the House, who have been pointed out by the hon. member speaking—intelligent, educated people—reducing discussion to bedlam as has been done now. The hon. member is making his speech, and is entitled to the same courtesy as the hon. member who just interjected received when he made his speech. The hon. member for Wellington-Dufferin has the floor.

**Mr. Root:** I will make one reply to one comment on my *per diem* allowance. Every dollar that I have earned is related to time that I have spent whether on the hourly basis or *per diem* basis, any time that I have spent in a day over seven and a quarter hours, I give free, gratis. There are many days when I work 14 or 15 hours a day. There is no overtime pay after seven and a quarter hours.

**Mr. Speaker,** the point I am trying to make is that I feel hon. members should realize that they should have a sense of responsibility if we are to live within the present rules of the House. We can't spend all of our time talking; we have to do some business.

I will say that when you look at the amount of press that was associated with the long speeches, the press did a pretty good job of sorting out the wheat from the chaff. In other words, there wasn't as much wheat by a long measure as there was chaff.

**Mr. Speaker,** I have brought this matter to the attention of the House in the hope that all hon. members would use a little discretion if we are to get on with the business of the House which is what, I believe, the taxpayers want us to do. If hon. members are not going to use discretion, then it may be, **Mr. Speaker,** that the Legislature will have to take a look at the rules of the House. I have no desire to make it impossible for any member to speak, but I would like to see that there is a bit more fairness in the amount of time that is used by the hon. members.

I would also like to make another comment. As the sessions have got longer, we have the situation where some members come in and make long speeches and then maybe disappear for days at a time and leave it to other members to carry on the business of the House.

Interjections by hon. members.

**Mr. Root:** **Mr. Speaker,** with regard to interjections; I will put my record of attendance and the time I have been in this House against any members who sit in this House.

**An hon. member:** How could you make \$10,000 a year and be here at the same time? How could you do it?

**Mr. Root:** As I have said before, every dollar that I have earned is related to time that I have spent on government business. The Water Resources Commission is a very important part of the business, and if you do not believe that—

Interjection by an hon member.

**Mr. Root:** **Mr. Speaker,** the hon. member, if he would read The Act, knows that there is nothing in the Act that says that I cannot be paid for water resources work while the House is sitting while I am on water resources business. Now, do not try to mislead the people.

**Mr. Speaker,** I would also like to make another comment. As the sessions have got longer we may create a situation where the conscientious member who wants to diligently attend to the business of the House, feels that he cannot give the time at the present salary. I am not sure that there are many people who are not aware that the members of the Ontario Legislature are only paid two-thirds of what the members of the Quebec Legislature are paid. We have many dedicated members who are here day after day, and there are others who come and go. The thought that I want to leave, **Mr. Speaker,** is that if we are going to be plagued with these long harangues that really do not add up to very much by men who, after they make their speech, may leave the House, sometimes for days at a time, we may have to consider the remuneration for the men who stay in the House and carry on the business. And, if we are to keep our budget in line, perhaps look at docking people for any unreasonable amount of time they are out of the House on other than parliamentary business.

**Mr. Speaker,** I only mention these two points, because I feel that the taxpayers of Ontario would want to be fair to the men who conscientiously attend the House, and who restrict the amount of time they take in order to get on with the business. I feel that they will object to paying 117 members and the staff to sit in the House and listen to speeches that take 69 pages of *Hansard*.

Mr. Speaker, I want to make a few comments about a matter that has caused me a lot of concern, and I am sure raised the eyebrows of many of the taxpayers of Ontario. On July 15, 1968, the hon. leader of the Opposition was speaking about statements made by the now Prime Minister Trudeau in the federal election.

The hon. member for Brant said, and I quote from page 5602 of *Hansard*:

I hope we will not think that Trudeau's statements having to do with economic equality of opportunity were election window dressing, because I believe that these economic equality procedures are going to be put into effect in the next three years and it will mean that we in Ontario will be paying the larger share of the cash required.

And then, on the next page 5603, the hon. member went on to say:

If the government of Canada is going to carry on these programmes, and in my view they are going to be accelerated rather than slowed down, then the heaviest responsibility as taxpayers is going to rest right here on the economy and citizens of Ontario to meet these requirements. In my view, Ontario is prepared to accept these responsibilities.

Mr. Speaker, that was quite a statement for a man who hopes some day to be Prime Minister of Ontario. I hope that statement was not the statement that led the federal government to take the hard line they have taken in dealing with the provinces, and in particular, with Ontario.

I noticed in the *Toronto Telegram* of Friday, Dec. 20, 1968, under heading, "Benson: Ontario spending detriment to Canada," and I want to read this item into the record:

In a rare burst of public criticism, federal Finance Minister Edgar Benson has accused the Ontario government of fiscal policies that are not in the best interests of the province or the country.

The federal Minister revealed to newsmen yesterday that he had told Ontario Treasurer Charles MacNaughton his deficit financing "is not in the best interests of the people of Ontario."

Privately, it was learned, Mr. Benson told Mr. MacNaughton his government's policies were a "detriment to all Canada."

Mr. Speaker, in my earlier remarks I mentioned the fact that Ontario, under Conservative policies had developed programmes of power development, highway construction, educational facilities, recreational facilities that have made Ontario the most attractive province in all of Canada in which to establish industry, business, and homes, with the result we have attracted half of the new industries, provided the jobs not only for half of the New Canadians coming to Canada, but

for many thousands of Canadians who come from other provinces. Because our fiscal policies and overall policies have stimulated this growth, although we are really about one-third of the population of Canada, we have become the source of almost half of the federal budget, to carry on the programmes that they develop.

Every intelligent person knows that this influx of people has meant the building of schools, hospitals, and all the facilities that go with an expanding population. In addition to financing our own programmes, we have been the economic basis for many of the programmes that have been initiated by the federal government.

When I read the quotation from Mr. Benson's comment, I decided I was going to find out just how much money Ontario had contributed to federal taxes through personal income, corporation, and estate taxes. I was able to secure the figures from 1959 to 1967—nine years.

In that period, we contributed \$7,891,438,000 in personal income tax. I must say that 1967 is an estimate, and the source of information is taxation statistics, Department of National Revenue.

In corporation tax we contributed \$6,177,305,000. This figure is estimated in '65, '66, '67. In estate taxes, \$180,308,000, or a total of \$14,249,051,000.

Mr. Benson says he doesn't like our fiscal policy. Now, what did they do with our money? I asked how much money was paid to the various provinces in equalization payments by the federal government, and we know that this programme was instituted by a Liberal administration. I have the figures for 11 years starting in the fiscal year '57-'58 to the fiscal year '67-'68.

In that 11-year period the federal government distributed in equalization payments some \$2,314,950,000. Now then, Mr. Speaker, let us take a look at who got the benefit of this \$2,324,950,000. The province of Newfoundland, \$194,542,000 — and I can agree with what the member for Lakeshore said about Mr. Smallwood's suggestion that we raise taxes here — Prince Edward Island, \$48,375,000; Nova Scotia, \$267,250,000; New Brunswick, \$218,497,000; Manitoba, \$194,702,000; Saskatchewan, \$270,131,000; Alberta, \$88,818,000. They did not receive any equalization grants in the years 1965-66 to 1967-68. I think at that time the government had brought natural resources into the plan. British Columbia, \$49,032,000. They were in a similar position to Alberta, and they were

dropped from equalizing grants after the year 1961-62. The province of Quebec received \$985,578,000, and the province of Ontario, which generated most of this revenue, receives exactly zero — nothing. And yet, Mr. Benson says our fiscal policies are not good for Canada, and the leader of the Opposition here in the Ontario House probably whetted his appetite when he suggested the people of Ontario were all in favour of Mr. Trudeau's programmes for equity.

Mr. Speaker, we are all good Canadians, and we want to help all parts of Canada, but I think it was very improper for the federal Minister of Finance and the leader of the Liberal Party here in Ontario to take the attitude they have taken with regard to these important matters.

I think that the leader of the Liberal party here in Ontario would have been in a much better position some day in the future had he taken the position that Ontario did have good fiscal policies and that we were making a great contribution to Canada.

Mr. Speaker, I should continue my sentence and say instead of whetting Mr. Benson's appetite to take another — what was it; a billion, one hundred million from the taxpayers? And I suppose Ontario taxpayers will put up over \$500 million of that.

Mr. Speaker, there was another point that I noticed as I went over these statistics, and that is that next to the province of Quebec, the province that is in second place with regard to high equalizing grants was the province of Saskatchewan, which for many years had to struggle along under the dead hand of socialism. In fact, they elected their socialist government about the same time the province of Ontario elected a Progressive Conservative government, a government that developed a booming economy, attracted industry and has the highest wage scale in the country. Because of the industrial development and the high wage scale, we are contributing approximately half of the national budget, making possible the payments that I have just mentioned. And while we were growing by nearly two million people under sound Progressive Conservative policies many thousands of people were getting out of the province of Saskatchewan to get out from under socialism.

Mr. Speaker, I do not intend to speak at any great length at this time about the work of the Ontario Water Resources Commission. I may deal with that programme, which is expanding every year, in greater detail at a later date, but I do want to make one or two comments about certain statements that were

made by the hon. member for Brant during his speech in the Throne Debate. In fact, he made reference to myself on two occasions. I will say that I read his remarks regarding the work of our commission with great interest. Many of his comments are worthy of study. However, some of the statements he made, I am sure, were secured from people who lacked accurate information. He mentioned on page 117 of *Hansard*:

As a case in point, that the commission decided in 1966 that St. Thomas should accept water from a commission pipeline for 50 cents per 1,000 gallons, even though St. Thomas had an adequate system delivering water at 10 cents per 1,000 gallons with proved resources to cope for expansion into the foreseeable future.

The hon. member went on to say:

The OWRC decision was prompted by their commitment to provide pipeline water to the new Ford plant near St. Thomas and their effort to spread the cost over the nearest population centre. Now in order to force the city to accept an obviously bad deal the Water Resources Commission stopped approving subdivision plans in St. Thomas in March 1967. This freeze on development was based on the commission's statement that the city was grossly polluting nearby Kettle Creek.

Mr. Speaker, these statements by the hon. member for Brant are not based on reliable information; in fact, some of them are not related to fact. We have in the commission files the resolutions passed by the city of St. Thomas and the townships saying that they would take water from a pipeline if the Ford plant located in the area. With that commitment from the elected representatives of the people in the area, we did give a rate to Ford, and Ford located, and has provided many people with employment.

To meet Ford's deadline, we started construction of the system on the basis of the resolutions that had been passed by the properly elected people to represent St. Thomas and the townships. While construction was proceeding, the agreement was worked out. I, myself, sat the head of the table for some three days when the lawyers from St. Thomas and from the commission, representatives of the councils and the PUC and our staff worked out the agreement.

When the agreement was completed to the satisfaction of all concerned, the date was set for the signing. The rate that was in the original agreement was 35 cents per 1,000 gallons (not 50 cents as the hon. member

for Brant stated in his speech). That rate was subject to escalation or de-escalation, depending on how the bids came in for the various parts of the construction of the system. However, before the agreement was signed there was an election in St. Thomas. A new mayor and a new council were elected, and they decided that they would not carry through on the commitment that had been made by the properly elected people who worked out the agreement.

Mr. Speaker, the next misleading statement that I want to correct is the statement that the member for Brant made when he said:

Now in order to force the city to accept an obviously bad deal, the Water Resources Commission stopped approving subdivision plans in St. Thomas in March 1967. This freeze on development was based on the commission's statement that the city was grossly polluting nearby Kettle Creek.

Our division of sanitary engineering advised the commission that it requires between 30 and 40 cubic feet per second of flow in Kettle Creek to avoid serious pollution. In 1967, flows of less than 30 cubic feet per second were recorded on 157 of the 326 days for which records are available. Flows of less than five cubic feet per second were recorded on 105 days, and for a period of 13 weeks starting on July 12, remained almost continuously below this value. For the information of the House, in 1968 the flow was below 30 cubic feet per second on 141 days, and flows of less than five cubic feet per second on 12 days.

Mr. Speaker, my only purpose in putting these figures in *Hansard* is to correct the misinformation that was supplied to the member for Brant. I am not suggesting that he deliberately misled the House but he was misinformed and he put on the record statements that were not related to fact. It is not the policy of the commission to try to slow down development. We are just as anxious as anyone in Ontario to see development take place, but we have a responsibility to the people who live below sewage treatment plants. This is a policy that has been used all over the province; in fact we work in very close co-operation with the planning branch of The Department of Municipal Affairs. When they ask us, "Have you ability to treat sewage?", we either say yes or no, depending on the circumstances. "Have you enough water to supply an area?", we say yes or no depending on the circumstances. It just happened that in the case of Kettle Creek we had to say no. There was not sufficient dilution water. The hon. member

mentioned that we had released a number of lots in St. Thomas. Perhaps we were wrong, but we were led to believe that St. Thomas was ready to sign an agreement. Since we were just as anxious as anyone in Ontario to see development take place, we did withdraw our objections to the development of certain lots because we knew that if an agreement were signed, there would be water there before the houses could be built. We are just as anxious as anyone in Ontario to see development take place.

I note, Mr. Speaker, the hon. member's comment that there was some influence that made it possible for London to get water cheaper than St. Thomas. Mr. Speaker, the Lake Huron pipeline system extends some 30 miles, and there are nearly 200,000 people in the area that can be served from the line as well as the industries in the area. The Lake Erie system, on the other hand, is probably 10 or 11 miles long, with an extension on to the Ford plant, with probably 25,000 people and maybe even less, and the extension on to the Ford plant was not carried in the rate that was submitted to St. Thomas. My only reason for making these comments is the fact that the member for Brant suggested that there was some special influence in the London area. There has never been influence exerted on the commission to provide water at a reduced rate. Our term of reference is to provide water and sewage services at cost. One does not need to have a very advanced education to realize that with 200,000 people, with all the associated industry on a 30-mile pipeline, as against probably less than 25,000 people on a 10 or 11-mile pipeline, you are bound to come up with a different rate.

Now, Mr. Speaker, if there is any thought of equalizing the rates all over the province we would have to throw into the rate pool some of the very high cost rates of say \$3.00 per thousand in the Red Lake area, subject to escalating or de-escalating costs, and there are other areas where the rates are very high. Our term of reference has been to sell water and sewage service at cost, and this is the term that we follow. I want to conclude my remarks with one or two very brief observations. I am sure that everyone is pleased that we have signed the agreement with the five municipalities in the southern part of Peel county. I am sure that this development will lead to tremendous development and expansion in that part of the province.

I am sure that if we sign agreements in the St. Thomas area and I understand that agreement in principle has been reached in

the Grand Valley area, and in all parts of the province that pollution control and adequate supplies of water will similarly lead to development and expansion.

For the information of the House, let me advise that since the commission was established we have issued approval certificates for over \$1,600 million worth of works, and of this amount, approximately \$125 million is for industries that do not treat through municipal systems. And I want to put this in the record: most of our industry treats through the municipal system.

We have completed nearly 400 projects for municipalities, and at the present time there are some 300 projects of various types in the mill in various stages of development or construction.

Hon. members know that we hold public hearings when we are installing sewage works. This is one of my responsibilities. This is where I spend some of my time. It has been my privilege to sit on almost 100 public hearings in the last two years, with the largest percentage in 1968, nine public hearings having been held already in 1969. And I merely put these figures in the record to indicate the way our programme is developing and growing, a programme designed to create a healthy environment for future development and expansion in all parts of the province.

Mr. Speaker, I want to thank you and the hon. members of the House for the courtesy you have extended to me in listening to my remarks. Thank you.

Mr. E. Sargent: Mr. Speaker, I think I speak for our group, and I guess for all of the House, when I say that all of us have lost a very dear friend in Neil Olde. Neil, in the past six years, even though he was a very strong Tory, was a very close friend of mine, and he was such a real gentleman that I cannot express it today. But I want to say that every time my mother had a birthday, she got a card from Neil Olde. He did not have to do that, but he was built that way. I am proud to call him friend, and to thank the hon. Provincial Secretary for his nice gesture at the start of the proceedings today.

Mr. Speaker, having said that, I would like to say that on occasion you have established yourself as a friend of the underprivileged here. But on the whole, I personally believe you have worked diligently to make this House, as far as possible, a very cohesive useful instrument, in spite of the many pressures on all sides put on you.

I recall the day that the hon. Provincial

Treasurer threatened to take you aside and tell you the facts of life, and that day I admired your position when you told him off and told him to go peddle his papers, even though no one would buy them because they were so heavy with red ink.

I think that you have made, sir, a very distinctive contribution to this House, and as we have reached another milestone in the history of Ontario you have, through your experience, given us, on the whole, very good administration as Speaker of the House.

However, having said that, I do want to say that there is a censorship problem that we have concern about on this side of the House, regarding questions submitted to the Chair and the answers we are allowed to give. I think of the story about a fellow who was in the Korean war. He wrote back to his professor and said: "Because of censorship I cannot tell you where I am, but last night I shot a polar bear." The next letter he wrote to his professor said: "I cannot tell you where I am, but last night I danced with a hula girl." But the next letter he sent to the professor said: "I cannot tell you where I am, but the doctor says I should have danced with the polar bear and shot the hula girl."

Now, I feel that this expresses a story on censorship that may not go too well in *Hansard*, but it is *apropos* of the fact that we are concerned from time to time with the censorship you hand down.

And, while I am on my feet, before I launch into my remarks, I think last week we had a remark from the hon. member for High Park (Mr. Shulman). We have heard a lot about the alcoholic content of some members of the government benches, implying that they have a tight organization.

Now, I have always found the hon. Minister involved to be very able in his job. I have found him to be very fair and I think that this is a new low in the Legislature, when any member can take advantage of another with this type of ethics. There is not any one of us who has not a skeleton in his closet some place, and I think it ill behoves any one of us to take a low pot shot. There are many times when listening to that member speak could drive anyone to drink. I think there is no place in this Legislature, Mr. Speaker, for any man, in sport or politics, who hits below the belt.

The situation in Ontario today, Mr. Speaker, is that this province has been looted and drained of its financial resources and for the past two years our outgo has exceeded our income by over \$1 million per day. So this



is the reason why the hon. Prime Minister (Mr. Robarts) and the hon. Treasurer (Mr. MacNaughton) go down with the bushel basket to Ottawa—to get them to bail Ontario out. And so the stage is set for this Parliament.

Now, Mr. Speaker, as I understand it, the Speech from the Throne is a course of action for the twenty-eighth Parliament, and referring back to the epistle read by his honour, the Lieutenant Governor, one sees that we have overtones of back slapping on the part of the government, and a warning from the federal government on the other side—unless, unless, unless.

If you will recall, Mr. Speaker, prior to this, when the Prime Minister and the Treasurer woke up one morning and found they were in a financial nightmare, to use their words, they threatened a tax on food and they threatened a tax on churches. So they tossed them out to the various Ministers and said: “Run this up the flagpole and see how the electorate go for this.”

Now, Mr. Speaker, there was not a chance of a snowball in hell of these taxes going into effect at any time, it was simply conditioning the people of Ontario of the serious plight that Ontario is in. But it seems, Mr. Speaker, that every time this government under this hon. Prime Minister, get into trouble, they soak the little guy. They go after things like sales tax, which hits everyone on every strata: gasoline, cigarettes, beer, even so far as our OMSIP premiums. Every time he gets in trouble, this is the route he travels—sock it to the small boy who can least afford it. And so collectively this group over here and the Treasury benches have galloped into this mess by playing ball with the big interests.

Oh, listen to the chuckles over here. Now you fellows will remember that we had a private bill come up about Union Gas and they were going to tax Union Gas and it was going to supply about \$70 million of new tax revenue for municipalities through taxing Union Gas equipment on each locality. But what happened? This was going to cost the big boys a lot of money, here is a lush—

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): When was that?

**Mr. Sargent:** A couple of years ago. If the Minister will think back, he will find it—he wants to hide that one. I was there.

**Mr. L. C. Henderson** (Lambton): What happened?

**Mr. Sargent:** What happened? I know what happened. The big boys from Bay Street were all sitting there, all the brass in the row was there, and so what happened? The bill, although it was almost unanimous, Mr. Speaker—

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Whose bill was it?

**Mr. Sargent:** The Union Gas.

Interjections by hon. members.

**Mr. Sargent:** It is starting to hurt to hear this. So what happened? I think somewhere along the line some of these boys came to see the Prime Minister and said, “This is going to cost us a lot of money, how about \$1 million for your election pot? Let us call the bill off.” And the bill was pulled back and rescinded. This is what happened.

Now, today the honeymoon is over. The world junkets of the Prime Minister and the Treasurer and the Minister of Trade and Development (Mr. Randall) at public expense, stupid planning, flagrant waste, verging on corruption, all these things have come home to rest. Not having the political guts to admit a binge of reckless spending and all this waste, they have jockeyed themselves into a real corner, and now they try to take the offensive position that we are facing a financial nightmare.

Last June in this House one night I took about an hour to present this to the Provincial Treasurer. I charged all these things that the economists were saying, that insolvency was approaching Ontario, that they were in trouble. That jovial, happy wonder over there laughed and said we did not know what we were taking about, things were never in better shape. Two months later one morning we picked up the paper and the Prime Minister is quoted as saying “We are in a financial nightmare”. They realize that the roof has caved in.

Nothing has changed, but now we find out it is worse than we expected. Now we are going to sit here while you sweat for a while.

How bad is it? Well, let us see how bad it is, Mr. Speaker. Last year, the debenture debt, the gross debenture debt of this province, was \$2,622,993,000. Today, the gross debenture debt of Ontario is \$3,237,000,000, an increase of some \$600 million in a 12-month period; a 20 per cent increase in debenture debt in 12 months. \$600 million!

The interest on this my fellow sufferers over there, is about \$1½ million per day.



The Prime Minister and the Provincial Treasurer and their families took a jaunt across the pond in the holiday season at our expense to raise some money.

They came back telling us they had a very successful deal; they raised some \$60 million in German marks. Is that not the greatest deal you ever heard of? All this will do is pay the interest on our debt for 45 days, so here we have them, 45 days later, making another trip.

Mr. Speaker, we are talking in millions and billions, like Amos and Andy. To get it back to things you and I can measure, if any of you over there had an extra \$1 million in cash and told your wife to go out and spend it on clothes at the rate of \$1,000 a day, and not come back until she had spent it all, you would not see her for the next two years and nine months. But if you give her \$1 billion and told her to go out and spend it at the rate of \$1,000 a day, you would not see her for 2,739 years.

Interjections by hon. members.

**Hon. Mr. McKeough:** It is a pity Walter Gordon did not have the benefit of the advice of the hon. member.

**Mr. Sargent:** He has had it.

**Hon. A. Grossman** (Minister of Correctional Services): I think he has.

**Mr. Sargent:** You are the greatest; you are No. 1 and No. 2 they tell me, I do not know. But the Provincial Treasurer was so right, too. He said, about eight months ago, that we were all crazy and he was right. Now you are the one who is saying we are crazy. See how good you are, because you are making a real job of your portfolio.

You can see why the Treasurer and the Prime Minister and all that Treasury bench should stay in politics because private business could not afford them.

**Mr. J. E. Bullbrook** (Sarnia): Talk about the tax rebate programme.

**Mr. Sargent:** And the taxpayers of Ontario cannot afford them either, I will tell you that.

But being objective, Mr. Speaker, what we do here is pointless unless we can relay or communicate—

**Hon. Mr. Simonett:** Especially now.

**Mr. Sargent:** It will not be because there is not too much up in the fourth estate here, I guess. These are all efforts in futility

but some time it is going to wear through. We are talking about bringing in television into the House here, and the need or the chance to let the people know exactly what does go on. I am not suggesting that any of us are any TV images over here, but if the facts got through you could take a powder any time.

**An hon. member:** They would be blown out.

**Mr. Sargent:** We are grateful for the fact that the press is our only way of communicating to the people; the press, television and radio media.

**Hon. Mr. Grossman:** That is not what the member for Parkdale says.

**Mr. Sargent:** But we are concerned in our economy about the future of journalism, of what is happening in communications with people. We have progressively seen newspapers being corralled in the economy to the south of us. There are probably only three cities in New York, and Boston, Washington, Chicago, where there is more than one opinion. We have captive audiences progressively across this economy of ours. Fortunately, in Toronto, we are happy: we have three outlets for opinion.

But I say that there always will be room for newspapers. The technology is bound to change. It has not changed much in the past 200 years but soon, the superb team of the woodchopper, the newsprint maker, the reporter, the editor, the compositor and the press will not be prey to a flat tire on a truck or the newsboy's bad aim. The technology now says that the family's morning newspaper possibly may emerge from the household TV set or a facsimile machine that will soundly print the news of the day while you are asleep. It will be on your livingroom floor in the morning or be home on your doorstep when you get there in the evening.

However exotic the technology, Mr. Speaker, the reporters will always have to gather the news; separate the wheat from the chaff every blessed day. Editors will have the eternal task of separating that harvest, and those who live by the charmed life of commentators will rise and fall on their interpretation of what the news means.

There is perhaps only one achievement that computers will never be able to take over and that is the simple job of witnessing a happening and describing it swiftly, clearly and honestly.

How difficult that triple play can be; how warmly rewarding when it is realized. I spent but 15 to 20 years in the news business, not on the same level as the fourth estate here, but I think that they will all die in the business if they have the opportunity.

Where else can a man hope to build a bridge between himself and others every day? On what other field of endeavour, Mr. Speaker, is a competitor called upon to come up each day with words and thoughts not used the day before? Every time a reporter picks up a phone to call in a story or spins a fresh piece of paper into his typewriter, he shoots his roll, like a craps player going for broke.

So call it vanity; call it arrogant presumption—call it what you wish, but most of them would grope for the nearest open grave if they had no newspaper to work for, no need to search for and sometimes find a ringing word that just fits and no keen wonder what each unfolding day may bring. Besides, it is better than working for a living too.

But having a look at this situation in Queen's Park today, the mess the government is in . . . but before I get to some of the possible solutions, I would like to discuss some of our major problems. I would like to discuss a problem that is very important to myself and the member for Grey South (Mr. Winkler) regarding the arrogant powers of the Ontario Hospital Services Commission.

Now many times we have talked about the evils of government by commission and here we have, Mr. Speaker, a living example of the Frankenstein monster that is being created by the OHSC. Now yesterday the member for Grey South made reference to some changes in grants coming from Ottawa to Toronto insofar as hospitals are concerned.

He must have known he was on shaky ground. He did not flog it too much because he knows what is going on in his own home riding, by his colleagues in government.

The truth of the matter is, Ontario Hospital Services Commission has threatened to close down three hospitals: Chesley, Walkerton and Durham in favour of an area hospital in Hanover at a time when there is a great hospital bed shortage. Let me tell you about the arrogance of this OHSC and their dictatorial powers insofar as the people of Ontario are concerned.

Last fall, people from Chesley came to me and asked for a deputation with the Minister of Health (Mr. Dymond). He very kindly arranged to receive the deputation in his very

lush offices. I had never seen them before and I was very much impressed and the doctor was most hospitable. This was prior to meeting the head of OHSC. For many years I have skied with him. He was a top surgeon up our way and was a tenant in my building. But now he is a big wheel in the OHSC—and he is really a big wheel, because he makes decisions.

He came before the meeting and said: Your being down here is a waste of time. I said: what do you mean, Wally? He said: Well, I think we are going to close the hospitals. I said: you have and he replied: Yes, I have, and my decisions stick.

I said: Who are you, God? He said: You are wasting your time, the decision is made. We had the mayor and the reeves and all these leading people and they had the newspaper there. We are sincere people as far as this hospital in Chesley is concerned.

The Minister gave us a good hearing while this OHSC head doctor looked on; looked out the window—was no help at all in the meeting. So next day in the House, I went across to the Minister and I said: What goes on? And he said: Believe me, these people have the power. I can do nothing about it. When they make the decision it sticks.

Now, here we have a very powerful body—the most powerful, moneywise I guess, outside of education in the province of Ontario. They are not responsible to the people. And they can make these decisions in Queen's Park affecting the lives of people all over the province. It is not healthy.

Now, that is your deputation story. But anyway, getting back to the things that are very important to us, in the area of Durham, in the member for Grey South's riding, they have a hospital built there in 1965, a beautiful hospital. And so the recommendation is to close that hospital. So we have a public meeting, and people who cannot get in are hanging from the ceiling of this school. Eric walks in with a pile of letters this high from all his constituents opposing this move. Now, he is as concerned as I am—and he fought a good fight. But I felt sorry for him that night, trying to bail this government out.

I guess that night he wished he had stayed in Ottawa. But, to make a long story short, I am not going to nail him because he is in a tough spot anyway.

Interjection by an hon. member.

**Mr. Sargent:** Well, I will tell you this, the member went up to that meeting—he was sweating blood that day—and told the people

that "with the last breath of my life I will guarantee, and the Prime Minister will guarantee you, that we will never close a hospital in this area."

You put words in the Prime Minister's mouth and it is on record up there. You did a pretty good job, but they did not believe you. So we have it on record that this is not going to happen. Then last week, the people of Chesley were told that the hospital was going to be phased out of operation.

I think this is important in the interest of all of us—it could happen to any of you. I have the word of one of your Treasury bench. The Minister stopped me in the Royal York hotel and said: "Eddy, is it right, they are going to close my hospital. The corridors are full of beds in my hospital. But they are going to close us down."

He said the OHSC has too much power. This is happening in an area servicing 7,500 people and will affect thousands of people.

Let me show you, Mr. Speaker, how an arrogant group run by a commission can affect the lives of so many people.

**Mr. Speaker:** Unless the hon. member has a suitable place to adjourn in the next two or three minutes he perhaps might adjourn the debate at this time.

Mr. Sargent moves the adjournment of the debate.

Motion agreed to.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, we will continue with this debate tomorrow.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, February 13, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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## LEGISLATIVE ASSEMBLY OF ONTARIO

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THURSDAY, FEBRUARY 13, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, before we begin the business of this day I would like to say to the House, that it was with a great sense of sorrow that those of us who were in Ottawa yesterday learned of the death of our colleague, Neil Olde.

Neil is, of course, from my part of Ontario and an old, old friend. Prior to his entering this Legislature, he was one of those quiet but very effective men we seem to be able to produce from some of the smaller communities in our province. He went about his business in an unassuming way and yet, when one looked at the total of what he was able to accomplish over the years, one became aware of the fact that he was a very effective man indeed.

He served his country well in World War II, in the army. He maintained that connection into the years of peace. He entered this Legislature in the general election of 1963 and was re-elected in 1967.

He had been ill for some considerable time but even that does not make it any easier when a man of Neil's stature dies. He had been in bad health for some months.

So it is, with great sorrow, that we recognize his death and extend to his family our sincerest sympathy. He will be buried tomorrow afternoon at 3.00 o'clock in the cemetery in Melbourne, the town in which he lived and I propose, with the consent of the House, to move that the House not sit tomorrow so that those members who wish to attend his funeral will be free to do so.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I was shocked and saddened to hear of Mr. Olde's death yesterday. We have all been aware of his valiant fight for life and health for more than a year and we were certainly glad indeed, when he was able to join us earlier in this session.

Many of us came to know Neil personally and very well as we served together on the select committee on conservation. There, I got the kind of appreciation for his abilities and humanity that the Premier has already

referred to. He was a thoughtful person and yet, his involvement in his community and in many ways his high spirits showed through in the way he entered into his public responsibilities on that committee particularly, where I worked with him for many hours and in the way he was prepared to discuss many items.

We will miss him here in this House. I know he will be missed in his community and I want to join with the Premier in extending our condolences to Mrs. Olde and the family.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, as the Prime Minister indicated Neil Olde had been ill for quite some time. But earlier this session when he joined us once again I know we all rejoiced at the fact that he appeared to be on the road to recovery and therefore, the sudden notice of his death was all the more of a blow.

I know we will miss him, not only in those friendly exchanges on select committee visits and friendly greetings around the Legislature as well as that rather pleasant capacity of his to joke with you, and to indulge in friendly needling.

I would like to join with the Prime Minister and with the leader of the Opposition, in expressing our sympathy on the occasion of the bereavement, to Mrs. Olde and to other members of the family.

**Mr. Speaker:** This afternoon, our guests in the east gallery are from Listowel District High School in Listowel and from New Toronto Secondary School in New Toronto. Later this afternoon there will be guests in both galleries from Ridgetown College of Agricultural Technology in Ridgetown; and later, in both galleries, from Stamford Vocational Institute in Niagara Falls.

Petitions.

**Clerk of the House:** The following petitions have been received:

Of the corporation of the University of Windsor praying that an Act may pass modifying the composition and numbers of the board of governors and Senate; and for other purposes.

**Mr. Speaker:** Presenting reports.

Motions.

Hon. Mr. Robarts moves, seconded by Mr. Nixon, that, out of respect to the memory of the late member for Middlesex South, Neil Leverne Olde, whose funeral services will be held tomorrow, when this House adjourns today it do stand adjourned until 2.30 p.m. on Monday next.

Motion agreed to.

Introduction of bills.

#### THE PARTNERSHIPS REGISTRATION ACT

**Hon. A. A. Wishart** (Attorney General) moves first reading of bill intituled, An Act to amend The Partnerships Registration Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** I would mention, Mr. Speaker, the main purpose of this amending Act is to provide a central registry for partnerships that would, without doing away with the present system of registering by districts and counties in the registry office, but bring all the registrations into the Registry Office in Toronto so that one search there would ascertain the particulars of all partnerships.

#### THE COMMISSIONERS FOR TAKING AFFIDAVITS ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Commissioners for Taking Affidavits Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this Act makes several small amendments enlarging the class of officials of municipalities who may take affidavits, defining their powers in that respect, making the ordinary commissioner of that nature not an officer of the court as the Act now provides, and some other small features which are set forth in the Act.

#### CONSOLIDATION AND REVISION OF THE STATUTES

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to provide for the consolidation and revision of the statutes.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this Act will provide for the consolidation and revision

of the statutes to be known as Revised Statutes of Ontario (1970), replacing the present current revision RSO (1960) and bringing it up to date.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I wonder if the Attorney General would permit a question on that?

How much of the work involved in the revision of the statutes is it anticipated will be done by the civil service and how much will have to be farmed out?

**Hon. Mr. Wishart:** I am very glad to answer, Mr. Speaker, and I am glad the question was asked.

We intended, and it is our intention, to have the work done by legislative counsel who are civil servants, but with this extension: If there had not been the many recommendations which we received in the matter of human rights, and the effect which they will have on so many of our statutes, we have felt that in order to review the statutes, and in the course of the revision, it would be wise to have someone who might go through the whole area. Not just the statutes from 1960—the annual statutes—but also the statutes RSO (1960) and do some annotations, some indexing, defining, and so on, of those areas which will be affected or are affected by the amendments we are bringing in—amendments which have been made, amendments which we would want to make—so that we would have a complete review of our statutes and where they would be touched by recommendation in the area of human rights, as well as those amendments we have carried out.

So we will be engaging, I think—I am not sure we have been able to make the complete arrangements—we want one person, a very knowledgeable, capable person, possibly someone who may have served with the commissioner in his study of human rights, to assist us perhaps for the year, or part of a year, in order to do that very essential and important work.

#### CONSOLIDATION AND REVISION OF THE REGULATIONS

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to provide for the consolidation and revision of the regulations.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this will do for the regulations what was done in the revision of the statutes—bringing all live, or living, regulations that are in existence up to

date and consolidating them as Revised Statutes (1970).

#### THE SUMMARY CONVICTIONS ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Summary Convictions Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this amendment will permit a warrant of committal for default in payment of a fine to be executed by a peace officer anywhere in Ontario, and arises out of a recommendation made by the Hon. Mr. McRuer.

#### THE CHANGE OF NAME ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Change of Name Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, my explanatory note indicates that the amendment will make available more reliable information necessary for amending vital statistics records in Ontario or other jurisdictions as a result of a change of name order. Particularly, I would say it will assist in getting statistics as to the place of birth and date of birth of the parties whose names are changed.

#### THE MATRIMONIAL CAUSE ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Matrimonial Cause Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** This amendment, Mr. Speaker, will provide that the disbursements of the Official Guardian in investigating and reporting on matters affecting children in a divorce action will be paid by the parties, and not by the province.

#### THE DESERTED WIVES AND CHILDREN MAINTENANCE ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Deserted Wives and Children Maintenance Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this again arises from a recommendation in the report

from the hon. Mr. McRuer. In that Act, the limit which a father may be ordered to pay for the maintenance of any child is \$20 per week. This amendment will remove that ceiling and allow a judge to order larger amounts.

#### THE JURORS ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Jurors Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, the number of petty jurors fixed for the county of Carleton was 225. This would be enlarged for the area of Ottawa-Carleton, and this amendment will fix that number now at 350. That compares, I might say, with 800 in York county, 350 in Wentworth county and 225 in all other counties.

#### THE JUDICATURE ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** The amendment, Mr. Speaker, gives the Chief Justice of Ontario, instead of the Lieutenant-Governor-in-Council, the duty of fixing the date for the annual meeting of the Council of Judges of the Supreme Court.

**Mr. Singer:** What violent reform!

**Hon. Mr. Wishart:** Does the member want one with reform in it?

**Mr. Singer:** Yes.

**Hon. Mr. Wishart:** Here it is.

#### DEPARTMENT OF JUSTICE

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act respecting The Department of Justice.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, the bill continues The Department of the Attorney General as The Department of Justice, and vests in the Minister of Justice and Attorney General, the functions set out in section 6 of the bill; functions which have heretofore been unwritten are made statutory as recommended by the Royal commission on civil rights.

## THE FINES AND FORFEITURES ACT

**Hon. Mr. Wishart** moves first reading of bill intituled, An Act to amend The Fines and Forfeitures Act.

Motion agreed to; first reading of the bill.

**Mr. Singer:** The last two were a little better.

**Hon. Mr. Wishart:** Mr. Speaker, this again arises from a recommendation of the Royal commission inquiry into civil rights. It prohibits the payment of any portion of a fine to persons who act as informers or prosecutors, the duty being left to the Crown, and removes reward to any private person who informs or prosecutes.

**Mr. Singer:** Mr. Speaker, on that bill I wonder if the Attorney General could advise whether it would be necessary to amend statutes that have that kind of provision now? For instance, The Elections Act presently has numerous provisions along that line. I am sure there are several others. I think there are some in The Municipal Act and probably several other statutes.

**Hon. Mr. Wishart:** My opinion, Mr. Speaker, is that this amendment will cover any of those statutes where reward is offered for informing or carrying through to prosecution. That reward will not now be available to the informer or prosecutor.

**Mr. Speaker:** The hon. Minister of Agriculture has a statement.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I would ask your permission to make a statement at this time that carries with it considerable significance to Ontario farmers.

The recently received report of the special committee on farm income noted a number of problems associated with the provision of a comprehensive farm credit programme in Ontario, and called for a "bold new approach to farm lending."

Among other things, the committee noted that there was in fact, a duplication of effort in the provision of first mortgage money in Ontario with two Crown agencies, the Ontario Junior Farmer Establishment Loan Corporation appearing to be in competition with the federal government's Farm Credit Corporation. The committee made a number of recommendations in this regard and prominent among these was the recommendation that a federal-provincial farm credit bank be established. Implicit in these recommendations were the provisos that:

(a) farm credit should be made available bearing interest rates comparable to non-agricultural areas, and

(b) much greater emphasis should be placed on credit counselling and farm management in order that the risks and uncertainties of lending and borrowing might be reduced.

It is true, there has been a measure of duplication of effort in the farm mortgage field in Ontario. The federal government has for many years been involved in the provision of first mortgage funds as a matter of national agricultural policy. In 1952, in order to provide encouragement for young Ontario farmers who could not acquire mortgage loans under the Canada Farm Loan Board, this Legislature passed The Ontario Junior Farmer Establishment Loans Act, and we became involved in the provision of long-term credit.

When the government of Canada reorganized its farm credit policy, and passed The Farm Credit Act in 1959, there appeared to be no further justification for provincial participation in the field, and in 1960 the government of Ontario withdrew from the field. However, within a few years it became clear there was still an area not being fully serviced by the Farm Credit Corporation at that time, and in 1962 the province re-enacted the junior farmer loans programme to assist young men who wished to establish themselves either on the family farm or as a member of a family farm business.

In recent years the two agencies have performed a useful service, operating side by side in the credit field. But during those years the Farm Credit Corporation has been given much broader scope. Their plan has been considerably improved, increasing the maximum limits of loans, and providing for new conditions. These amendments have in large measure cleared the way for all farmers to qualify for credit through the Farm Credit Corporation on the same basis as that provided through junior farmer loans.

During the discussions on farm credit at the recent Ontario conference on agriculture, there was considerable interest in and a great deal of unanimity for the committee's recommendations regarding the establishment of a single farm credit agency for all Ontario farmers. Recognizing this, we have pursued the matter.

On January 31, senior representatives of The Ontario Department of Agriculture and Food accompanied me to Ottawa for a very worthwhile discussion with Hon. H. A. Olson,

federal Minister of Agriculture, and senior members of his staff. The matter of farm credit and the recommendations of the special committee on farm income in this regard were thoroughly discussed at this meeting.

On the basis of these discussions with Mr. Olson, and his staff, there was agreement that no useful purpose was being served by the duplications of services now being provided by the federal and provincial lending agencies.

It has been decided that the government of Ontario withdraw from the farm mortgage loan field. We are satisfied that the mortgage money needs of Ontario farmers can be filled by the Farm Credit Corporation, and that the special circumstances that generated the implementation of the junior farmer loan programme in this province no longer exist.

Therefore, with some reluctance, but with full confidence, I wish to advise that effective this date, no further loans will be made to Ontario farmers under the authority of The Ontario Junior Farmer Establishment Loans Act. Any applications received by the board up to this date will be honoured and processed in the normal manner.

It is our intention to maintain sufficient staff to service those loans which are still outstanding. While we believe that junior farmer loans have provided a useful service to Ontario farmers, the time has come when efficiency dictates that duplication of service like this should be eliminated.

Much of our discussion with the federal officials centred on the provision of improved services to farmers in Ontario in the future. We have adopted the position that while the provision of long-term credit for farmers can best be served by the federal agency, the provision of a number of important and closely associated professional services is a provincial responsibility and we intend to expand our facilities in these fields.

It is the intention of The Ontario Department of Agriculture and Food to substantially expand our staff in the fields of credit counselling, farm management and professional advisory services associated with farm adjustment. We intend to allocate greater resources for the provision of improved farm accounting service, and to place increased emphasis on the need for modern accounting methods on our commercial farms.

This is a logical development, and one that falls within the provincial jurisdiction. We are continuing to discuss these matters with our counterparts in Ottawa in order that this new development in federal-provincial relations

will provide more efficient service to the farmer-borrower in Ontario.

Mr. Speaker, at the appropriate time I shall be making formal representation for budgetary consideration as necessary to carry out these new responsibilities.

Mr. Nixon: Mr. Speaker, might I ask a question of the Minister as a point of clarification? I presume that the Minister is willing to answer.

The result of his statement will be really that the credit available to young farmers will rise in cost from five per cent to 7.75 per cent; would he agree with that?

Hon. Mr. Stewart: Well, it will be what the farm credit rate is and I cannot say for sure that is what it is.

Mr. Nixon: I believe it is 7.75 per cent, and I understand that the Legislature has approved a programme and the expenditure of funds that would make it available at five per cent, and I regret very much the announcement that this —

Interjections by hon. members.

Mr. Speaker: Order!

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the hon. Minister of Agriculture and Food.

Mr. Speaker: On this statement?

Mr. Makarchuk: On this statement.

Mr. Speaker: Well, if it is for clarification of the statement, it is permissible.

Mr. Makarchuk: Could the Minister indicate what assurance he has received from the federal authorities that Ontario farmers will continue to be served, or will be able to get adequate loans?

Hon. Mr. Stewart: They have every assurance that the Farm Credit Corporation will provide money to any who qualify under their criteria for a loan — no problem there.

Mr. Speaker: The hon. Minister of Justice has a statement.

Hon. Mr. Wishart: Mr. Speaker, before the Orders of the Day, I wish to advise the hon. members that the Lieutenant-Governor-in-Council today appointed the hon. Mr. Justice Donald A. Keith to inquire into certain circumstances respecting the conduct of provincial Judge Lucien C. Kurata. Mr. Justice Keith will conduct the inquiry pursuant to the provisions of section 4 of The Provincial



Courts Act, 1968. Mr. Gordon Ford, Q.C., has been appointed as counsel to the inquiry.

In view of some publicity which has been attendant upon the circumstances, Mr. Speaker, I should advise this House that the information which has led to this inquiry was given to me last fall. I thereupon submitted it to the judicial council under the authority of section 8 of the statute which this Legislature enacted last year. On January 28, 1969, the judicial council, after inquiry, recommended to the Lieutenant Governor that a public inquiry be held in the manner which I have already indicated.

In view of the suggestions that have been made that criminal charges should be laid, I wish to advise the House, Mr. Speaker, that in the opinion of my advisers there is not at this time sufficient evidence to warrant the laying of criminal charges. There is, however, sufficient evidence to warrant the inquiry recommended by the judicial council, which has now been undertaken and which shall continue in the interests of the public and the administration of justice.

I am sure the hon. members will understand, Mr. Speaker, that I may not discuss the facts relative to the inquiry and that any further comment should await the report of Mr. Justice Keith.

**Mr. MacDonald:** Mr. Speaker, I wonder if I might ask the Attorney General, by way of clarification: would it be correct to interpret his comment that if there were adequate evidence to warrant criminal charges, in any case at all of this nature, that the government would do so, and in effect skip the step that has been set forth in this Act?

**Hon. Mr. Wishart:** I would not want to say in every case. If one had the opinion that a criminal charge could be made and carried to a successful prosecution—if one had a very strong feeling that that would result—I think we would move to prosecute for criminal conduct.

But there are many cases, of course, where one may have the feeling that a charge should be laid, but that the outcome is doubtful. I would not say that in every such case that one would then move, to prosecute because the opinion that it would sustain a criminal charge and be a successful prosecution could be open to doubt.

In such a case I think it would perhaps be very wise to follow the provisions of The Provincial Judges Act which provides for an inquiry by the judicial council, in camera. Then, on the finding of the—if they should

recommend a public inquiry, which undoubtedly would probably follow in the case that the hon. member suggests—then the public inquiry might very well intimate, or even direct, or recommend, that criminal charges should follow. In any case, The Department of the Attorney General would be free, upon having the public inquiry, to pursue it further by way of criminal charge.

**Mr. Speaker:** The hon. leader of the Opposition has a question.

**Mr. Nixon:** Mr. Speaker, I have a question for the Premier. With the results of the federal-provincial conference in mind, is the Premier giving further consideration to convening a Confederation of Tomorrow Conference, as requested by Premier Weir of Manitoba?

**Hon. Mr. Robarts:** Mr. Speaker, no; although as you no doubt know, while I was away Mr. Weir wrote to me in this regard and I answered his letter. I have had no approach to reconvene the conference from any other Premiers.

If you will recall, when the Confederation of Tomorrow Conference ended, we established a committee of four Premiers to decide what the future of the conference might be. Now, two of those Premiers are gone. Mr. Manning has retired, and Mr. Johnson of Quebec has since died. I was asked this question at a press conference yesterday afternoon and my answer was that the Confederation of Tomorrow Conference was called originally because we did not think there was enough action being taken to face some of the constitutional problems that faced the country. I think it would be fair to say that the Confederation of Tomorrow Conference stimulated the conference of a year ago and stimulated the conference that was completed yesterday. In other words, I am inclined to doubt that either of these conferences would have been held in the form in which they were held, had it not been for the Confederation of Tomorrow Conference. I think this is just a matter of fact. It is nothing more than that.

As long as these matters are being dealt with, it is my own opinion that the need for the Confederation of Tomorrow Conference is being shown in this other way. If at some time there are some matters that are of concern to the provinces alone, the machinery stands ready to be used as the provinces choose to use it. But it is my own personal opinion that, particularly in view of the fact that it was indicated yesterday



that we may, and undoubtedly will, be meeting more frequently than we have in the past, it may be that the need for the Confederation of Tomorrow Conference no longer exists.

**Mr. Nixon:** Mr. Speaker, I am always amazed at the Premier's modesty. It is almost as great as that of the Attorney General who is claiming that his programmes were the best in the world. Really, I was just struck down with the modesty of the Premier's position.

**Hon. A. Grossman** (Minister of Correctional Services): The member should be proud of that.

**Mr. Nixon:** And only those seals presently in action would agree.

But, as a supplementary question, I wonder if the Premier would agree with me that the one thing different about the conference that he convened is that, in fact, at that conference he does speak for the people of Ontario, but at the federal-provincial conference he cannot presume to do so alone. Is there some significance in the difference in that machinery?

**Hon. Mr. Grossman:** Well, there is nobody else up there speaking for Ontario.

**Mr. Nixon:** I do not consider that a rhetorical question, because, Mr. Speaker, I would say—if I could recall it to your mind—I am sure that you heard the Premier of Ontario say this in the presence of the Prime Minister of Canada, that he speaks for the people of Ontario.

**Mr. Speaker:** The hon. leader of the Opposition has asked a question; now he might give the hon. Prime Minister the opportunity of either not answering it, or answering it.

**Hon. Mr. Robarts:** I have heard this argument made. I think it is a specious argument, and I do not choose to enter into a debate; we may have a chance to do that later. But it is a completely specious argument. Certainly the Prime Minister of Canada speaks for the people of Ontario within his own jurisdiction. I feel that I must discharge my responsibilities, I must speak for them, too, in the areas in which we have our Constitution. Now, what is so difficult about this?

**Mr. Nixon:** But in Medicare he shares it.

**Hon. Mr. Robarts:** Well, that is a good question, but I do not know that this is the place to debate it. However, I want to put

a point of view that I think is held by the people of this province.

**Mr. Nixon:** Mr. Speaker, if the Premier, and I put this to him as a question, in fact believes he does not share the responsibility for Medicare but has it all himself, then why is he not making an application to the court—

**Mr. Speaker:** Order. The hon. leader of the Opposition's question is not now supplementary to his original question. It is supplementary to his supplementary question, and therefore it is out of order.

**Mr. Nixon:** Mr. Speaker, under your direction, I would pass on to a second question for the Premier. Can the Premier give the House more information on his threatened cutback in expenditures relating to Ontario Hydro, which he raised twice at the federal-provincial conference?

**Hon. Mr. Robarts:** Mr. Speaker, perhaps you could take from my remarks that interpretation which is implicit in this question. I did not intend it that way. I had no particular item in mind. What I did say—and I might mention I was not reading from a text—was that among other programmes this government has, is the responsibility for providing power, and of course, it is providing power. We are deeply involved with Hydro, for instance, in the development of nuclear power in the province, and if we are to have wholesale cutbacks across the province I think it will be necessary to look at all the areas in which we are presently spending money.

It was in that context I made the comments, and frankly I am not going to justify them in this House in answer to a question such as this. I have explained it. I made it, as the hon. member for Sudbury (Mr. Sopha) is fast to point out, on television, and all the people of the province heard it, and I will stand by it.

**Mr. Nixon:** If I might ask a supplementary question that is more specific. Was he, in fact, referring to the \$30 million head office programme at the corner of College and University? That is the one justifiable cutback the government could make in Hydro; I do not know of any others.

**Hon. Mr. Robarts:** I am surprised I did not really twig what was behind this question, because the hon. member was at this subject earlier in the session. It was a real oversight on my part, I did not really see deeply enough behind the question. I did not see what he

was really after, and I would simply say that expenditure, if it is to be made or not to be made, is a question for Hydro and not one in which this government would share.

**Mr. Nixon:** Mr. Speaker, my next question deals with Hydro, and I might say that any suggestion that we do not provide the funds for the development of power in this province is really incomprehensible, and in fact, irresponsible, and I would like to—

**Mr. Speaker:** Order, order!

**Mr. Nixon:** I would like to ask the Minister of Energy and Resources Management, does the fact that the Canadian heavy water plant in Nova Scotia cannot produce a product of sufficient quality for service in an atomic reactor, have any effect on the scheduled power production from the Pickering electric development?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, I was unable to get an answer from Hydro before I came to the House, but as I understand it, it will not affect the plant at Pickering.

**Mr. Nixon:** Then there will be sufficient supplies of heavy water to bring Pickering on line as scheduled?

**Hon. Mr. Simonett:** I understand that.

**Mr. Nixon:** I wonder if I might ask the hon. Minister, Mr. Speaker, if he answered my question from last Friday during my absence, about the cost of imported power.

**Hon. Mr. Simonett:** Mr. Speaker, I cannot recall any question last Friday from the member on the cost of imported power.

**Mr. Nixon:** It was last week, either Thursday or Friday. I asked the Minister for the cost of the importation of power during December, 1968, and January, 1969. He said he would get the figures going back 25 years, as I recall.

**Hon. Mr. Simonett:** Yes, that was last Thursday, Mr. Speaker, and I might say I have not received the figures as yet. As the member knows, they have a problem in their office this week. They are running on a skeleton staff and I would think they would have to wait until they have a full staff back before we can get the figures that the member requested.

**Mr. Nixon:** If the Minister will recall, I just want them for December and January.

If he insists on going back 25 years we will look at those with interest, but I am not insisting.

I have a question for the Minister of Education, Mr. Speaker, if this is a convenient time to put it. Has the Minister had any meetings with Lloyd Dennis, co-author of the Hall-Dennis report, since June, 1968? Will the Minister be acting on this report in 1969? Will further advice be sought by the department from Mr. Dennis?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the member for Peterborough, I think, has a similar question. I might answer both at the same time.

**Mr. Speaker:** It might be well to depart from our order and have that placed now.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, a question to the Minister of Education.

Would the Minister clarify his position on the Hall-Dennis report, in view of the remarks made by the co-chairman of the committee as quoted in yesterday's *Toronto Daily Star* and *Telegram* that he might be studiously staying away from the implications of the document?

**Hon. Mr. Davis:** Mr. Speaker, hopefully to clarify this once and for all, the first point that must be made, because some members of the committee have reminded me of this on occasion, is that Mr. Dennis was not the co-author, as pointed out by the member for Peterborough; he was the co-chairman. In other words there were several members of the committee that prepared the report. Mr. Justice Hall was initially the sole chairman, and because of matters of health, Mr. Dennis moved in to give him some assistance.

**Mr. Nixon:** The Minister is not suggesting he wrote it himself?

**Hon. Mr. Davis:** No, in fact it is really somewhat amusing, Mr. Speaker, because as I travel about the province and discuss this report with people on an informal basis, those who are very enthusiastic about it suggest that because we have not implemented all 256 recommendations to date, that we are opposed. Those who are opposed to the report quietly suggest that we had a hand in writing it. Of course, neither position is correct. Mr. Dennis was asked to—

**Mr. Pitman:** Mr. Speaker, I did not say co-author, as the Minister suggested. I said co-chairman.

**Hon. Mr. Davis:** No, I think it was the leader of the Opposition who said co-author.

As I recall the situation, Mr. Speaker, after Mr. Dennis and his colleagues finished the report I requested Mr. Dennis to remain in the department—and I cannot tell you the specific terms of his contract—with the understanding that he would for a period of time. It was initially to be March 31, 1969; subsequently we extended it at his request to the end of April. That part of his task would be to explain the report to the public generally, particularly to those who had a specific interest, such as the teachers, the ratepayers' associations, and what have you.

Over the past few months, Mr. Speaker, I think Mr. Dennis has done a commendable job in acquainting the public generally, and those with specific interests, with the report, and I wish to give him full credit for doing so.

During this period of time, and when discussing it with him as recently as about one o'clock this afternoon, the understanding has been—and I think it is relevant—that I personally have not said that we will implement all 256 recommendations. If I had said this last September or October, what purpose would there be in having the discussion with the profession, with the public generally, because quite obviously the whole concept of the report involves an understanding by the public and by the teaching profession if it is to be effective.

As I understand it from Mr. Dennis, this is also his understanding. As to the question from the member for Peterborough, that we have been studiously avoiding the implications, we are really pursuing the policy suggested by both the leader of the Opposition and the member for Peterborough.

As I recall, about a year ago now when we were debating the implementation of the county school areas, it was suggested to the Minister of Education that on something as significant as this, we should have some dialogue with the people concerned; let us involve those who are directly affected, and this, of course, Mr. Speaker, is what we are attempting to do. The department is studying this and has been very careful. There are certain real significant economic implications apart from the educational that must be assessed.

We are co-operating with the Ontario Teachers' Federation who, over the next, I believe, three to four months, will be having one day seminars within the county areas for the teaching profession, related specifically to the Hall-Dennis report. In fact, we

are preparing certain visual aids to help them in their presentation.

Mr. Speaker, I think one really must accept the fact that with a report of this significance, with its complexities, it will take a period of time, (a) for understanding, (b) for some indication as to those areas that will be specifically implemented.

And I would anticipate that during the estimates of the department and during committee hearings that we can get into some of the specifics that have been, of course, detailed in the report.

There is one very relevant aspect of the report that has been implemented, actually prior to the report itself, which is really very basic to a lot of the philosophy in the mechanics of introducing many other aspects of the report. That was the introduction of the county school or divisional board system which enabled much of the report that is being suggested to be carried into effect.

I hope it is very clearly understood, because as I am personally concerned — I said this at the time the report was received — that it is, in my view, one of the most significant educational documents that has been prepared in this province. At the same time I indicated — I hope very clearly — it needed a great deal of intensive study.

There is not unanimity; there never will be on a report of this kind. I am sure even some of the members opposite are not in complete agreement with all aspects of the report. These things must be discussed by the public and by the profession and this position is, with respect, Mr. Speaker, a very valid one.

**Mr. Pitman:** May I ask a supplementary question, Mr. Speaker?

In view of the fact that the Dennis report was mentioned in the Speech from the Throne, and there were indications that legislation would be provided for this Legislature to consider, I wonder if the Minister could indicate what particular areas he feels it is necessary to move ahead with at this present time?

**Hon. Mr. Davis:** Mr. Speaker, I do not recall the exact wording in the Speech from the Throne. I think there was reference to the Hall-Dennis report, the fact that we would be discussing it, and there may be some aspects of the Hall-Dennis report that will be referred to by way of policies that will not necessarily involve themselves in legislation *per se*.

**Mr. Nixon:** Mr. Speaker, on a point of privilege, if you will permit, the Minister of Revenue (Mr. White), has drawn to my attention an article in the *London Free Press*, printed on February 12, by a Mr. Gerry Toner, in which he leaves a misrepresentation that I believe is serious enough to correct.

I quote from the third last paragraph of his interesting article in which he said:

Mr. Nixon would water down conflict of interest legislation so drastically it might well be abandoned.

I hope, sir, that both you and the Minister of Revenue would assist me in perhaps educating Mr. Toner to the fact that the recommendation that I put forward in that very fine visit to London was the specific recommendation on conflict of interest that was entered into unanimously by the select committee on The Municipal Act and related Acts reporting in 1965. It may well be that the new Minister of the Crown, as well as Mr. Toner, are perhaps misinformed on that important matter.

**Mr. Speaker:** The hon. leader of the Opposition has a question which in my files has not been asked of or answered by the Premier with respect to financial assistance to municipalities in connection with telephone briefs.

**Mr. Nixon:** Yes, if I might put the question to the Premier now.

Does the government intend to provide financial assistance to the municipalities preparing briefs in opposition to the Bell Telephone application for a rate increase?

**Hon. Mr. Robarts:** Apparently there has been some consideration, but no decision made.

**Mr. Nixon:** When he says, "apparently some consideration," does he mean there is presently some consideration?

**Hon. Mr. Robarts:** Yes.

**Mr. Nixon:** Am I correct in the information that has been given to —

**Hon. Mr. Robarts:** It has been suggested that we might. What I am saying is no decision has been made.

**Mr. Nixon:** Am I correct in the information I have received that when the last application by Bell Telephone was put before the federal board, the government of Ontario did in fact assist the municipalities to the extent of \$18,000 in the preparation of that brief?

**Hon. Mr. Robarts:** Mr. Speaker, reaching back into my memory I believe there was

some such arrangement and we paid a part of it on some basis that we were represented in that group as well. I do not recall the details.

**Mr. Speaker:** The hon. member for Sudbury.

**Mr. E. W. Sopha (Sudbury):** Mr. Speaker, I have a question — which returns us to the Ottawa conference — to the Prime Minister from one of the viewers he said he was speaking to. It is in three parts.

1. Upon what set of facts or other considerations does the Prime Minister contend that the people of Ontario are opposed to participation in the national Medicare scheme?

2. Would the Prime Minister inform the House of the intentions of the government concerning the participation, or otherwise, in the national Medicare scheme?

3. If the government does not intend to participate in the scheme, is the Prime Minister prepared to let the people of Ontario indicate their preference by such a device as the taking of a referendum on the question?

**Hon. Mr. Robarts:** Mr. Speaker, to start with the first question, I suppose my opinion in this matter is based upon the facts that are open to anybody in this particular line of endeavour. I get mail, I read newspapers, I talk to people. There are a whole host of areas in which one receives information.

I might say that one of the things that led me to believe that this might be the case was that in the election of 1967, the position of this government was very firmly known, but the matter was not raised by either of the Opposition parties to any great extent that I can remember. It was an issue that distinctly was never mentioned. This strengthened my belief that the position of the government was one that was accepted.

On the second part of the question, Mr. Speaker, I asked the formal question at the conference but have not yet received a formal answer. Until I do it would be impossible to even comment on the second or third questions.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of the Prime Minister from last week, in connection with anti-ballistic missiles.

**Mr. F. A. Burr (Sandwich-Riverside):** A question of the Prime Minister, Mr. Speaker.

Can the Prime Minister assure the Legislature that the United States government will not establish any anti-ballistic missile sites near the Ontario border in general, and near

large Ontario cities such as Windsor in particular?

**Hon. Mr. Robarts:** Mr. Speaker, I could give no such assurance. Frankly, I am not privy to the decisions the government of the United States might make in reference to the defence of its own territory.

**Mr. J. L. Brown (Beaches-Woodbine):** He speaks as Premier of Ontario.

**Hon. Mr. Robarts:** I do my best.

**An hon. member:** That is not good enough.

**Hon. Mr. Robarts:** There is a—

**Mr. Sopha:** Even if he does mistake their beliefs.

**Hon. Mr. Robarts:** There is a second part to the question, Mr. Speaker, perhaps the hon.—

**Mr. Burr:** Yes, I am sorry. I should have read that at the same time.

Is the Prime Minister satisfied that effective machinery exists either directly between the Ontario and United States governments, or through the Canadian government, to ensure that the Ontario government is kept informed on a continuing basis of any developments in this matter?

**Hon. Mr. Robarts:** Once again, Mr. Speaker, I would have to say that we have no direct hot-line between the government of the province of Ontario and the Pentagon or the White House. As to whether I am satisfied that effective machinery exists through the Canadian government I would have to say that I am. I think the federal government is quite competent to look after our interests in this matter. There is a lot of consultation that we all know about, and joint participation between the government of the United States and the government of Canada, so my answer to the second question would be that I am satisfied. But I might say that the federal government does not keep us informed on a continuing basis as to what developments it may be dealing with in the area of defence.

**Mr. Burr:** Mr. Speaker, a supplementary question. Does the Prime Minister not feel that his weight would be helpful in letting the federal government know of his concern for the people of Ontario?

**Hon. Mr. Robarts:** Mr. Speaker, until I received this question I was not aware that the government of the United States was

considering the establishment of anti-ballistic missile sites. I am quite certain if I were to approach the federal government they would give me what information I require.

**Mr. Speaker:** The hon. member for Kent has a question of the Prime Minister from last week.

**Mr. J. P. Spence (Kent):** Mr. Speaker, is it the intention of the government that standing committees of this Legislature shall deal only with matters referred to the committee by the Legislature? If so, does this not contradict previous observations by the Premier on functions of such committees? And if not, will the Premier clearly reiterate his view that the committees might exercise initiatives in their own right, for the benefit of the officers of this assembly who may be taking a narrower view of this role?

**Hon. Mr. Robarts:** Mr. Speaker, I might say at the outset, in answer to the question, I have said nothing about standing committees that I did not mean and I do not want their functions to be limited. I have gone into this very briefly in the time at my disposal since I saw the question late this morning, and there are certain matters that are referred to the committees which they must deal with. This does not prevent them from exercising their own initiative.

On the other hand, in a strictly legalistic way, unless something is referred to them by this Legislature, then there is no basis upon which they might report back to this Legislature although they might do many things for their own edification. I propose to go into this question quite carefully. It involves several procedural matters that are not embodied in the question itself. I propose to go into this with the Clerk of the House and with the Speaker, in order that we may clarify the situation.

But I will go back to my opening remark: It is my personal wish that these committees have as much freedom to function as is possible, but you can well understand that they are only extensions of this Legislature and what they are doing should in fact be approved and have the benediction and blessing of the Legislature itself.

**Mr. Speaker:** The hon. member for Grey-Bruce has two questions; one of the Prime Minister—one of the Premier. Perhaps he would place them.

**Mr. E. Sargent (Grey-Bruce):** Question to the—



**An hon. member:** Is that other fellow over there, too?

**Mr. Sargent:** These are kind of juxtapositioned here. The one I wanted to ask the Premier has been given to nuclear energy—

**Mr. Speaker:** The one addressed to nuclear energy was withdrawn by the member's office.

**Mr. Sargent:** Will the Premier of Ontario—not the Prime Minister, the Premier of Ontario—advise the House how Ontario Hydro was able to borrow \$75 million on the New York market last week, and the Premier and the hon. Treasurer (Mr. MacNaughton) take a trip to Germany to borrow \$60 million? What goes on?

**Hon. Mr. Robarts:** Mr. Speaker, the hon. member might be interested to know that in the continuing debates about whether it is the Premier or Prime Minister, I was reading an English newspaper the other day and in the opening paragraph of one story, the Prime Minister of the United Kingdom was referred to as Premier and Prime Minister in the same paragraph in the same story. So apparently these terms are interchangeable in jurisdictions other than Ontario. I hope some day we will be able to put this whole thing to bed because it has lost—

**Mr. Singer:** We will call him "King".

**Hon. Mr. Robarts:** Joey Smallwood says it should be "Emperor", but—

**Mr. Nixon:** I thought it had been settled—

**Hon. Mr. Robarts:** There was no settlement I ever agreed to among others.

Now, sir, to go to this question. There is only one comment I will make. The loan that we negotiated in Europe is about to be finalized, and when it is, I will be happy to make a complete report to the House about it, because I detect some misconceptions among the members of the House as well as among the public.

However, the question itself says the government is "forced" to go to Germany. May I make it very clear that we are not forced to go any place. We could have obtained what we needed elsewhere but we go where we get the—

**Mr. Sargent:** It is a good time for a holiday.

**Hon. Mr. Robarts:** We go where we get the best deal for the people of Ontario, and

in due course I hope to be able to make this statistically clear.

**Mr. Sargent:** Mr. Speaker, a supplementary. He did not answer the question at all.

**Hon. Mr. Robarts:** The member will get his answer in a few days.

**Mr. Sargent:** He does not know the answer then?

**Hon. Mr. Robarts:** Yes, I do.

**Mr. Speaker:** The hon. member has another question.

**Mr. Sargent:** Oh, this is ridiculous.

**Hon. Mr. Robarts:** Well, Mr. Speaker—

**Mr. Sargent:** He does not know the answer—

**Hon. Mr. Robarts:** Mr. Speaker, maybe I did not make myself clear. I will get this down into the simplest terms I can.

**An hon. member:** So the member can understand it!

**Hon. Mr. Robarts:** The agreement under which this money will be borrowed has not yet been signed. Therefore, it would be premature for me to answer this question. The transaction will be completed in the very near future, and at that time I will be very happy to come in here and clear up some of the member's misconceptions.

**Mr. Sargent:** Thank you, Mr. Premier. Question to the—

**Mr. Speaker:** Sorry, the question has been redirected to the Prime Minister by—

**Mr. Sargent:** Second section?

**Mr. Speaker:** Yes, at the request of the member.

**Mr. Sargent:** Mr. Speaker, in view of the plans for a programme to the extent of \$413 million this year for Hydro, will the Minister explain: (1) why it is necessary to sign a letter of intent with Hydro Quebec from 1971 to 1977 at a cost of over \$95.5 million; and (2) how many other power corporations are we presently contracted with to supply us with power?

**Hon. Mr. Robarts:** Mr. Speaker, it is not an unusual arrangement at all for Hydro to enter into an agreement with Hydro Quebec. This whole thing is dependent upon Churchill Falls in Labrador coming into production. When it comes into production, Hydro Que-



bec will have surplus power. We can buy—when I say we, I mean Ontario Hydro—can buy that power from Hydro Quebec at a price that is about the equivalent of the cost of production here. As long as that surplus exists in Hydro Quebec, then, of course, Ontario Hydro is not faced with the necessity of making the capital investment to produce an equivalent amount of power in this province. So it permits Ontario Hydro to postpone some very large capital outlays, while we assist our sister province to use up the power that in fact will be flowing from a great project in Labrador which belongs to that poor little man in Newfoundland, when it does come into production.

That is why these arrangements are not unusual. Hydro informs us that it has a firm power agreement with Quebec Power Commission, Ottawa Valley Power Commission, and Great Lakes Power Commission Limited. Those, I believe, cover specific contracts. In the supply of hydro-electric power in North America, I think that sometimes it would be fair to say Ontario power ends up as far south as Florida. The systems are interconnected because of their power requirements. This agreement also covers situations, for instance, where it will only be available in a peak period in one jurisdiction when one other jurisdiction may not need all the power. The whole purpose of these agreements is really to share all the power that is produced over a very large area on the most economic basis. With the development of various power grids throughout the United States and North America, every year it becomes more possible to tie together more grids, and thus, in the overall picture, to get a much more efficient use of the total power supplies of a very large area. That is really the purpose of this agreement. It is a long-term project.

The power requirements are increasing in this province at a rate of about 10 per cent a year. It means that in the ten years between now and 1979 we will have to reproduce everything we presently have. Any methods that Hydro can find to spread this cost and to make it less costly, they will use. This is one of the ways to start.

**Mr. Speaker:** The hon. member for Hamilton East has a question of the Minister of Social and Family Services.

**Mr. R. Gisborn (Hamilton East):** Yes, Mr. Speaker, my question to the Minister is:

Why was the decision made to cease construction of the home for the aged, Dorchester Manor, at Niagara Falls? Will the Minister

reconsider the situation and recommend construction as soon as possible?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, to begin with I think I should point out to the hon. member that Dorchester Manor is a proposed rest home, not a home for the aged. I must also say that the hon. members for Welland (Mr. Morningstar) and Niagara Falls (Mr. Bukator) have been in continuous touch with me with regard to this matter by way of correspondence and by delegation.

Construction was not made to cease. The home was only in the planning stage and approval to proceed at this time had not been granted.

The decision results from the review of capital spending being undertaken by the department. This project continues to be a part of that review.

I might add that the county of Welland will open, on February 28, a 90-bed rest home in Port Colborne. My department assisted financially in the building of this home, which we trust will provide a beneficial service to the people of this county.

**Mr. Speaker:** The hon. member for Wentworth has a question for the Treasurer.

**Mr. I. Deans (Wentworth):** Yes, Mr. Speaker.

**Mr. Speaker:** Perhaps we will have the Treasurer in his seat in a minute.

**Mr. Deans:** Mr. Speaker, to the Treasurer: Does the Treasurer agree with the statement of the chairman of the civil service commission as quoted in the *Toronto Daily Star*, February 12, 1969, namely: "That no employee"—and it should be of the province—"on stand-by is required to be at his place of work."? If so, should this policy be applied to relief supervisors of detention and observation homes, thus leaving the children in such homes completely unattended during the stand-by period?

**Hon. C. S. MacNaughton (Treasurer):** Mr. Speaker, I think I can best answer the hon. member's question by making reference to the regulations governing stand-by time. These are established under The Public Service Act, regulation No. 11, and stand-by is defined as follows:

Stand-by time means a period of time that is not a regular working period, during which a public servant, on written instructions from an official of a department, keeps himself available for recall to work.

An employee on stand-by must be in a location where he can be reached immediately, and which permits him to reach his place of employment promptly when called. When on stand-by, of course, he is not actually working. As for the second part of the question, I understand the particular situation about which the hon. member may be concerned no longer exists. But for specific information concerning the institutions he made reference to, I would suggest that he direct his question to the appropriate Minister. I think in this instance, it is the Minister of Correctional Services.

**Mr. Deans:** May I ask a supplementary question related to the Minister's answer?

**Hon. Mr. MacNaughton:** Yes.

**Mr. Deans:** He said that the particular instance that I am referring to no longer exists. Could I take from that then that the people involved have been paid the full amount that was owing to them?

**Hon. Mr. MacNaughton:** I would say that if the situation warranted full payment, yes, of course, that would be the case. As a matter of fact, if they were called off stand-by time where they received less than full pay, they are entitled to time and a half. They get paid at time and a half if they are called off stand-by time.

**Mr. Deans:** May I ask one more question? Is the Minister aware that these were the only people in the building? There was no supervisor. They were the only people in the building, other than the children, and they were claimed to be on stand-by.

**Hon. Mr. MacNaughton:** No, Mr. Speaker. My answer to that would have to be no. It was at that point that I suggest the member might refer to the Minister who would have knowledge of the situation—I think, in this instance, my colleague, the Minister of Correctional Services (Mr. Grossman). I think it is the Minister of Correctional Services with respect to detention homes—or the Minister of Justice.

**Mr. Deans:** I believe it is the Attorney General.

**Mr. Speaker:** The hon. member for Port Arthur has a question of the Minister of Transport.

**Mr. R. H. Knight (Port Arthur):** For the hon. Minister of Transport. Will the Minister indicate when legislation requiring slow-moving farm vehicles to display slow-moving

signs will be extended to include all slow-moving vehicles in the province?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, because of the myriad of situations, any vehicles may, at least temporarily, be slow-moving vehicles, it is not practical to contemplate any generally applicable legislation such as this question seems to suggest. However, our department is giving consideration to the possible extension of present requirements to certain other clearly definable segments of the vehicle population.

**Mr. Knight:** Supplementary question, Mr. Speaker. Why is it always the farmers of this province that have to be hit first with this kind of legislation? Why have they been singled out? When the government has not been able to move on a united front, why have they been first?

**Hon. Mr. Haskett:** Mr. Speaker, I would say that this was because the farmers themselves saw the problem and asked for this action on it. It was out of consideration for the farming population that we brought in this legislation.

**Mr. Speaker:** The hon. member for Kent has a question of the Minister of Education.

**Mr. Spence:** My question to the Minister of Education comes in two parts:

Does The Department of Education set out a schedule of salaries as a recommendation to county school boards for payment of administrative officials for the county school boards?

Also, is the Minister considering a review of salaries as a result of the resolution of the Chatham city council which complained of the high salaries?

**Hon. Mr. Davis:** Mr. Speaker, the salaries relating to the new board—the administrators and directors and so on—have not all been finalized. We will be making a study of them under the existing grant regulations.

For the directors and the senior administrators, basically the directors—and I am going a little bit by memory—there are grants paid on the basis of \$900 per month, times the number of months they are employed, with a maximum of \$10,800 per year. This is the amount upon which we pay grants. That, too, is subject to the rate of grant paid to a particular board.

In other words, if the rate of grant were 50 per cent, the maximum that we put out in our grant regulations would be \$10,800. That means that they would be able to

recover, by way of grant regulations, say \$5,400. This applies to the senior personnel.

**Mr. Speaker:** The hon. member for Sarnia has a question of this Minister.

**Mr. J. E. Bullbrook (Sarnia):** A question of the Minister of University Affairs:

Would the Minister advise what steps he has directed to be taken to rectify the illegal acts of students at the University of Windsor in seizing administrative facilities?

**Hon. Mr. Davis:** Mr. Speaker, I am informed that the head of the administration of the University of Windsor has discussed and entered into negotiations with these students and some faculty members who were involved in this particular situation. There were discussions this morning, and I understand the situation is in the process of being negotiated at this time.

**Mr. Speaker:** The hon. member for Sudbury East has a question of the Minister of Energy and Resources Management.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Minister of Energy and Resources Management:

How many megawatts of power were produced on November 14, 1968 by the emergency combustion turbines?

How many megawatts of power were produced in Ontario during November, 1968 by the emergency combustion turbines?

Why was it necessary to use the combustion engines so much in Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, the amount of power imported from the United States at the time of the East system peak demand on November 14, 1968, was 475 megawatts. At the same time, 334 megawatts were being exported, leaving a net import of 141 megawatts of which 100 megawatts was an intentional purchase and the balance was unintentional flow.

The second part of the question: Since the hon. member has asked for the megawatts throughout the month, it has been assumed that he is interested in the amount of energy purchased during November, a measurement which is usually quoted in megawatt hours. The gross import from the United States in November, 1968, by the East system totalled 310,762 megawatt hours, of which Ontario Hydro purchased 145,257 megawatt hours. Energy generated by rented units in the United States accounted for 23,103 megawatt hours and the balance of 142,402 megawatt hours was circulating and/or unintentional.

In answer to the third part: Charges for purchases from the United States relate primarily to energy. However, emergency purchases are assessed an additional charge, based on the maximum megawatt taken. A total of \$786,241.70, Canadian funds was paid for the 145,257 megawatt hours purchased from the United States. This is equal to an average cost of \$5.41 per megawatt hour.

And in answer to question four: The information on Ontario Hydro's cost of power has not yet been—

**Mr. Speaker:** May I interrupt the Minister long enough to say that I have been lost in his answer for some time and now I am much further lost because there are only three parts to this particular question. He is either answering another question—

**Mr. Singer:** He makes up questions to answer.

**Mr. Speaker:** Does the hon. member follow that?

**Mr. Martel:** That was yesterday's question.

**Mr. Speaker:** Well, perhaps he will complete his answer to this one and I will then realize it is one taken as notice yesterday; and then we will have the answer for today's.

**Hon. Mr. Simonett:** I am sorry about that, Mr. Speaker. This question was sent up to me by Hydro after I came in the House and I did not even look at it when I came in.

The answer to No. 4 of yesterday's question: The information on Ontario Hydro's cost of power has not yet been determined for 1968, but the cost trend study indicates a rate of about \$7.35 per megawatt hour in Ontario.

Mr. Speaker, in answer to the question of today, I might say I am sorry I have not received it from Hydro yet; in fact I thought this was it that was sent in the House this afternoon.

**Mr. Speaker:** It will be taken, then, as notice.

The hon. member for Windsor-Walkerville has a question of this Minister?

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, the question of the Minister is: What legislation is the Minister planning, to regulate United States pleasure craft on Ontario waterways to prevent pollution by wastes from such pleasure craft?

**Hon. Mr. Simonett:** Mr. Speaker, under Ontario regulation 365-66, which became effective January 1, 1969, United States pleasure craft are required to comply either with existing regulations in their home states which are compatible with the Ontario regulations, or they must meet the requirements of the Ontario regulations.

**Mr. B. Newman:** Mr. Speaker, if I may ask of the Minister a supplementary question: Is the Minister aware that the Michigan Water Resources Commission regulations affecting wastes from pleasure craft will not go into effect until January 1, 1970?

**Hon. Mr. Simonett:** Yes, I understand their regulations will not go into effect until then. I think a year ago we decided we would bring out our regulations on July 1, but we extended that to January 1 and gave everyone lots of notice. We have discussed this with the state of Michigan and all adjoining states, and again I do not think we should extend our regulations any longer, we should continue as they were planned.

**Mr. B. Newman:** If I may, Mr. Speaker, I would ask the Minister if he plans on forbidding U.S. pleasure craft that do not conform with Ontario regulations from coming into Ontario waters?

**Hon. Mr. Simonett:** Mr. Speaker, that is what I said; they would have to conform with our regulations if they were in our waters. Of course, they do not have to have holding tanks; if they have macerator chlorinators they are allowed in Ontario waters until 1971.

**Mr. B. Newman:** Is the Minister aware of the effect this may have on the tourist industry throughout the province of Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, we are faced with the matter of cleaning up pollution or the tourist industry, and I think anyone who wants to come in here badly enough this year with his cruiser will have a macerator chlorinator. In fact, many of them have them now in their craft.

**Mr. Speaker:** The hon. member for Essex South has a question of this Minister — a series of questions.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a seven-part question of the Minister of Energy and Resources Management:

(1) On Tuesday, January 28, at 3.15 p.m., were tenders for the "Woodslee" water area

system opened? How many tenders were opened, and what were the amounts of the bids?

(2) When such tenders are opened, is this information automatically public information? Can the press or interested citizens be present to watch the proceedings?

(3) On the date in question, and in relation to the opening of tenders for the Woodslee area water system, how many tenders had the commission expected to receive?

(4) Was the secretary of the commission aware that one or more tenders in the proper Ontario Water Resources Commission tender envelopes for this contract were in the offices of the Ontario Water Resources Commission on Monday, January 27?

(5) Why was this, or these, tenders not included among those opened at that occasion?

(6) If there has been negligence on the part of any Ontario Water Resources Commission staff in this regard, has this official been reprimanded by the commissioners of the Ontario Water Resources Commission, and if not, why not?

(7) Has the contract been signed by the Ontario Water Resources Commission for the Woodslee area water system? If not, will the Minister intervene in this case, to open all properly documented tenders that were in the offices of the Ontario Water Resources Commission prior to 3.00 p.m., January 28?

**Hon. Mr. Simonett:** Mr. Speaker, I will have to take the question of the hon. member as notice as the commission was meeting when I received the question and I have not been able to get an answer at this time.

**Mr. Speaker:** The hon. member for Kitchener has a question of the Attorney General.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, my question of February 7 to the Attorney General:

Is Provincial Judge A. D. Barron correct in his interpretation of the proposed law society Act, that continuation in his position would prevent his return to private legal practice should he retire after the said Act comes into force?

If so, will the Attorney General propose changes to prevent this situation being forced on those who are now holding these positions; or prevent this being forced on judges in the lowest tier of our courts, whose decisions are not binding on each other?

If not, will the Attorney General reassure this House and the members of the provincial

bench as to the future rights of these judges to practice law on their retirement?

**Hon. Mr. Wishart:** Mr. Speaker, I do not feel called upon, really, to offer an opinion upon a draft bill which has been prepared by the law society, and has not even been prepared or drafted by the law department of this government. It may have that effect, but it would be a matter of opinion. I would say this to the hon. member, that when we present a bill, we will have taken into account the question he asks of the proposed legislation which is offered, and we will consider many other items which, I may say, have been drawn to my attention through correspondence, comments, and in various ways. But to offer an opinion on this draft bill, which is not our bill, I think is not called for at this time. I assure the hon. member that we shall be studying this particular matter as well as many others.

**Mr. Breithaupt:** Perhaps the Attorney General would answer a supplementary question, and that is, when might we expect to have that bill placed before us?

**Hon. Mr. Wishart:** We are working on it; considering it, Mr. Speaker. I think hon. members are aware that there has been some critical comment on it in various areas. These we are studying, and I would not want to offer any firm date, but I should think it would be fairly soon.

**Mr. Speaker:** The hon. member has a further question of this Minister?

**Mr. Breithaupt:** Yes, Mr. Speaker. Does the Attorney General agree with the comments of his Honour, provincial Judge Joseph Addison, as reported in the Toronto *Daily Star* on February 8, 1969, that serious abuses exist in the operation of the legal aid plan? If so, will the Attorney General inform the House what proceedings are now being introduced to resolve the abuses, and whether any of the solicitors involved in abusing the plan will be disciplined.

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member seems determined to get me to offer an opinion. I do not, again, feel called upon to either agree or disagree with the opinion of the judge. I think he is free to offer his opinion. It is not necessary for me to say whether I agree or disagree with it, in this House.

I would like to assure the hon. member, Mr. Speaker, that we are aware of certain flaws in the procedure under the legal aid plan. We have been aware of situations

and we have been studying them, investigating them. And now, with the Act having been in operation for the length of time it has, we are able to spot very quickly any abuse that may arise.

I think the hon. member is aware of one particular case where a member's conduct was investigated. He was ordered to pay the costs of the investigation which amounted to some \$2,000, and was reprimanded by the law society. I can assure you we have a very thorough investigation going on to prevent some of the things about which Judge Addison complained.

**Mr. Breithaupt:** Perhaps, the Attorney General, might accept a supplementary to the point that if these complaints have been made, will he or his deputy or a member of his staff be discussing these specific items with Judge Addison?

**Hon. Mr. Wishart:** I can assure the hon. member that I do not know that I would discuss it with Judge Addison myself. But the committees, the legal aid executive, the committees which advise and which are particularly directed to the study of the operation of the plan, would report to me; I am sure they would be aware of these and would be investigating. This is not something new; we have been aware of some of these situations.

We are doing everything possible, I think, and I will be able to report to the House later as to what we have done to remedy some of the situations we have discovered, and I assure the hon. member that we are on top of the situation.

**Mr. Speaker:** The hon. member for Beaches-Woodbine has a question of this Minister.

**Mr. Brown:** Question of the Attorney General: Will the acquittal of Mr. and Mrs. George MacMillan be appealed?

**Hon. Mr. Wishart:** Mr. Speaker, I have not yet had an opportunity to read the transcript of the judgment and the reasons for judgment. As a matter of fact, I have not yet received it. But I shall be getting it, and I will not make up my mind until I read the judgment with the reasons therefor. Then I will make a decision.

**Mr. Speaker:** The hon. member for Timiskaming has two questions of this Minister.

**Mr. D. Jackson (Timiskaming):** With your permission, Mr. Speaker, I would like to



withdraw question No. 540. The Attorney General has indicated that he is looking after that problem.

The second question, Mr. Speaker, is for the Attorney General. Has the Attorney General completed his investigation in the case of Regina vs. Gary Perly? And secondly, what action has been taken against P.C. Woodhead?

**Hon. Mr. Wishart:** Mr. Speaker, the case of Regina against Perly was the case of a man arrested in April, 1968, on the charge of obstructing the police. It is a case which was remanded eight times and then dismissed, a case where Judge Bigelow allowed the accused to conduct his own defence.

An investigation was carried on by the Crown Attorney. I did not investigate it personally, other than through the Crown Attorney, and he has examined the matter and reported that in his opinion there is no evidence that would warrant action being taken against the police officer.

**Mr. Jackson:** A supplementary question, Mr. Speaker: Does the Attorney General not feel that when a man lies in court he is guilty of perjury?

**Hon. Mr. Wishart:** Mr. Speaker, that is rather a general question. When any man lies under oath, there is only one answer—and that is perjury.

**Mr. Jackson:** Another question, Mr. Speaker. In the transcript it states, and for your information, sir, I quote: "Woodhead indicated to me that he did not tell the truth in court because of the fact that he thought it was improper." This is his admission in the transcript.

**Mr. Speaker:** Order! What is the supplementary question the hon. member is asking? This is not a debate.

**Mr. Jackson:** I am just wondering how the Attorney General can say that he did not say it.

**Mr. Speaker:** Perhaps the hon. member could wonder by a properly worded question at another time, because that is not a supplementary question. If he has one that he wishes to place I am sure the Minister would be glad to hear it at least.

The hon. member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** A question to the Attorney General.

Is the Attorney General willing to reopen

the investigation into the death of Nicola Di Federico at the Algoma Steel Corporation, Saulte Ste. Marie, on January 4, 1969, due to the refusal of the acting Crown Attorney, N. D. Gaetz, to admit the representation of Local 2251 of the United Steelworkers of America at the inquest which was held on January 24?

**Hon. Mr. Wishart:** Mr. Speaker, I am getting a report on this matter. I have not yet got all the information and I cannot answer the question until I do. I shall examine it when the information comes to hand and then give an answer.

**Mr. De Monte:** Does that mean that the hon. Minister will give me an answer when he gets the report, Mr. Speaker?

**Hon. Mr. Wishart:** That is what I meant to say.

**Mr. De Monte:** Thank you.

**Mr. Speaker:** The hon. member for Hamilton East has a question for this Minister.

**Mr. Gisborn:** Yes, Mr. Speaker, my question was tabled February 6, and I would like to say that subsequent to that there has been an announcement by the RCMP that they have completed a partial report to my question. My question to the Attorney General is, did the Attorney General order tests made, to determine the safe use of the chemical Mace? If so, are the results available now?

**Hon. Mr. Wishart:** Mr. Speaker, some time ago, we requested The Department of Health, through the RCMP to test Mace in all its consequences and effects. We have not yet received the results, but we do expect them soon. One reason for not getting them was that one of the chief questions was that of long-term effect of contact with Mace, and it has been a matter of months since we made the request for the tests.

In order to get a reasonably correct answer, it is necessary to let the tests go on for a period of time to study the long-term effect. We do expect a report very shortly.

**Mr. Gisborn:** May I ask a supplementary question? I was going to add it but I thought it not proper. If the use of Mace is found to be safe, does the Attorney General intend to consider restrictions on its use and availability that might be necessary?

**Hon. Mr. Wishart:** I should say this, Mr. Speaker, that we have given consideration to some amendment to one of our Acts which



might enable the Attorney General to exercise a control that he does not now have as to the equipment or items which policemen may use. This is under consideration.

**Mr. Speaker:** The hon. member for Welland has a question for the Minister of Labour.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, when will the Minister recommend that Bill 142—The Ontario Labour-Management Arbitration Commission Act 1968—be proclaimed in view of the fact that it was given Royal Assent on Thursday, June 13, 1968, eight months ago today?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, I answered a similar question of the hon. member for Oshawa yesterday, but to help the hon. member, the Act will be proclaimed as soon as the personnel for the commission has been settled and that will be, I believe, within the next month.

**Mr. Speaker:** The hon. member for Peterborough has a question of this Minister.

**Mr. Pitman:** Mr. Speaker, there is a correction in the first question: Why have no further meetings taken place between the Peterborough *Examiner* and the American Newspaper Guild since last December?

Perhaps I might ask all three questions and the Minister could then answer, if that is his pleasure.

2. Is it true that the Peterborough *Examiner* has requested meetings with the guild but has been discouraged from such action by officers of the conciliation services of The Department of Labour?

3. Has the department followed up the change in policy on transfers embodied in the company's advertisement in the Peterborough *Examiner*, December 20, 1968?

**Hon. Mr. Bales:** Mr. Speaker, I appreciate the change. I was a little confused at the reference when I read it, but I would say that officials of my department's conciliation branch are keeping in close touch with the representatives of the parties. If and when they feel it will be helpful to have further meetings they will certainly be arranged.

In reference to the second part, I looked into that and I am informed that no such meetings had been requested, at least through my officials.

And in the third part, I have no information concerning the advertisements to which the hon. member has referred.

**Mr. Pitman:** Mr. Speaker, I wonder if I could ask a supplementary question?

I wonder whether the Minister could indicate whether there will be meetings in the near future? Perhaps I might contact the Minister about the change of policy in relation to the advertisement rather than try to give this information across the floor, but does the Minister know of any meetings which are expected in the near future between these two bodies?

**Hon. Mr. Bales:** Mr. Speaker, I do not know of any meetings that are definitely planned. I know that last Friday there were casual discussions between a representative of one of the parties and my officials.

**Mr. Speaker:** The hon. Minister of Energy and Resources Management now has the answer to—The member has left, we will have the answer tomorrow to 586.

**An hon. member:** Tomorrow? Monday!

**Mr. Speaker:** Next sitting day.

**Hon. Mr. Yaremko:** Mr. Speaker, I have answers to two questions asked by the hon. member for Ottawa Centre (Mr. MacKenzie) yesterday. Question 1:

Would the Minister consider directing field workers of his department in the Ottawa area to use the full rent paid in calculating the required budget allowance for those on assistance, rather than an arbitrary figure set by the field workers, until the housing crisis in low rental housing units is ended?

I assume, Mr. Speaker, that the hon. member is discussing the role of the field workers in the administration of the family benefits programme. The field workers do not set arbitrary rates. The actual rent paid up to certain maximums is included in the allowance calculation. The maximums are established in the regulations under The Family Benefits Act. A municipality may wish to provide to assist families experiencing extraordinary problems. It may do this through supplementary aid which is shared by the province.

The second question was:

Would the Minister consider establishing a programme of assistance for those in the Ottawa area on low incomes who are suffering hardship due to unconscionable rent increases until a sufficient number of low rental housing units can be erected to stabilize the market?

The answer, Mr. Speaker, is that the legislation does not provide for supplementary assistance to low income persons who are employed.

Mr. Speaker: Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable, the Lieutenant-Governor at the opening of the session.

### SPEECH FROM THE THRONE

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, in continuing my remarks of yesterday, before I launch into the balance of my presentation, I would like to say that we have today the members of the Stamford Collegiate Institute, who are the constituents of my very fine colleague, the member for Niagara Falls (Mr. Bukator), here in the east gallery.

Yesterday, Mr. Speaker, when I was paying tribute to you and the job you do in the Chair, I was remiss in not acknowledging the great job done by the chairman of the House committee, the member for Waterloo South (Mr. Reuter). Here he comes now, so I will have a soft time from here on in today, I guess.

I did not know my timing was so good, Mr. Speaker, but I do want to say to you, sir, that your very trying responsibilities over the years have endeared you to us all in the fair way you handle us. From time to time you are very rough on the underprivileged over here, but we do thank you again and hope you have continued happiness in the job.

Mr. Speaker, the most current thing in front of us all today is the television debates at Ottawa and I think maybe the whole motivation for these hearings was television. It is a chance for these premiers or personages to get exposure at top level on television. And watching on television last night the Prime Minister (Mr. Robarts)—or the Premier, or the first Minister—I said to myself: Here is a prime example of faith. This man actually believes that he is God's gift to television. He actually believes that he is the saviour of Ontario. This is faith in real living colour.

I am thinking of the story about the three nuns, Mr. Speaker, who ran out of gas on the highway in their little car. They walked back to the service station and they wanted to buy some gas, so the service station attendant said, "Well, I would be glad to sell you some gas but I have no containers".

They searched around and finally found a chamber—you know, the old kind that sat

under the bed away back. So they filled this container—the chamber—with gas, and the three nuns go back down the road to their car. They have a funnel there and they start to funnel the gas into the car with the chamber. A driver coming along the highway sees this and he says: "You know, I have been an Anglican all my life, but I have never seen such faith as this".

Now here is an example of faith in the truism that the Premier thinks that he is the saviour of Ontario.

In his speech—in his presentation to the Throne Debate—the member for Sarnia (Mr. Bullbrook), talking about the shelter grants, used the words "the greatest fiscal fiasco ever perpetrated in government". Those are the words of our backbencher, the member for Sarnia.

Now our Premier, "the impressive Premier", according to the press—I do not know who he impressed, but he certainly did not impress the people of Ontario in his tax situation—but he used the same verbiage as our member here in describing the Medicare programme.

Now if Medicare is fiscal fraud then we have almost a parallel in the tax shelter grant in Ontario. He has \$150 million involved in the tax shelter grant, which benefits very few people because all the rents are raised to make up for it by landlords, as I will describe later. Further, this TV image, the kick the Premier is on, has cost us millions of dollars. He has the crass lack of finesse, Mr. Speaker, to come on camera and say that "I am speaking on TV to the people of Ontario." He says: "On behalf of the people of Ontario I speak for Medicare." Well he certainly does not, and do not forget it.

Any opposition that the Prime Minister of this province has to Medicare is strictly motivated by his interest in being tied to the London Life and the insurance companies.

This man is always trying to project the image of the good guy. He is a "help the have-nots," but when he jockeys himself into a jam like he has today—I note that he has not the intestinal fortitude to stay here with MacNaughton to hear us read these remarks. When he jockeyed himself into a jam like we have in Ontario today, he says, in brief: "I want my money back."

Mr. Speaker, Premier Smallwood called Ontario a fat sow at the convention. In my opinion of the convention, insofar as the representations by the Premier of Ontario, all I saw on TV was a bore.

How long are we going to be subjected to this McLuhanist hunger for TV exposure on the part of the Premier of Ontario? If he wants to go this route I suggest he tie up along with Joel Aldred and start a quiz programme: How to con seven million people in Ontario.

Mr. Speaker, I do want to thank those who have stayed in the House. I think it is a real trial for them to stay and listen to a Liberal berate them and their perfect attention will not embarrass me in the least.

But personally, I want to say that this province is in dire financial straits. All one has to do is look at the record and it is quite evident that there is need for new thinking, a completely new approach. Most members will be biased in their views of what I have to say about the preconceived views of the establishment. But there is an old saying that goes, "if you have been doing it this way for a long time, it is probably wrong." And you now have put us into a position where, as I said yesterday, we increased the debenture debt in Ontario by \$500 million in one year, a 20 per cent increase and we are getting close to insolvency.

Mr. Speaker, yesterday I was presenting to the House the iniquitous and dictatorial policies of the Ontario Hospital Services Commission and I said we had been told by the Ontario Hospital Services Commission that they were going to close three hospitals in Grey and Bruce counties.

Particularly, the town of Chesley, in this hospital, which now serves a population of 7,500 people, there are three now active doctors who cover Chesley, south to Elmwood, north to Allenford, west to Paisley, east to Desboro, Chatsworth, Williamsford and Dornoch.

This is one of the hospitals they would close. This hospital serves a population of elderly people of over 70, more than any other place in Bruce county and there are 104 nursing home beds in Chesley. Moreover we have there, a Mennonite population of approximately 200 people and among these people is a very high birth rate and they make use of our hospital there but they do not have cars. As we are in the biggest snowbelt in the country, being 25 miles from the nearest hospital is a dangerous situation.

The hospital is presently enjoying 150 per cent occupancy. I go on to tell you of the many iniquities, the things they do not have there—there is no waiting room for visitors; a patient for X-ray has to sit in the office;

in the operating room there is no room to move; the records are kept in the cellar or the attic and they employ 54 people and the monthly salary is over \$12,000.

For this to disappear in a small community would be a real hardship for the community. In the Chesley district high school there are 26 teachers for 450 pupils; ten teachers in the Chesley public school with 250 pupils. Elderslie township school 13 teachers with 229 pupils; Arran and Tara 15 teachers, 400 pupils, and Sullivan township school, 300 pupils—in all about 2,000 pupils there would be left without a hospital.

We have three factories employing 225 men and the milk plant in Tara employs 62 people.

Due to storms there are 513 pupil days of absence in the high school. Our snowfall there is 126 inches per year as against 61 inches in Toronto. We have no stand-by lighting in the hospital.

This is the place they would close a hospital. Now they were going to close Walkerton and Durham hospitals too. The Walkerton hospital was built in 1965—built to meet expansion; so we build a new hospital which has debentures going until 1986, they are going to close it.

In Durham they built a hospital in 1963, built for expansion, a beautiful hospital. They are going to close that.

In the report, to justify closing these hospitals, the Ontario Hospital Services Commission came in and said, "we took a survey and we find that the rail services are good." But when you check the rail services to Durham, there is no rail service. There is only a hand car. But they say in this snow belt, if people have to go to the hospital they can use a snowmobile.

At the big public meeting we had, Mr. Speaker, the member for Grey South (Mr. Winkler) was there with about 2,000 petitions from people asking them to justify the position of the government. He pleaded with them that this thing would never happen.

The hall was packed and I could have taken advantage of the member for Grey South, made a political issue of it if I had wanted to, but I saw that he was as concerned at that point as I was, and as the people were.

To get back to the basic root of this thing—my friend from Grey South is from Hanover and this is where they are going to put the new hospital. So, he was on the spot, a

very bad spot. Before that, his concern was not about the people in the rest of the riding, whether or not they closed the hospitals.

But it develops in the publicity surrounding the whole affair, that it was rumoured that the hospital in Hanover had been sold and it is alleged that one of the purchasers of the hospital there in Hanover was a brother-in-law of the member for Grey South.

Now if this is not correct he can tell the House that there is no conflict of interest on his part through his brother-in-law. But this is an established part of the affair in Grey South. That being as it may, the member for Grey South told the assembly that, at no time as long as he drew breath, would they ever close a hospital in these areas and he said he would guarantee that the Prime Minister would back this up.

But the glaring fact is that the Ontario Hospital Services Commission, Mr. Speaker, can walk into any area regardless of what the Minister of Health (Mr. Dymond), wants, or what the people want, and say we are going to close down all these to put up a monument to medicine.

My point, if I have done nothing else today, is to show the House, and in *Hansard*, what a Frankenstein's monster we have in the Ontario Hospital Services Commission which is, in effect, nothing but government by commission, government by appointed people who are not responsible to the people who elected them.

Over the years I have been in this House and seen the government, when they get in trouble — the crime bill and so on — appoint a police commission to stash these things off in a corner; to cover things up so the people do not know what is going on.

Mr. Speaker, the very important thing facing the people of Ontario today is in the area of municipal affairs. Now, proof of the overtaxing in this area is to the extent of about \$160 million. And the motivation here was to play politics. I called attention to it in our last election campaign. I said the municipalities were in a bad spot, and that the ordinary taxpayer should be relieved of the cost of education. We recommended that 80 per cent of the cost of education be absorbed by the Ontario government. But, this government, not wanting to acknowledge that there was merit in the move, said that they would overtax by \$150 million and give it back to the people.

Now, it cost about \$5 million to return this money to the people. It cost about \$500 thousand to launch the publicity on the getting back of the money; and I would like to

ask the Attorney General (Mr. Wishart), sometime how much it is going to cost to fight these cases.

In Hamilton—I understand there are 265 informations laid in the city of Hamilton. It would be interesting to know the increased cost of implementing these in Ontario.

The Minister without Portfolio (Mr. Wells), does not agree that if the landlords raise the rent, it would make up for the return of this money. Well, he has lost all touch with reality because, he knows this is a fact. It is an insult to the intelligence of this House, to say this is not true. He will probably get a couple more assistants to find out what the facts of life are.

Hon. T. L. Wells (Minister without Portfolio): I said nothing of the sort.

Mr. Sargent: The Minister has the chance to say something now if he wants to.

Hon. Mr. Wells: The member said that this programme did not benefit very many people in Ontario. I say he is wrong. It helped over two million people.

Mr. Sargent: The facts will show the Minister is wrong.

An hon. member: They will show the member is wrong.

Mr. Sargent: Millionaires from the States have cottages along the Lake St. Clair area and they get a cheque from the Ontario government. Anybody who owns a cottage gets a cheque on this land. It is the biggest fiasco that ever happened. But I would say to you, Mr. Speaker, that if the province does not decide to go this route again, and it probably won't, it should not—

Interjections by hon. members.

Mr. Sargent: I am talking about \$150 million.

An hon. member: The member should ask some of his constituents about it.

Mr. Sargent: I should say this to the Minister, he is the only one in the House who hears any one over here.

I suggest the government should not weasel out of this repayment to the people of Ontario; it is justly theirs. I do not believe in the way the government is doing it.

Interjections by hon. members.

Mr. Sargent: As I have mentioned to members, they did not have the courage to go

the route that was proper, to give equity. But they do not know how to do things properly.

**Mr. S. Apps** (Kingston and the Islands): I am wondering if the member knows what the rebate is equivalent to in the city of Owen Sound. I might point out that in the city of Kingston it was the equivalent of about 18 mills on the tax rate that the people received back from the government. I think that is quite a substantial reduction in tax. I was wondering whether the member might have any indication as to what—

**Mr. J. E. Bullbrook** (Sarnia): Can the member tell us the administrative costs in Kingston?

**Mr. Apps:** I would say less than one per cent.

**Mr. Sargent:** Tell me how much the rents were increased to make it up, and I will answer the member's question. I will find it out.

Interjections by hon. members.

**An hon. member:** I would say that with the great majority of landowners, the rents were not increased out of proportion at all during—

**Mr. Sargent:** What does the member mean?

**An hon. member:** I think everybody will admit that there were some who took advantage of it, but I do not think they were very large proportions of landowners.

**Mr. Sargent:** Mr. Speaker, I have a letter from lady who has some cottages. She says:

I own two cottages at Wasaga Beach and the tax reduction on the two was \$57.68. During this summer, I had 10 tenants. Now, should I have figured up the proportion for each and mailed it to them? If so I should have been better not to have received the reduction at all. I think it would be absolutely ridiculous.

She phoned me, wanting to know what she should do. I told her not to do a damn thing. How ridiculous can you get? This is a kind of nonsense to keep people—

Interjections by hon. members.

**Mr. Sargent:** I understand, Mr. Speaker, that, come the Budget, you are going to take over all assessments in Ontario, put it under government control and appoint your assessors, county and city, as civil service.

We are getting into a situation whereby it is time someone quit playing politics and

looked at the facts of life. Because we are gradually losing the right to govern ourselves by this regional take-over.

I have been in this business of serving people about most of my life. I am afraid of the bureaucracy working into our lives. We have central control of everything we do.

I think what should go into the records is this submission from the county of Wentworth on what is happening to our way of life in the regional government take-over. I will tell the government this: as long as you have the Minister of Municipal Affairs (Mr. McKeough) going the route he is going to go, and the Provincial Treasurer (Mr. MacNaughton) going on that tax route, we hope that you fellows keep up this thing for the next two years, because you are going to be in real trouble when you go to the polls.

This is the most important document I have read in a long time, insofar as the rights of people is concerned, this submission about regional government. And my colleagues think I should read it into the record, but time does not permit. But it is so important—

Interjections by hon. members.

**Mr. Sargent:** It says:

This association opposes any movement for the reform of the municipal structures that has as its purpose the centralization of power at the provincial level of government. Because we believe that such a purpose is contrary to the federal system of government, as contemplated by The British North America Act which is the basis of our economic traditions in this country, and which has roots in the basic system of government.

And this goes on to tell about the association not being opposed to reform of the municipal structures.

But our association is opposed to a speedy reorganization of the municipal government that has been the grass roots or bastion of democracy in this province, in the country, for 100 years, without first a thorough study of not only all of the relevant facts, but full opportunity to be heard must be given to the elected municipal representatives, to the people to be affected.

There must be a full review of the experience and the studies and recommendations for reforms and various other factors as carried out in the United States and the United Kingdom as well as parts of Europe.



This can start a crack-up in our communities and the substitution of an asphalt jungle. Therefore, the government of Ontario should be notified that we are dissatisfied, that we do not favour a reform of the municipal structures.

In almost every case, the government has moved in with some theorist telling them that this is a good spot to put a regional government. And so they move in there without a mandate from the people. These things should be put to referendum. They are using a rake instead of romancing the people.

Interjections by hon. members.

**Mr. Sargent:** Mr. Speaker, this should be required reading for every member of the Legislature.

Interjections by hon. members.

**Mr. Sargent:** In this Department of Municipal Affairs, we have complete chaos in the subdivision sections. Ask any lawyer or any citizen who has tried to subdivide or sell a lot. Take the case in point of a good friend of mine who has a beautiful shoreline lot. He does not want to sell the land, he wants to deed it to his son and the government will not let him give away his land, his own land.

**Mr. Apps:** That is the federal government.

**Mr. Sargent:** We have, Mr. Speaker, on the manipulation of public funds through the Ontario Development Corporation and The Department of Trade and Development, we have the Caswell situation—

**Mr. V. M. Singer (Downsview):** We should take the member for Kingston and the Islands and teach him a few facts there.

**Mr. Sargent:** There is a multi-millionaire, Mr. Caswell, a great Conservative up north, receiving a loan from the Ontario government. He does go the route, but he obtains the loan from the Ontario government because it is a forgivable loan; he does not have to pay it back.

And so we have the Ontario government loaning our money to Caswell and his multi-millionaire chain. We loan money to the Holiday Inn group, a multi-millionaire chain. They would rather borrow it from the Ontario government because they do not have to pay it back. We have a large U.S. corporation, at cost to our economy—

**Mr. E. W. Sopha (Sudbury):** What did Smallwood call Ontario?

**Mr. Sargent:** We have large U.S.-based corporations, which are in the excess profits bracket, but they are borrowing money from the people of Ontario, from the taxpayers, for expansion plans.

I was in Calgary last week and an interesting thing happened. I was talking to the airport manager and he said, "Your Premier is coming into town". And I said, "How did you know?" He said, "Oh, we are having a Conservative convention down at the Palliser here. An interesting thing happened. We had a sign made up in the airport, 'Welcome, Premier Robarts'. They had us take it down and change it to 'Welcome, Prime Minister Robarts'." This is the corny approach that he has—the idolatry he has of himself—this man who is the Premier of Ontario.

As you get off at the airport in Calgary and go downtown you see a fantastic big structure called the Husky Oil tower. This Husky Oil tower is a multi-million-dollar structure built by a multi-million-dollar company, and I thought how ironic this could be. Here I am in Calgary, a taxpayer in Ontario, and we loaned them \$400,000 last year—the Husky Oil Company—in collaboration with a Tory ex-member of Parliament. This is what happens by this front row in the Ontario government. Taxpayers' money! No wonder the Premier is down to Ottawa, with a bushel basket, trying to get some money because he is in deep trouble.

Now we find the hon. Minister of Trade and Development is going to go to Osaka. He is going to spend a chunk of money over there—

**Mr. Sopha:** He is there every second week, is he not?

**Mr. Sargent:** One week we go to Germany to borrow some money and we give it to "Uncle Stan" to go back to Osaka to spend it.

**Mr. Sopha:** Well, he and the member for Scarborough West (Mr. Lewis) wave to each other as they pass.

**Mr. Singer:** From Biafra to Osaka it is just a short trip.

**Mr. Sargent:** And it is a matter of record. As I told the House yesterday, Mr. Speaker, the Premier is going to borrow \$60 million over there. Now our municipal debt is over \$3.6 billion, and the interest on that is \$1.5 million a day, so he borrowed enough money to look after our interest rate for 45 days.



**Mr. Apps:** What was that figure again?

**Mr. Sargent:** So he can go back again in another 45 days to get another \$60 million.

**Mr. Apps:** What was that figure about \$1.5 million a day?

**Mr. Sargent:** The member can figure it out, he is a good stick-handler.

**Mr. Apps:** That is about \$500 million a year.

**Mr. Sargent:** That is what it is and the government should be ashamed of it.

**Mr. Apps:** On \$3 billion? The member had better figure that one again!

**Mr. Sargent:** I want to suggest that we have come to the end of the trail insofar as solvency is concerned.

We have things like the Minister of Transport (Mr. Haskett) and his under-the-table deal with the R. L. Polk company. The R. L. Polk company is in a situation where it can have access to all records in The Department of Transport, but no agency, no other citizen, can have access to these figures. The Ontario government should be realizing about a quarter of a million dollars a year from this, but all they are getting is about \$30,000 a year.

We have known for a long time about the rigged prices we have with The Department of Highways in the oil and paving deals. We have known about that, but one year they caught 11 firms and they really rapped it to them. They did not send them to jail, but they told them they could not bid for three months on a deal. They are a ruthless bunch here.

**Mr. F. Young (Yorkview):** That was during the winter, too.

**Mr. Sargent:** It is not uncommon, Mr. Speaker, to read of some poor citizen in this province who has taken a little too much to drink on a weekend. It could be anybody who has created a disturbance and is convicted of being drunk and disorderly.

**An hon. member:** In Owen Sound?

**Mr. Sargent:** In Owen Sound. And a lot happens up in our Indian reservations. They really rap it to those boys up there on weekends. And the citizen has been sentenced to a week or two, or perhaps a month, in jail.

May I say that despite the fact that in this country for more than 50 years we have had legislation prohibiting combines which are

designed to overcharge the public for goods purchased by the public, it is a matter of record that no single person has ever been sent to jail.

In the field of combines legislation, the record is clear that our law courts have been lenient; they have not taken the law seriously. The law provides that where companies or individuals are guilty of conspiring one with the other in the creation of a combine, they shall be fined or sent to jail. In 50 years, no one has ever gone to jail.

I recall I was on the public utilities commission in Owen Sound for a number of years, and we had been buying generators, big new equipment, from Westinghouse and General Electric. Always two bids came in—and they took turns in bidding—but the prices were almost within small decimal points. So they nabbed these fellows, and we found out that over the province of Ontario there had been literally hundreds and hundreds of millions of dollars overcharged through this monopoly control and price-fixing. Nothing happened.

A fellow taking too much to drink over the weekend is put in jail, but the big companies can get away with murder. This is what happens in this province; there is one law for the rich and one law for the poor.

But more important than anything else, Mr. Speaker—

**Mr. P. D. Lawlor (Lakeshore):** They are not much better up in Ottawa.

**Mr. Sargent:** They are not pure up there either. But where we can affect this fact, we should do something about it. And when we are in government we are going to fix these things.

But more important than anything else, the Prime Minister last week, in his opening remarks, said something along the lines of the concern that I have been talking about for a long time with my colleague, the member for Windsor-Walkerville (Mr. B. Newman)—that is, about the need for jobs for students in the summer months, to have money to go back to school. And repeatedly the Prime Minister has said to me, or to the member for Windsor-Walkerville, "We are not in the employment agency business. That is not our line." Well, Mr. Speaker, I think that he is very, very lax, and something will have to be done in this regard.

I am going to stick to my remarks in this regard, because it is so important to get this across. I will read this because I am not a textual deviate: It takes more than talent or

determination to acquire a university education today. It also takes money.

A student living in residence at an Ontario university may expect to pay around \$2,000 a year for room and board, plus his own fees. If he is a good scholar, he can get some of this back through scholarships.

Interjections by hon. members.

**Mr. Sargent:** Well, I have two of them in school and I think those members are a bit out.

But for those who are the sons and daughters of middle- and low-income workers, and who are only average students, the traditional method of financing is a summer job plus a dip into the family pocket book. And last summer, Mr. Speaker, was a disastrous summer for students who wanted to work. Teenage employment was away off and there were few jobs available. The Manpower Department says there are 150,000 students in Ontario looking for work this summer.

This money bind is a national problem, but we must do something about it here in Ontario. The Economic Council of Canada has made it quite clear that economic progress in this country depends on a well educated population. The report said:

We recommend that the advancement of education at all levels be given a very high place in public policy, and that investment in education be accorded the highest rank in the scale of priority.

There is really no alternative, Mr. Speaker. We must educate our young people up to the limits of their ability.

We claim to be unable to afford free university training; then governments will have to provide more financial assistance. Student aid is not a charity, it is an investment, and if we care about the future of this country, then we are going to have to do something in Ontario to come to the rescue of these fine young people who need the education to build for the future.

In New York they have a programme going now for student jobs. They get them into government and they pay them \$2.50 to \$3 an hour during the summer months. High school students in this country are treated like slave labour. They make less than \$1 an hour; they do all the menial jobs. If they go to Banff or Jasper they make \$100 a week and they are treated like nothing. The way the big corporations treat students is a shameful and a shocking thing.

**Mr. Apps:** Mr. Speaker, I would like to disagree with that. The member is talking about jobs. My daughter went to Jasper and she had a delightful time.

**Mr. Speaker:** Order. The hon. member for Kingston and the Islands may direct a question to the hon. member for Grey-Bruce but he may not make a statement or comment.

**Mr. Sargent:** Did she come back with any money, that is the main thing. I feel so strongly about this, Mr. Speaker, that we need to have, in Ontario today, a minister of youth, a department of youth in government today in Ontario.

**Mr. Apps:** I agree with the member there.

**Mr. Sargent:** Well, I am glad. The member might get the job. I think there will have to be a dynamic move towards giving students jobs in the summer time.

I read in this morning's *Globe and Mail* that the hon. Minister without Portfolio, was lecturing to students that they would not get any loans, or they would not get any jobs if they did not behave themselves, because the Prime Minister of this province would tell industry not to give them jobs if they did not behave themselves. What a bunch of deceit and nonsense.

It says in this big press story in the *Globe and Mail* this morning that the Premier had personally appealed to the Canadian Manufacturers Association and the Canadian Chamber of Commerce on behalf of the students. Well, is that not just great? He appealed to industry to give them jobs. I bet that carried a lot of weight with the industries that cannot pay their taxes, and the Premier is the guy who put them there. This is so ridiculous.

**Mr. Speaker,** the point I would like to make is that somewhere along the line in our campus situation, the student demonstrations are a shocking thing. The student campus today is about a thousand light years away since the time that you or I were on campus, either at high school or university. A lot of us do not really comprehend what is going on, and those of us who have children talk to them and we try to get to the bottom of this, and find how much out of step we really are.

I think there is a position point that we are going to have to take. I say that we are light years behind, but I do not think that values, behaviour and responsibility should change.

I believe, personally, Mr. Speaker, it is time, in view of the recent developments we

have read of in the press the last few days — such as the takeover of buildings in our own province, property damages, and maybe the most important thing, the disruption of educational process of other students—that a position point be taken by the Premier of this province, by the Minister of Education (Mr. Davis), or even by the Attorney General — maybe that is the slot it should be in.

Along the line that any student, or groups of students, who do not adhere to the abiding guide lines that all other adults have to adhere to, that they be treated like the law-breakers in other areas, in the courts of the land.

I was talking to the secretary manager of Western University Students Union and he has 10,000 students in Western University under him. I said to him, "How many of the 10,000 students you have are demonstrators, or are the ones to worry about?" He said, "Less than half of one per cent."

On the other hand, I read of a story of a priest in Québec. He was the head of a university there, where 400 or 500 students went on strike. He was out on the steps and he took a microphone with him and a P.A. system and he said, "Students, I agree you have beefs, that there is something we should talk about. But as I am the head of this institution, I have a watch in my hand and if you are not all back in your classes in five minutes, you are expelled." And in five minutes they were all back in their seats in their classrooms.

**Mr. I. Deans (Wentworth):** What was the lesson to be learned?

**Mr. Sargent:** I suggest that the lesson is this: That 99 per cent of the students in our schools today, who are daughters and sons of all of us, have target dates to get through school. They have economic targets to meet, because their dad or mother cannot give them the tuition fees to get there. They are not the ones who are out on strike or demonstrating, I will tell you that. You would not see any of my girls out demonstrating. So, anyone who has a target date in life, or economic factor to meet, are the ones who are suffering.

**Mr. Deans:** If they were not out demonstrating how could they go back in?

**Mr. Sargent:** And it is not my view that one per cent of the school population should affect the future of many, many hundreds of thousands of students.

I think it is time we had a position point by the government insofar as this is a very important thing. These are the people who

will run this country, and be our leaders. All of us were revolutionary when we were young but we did not have the nerve to go out and burn buildings or to occupy them, because our parents would not stand for it. I think it behooves us to take a position point in this regard.

**Mr. Lawlor:** Was the member once a revolutionary?

**Mr. Sargent:** I was even an NDP member at one time.

Interjections by hon. members.

**Mr. Sargent:** But as you get along and get responsibility, you see what a snow job you have here. In no other system in the world could you operate the way you do under the free enterprise system, as long as you know what to do with it.

**Mr. Speaker,** I want to say a few things in regard to justice and my good friends, the lawyers, may not agree with what I have to say. But I think that somewhere along the line there is a need for a new deal in justice. So with great respect I say, **Mr. Speaker—**

**Mr. Deans:** How about the schedule fee!

**Mr. Sargent:** I find that the legal fraternity have too much control over our economy. They write the laws to suit the bar association, and there is no closer association in the world, unless it is the doctors.

**Mr. C. G. Pilkey (Oshawa):** What about hotel operators?

**Mr. Sargent:** They are all broke!

But I say—and I say it kindly—they take advantage of their position to frame the laws and frame the public. In virtually every business move you make today, you have to pay tribute to a lawyer somewhere along the way and I do not suppose my remarks are going to change a damn thing.

**An hon. member:** That is right.

Interjections by hon. members.

**Mr. Sargent:** But they are allowed to do such things as if you wanted to change a piece of land—a title—if you wanted to change it two or three times a year, every time you change title you have got to pay \$200 or \$300 for a title search for this piece of land. So a lawyer who does a title search for a housing subdivision of, say, 200 houses, ends up with a cheque of about \$60,000 for going through a piece of routine. This is the law today.

I have been reading, Mr. Speaker, a book called "The Lawyers." It is an American publication. And if we ever need any money for funds, we are going to tax the lawyers first.

What is going on? A lady wanted a divorce recently in Toronto. She could not afford to pay the stipend—the \$700—to a lawyer, so she went out and went to work on it herself. She ended up getting a divorce for about \$50, \$60 or \$70.

Interjections by hon. members.

**Mr. Sargent:** The overhead is important in any business, but to consolidate, my feeling in this thing is that we have gone this whole route.

The submission of Allen Linden in *Reader's Digest* was a very wonderful effort and when he analysed the whole situation, believe me, he was dumbfounded. He is a lawyer, yes, but he said it is like something out of Dickens, the hoi polloi here.

**An hon. member:** New legal term.

**Mr. Sargent:** I will quote him. He says:

Basically a land registry office is where you go, or hire a lawyer to go for you, to check that property. Your money really belongs to the person from whom you are buying it and this involves a check of every single document pertaining to a given parcel of land.

This goes on to show the intricacies of title search from thousands of documents and this is how the system is set up.

Now he suggests that it can be made computerized. You go into Air Canada to buy a ticket; there's some slot to put in the ticket and find out that you have got a flight.

So he suggests that the land title search can be computerized by people in the law society. You could say, "We will computerize this and give people a title search by putting a ticket in and getting it out like that."

**Mr. Pilkey:** They would not make so much money.

**Mr. Sargent:** They would not make so much money—that is the answer.

I think I should not do this because I have a lot of good friends who are lawyers. But it is time—

**Mr. Bullbrook:** The member had a lot of good friends!

Interjections by hon. members.

**An hon. member:** Who is the member going to speak to now!

**Mr. Sargent:** We said:

We have surrounded the law with a hoary mystique that makes progress seem highly impudent and that alienates the public the law is intended to serve. Judges wear robes largely because judges have always worn robes and are simply referred to as "my Lord."

Now he mentions a guy who got a jaywalking ticket. He says:

That we are there to command you, in Her Majesty's name, to appear before—

All this nonsense.

Then, he goes on to say that it is quite a thing to see what happens in the courts of Canada in 1969.

To summarize what I am saying there was a famous lawyer called Elihu Root—and again I will not deviate textually, I will read this. He says:

Our procedure ought to be based on this common intelligence of the farmer, merchant and labourer and there is no reason why it should not be. I say, not without experience in legal procedure, there is no reason—

And this is the key:

—there is no reason why a plain, honest man should not be permitted to go into court and tell his story, and have the judge before whom he comes, permitted to do justice in that particular case, unhampered by a great variety of statutory rules.

We have got our procedures regulated according to the trained, refined, subtle, ingenious intellect of the best practised lawyers and it is all wrong.

**Mr. Speaker, *res ipso locatur*** I believe means "the thing speaks for itself" in Latin.

I would like to say, Mr. Speaker, at this time, somewhere along the line today the Minister of Agriculture—

**An hon. member:** Is the member through with the lawyers?

**Mr. Sargent:** Yes. Mr. Speaker, the Minister of Agriculture and Food (Mr. Stewart) took a shot at agriculture today when he said he is going to reduce the loans and cancel loans for junior farmers and from here in the rate would be from 5 per cent to 7.5 per cent.

**An hon. member:** Seven and three quarters!

**Mr. Sargent:** Seven and three quarters. This is a clear indication, Mr. Speaker, that the government has no regard for the difficulties agriculture is in today, and that will be developed later in the debates.

But there is a great area that is not being considered in this province today—the area of the small businessman. Everybody gets grants, and they get recognition, but nobody in the area of small business has any support from any government in this country. In the United States the small business loans operation is a great boon to a great section of the economy and I suggest that we are not doing the right thing by a great segment of our people.

I have a letter here from a man named Pete McFarlane. It pretty well tells the story and I think it should go on record. He is an Esso dealer in Owen Sound. He says:

Please be notified that I am going out of business on October 26, 1968. Also please let it go down on the records that I feel that the government does not want small businesses to operate any longer. There is nearly enough extra work to keep a full time bookkeeper going, but not enough extra money. It is my contention, therefore, that the government either start paying for these services or start making special consideration for the smaller businesses such as this one, or stop demanding these extra time-consuming services.

And he is right. The government can walk into your office any day of the week and put you out of business by grabbing your books and holding up your staff. The powers they have are hard to believe, especially the federal income tax people, and the people that belong on the sales tax end of this government.

He says:

Lengthy records have to be kept on behalf of the following: Unemployment Insurance Commission. Treasurer of Ontario retail tax. Workmen's Compensation Board. Department of Energy and Resources Management. Department of Labour and labour standards. Income tax remittances. Canada pension plan remittances.

He says:

I agree with the necessity of these items, but in a small business there is neither the time nor the money to look after these things. If they are not looked after the

governments are very quick to send out penalties and fines.

Also included are both the federal and provincial governments in the "fleets of bookkeepers" category. I feel that the small businesses of Canada really make up the backbone of our country, and that if this complaint is not remedied there will soon be a lot fewer small businesses in this country.

If you could possibly help, then bring this matter out into the open. I have done something about it; I have gone out of business because I am fed up to the teeth with it. A person is much, much better off to go out and work for a large company with wages and time off and security, pension, union protection, etc. which are much more than the small businessman could ever expect.

I could go on and on. The unions and governments have looked after the average worker to the point that he has so much power in job security that he can almost tell his superiors what to do. How about doing something for the small businessman for a change?

**Mr. D. C. MacDonald (York South):** Does the member believe that?

**Mr. Sargent:** Well, it is a pretty good shot there. Good to have the member back.

We live in the age of the big take over, the concentration of everything into one, so we need to do something for the small businessman. He is human too; he pays taxes too.

Mr. Speaker, I thank you for your time. I want to finalize by saying that we have talked about the inequities, the reasons I am opposed to this government. Every member there, I know, is doing a great job in his own mind for his people and collectively they do a great job. But I am opposed to the policies of this government in their tax position, and I want to say that Ontario is not a province like any other.

It is an economic empire with a gross provincial product of \$22.8 billion and a spending power exceeding half of the member nations of the United Nations. We account for one-third of Canada's population, and half of the country's output of manufactured goods, with an aggregate personal income more than 40 per cent of the national total. We in Ontario contribute as much to national revenues as all other Canadians put together.



The Minister of Revenue (Mr. White) makes a crack. I had a letter from the hon. member for Niagara Falls the other day that was sent to him and the Minister jointly. The man was fed up to the teeth with the taxes. He said: "Instead of having a Minister of Revenue—since we do not have any money, we are broke—we need a Minister of Efficiency". Now this pretty well tells the story insofar as he is concerned. We need somebody that is going to give us efficiency in government instead of someone to look after money we do not have.

We know the strength of this province, but I say, Mr. Speaker, our financial resources have been wastfully plundered and drained. If we had a hundred problems, the constitutional heroics of the Premier would be the one hundred and first problem. The last thing we want from him, is to be a father of confederation, to talk about constitution.

Why would he go on national television and talk about these problems when he cannot look after his own? The worst mess in Canada is right here in Ontario. He could not run a glorified county council yet he is telling the rest of Ontario and Canada how to run their show.

I think we are getting a bit fed up, Mr. Speaker, with him blowing through his moustache at the taxpayers' expense. Payday is here; let us have some action.

The Liberal policy in this country of ours—and the Ontario policy of my leader and my party—is that we stand for the average Canadian, for the unorganized and the inarticulate—not for special occupational groups or social classes. We believe a major share of the benefits flowing from the economic growth should not go to the investors, risk-takers or corporate managers, but should be distributed by the government to the less privileged individuals. That is our policy, and we do not get into bed with the big boys like you do—the banks and the insurance companies—

Interjections by hon. members.

Mr. Sargent: I firmly believe in free enterprise but I also believe, Mr. Speaker, that we must do the things that are necessary to retain control of our economy and to maintain our independence. If we here in Ontario, needing the finances as badly as we do, fail to tax the United States corporations on a more demanding basis to make sure that their earnings stay in this country, then we can acquiesce to becoming a colonial dependency of the United States.

Two-thirds of our Ontario manufacturing capacity is owned by interests outside our country. Nine out of ten factories employing over 5,000 people are U.S.-based and U.S.-owned. I suggest to you, why cannot this octopus pay its fair share of our responsibilities? Why cannot the Ontario government tell these people that the corporate wealth of their whole operations should be owned 51 per cent by Ontario people, as it is in Mexico? It is such a threat today, Mr. Speaker, that an American oil and mining company can dictate depletion oil allowances to our government, federally and in this province.

Mr. Deans: Is that the Liberal government policy federally?

Mr. Sargent: I am saying this is a fact. And they are so powerful, I want to tell the hon. member, that the White House in Washington ordered the Canadian government to rescind legislation to put an advertising tax on *Time* magazine. It is a fact of life—the control that the American economy has on our economy. The point I am building up to is do we own or run our affairs—I think we only think we do.

I suggest we do this. We start the ball rolling in Ontario to tap the rich untapped vein of U.S. controlled industry, to force them to pay more of their rightful share. Mr. Speaker, I think that since cities are the children of the province, and they are taxed to the limit, that we will have to accept a new role in the mustering of new resources.

I suggest taxing U.S. corporations more; they are a great source of new revenue. It may be capital gains, it may be getting a bigger chunk from the insurance companies and the banks, but part of the challenge before us reaches far beyond the immediate needs of cities and service. I think to do the job we must have at least—

Mr. Deans: Careful now, the member is getting into the bag men.

Mr. Sopha: Just a minute now. Your bag men are in the United States. They are in Pittsburgh. I am referring to the NDP. Their bag men are in Pittsburgh.

Mr. M. Makarchuk (Brantford): The member does not know what he is talking about.

Mr. Sopha: The United Steelworkers of America and the United Auto Workers are in Detroit. Those are their bag men, if the



member wants to speak about bag men. That is where they are.

Interjections by hon. members.

**Mr. Sargent:** Mr. Speaker, I will close off by saying that if we are to do this job that we have to do, this government does not seem to be able to cope with the situation. The fact is they are almost to the point of insolvency now. I think they are going to have to go the route that some other economies have gone, and no doubt the Minister of Revenue has his economists looking at the New York state picture. But I think we are going to have to set a goal—geared to our population—of \$5 billion investment for this province for the next ten years.

**Mr. MacDonald:** Is this the hon. member's budget?

**Mr. Sargent:** It is not my budget, it is a budget of smarter people than you or I, and you could learn something, too, by checking up on a way out of this, instead of criticizing all the time.

**Mr. MacDonald:** I hope I do not talk in contradictions.

**Mr. Sopha:** Every time someone speaks for Canada, the hon. member for York South opens his mouth in opposition.

**Mr. Sargent:** You are right.

**Mr. Sopha:** Every time.

**Mr. MacDonald:** The leader of the Liberal federation in B.C. says that they have just lost confidence in Trudeau.

**Mr. Sopha:** He has done that to me. When I spoke for Canada he opened his mouth in opposition.

**Mr. Deans:** Does the member speak for Canada?

Interjections by hon. members.

**An hon. member:** They are speaking for Inco.

**Mr. Sargent:** It is obvious, Mr. Speaker, that the government cannot launch and sustain a programme of such magnitude through the expediency of the inflationary depths of financing. Instead it must apply the key lesson—to be read into the growth of the economy itself—and that is the imaginative and responsible use of credit. That is how everything operates in the world, the use of credit.

Interjection by an hon. member.

**Mr. Sargent:** What a painful operator. You build up a speech to something important and then you have a clown like that come in. What are you going to do?

**Mr. Pilkey:** The member is hitting below the belt; remember, the belt.

**Mr. Sargent:** I am hitting pretty high on the clown first.

**Mr. MacDonald:** A little below the belt—

**Mr. Sopha:** Control yourself for the soliloquy of Hamlet.

**Mr. Sargent:** Precisely such use of credit has been pioneered in New York state. I was talking of the Minister of Revenue in New York state, and in the past ten years they have met, and are dealing with problems similar to those in Ontario today. They got to the point of insolvency. And if you think we are not there now you had better check up and find out.

Interjection by an hon. member.

**Mr. Sargent:** I am not asking the hon. member; I am telling him. Under creative federal leadership and co-operation of Ottawa—

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, for clarification!

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for Grey-Bruce has the floor. If he will permit a question the hon. Minister may direct it to the hon. member.

**Hon. Mr. White:** Am I correct in thinking that the hon. member has suggested that we have a smaller deficit and make greater use of our provincial credit; is that the suggestion?

**Mr. Sargent:** I would like a chance to tell the Minister; in another two minutes I will have finished and then he can kick it around.

This is an exercise in futility, because basically it breaks down to three ways that this public credit will have to be used.

First, for the construction of facilities that are not self-supporting, such as parks, schools, mass-transportation. And the states and municipalities should authorize full faith and credit bonds with some form of Ottawa guarantee.

Second, the projects which are physical facilities and which can be made self-supporting. These include hospitals, universities and

middle income housing. And for these physical facilities, the state, the province and the municipalities again would provide support where necessary. They should create agencies and authorities to issue revenue or self liquidating bonds.

Third, is the area of public credit, but it cannot do the job alone. Incentives to attract private capital for the rebuilding of slum areas must be provided. This can be accomplished on a large scale by agencies such as the New York State Urban Development Corporation. The key is with the authorization of the issue of \$1 billion of self liquidating bonds, and a wide range of incentives. This corporation can attract \$5 billion of private capital.

**Mr. MacDonald:** Remember the Wintermeyer bonds!

**Mr. Sargent:** Mr. Speaker, this is a proven point; it has worked. If the Minister does not know about it now, he is derelict in his duty, and I suggest to you, in closing, that the tools are available. Mr. Speaker, the job can be done, and if we are to renew the whole promise of peace and justice and progress in the life of Canada, which we are trying to do, we cannot make less of a commitment. Thank you very much for your time.

**Mr. M. Makarchuk (Brantford):** Before I go into the main portion of my speech, Mr. Deputy Speaker, I would like to congratulate you in your other capacity, and also the Speaker, for the manner in which you both conduct the business of this House.

I would like at this time, to digress a little from what I had planned to say and just mention a few things about political finances.

The source of NDP funds is public. If anybody wants to know where we get our money, from what particular sources, from what individuals, information is available. All we ask in this particular party, is for the other two parties in this House to make public the same information, and if they have nothing to hide, then I do not see any reason why they are trying to keep it secret.

One only has to look at where their sources come from. You hear these rather feeble protestations as to how they are concerned about Canada, and you find out that the same corporations that feed the funds are also the same corporations who have their continentalist inclinations, who wish to tie in the economy and who wish to make this particular country a colonial empire of another country. Your two parties are, in sense, playing footsy with them.

Mr. Speaker, I would like to comment a bit on the manner in which the business is conducted in this Legislature and examine some of the operations of this House. I think you could start with the tedious opening exercises that many of the members have to endure before the start of every sitting. For a start, Mr. Speaker, I would suggest that you make some effort to update the prayers. I would suggest, besides the fact, Mr. Speaker, that there is no reason why we should dwell continuously in antiquity. It has always puzzled me why the Queen should be the only one that receives God's blessings. Why not include some of her relatives? And in the interests of an egalitarian society, include all the other people in the world. Concern for the British Empire perhaps could be more concretely expressed by asking for some divine intervention on behalf of the pound sterling. Perhaps in times of a Commonwealth conference you could add an extra request to the deity, something to the effect that the Prime Minister be blessed with women who have curvatures, and also tongues.

With a bit of imagination, Mr. Speaker, there is no limit to the number of matters that could be brought up for celestial consideration. For the Treasurer (Mr. MacNaughton), a balanced budget; or a surplus, because he believes in it. For the Adam Smith economist in the Liberal Party, a balanced budget so that they would shut up. Inclusion of a request for some divine assistance in passing a bill would probably indicate to the House much better than the order paper the matters of concern or the legislative trust of this government.

Of course, Mr. Speaker, if imagination starts to falter, there is no reason why you should not ask for some divine inspiration on your own behalf. If anything, Mr. Speaker, your job will take on new meaning. In short, you will become the chief liaison officer between us mere mortals and the deity.

At the same time, you will introduce new excitement into this House. Each day the opening exercises would provide something new for the members. Instead of spending much time in the ante-room agonizing over their conscience, waiting for the opening ceremonies to end, we could all be inside in our seats, looking forward to another meaningless, but at least new and entertaining performance by the Speaker.

Mr. Speaker, during this session and times in the past, hon. members have expressed criticisms regarding the secretarial and office facilities provided for the members. Last year,

Mr. Speaker, through the use of telephone answering service, I was able to keep track of calls made to my residence by constituents. In June, 1968, I received 205 calls. In July, 207. In August, 147; September, 313; October, 382; November, 358.

This is over and above the calls that were answered by myself. I do not believe that mine is a unique situation. I know of other members who have to deal with as many calls or more. The point here, Mr. Speaker, is that most of the callers are having problems and expect answers from their elected members.

On an average, a member will probably get about eight to ten constituency problems thrown into his lap every day. Many of these, such as inquiries about OMSIP mix-ups, can be handled by the secretary providing she has time. However, when you have a ratio of about three or four members to every secretary, not only does she not have time to do any constituency work but generally is unable to finish typing the normal daily correspondence.

As a result, the member is forced into finding out why Mrs. Jones' welfare cheque was not sent out or why Mrs. Morrison had her OMSIP cancelled, or any of the other many problems that a constituent may want to bring to the attention of his member. At the same time, the member is forced into doing a considerable amount of routine work such as filing and telephoning. The member is also expected to attend all committee meetings, caucus meetings, meet with delegations, go through enormous piles of mail, do his research, write his speeches, make speeches and spend time in the House.

Mr. Speaker, I am not complaining about these responsibilities. As Harry Truman said, if you do not like the heat, you should get out of the kitchen. With this I agree. The point I am trying to stress is that it is only right for a citizen of this province to expect to have somebody intervene on his behalf.

At the same time, it is the responsibility of this government to ensure that the member has adequate facilities to carry out his duties to the people that he represents. The responsibility of running this province is not for dilettantes, or part-time political dabblers or for gentlemen of leisure. It is a serious, demanding responsibility of an ever-increasing complexity.

**Hon. J. H. White** (Minister of Revenue): Well, the member's colleagues do not realize that; they are never in the House.

**Mr. E. W. Martel** (Sudbury East): The Minister should just take a look at his own benches.

**Mr. Makarchuk**: Yes, Mr. Speaker, I would suggest to the hon. Minister that he should look at his own benches to see the number of seats that he has vacant on that side before he starts commenting on this matter.

**Hon. Mr. White**: We do not have one member who is absent like your members are.

**Mr. J. E. Stokes** (Thunder Bay): There were six over there yesterday.

**Mr. Makarchuk**: Mr. Speaker, there is a civilized, efficient way of going about this business of government. In a province such as Ontario, which produces more than half the wealth of this country, it is pure stupidity to deny the member adequate secretarial help and it does not matter on which side of the House he sits.

In my mind, Mr. Speaker, I am convinced that the members also do not receive adequate compensation. Unless a member has other sources of income, his legislative salary and expenses are not adequate to cover the expenses of maintaining two residences for eight or nine months of the year.

**Mr. Martel**: Except if you are a Cabinet Minister.

**Hon. Mr. White**: These Socialists are quick to jump into the trough.

**Mr. Stokes**: What about the Minister's party chief Whip?

**Mr. Makarchuk**: Mr. Speaker, many times in this House we have discussed the possibility of an ombudsman. And although I have considered this to be a commendable idea, at this time I feel that this particular function can and should be carried out by the individual members. In the first place, no single ombudsman could ever hope to begin to untangle some of the contradictions that pass as bureaucratic decisions in this government.

This province would require about ten ombudsmen alone just to solve some of the mysteries that emanate from the OMSIP department. In many cases I have been approached by individuals who have tried to straighten out their own particular problems. In talking to them, I find out that the individual has exhausted all the usual avenues of approach and has lost confidence in the government.

He has written, phoned, and in some cases, has even made a personal effort to find the

person responsible for his predicament. He comes away from this frustrating experience convinced that the government is an unresponsive monster with tentacles, with a body but no discernible head.

Naturally, Mr. Speaker, this generates within a person a series of impressions, most of them hostile, regarding the purpose and the responsibility of this government and this Legislature. He starts to wonder if the legislative process is really relevant to his existence or his problems. If he approaches the member and the member is successful in coping with the man's problem, then there is a certain restoration of faith in the government.

A single ombudsman, Mr. Speaker, would be swamped the day he went into business. As an example, if the government persists in its basic shelter exemption bribery, this alone is guaranteed to tie up the ombudsman for at least two months of the year, as he tries desperately to pacify the enraged populace.

Mr. Speaker, the basic shelter exemption grant is quite a puzzle. Offhand, one would be tempted to inquire as to what the Cabinet was smoking when they decided on the plan, or just who was the fearless innovator who sold them on the idea. At a time when the public sector of our society is desperate for more investment, when the municipalities are pleading for money, this government decides to throw away \$150 million and then increase taxes and borrow more money.

Resorting to one of the oldest tricks in the book, trying to bribe the people with their own money, indicates not only the mental sterility of the Tory party, but also provides conclusive evidence to the desperation that exists in the Tory ranks, as they struggle to preserve their existence. If this were 1970, the basic shelter exemption legislation could probably be described as "Robarts' Last Stand". As things are, legislation which will be "Robarts' Last Stand" will probably appear in 1970 or the spring of 1971.

Mr. Speaker, one of the matters that concern me is the functioning of committees in this Legislature. There seems to be some confusion in the minds of a few of the members as to what powers the committees have to request people to appear and testify.

At this point, it seems that the matter is being clarified to a certain extent. As I understand it, the committees have the power to subpoena individuals to appear and to testify before the committees. If this is the case then I feel the committees can play a meaningful role in the functioning of the Legisla-

ture and its relevance to the people of this province. To them, Mr. Speaker, this Legislature is the court of last resort. In many cases they have nowhere else to turn to seek redress, air their grievances or find answers to their problems except through this House, providing it is prepared to act.

In the process of these public hearings by the committee, some light and at times a considerable amount of publicity, will be shed on the affairs of the province. Perhaps we may even find that the Legislature will start to re-assert its role as the institution that guides the affairs of this province.

In my case, Mr. Speaker, I am on three committees of the House; they are labour, agriculture and food and natural resources and tourism. At this time, Mr. Speaker, I give notice to the chairman of the labour committee, the hon. member for Kingston and the Islands (Mr. Apps)—and I hope he calls a meeting soon, we are waiting—that I will introduce a motion demanding that the management of Thompson Newspapers and representatives of the Toronto Newspaper Guild appear before this committee to answer some questions. Through the action of this corporation, peoples' lives are being seriously threatened, individuals may lose their homes, their places in the community.

Their families and their children are being affected. I can assure that the members in this party are not prepared to sit on the sidelines and watch the corporate cannibal proceed to destroy the hopes and aspirations of the individuals who are involved in that strike in Peterborough.

In the same motion, Mr. Speaker, I will include the management of Proctor Silex and also, representatives from the International Union of Electrical Workers.

If the Ontario Hydro dispute is not settled, then I would suggest that representatives from Hydro and the union should also be called to appear before the committee to present their versions of the dispute.

I would suggest that representatives from The Department of Labour, particularly conciliation officers, should be invited to participate in these discussions. There is no reason why any other labour dispute in this province should not be subject to scrutiny by this committee.

When we were selecting the chairman of the natural resources and tourism committee, my colleague from Timiskaming (Mr. Jackson) moved that representatives from Texas Gulf and other mining companies be invited to appear before the committee to testify and

answer questions concerning their particular fields of operation. At that time, the chairman, the member for Fort William (Mr. Jessiman), was more interested in having the committee spend its time watching movies, but after some persuasion he assured us that it would be a lively committee.

Well, Mr. Speaker, if it is going to be lively I hope the resurrection will come about pretty soon.

I can assure him now that motions will be introduced to have the mining companies appear before the committee. One of the intents in calling Texas Gulf is to find out what they plan to do regarding the smelter for northern Ontario. It is no use trying to ask the Minister of Mines (Mr. A. F. Lawrence); he does not seem interested in volunteering any information. Perhaps he does not know and perhaps he does and would prefer to be silent.

The point, Mr. Speaker, is that the resources of this province belong to the people of this province and it is about time that somebody around here started to take an interest in what happens to the wealth that lies in our ground or stands in our forests.

The corporations and their henchmen have demonstrated over the years that they can look after themselves or their kind. This Legislature should now start demonstrating that it can look after the people.

The other committee on which I find myself is the agricultural committee. During our first meeting I introduced a motion to have representatives from the meat processing industry—processors, food warehouse operators, agricultural equipment manufacturers, fertilizer manufacturers, and other groups associated with the agricultural industry—appear at one time or another before the committee. The Tory members of the committee, who are quick to recognize where their interests lie, hastily voted against the motion, and it was defeated. However, we did eventually settle on calling equipment manufacturers and fertilizer producers to appear before the committee.

On Tuesday, the chairman of the committee, the member for Prince Edward-Lennox (Mr. Whitney), announced that the committee's secretary will send out invitations to representatives of these groups to appear at some future meeting. At this time I want to put on notice to the hon. member for Prince Edward-Lennox that at the next meeting of the agricultural committee I will once again introduce motions to have representatives from all other agribusiness operations appear before the committee.

It is time that farmers in Ontario knew why tractors cost \$2,000 or \$3,000 more here than they do in England, or why potato harvesters manufactured in Canada or the United States sell for about \$7,000 in England as against \$11,000 to \$12,000 here, or why fertilizer is \$20 cheaper in the United States.

The other day I was informed, Mr. Speaker, that the Ontario Farmers' Union negotiated a contract, at a lower price, with the local fertilizer producers and they just turned around and found that somebody else had automatically cut the price by \$5 a ton. If this can be done there is no reason why other prices cannot drop.

At the same time, Mr. Speaker, this Legislature should look at all farm costs. In recent federal government task force on agriculture discussions it was noted that over the past 20 years the cost of inputs to the United States farmers has gone up 41 per cent. During the same time the cost for Canadian farmers has gone up by 79 per cent.

This is the reason why I am introducing the motion. We should look at the cost of all the inputs used by the farmers, not just machinery and fertilizers, and if the members opposite who profess to care about the farmers would vote like they talk, we would not have any trouble passing that motion.

From past performances it is quite obvious, Mr. Speaker, that this government is not really prepared to assert itself in the affairs of this province. But it is also obvious that the great mass outside these walls is not prepared to let events just float in this province.

After the next election the people of Ontario will again reassert their role in deciding the affairs of this province. For the people are starting to see that, although they may have princess telephones and new model cars every year, and shopping centres at every corner, provided by the corporation, they also see, Mr. Speaker, that the air is becoming unfit to breathe; the water unfit to swim or drink; the waiting list for hospital beds growing longer every day; places for older people becoming scarcer every week. They see thousands of families locked in perpetual poverty and misery; a housing market that does not provide housing; an economy that throws hundreds of people out of jobs on the whim of a corporate decision; a society that denies equal opportunity for education; and never hesitates when it comes to taxation. All this, Mr. Speaker, in a time of unparalleled affluence.

This is what is going to sink the two old parties. Despite all their protestations, their



voices of concern, their concern about housing and so on, all these great expressions of opinion, during this time, Mr. Speaker, they are not prepared to tackle the power structure that rules this province and country.

And as long as the corporate interests continue to set the priorities in our society and the governments continue to acquiesce, the social problems will not only remain but will increase.

One has only to look across the border to the south, to see an example of the affluent society with perverted priorities and princess telephones. I do not have to go into statistics about murder rates, or robbery rates, or mortality rates, or anything of that nature, or any of the other features of a sick society. You have to have blinkers in order to overlook them.

But there is a lesson that can and should be learned from what is happening to the south.

Putting more policemen into the streets will not solve the problems. Policemen are not social reformers. And yet, right here in Toronto, Mr. Speaker, when the *Star* carried a series of articles on Regent Park outlining some of the unsavoury situations that exist in that development and which call for social action, the Minister of housing introduced his own version of the constabulary society. Instead of getting to work, or at least planning, to provide the social facilities such as swimming pools, recreation centres, social workers, reasonable welfare, this Minister appointed a full time policeman to take care of the social problems. This, in its own microcosmic way, Mr. Speaker, demonstrates the nature of the Tory philosophy.

There are ways of solving the social problems in our society, but they cost money, and the money will have to come from the same power structures that control the Tory and the Liberal parties.

You have all heard the Prime Minister (Mr. Robarts), the Treasurer and other members of the Cabinet perambulating about this province, this country and even on the other side of the Atlantic pleading provincial poverty. There just was nowhere they could get money unless they got it from the federal government. Of course, the hon. boys were busy running their own special campaign on poverty.

During the same time, Mr. Speaker, one had only to look at the financial pages of any paper to see how poor things were or just how the economy was doing.

Mr. Speaker: Perhaps the hon. member could find an appropriate place to adjourn.

Mr. Makarchuk: Yes, Mr. Speaker.

Mr. Makarchuk moves the adjournment of the debate.

Motion agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, on Monday we will continue the debate on the speech from the Throne.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.

#### ERRATUM

(February 10, 1969)

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
1120	2	9	Change to read: 2. The invoices were not falsely signed.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Monday, February 17, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, FEBRUARY 17, 1969

The House met today at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests at the present time in the east and west galleries are students from William Treadway Public School in Scarborough; and in the west gallery, students from Hincks School in Toronto. Later this afternoon in the east gallery there will be guests from the Adult Education Centre on Keele Street, in Toronto.

**Mr. Speaker:** Petitions.

**Clerk of the House:** The following petitions have been received:

Of Harry P. Botnick, Abraham Bleeman, Yaakov S. Weinberg, Sandor Hofstedter, Wilferd Gordon, Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch and Nota Schiller praying that an Act may pass incorporating Maimonides Schools for Jewish Studies having university powers.

**Mr. Speaker:** Presenting reports.

Mr. Henderson, from the standing orders and printing committee, presented the committee's fourth report which was read and adopted:

Your committee has carefully examined the following petitions and finds the notices, as published in each case, sufficient:

Of the corporation of the city of Hamilton authorizing payment for certain public works, out of the corporation's general funds; and for other purposes.

Of the corporation of the township of Teck praying that an Act may pass authorizing debentures for an addition and alteration to Kirkland Lake Collegiate and Vocational Institute.

Of Carleton University praying that an Act may pass changing the procedure for appointment of persons to the Senate of the University; and for other purposes.

Of the trustees of the William J. Miller Trust praying that an Act may pass authorizing a new method of appointing trustees of the trust.

Of Lawrence Michael Baldwin, Kenneth Harold John Clarke, Herman Berthold Geiger-

Torel, Arthur Ellis Gelber, William Hugh Graham, Walter Homburger, James Mavor Moore, Robert Edward Peel, Wallace Arven Russell, Muriel Sherrin, Raymond Frederick Wickens, Calvin Gordon Rand, William Tennent Wylie and Frederick Gerald Townsend praying that an Act may pass incorporating them as Co-ordinated Arts Services.

Of the corporation of the city of Sarnia praying that an Act may pass confirming a certain bylaw with respect to a municipal transportation system.

Of John Robert Banks, Evelyn Florence Banks and John Lewis Banks praying that an Act may pass reviving the Charter of Banks Alignment Limited.

Of McMaster University praying that an Act may pass changing the composition, method of election and powers of the board of governors and senate of the university.

**Mr. Speaker:** Introduction of bills.

## TOWNSHIP OF TECK

**Mr. W. Ferrier** (Cochrane South), in the absence of Mr. D. Jackson (Timiskaming), moves first reading of bill intituled, an Act respecting the township of Teck.

Motion agreed to; first reading of the bill.

## McMASTER UNIVERSITY

**Mrs. A. Pritchard** (Hamilton West) moves first reading of bill intituled, an Act respecting McMaster University.

Motion agreed to; first reading of the bill.

## CITY OF HAMILTON

**Mrs. Pritchard** moves first reading of bill intituled, an Act respecting the city of Hamilton.

Motion agreed to; first reading of the bill.

## CITY OF SARNIA

**Mr. B. Newman** (Windsor-Walkerville), in the absence of Mr. J. E. Bullbrook (Sarnia), moves first reading of bill intituled, an Act respecting the city of Sarnia.

Motion agreed to; first reading of the bill.

## BANKS ALIGNMENT LIMITED

Mr. B. Newman, in the absence of Mr. D. A. Paterson (Essex South), moves first reading of bill intituled, an Act respecting Banks Alignment Limited.

Motion agreed to; first reading of the bill.

## CO-ORDINATED ART SERVICES

Mr. G. A. Kerr (Halton West), in the absence of Mr. E. Dunlop (York-Forest Hill), moves first reading of bill intituled, an Act respecting Co-ordinated Art Services.

Motion agreed to; first reading of the bill.

## TILBURY PUBLIC SCHOOL BOARD

Mr. R. F. Ruston (Essex-Kent) moves first reading of bill intituled, an Act respecting Tilbury public school board.

Motion agreed to; first reading of the bill.

## CARLETON UNIVERSITY

Mr. A. B. R. Lawrence (Carleton East) moves first reading of bill intituled, an Act respecting Carleton University.

Motion agreed to; first reading of the bill.

## THE CEMETERIES ACT

Mr. M. Shulman (High Park) moves first reading of bill intituled, an Act to amend The Cemeteries Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this Act removes the necessity for a coroner to sign a cremation certificate in cases that have already been investigated by a coroner. The purpose of this bill is to reduce the waste in The Attorney General's Department.

Mr. Speaker: The Prime Minister has a statement.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I am pleased to advise you and the members of the House that the Treasurer (Mr. MacNaughton) today signed a document for the second loan obtained by this government in the European capital market. We anticipate this borrowing will yield approximately \$64 million in Canadian funds. The actual transaction totals 240 million Deutsche marks, consisting of:

A public bond issue of 150 million Deutsche marks at 6.5 per cent, with a maxi-

mum term of 15 years. Redemption will commence on February 1, 1975 and will be made in ten equal annual instalments, for an effective term of ten and one half years.

Then there is a private placement of 90 million Deutsche marks bearing a coupon of 6.25 per cent for a term of six years.

The signing was completed in the head office of the Deutsche Bank at Frankfurt, West Germany. This bank is handling both the private placement and the public issue for the government of Ontario. Application is being made for listing of these securities on the Frankfurt stock exchange.

Sir, I would like to point out that while the Deutsche Bank is the official manager for us in this loan, it is truly an international bond issue. It is being underwritten by one of the strongest consortiums in the European financial field, made up of 63 of the leading European banks, savings institutions, financial houses and investment dealers. In addition to some 25 institutions in Germany, others are located in England, France, Italy, Belgium, the Netherlands, Norway, Denmark, Sweden, Switzerland, Austria and Kuwait.

While we are borrowing in Deutsche marks we are not borrowing simply from Germany, because these—

Mr. R. F. Nixon (Leader of the Opposition): Do the Arabs have a piece of the action too?

Hon. Mr. Robarts: Yes. These Deutsche marks are held in all these countries that I mentioned.

This second overseas loan will bring the total of our borrowing for Ontario on the western European market to just over \$100 million for the current fiscal year; and this is the total of our external borrowings for 1968-1969 on behalf of government operations, excluding Ontario Hydro.

The earlier borrowing was a private placement amounting to some \$40 million Canadian and was completed during August last year. The interest rate on that issue was 6.75 per cent, a rate one half per cent higher than the new borrowing. Hon. members might be interested to know that those notes are selling at a premium on the European capital market today.

I would like to emphasize that both these loans are part of the budgetary plans for the fiscal year 1968-1969, as outlined by the Treasurer when he brought in his Budget in 1968. Our loans and increases in the public debt in the current year match



exactly the requirements which were set forth in the presentation of the 1968 Budget.

While these borrowings are not related to specific uses, members will appreciate that a considerable part of our total expenditure in any one year is on capital facilities. As the 1969 Budget statement pointed out: "It is reasonable and equitable to stretch out the financing of these capital investments to match the timing of resulting benefits."

I would suggest that governments in respect to borrowing are not much different from private corporations which secure long term loans to finance construction of plants or to purchase equipment; or indeed from the individual householder who arranges a mortgage to purchase a house, or the individual who seeks the facilities of a bank to finance the purchase of an automobile. In all cases, the advantages of the immediate construction of the plant or use of the home or the new car are judged to outweigh the cost of the required financing and it is considered reasonable to extend at least a portion of the repayment over the life of whatever you choose to purchase.

The financing programme of this government is entirely consistent with the advice on public borrowing provided to the government by the Ontario committee on taxation, or the Smith committee. Hon. members will recall the committee recommended that the net capital debt of the province should not exceed nine per cent of the province's gross provincial product. I am pleased to be able to assure you and the members of this House, Mr. Speaker, that while our net capital debt cannot be determined specifically until the end of this fiscal year, it remains comfortably below that recommended limit.

You will be pleased to learn, also, that the interest cost of these new borrowings is about one percentage point lower than the rate Ontario could secure for an issue of comparable size in the Canadian capital market. This favourable rate will provide a saving of some \$600,000 annually to the taxpayers of Ontario.

**Mr. Shulman:** What happens when they revalue?

**Hon. Mr. Robarts:** I will get to that.

Over the life of the loan this represents a savings of many millions of dollars to the taxpayers of Ontario. In addition, this low rate provides a hedge against the possibility of a revaluation of the German mark. I might point out that whenever you borrow money from anybody on a long-term basis,

you always have hanging over you the risk of what revaluation there might be in the money in which you have to repay. We cannot avoid the possibility of revaluation, of course, but this low interest rate will give us a cushion against the higher costs of repayment in the event that the value of the German mark should be increased in terms of Canadian dollars.

There are other significant benefits to Ontario and to our economy through borrowing in the European market. In the first place it extends our international associations and encourages a closer relationship with foreign capital markets.

By borrowing in Europe—I think this is very important—by borrowing in Europe we avoid further pressures on the North American capital market which, with the cost of funds in North America, is already inflationary. We have not added to that situation. In effect, too, if we get our capital requirements in Europe we leave the Canadian market free for private business, for industry and for our municipalities, which also need to borrow money for their capital requirements.

So I am confident that the continued confidence in Ontario's economy as expressed by the acceptance of this loan in the European financial community, will also encourage overseas investors to look more closely at the many opportunities there are for investment in both Canada and Ontario.

In the years ahead, our country and our province will continue, of course, to require considerable capital investment if we are to develop our resources. We are very happy that we have been able to make this contribution through these loans towards broadening the source from which our future capital requirements may be obtained.

**Mr. Nixon:** If we are to accept the arguments put forward by the Premier in his statement of the last few moments as making it a good business proposition in many ways for Ontario to enter the German market, how does he explain the decision by Ontario to enter the New York market for \$75 million two weeks ago on behalf of Ontario Hydro?

**Hon. Mr. Robarts:** Mr. Speaker, that was a loan negotiated by Hydro, and I think perhaps more closely meets their requirements in that market. Hydro will be looking to other places for money in the future as well. Traditionally, Hydro has borrowed in the New York market, and they went there because they could get their requirements and

could obtain the loan they wanted there. But I am quite certain they are looking elsewhere as well.

**Mr. Nixon:** Yes.

As a matter of clarification, surely they do not enter any market; does the government not enter it on their behalf?

**Hon. Mr. Robarts:** No, Mr. Speaker, we guarantee Hydro's bonds.

**Mr. Nixon:** I understood those were in the name of Ontario.

**Hon. Mr. Robarts:** Pardon?

**Mr. Nixon:** I understood those bonds on the New York market were in the name of the province of Ontario?

**Hon. Mr. Robarts:** Well they may be; if they are we simply turn the funds over to Hydro. They negotiate those loans themselves. In other words, they have their own banking groups and so on.

**Mr. Nixon:** This might be an appropriate time, Mr. Speaker, on a matter of clarification—or it could be done another time—for the Premier to explain his personal involvement in the negotiation of this loan.

**Mr. G. Ben (Humber):** The Prime Minister only has one leg to stand on.

**Hon. Mr. Robarts:** I have two legs to stand on, one well buttressed down at the bottom.

I was very interested in the reference to my own personal involvement in the thing. It is not usual, I realize, for the head of the government to get involved in these matters, but it represents an entry into a new field and I wanted to indicate that as a province we were interested in this transaction politically as well as purely financially. I think there are very broad benefits that can flow to this country and to this province by our becoming involved with financiers in other countries.

As I pointed out in the statement, all the benefits are not necessarily purely commercial or financial. We are looking, of course, for import replacements at all times. Now if we can spread a loan such as this as broadly as we can through this bank, then of course it is bound to create interest in the province.

I think many people in Europe will be interested in why the banks think Ontario is as good a place as it is to lend money. I would hope there would flow from these transactions inflow of capital and inflow of

industry. We have trade missions all over the place trying to develop precisely this and it is all part of a total programme of development and expansion in the province, in order to ensure that we get those 100,000 new jobs we need every year.

I do not propose to go abroad every time we float a loan, but I do think there are occasions when it is valuable for us to indicate that we have, as I say, a political interest in these matters as well as a purely financial interest.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I wonder if I might ask a couple of questions in clarification?

1. Did the government seek this loan in Canadian dollars rather than Deutschmarks?

2. What will the net proceeds of the \$64 million loan be? In other words are we getting \$64 million *in toto*, or is that minus commissions and other charges? And if so, what is the effective interest rate through to maturity?

**Hon. Mr. Robarts:** Mr. Speaker, the member has two questions. First, we could not borrow Canadian dollars from this group of people from whom we borrowed these Deutschmarks, because they have not got Canadian dollars to lend; that is the first point.

On the second point: I am afraid the member will have to wait and ask the Treasurer. I do not have the information. The effective rate in any one of these loans comes about through a combination of charges.

**Mr. MacDonald:** The net proceeds!

**Hon. Mr. Robarts:** Yes, the net proceeds, plus commissions and right down the whole line. There are a great many people involved, but as I understand it—well I had better not tell the member what I understand, I had better take his question as notice and allow the Treasurer to give him the precise figures, because they probably come out to three decimal points of interest. But I can tell the member that in general figures it is about one per cent on the net cost of the money—about one per cent less than the rate at which we can borrow here.

**Mr. Speaker:** The hon. Minister of Transport has a statement.

**Hon. I. Haskett (Minister of Transport):** At this time each year there is a great deal of interest in the sale of motor vehicle license plates. Last year's plates for passenger cars, dual purpose vehicles and motorcycles will

no longer be valid after midnight on Friday, February 28.

Only about one-half of the 1969 plates have been issued in the 11 weeks since they first went on sale on December 2. The other half are still to be obtained. Nearly 1,000,000 sets will have to be distributed in the two weeks that remain before the expiry date on February 28.

While it may not be possible to avoid line-ups at this late date, I would suggest that the members may wish to encourage motorists to get their plates in the next few days instead of leaving it until the very last minute.

I expect that many of the members will be receiving inquiries about the February 28 deadline. Since 1965, when the opening date for issuing new plates was advanced one month to December 1, motorists have been able to obtain their plates at any time during the period of three full months.

Combined with this added convenience there was the firm decision to make the deadline a final one. These procedures provide the utmost fairness to all motorists and they ensure that no motorist need be stuck in a long lineup. Therefore, to maintain the consistency and fairness of this system, I reiterate that there will be no extension of the deadline, which is midnight on Friday, February 28.

**Mr. H. Peacock** (Windsor West): Mr. Speaker, I wonder if I could ask the Minister a question of clarification about his statement. In view of his commitment to the deadline, will he be making any improvement in the head issuing office's service to persons applying for plates, where recently as many as seven of the ten wickets were not staffed?

**Hon. Mr. Haskett**: Mr. Speaker, I would be glad to look into that and ascertain if it be so.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, on a point of clarification, I wonder if he would inquire as well whether it is possible to have these offices open in the evenings and on Saturdays so that people who have no other opportunity to buy licenses can do so in the evening and on Saturdays?

**Hon. Mr. Haskett**: Mr. Speaker, in a general way this matter was dealt with in a reply to a question from the member for Essex-Kent (Mr. Ruston) with respect to the issuing office in Chatham. I made a statement then with regard to the kind of service we expect the issuers to give.

**Mr. Singer**: Well, Mr. Speaker, with great respect to the hon. Minister—

**Mr. Speaker**: Order! The hon. member for Downsview can not convert this into a debate.

**Mr. Singer**: Oh, it is not a debate! I was not interested in the answer about Essex-Kent, I was interested so far as it applies to Toronto.

**Mr. Speaker**: The hon. member is out of order. The hon. leader of the Opposition has a question.

**Mr. Singer**: I guess he does not want to serve the public then; too bad!

**Mr. Nixon**: Mr. Speaker, I have a question for the Premier. Can a time be set aside for discussion in the House of the recent federal-provincial conference; and also what is the possibility of establishing a committee of the Legislature to deal with constitutional matters?

**Mr. MacDonald**: Mr. Speaker, I have a comparable question; perhaps I can present it at this point?

In view of the wide ranging nature of current constitutional review and of the desirability that Opposition as well as government parties be involved before the Legislature is asked to approve decisions arrived at by the Constitutional conference, would the Prime Minister consider the establishment of an all party standing committee and/or a special constitutional committee by this Legislature?

**Hon. Mr. Robarts**: Mr. Speaker, to deal with the question of the debate first: It was on Wednesday, February 5, I tabled a document which is entitled "Propositions of the government of Ontario submitted to the continuing committee of officials as of December, 1968." That is now a sessional document and I thought we might place it on the order paper. It would serve as a good basis, because it contains not the position of the government but the propositions the government put to that continuing committee and really is very wide-ranging in what it covers.

With that we could also debate the conference itself, in the event there was anyone who wanted to make comments about it; so that would look after the debate aspect of the situation.

I think perhaps we should leave that on the order paper for a week or so, so that members who wish to participate in the debate can read the propositions and decide which of

them they might like to make some comment on.

As far as establishing a committee to deal with constitutional matters, I find it difficult, really, in my own mind to come to a conclusion as to what such a committee might do. At the moment, there is really nothing we can refer to that committee. This whole question of constitutional reform is in the beginning stage. I think that was quite obvious at the conference last week. I would think that we might be better served by some general discussion in this House, as I have suggested, which could take place as outlined and the members could express their opinions at this stage as to what they think this government should do.

Now there is no doubt that before we get to any constitutional change in this country, there will have to be discussions and decisions taken by all the governments, and of course before any decisions like that could be taken there would have to be very wide discussion as to what the decisions were to be. But we have not reached the position where there are any decisions and I think that at the moment we might be better served if we were to have a general debate.

We have as a government made available to the members here and to the public all the information we have been able to gather and the research we have done. This has been published in various forms and made available to the members and to the public generally in order to stimulate discussion. But I just do not think, at the moment, that a committee really would serve much purpose. It may be that later on when we get into greater specifics such a committee might serve a useful purpose.

When we established the advisory committee we discussed various alternatives, such as the establishment of a Royal commission to examine the matter, or a select committee of this House; we decided at that time that the advisory committee, made up of people drawn from all political persuasions in the province, men who had spent a great deal of time thinking about these things, was probably the best approach we could make at that time. While I do not think that committee would have much purpose at the present time that does not mean that as these matters progress, at some later stage, we would not need a select committee of the Legislature to deal with something that might be a little more specific than those things with which we are dealing now.

**Mr. Nixon:** Mr. Speaker, if I might put a supplementary question.

Would the Prime Minister not agree that the experience in the Legislature of Quebec would indicate that this would involve the members of the Legislature in Ontario in something more than general debate? It would in fact give them an opportunity to discuss with, and question, the members of the advisory committee who are now available only to the members of the government and probably only to a small committee in the government itself.

There is a tendency for us on this side to believe, because of the lack of such a committee that we are asked to deal only in general terms and, in fact, rubber stamp a decision that the Premier and his advisors have taken, well in advance of any opportunity to even discuss it.

Beyond that, I would like to bring to your attention, sir, on a point of order, that in casting my mind about for a method whereby I could put before the Legislature, as leader of the Opposition, the proposal by form of a resolution that we have such a committee, I found that there was only one course open. That was to give notice of a motion which would be debated in private member's hour, and by agreement can never be voted on.

I feel this is a serious shortcoming in the rules that govern our deliberations, that it is not possible for me as an Opposition member, or anyone else, to put forward a motion or a resolution of that type with any thought that it could get careful consideration in the way that I believe it should.

**Mr. MacDonald:** Before the Prime Minister replies I wonder if I might ask a related supplementary question? In view of the—

Interjection by an hon. member.

**Mr. MacDonald:** Mr. Speaker, my point is this. I understand it was decided in Ottawa last week that the continuing committee on officials should report quarterly, rather than having these rather elongated sessions without any report. Therefore, would the Prime Minister not feel that with the prospect of quarterly reports, as well as many other topics—I think there are many issues—these many topics, plus the prospect of quarterly reports from the continuing committee of officials, would provide an agenda for a continuing committee of this Legislature.

**Hon. Mr. Robarts:** As I say, Mr. Speaker, I do not. I still hold to my opinion which is not lightly taken—I gave it a good deal of

thought. We are in the process of evolving a method of amending our constitution; that is precisely what we are doing in Canada today, and I would be quite happy to bear in mind the comments the hon. members have made. But I go back to my point; at the moment I really do not see what such a committee can do, that cannot be done here in the House.

**Mr. Speaker:** The hon. member for York South has a further question?

**Mr. MacDonald:** Mr. Speaker, I have two or three further questions. My next one is to the Prime Minister, also.

Would the Prime Minister elaborate on his comments to the press in Ottawa last week that he, or the Ontario government, does not favour the bilingual districts proposed by the B and B Commission because of their inflexibility?

**Hon. Mr. Robarts:** The only elaboration I can make is that as we have looked into the situation, we do not feel any good purpose would be served by drawing any tight sort of boundaries around areas and then terming them "bilingual".

For a long time, as I have pointed out before in this Legislature, we have approached these problems—before they became matters of such public discussion as they are now. We have been able to determine where we felt our citizens in the province needed bilingual services in order to avail themselves of the services of the government, and we have provided them. We intend to intensify these arrangements as much as we can from a practical point of view.

I think we all realize the great problem. There are bilingual personnel available but we do not think that any good purpose would be served by drawing arbitrary boundaries and saying, on one side of the line, you are bilingual, and on the other side, you are not. We do not think that this is a good way of doing it.

There is always the worry—the term of ghetto has been used—I do not particularly like that term, but nonetheless the idea expressed by it is among the nagging worries one has, if you draw these very sharp lines.

We think that we can achieve our purpose much more easily by having flexibility and by not establishing inflexibility through such boundaries. We do not really feel that such boundaries would make the task any easier.

Now, the B and B Commission recommended this, and the federal government is

considering it for its own purposes and dealing with the matter right across Canada. As far as we are concerned in this province, we think we can achieve our aims without the rigidity that would be involved.

**Mr. MacDonald:** Without disputing the validity of the government's conclusion, by way of a supplementary question, may I ask the Prime Minister—I assume that the government has come to this conclusion after having the benefit of the report of the task force—the five task forces—some of which looked into problems related to bilingual districts. Would the Prime Minister reconsider his earlier decision not to make these reports available to the Legislature so that we too might share the benefits of their studies?

**Hon. Mr. Robarts:** I will take that request under consideration too, but they were established to advise the government. They are not committees of this Legislature. There are some areas we may not agree with, as regards what these task forces recommended, and just at the moment they are under very careful study. I am not addicted to keeping information away from the members of the House if it is the best interests of all concerned that it be put forward here, and so I will look at it in the light of what the hon. member says.

**Mr. MacDonald:** My next question, Mr. Speaker, is to the Attorney General:

1. Does the Minister intend to meet with representatives of the Society of Ontario Hydro Professional Engineers and Associates, as requested in their letter of February 13, 1969, with reference to Bill 48?

2. In view of the significant body of opposition to certain elements of the principle of Bill 48, how does the Minister intend to assure full opportunity for representation from the engineering profession before second reading?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the letter of February 13 came in at the end of the week; I think I saw it on my desk on Friday. I answered this letter today and gave a date for a meeting, particularly with the Ontario Hydro engineers representatives. That has been done, and of course I might mention that we have had a number of meetings with the executives of the Ontario Professional Engineers Association over the past two years while this bill has been in the course of draft preparation by their body. It then came to us, of course, and was reviewed



and redrafted and submitted to the House for first reading in December.

Now, the procedure I would ordinarily follow and that we generally follow with respect to all major legislation, or important legislation, is to have the bill go to committee on second reading, and there afford the widest and fullest opportunity not only for representatives of the profession, but for the public and anyone affected to have an opportunity to come forward.

I have been told the engineers, those that have met me, that this would be our procedure, and that this bill would take considerable time in the legal bills committee; that there will be the fullest opportunity for the public to be represented and to make their case. Of course, this is an all-party committee, and so I am sure the representation, particularly of the hydro group and others who are in the same situation, will be fully debated.

I have also explained that the bill then comes back to the House, and faces discussion in committee of the whole House. I might say that a group met me at my home in Sault Ste. Marie on Saturday as soon as I got there in the morning. This was by arrangement and we spent some two hours discussing the principle of this bill.

So I am anxious to have the fullest discussion before second reading, as far as that goes, but particularly after second reading in the usual way, through committee and in this House.

**Mr. MacDonald:** Mr. Speaker, we have a bit of a dilemma here. Perhaps I did not make my point clear in the second aspect of my question. So let me try to rephrase it.

Since there is a considerable body of opinion within the profession that is opposed to the bill on principle, to exclude full representations from them, in advance of second reading, means that they are faced with a *fait accompli* when we go to the standing committee. I think you will find that there is considerable unhappiness about this.

**Hon. Mr. Wishart:** Mr. Speaker, I see the point the hon. member is driving at.

The groups of engineers, particularly those employed by Hydro, have expressed to me the view that they think some changes should be made in the legislation. I have, to a considerable extent, I think, explained to them that I would expect the representations that come to me with respect to this bill, to

come from the Ontario Professional Engineers Association.

**Mr. MacDonald:** Your predecessor had it blow up in his face when he did it that way some years ago.

**Hon. Mr. Wishart:** Well, this group, who are members, I trust and believe, of that association, should make their association present their views and, of course, I will hear them in any event. But I do not think that I can take the views of a small group, which is a fraction of the body of engineers, and change the legislation in the face of the profession's representations.

**Mr. G. Ben (Humber):** Why not?

**Hon. Mr. Wishart:** Well I think not and—

**Hon. A. Grossman (Minister of Correctional Services):** It could go on forever.

**Hon. Mr. Wishart:** —and I do not think I agree that the principles here are such that they can really take exception, they follow—

**Mr. Singer:** How do you know until—

**Hon. Mr. Wishart:** Well, I have heard them. I have heard them.

**Mr. MacDonald:** Kelso Roberts took exactly the same stand before the standing committee, and he had to beat a hasty retreat by withdrawing his bill.

**Hon. Mr. Wishart:** The principles of this bill follow very thoroughly the principles laid down by Mr. McRuer in his principle for—

**Mr. MacDonald:** That is not so!

**Mr. W. G. Pitman (Peterborough):** No, they do not.

**Hon. Mr. Wishart:** Well, the member will have a chance to debate that at the time but I think they do.

In any event, I am going to give the utmost opportunity for this group and the engineers, as a body, to be heard on every occasion. But I do not know that I can vary this bill. I do not think I shall propose it at this moment, at least unless I am convinced by the representations made to me within the next week or two weeks or three weeks if necessary.

I, at this moment, do not think I am going to change that bill which is now before the House having been introduced on first reading.



**Mr. MacDonald:** The Minister's characteristic flexibility would be useful here.

**Hon. Mr. Wishart:** Well my flexibility is still open to change, but as I say, I have got to hear these views first.

**Mr. Speaker:** The hon. member for Hamilton East has a question of the Prime Minister.

**Mr. R. Gisborn (Hamilton East):** Mr. Speaker, my question to the Prime Minister is, when did the government receive Professor Gertler's report on his study of the Niagara Escarpment?

What were the major findings of the study?

When will the report be released to the public?

**Hon. Mr. Robarts:** Well, Mr. Speaker, the report itself consists of a number of volumes which were presented to the government over a continuing period of time; each section dealing with some particular phase, aspect or area of the Niagara Escarpment. So, it was not one single report delivered to the government—at one single time.

We have an advisory committee on regional development and it has been studying sections of the report as it has come in and the advisory committee has the last of these volumes at the present time.

Their function, as an advisory committee, is to report to a committee of Cabinet which they will do and when they have done that, which they have not done as yet, then we will make our comments upon the study and make a decision as to what will be made public.

So, it is at that stage of procedure at the present time.

**Mr. Gisborn:** Mr. Speaker, might I ask a supplementary to that?

If the advisory committee of the regional development council is studying the reports, what reason is there that members of the Legislature could not also have copies? Do I have to assume that they are keeping them confidential and privately in their hands?

**Hon. Mr. Robarts:** Mr. Speaker, the government has all kinds of reports developed for it by various groups and bodies which are not necessarily public documents. You cannot run a government any other way.

These reports are presently being studied and they have not yet been considered by the government because, as I pointed out, the actual volumes of Professor Gertler's report had been referred to an advisory com-

mittee which, in turn, makes certain recommendations to the government and it has not done so as yet.

Until that is done we do not know.

**Mr. Speaker:** The hon. member for High Park has a question of the Prime Minister and certain other questions.

**Mr. Shulman:** Mr. Speaker, I have a question to the Prime Minister in two parts.

Does the Prime Minister intend to answer the letter from Mayor John Valiquette of Sturgeon Falls requesting action to prevent the closing of the Abitibi Paper particle board plant?

Part two, does the government intend to take any action to assist Sturgeon Falls in this matter?

**Hon. Mr. Robarts:** Mr. Speaker, when I received this letter from the mayor I immediately, of course, asked for comments from both the Minister of Lands and Forests and the Minister of Trade and Development. I have these now and I do propose to answer the mayor and will set out, in my answer to him, what the government proposes to do about it.

**Mr. Shulman:** Mr. Speaker, will the Prime Minister let the Legislature know, in due course, what his plans are in this particular problem?

**Hon. Mr. Robarts:** Yes, I suppose I will.

**Mr. Shulman:** Mr. Speaker, I have some questions for the Attorney General from last week.

Why has Miss L. Chenier of 60 Ruddington Drive, Willowdale, not been supplied a copy of the transcript of evidence in the death of Beryl Higgins, which she ordered in September 1968, despite repeated requests that she receive same?

**Hon. Mr. Wishart:** Well, Mr. Speaker, Miss Chenier inquired about the transcript in October. Her letter was answered by the supervisor on October 8; she was given the name of the shorthand reporter and my understanding is that she had been in touch with the reporter and has ordered the transcript.

The Attorney General's Department does not supply transcripts to persons but they are available through the reporter.

**Mr. Shulman:** Mr. Speaker, will the Attorney General accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** What is a member of the public to do if they order a transcript from the reporter and he just does not provide it?

**Hon. Mr. Wishart:** Well if there is a situation of that kind, if there has been undue delay—I do not think there is any refusal here—I would be glad to intervene and see what I can do to hurry it up.

**Mr. Shulman:** Would the Attorney General intervene in this case?

**Hon. Mr. Wishart:** I will check into it and see if there is anything I can do.

**Mr. Shulman:** Thank you. Will the Attorney General order an inquest into the death of Ernest Gibeau, who died in January 1968, following prolonged delay in receiving treatment for his condition while a patient in the Brockville Psychiatric Hospital?

**Hon. Mr. Wishart:** Mr. Speaker, I am advised by my officials that Mr. Ernest Gibeau was admitted to the Ontario Hospital on October 18, 1967, diagnosed as a chronic alcoholic with severe organic and mental deterioration.

In November 1967 a hard swelling below the right jaw ulcerating into the mouth was noted when the patient was examined by a surgical consultant and oral surgeon. This condition was first diagnosed as an abscess. When it did not respond to treatment it was ascertained that it was carcinoma of the tongue with ulcerating secondaries.

Mr. Gibeau was examined by two physicians at the Kingston Cancer Clinic; both doctors were of the opinion that there was no effective treatment that could be offered. The patient died on December 25, 1967, Mr. Speaker, not January 1968—not in January 1968.

**Mr. Shulman:** What was the date of death?

**Hon. Mr. Wishart:** December 25, 1967.

Mr. Speaker, due to the fact that my officials are well aware of the case, I do not propose to order that an inquest be held. I can see no useful purpose in holding an inquest in a case like this.

**Mr. Shulman:** Mr. Speaker, is it correct that Dr. Blackwell of the coroner's office has decided that no inquest is to be held into the death of Dorothy Gertrude Davis, which was discussed in this Legislature on November 27, 1968?

**Hon. Mr. Wishart:** Mr. Speaker, I have in my hand, a full, or at least a quite complete file of the criminal investigation which is being carried on by the criminal investigation branch of the Ontario Provincial Police. No inquest has been ordered. In fact, an inquest is not intended in this case.

This is the girl who disappeared, whose body was found some five weeks after death, completely or very thoroughly decomposed. An autopsy was performed by Dr. Fred Jaffe. There is nothing that an inquest would reveal now that would be helpful; it certainly would not indicate the cause of death, the autopsy established that. The case is still under active investigation by the criminal investigation branch, and there is nothing that an inquest would add to this matter.

**Mr. Shulman:** Mr. Attorney General, why did the Coroner and Crown Attorney in the inquest on January 24, 1969, into the death of Nicola di Federico in the city of Sault Ste. Marie, Ontario, refuse permission to the union representatives to ask The Department of Labour representative at the inquest whether the employer, the Algoma Steel Corporation Ltd. was in violation of The Industrial Safety Act?

**Hon. Mr. Wishart:** Mr. Speaker, the member for Dovercourt (Mr. De Monte) asked a very similar question the same day, I think, that this question was introduced in the House. I have taken it as notice and I am getting the information. I will answer as soon as I have the information.

**Mr. Shulman:** I have a further question of the Attorney General.

**Mr. Speaker:** Those are all of the questions.

**Mr. Shulman:** Yes, I am sorry. Thank you very much.

**Hon. Mr. Wishart:** There are some questions that I took the other day as notice; I would answer them now.

**Mr. Speaker:** Any question taken as notice may be answered of course, if the hon. Minister wishes to reply and is ready to.

**Mr. Shulman:** I believe there are two, Mr. Speaker.

**Hon. Mr. Wishart:** Mr. Speaker, there was one some two days ago. Question No. 483, of February 4, an inquiry by the member for High Park as to whether the Attorney General had looked into the matter of the non-

exercisable law in reference to the docking of horses' tails.

Mr. Speaker, I have looked at our previous file on this matter and find that when this complaint was made first it was referred to the Society for the Prevention of Cruelty to Animals. That, Mr. Speaker, was on March 4, 1964. After reviewing the matter—and I have the file here with the correspondence with the society—the society indicated it felt this practice was dying out and it was better dealt with by education than prosecution, and the then Attorney General agreed with the approach the society had taken. I might say that I also agree with that approach.

Mr. Hughes, the general manager of the Ontario Humane Society, wrote on March 6, 1964:

The policy of this society in connection with the practice is to discourage horse-owners from having the horse tails docked and set. Similarly, we are trying to persuade the organizers of horse shows to gradually change their attitude to horses that have been so altered to discourage them from being shown.

We feel that this practice is dying out and that the moderate approach of this society is the one best designed to encourage the practice to disappear completely. We have not, and do not, intend to take any criminal action of any sort against people who so dock horse's tails, preferring instead the more moderate approach of education.

The Attorney General of that day, presently the Speaker of this House, agreed with that, and I do too.

**Mr. Speaker:** The hon. member for Humber.

**Mr. Ben:** Thank you. Mr. Speaker, I have a question of the hon. Minister of Health. What were the circumstances in which two witnesses before the pollution enquiry, Dr. P. J. Lowther and Dr. A. E. Martin, were not asked to take the oath.

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I would have no ability to answer that question. The commissions and committees of this kind make their own rules or are guided by certain rules of precedent. I have no idea why they did not take the oath. It is my understanding that certain expert witnesses—into which category these two physicians fell—may be called upon for expert testimony, which is not necessarily given under oath. But whether this is a practice or not I cannot say. Since the committee has been disbanded, I have no way of getting this information.

**Mr. Ben:** I have another question of the Minister, Mr. Speaker, but to assist him he might look up the proceedings of hearings, No. 48 on page 15 of the report, and it will give him an idea why this question was asked.

The next question, Mr. Speaker, also of the Minister is: Will the Minister of Health immediately reopen the enquiry into pollution of air, soil and water, in the townships of Dun, Molton and Sherbrooke, in Haldimand County;

(a) In view of the availability of a new, highly sensitive measuring device announced by the autonetics division of the North American Rockwell Corporation?

(b) In view of the publication in a British learned journal, *Atmospheric Environment*, of the results of research by Lovelace, Miller and Welkie of Utah State University, which shows that simple fluoride compounds are being biosynthesized into fluoroacetate and fluorocitrate, both of which are highly toxic to animals and man?

(c) In view of the U.S. Air Force studies which suggest that the Los Angeles inversion atmosphere, or smog, may produce similar photosyntheses in free air in the action of sunlight?

Also, has the Minister approached Dr. McTaggart-Cowan, executive secretary of the Science Council of Canada, regarding the co-operation of Ontario in a possible national programme of air pollution research and monitoring in accordance with recommendation No. 6 of the UNESCO conference on the rational use and conservation of the biosphere, September 1968?

If not, will the Minister take the initiative here, in the light of the serious air pollution situation in some areas of Ontario, and in view of the recommendation contained in paragraph 790 of the report relating to the urgency of the government's acting on this whole question?

**Hon. Mr. Dymond:** Mr. Speaker, this is rather an involved question, as is very obvious. I have not read this paper yet and I, therefore, will take the question as notice.

**Mr. R. F. Ruston (Essex-Kent):** We are doing a better job than the civil service.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, I have a question of the Minister of Trade and Development.

**Mr. Speaker:** Order. The hon. member for Sandwich-Riverside has the floor.

**Mr. F. A. Burr (Sandwich-Riverside):** A question of the Minister of Trade and Development. Is the Minister planning to follow

the example of the federal Minister of Housing in persuading lawyers to reduce the legal fees charged in connection with the sale of homes, relating their fees to the amount of work done rather than to the selling price of the homes?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, the entire question of legal fees is really within the area of responsibility of the Law Society of Upper Canada, and each of the law associations in the province. I do not consider myself competent, nor do I believe it would be appropriate for me to suggest what the tariff should be.

I will be meeting with the federal Minister at the end of this week and will welcome any suggestions he may have that will help the housing situation.

**Mr. Speaker:** Now the hon. member for Scarborough Centre:

**Mrs. M. Renwick:** Thank you Mr. Speaker. A question for the Minister of Trade and Development. A four-part question.

1. How many units of housing in Ontario at present fall under the jurisdiction of Ontario Housing Corporation?

2. Are all of these units on the rent freeze extended by the Minister's department last May?

3. Is the Minister aware that persons living in OHC units, paying rent on the rent-geared-to-income basis, are living in fear that the new basis for tenants' rents under study since last May by OHC and CMHC may, in fact, come out as a higher rent for the tenants than they are paying now if the Minister is taking into consideration present market rents already flagrantly inflated in deciding the new rent basis?

Can the Minister assure the tenants living in this state of limbo since last May that the new basis of tenants rents: (a) will not be a rent increase; (b) will approximately remain the same; (c) or will result in a new lower scale of rent geared to income?

4. Is the Minister aware that the rent increase would mean many of the present tenants of OHC would not be able to pay a rent increase under any circumstances and would have to move? And they do not know where they would move to in the desperate high rent market of today.

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member's first question: There are at present in Ontario 21,514 rental units

which fall under the jurisdiction of Ontario Housing Corporation.

In answer to question 2, of these units, 18,548 are on a geared-to-income rental basis and therefore come within the terms of the rent freeze which was imposed last May. The remaining 2,966 are rented in a full-recovery or fixed rental basis and therefore the rent freeze does not apply to them.

In answer to questions 3 and 4, by her question, the hon. member is obviously making the assumption that a new geared-to-income rental scale would have as its basis present market rents payable today, and this assumption is totally incorrect. The study of market rents as part of an overall review of the scale was undertaken in an endeavour to establish a ceiling so that in no case would a tenant, depending upon his income, be required to pay more than market rent.

It is obviously impossible to predict the effect which the introduction of a new scale is likely to have on every individual tenant, but I would remind the hon. member that when the present scale was first introduced on April 1, 1967, the effect in Metropolitan Toronto was to decrease the rent for 58.1 per cent of the tenants, while the rates of 38.4 per cent remained unchanged; only 3.5 per cent found that their rents were increased under the new scale.

You can be assured that we will use our best endeavours with Central Mortgage and Housing Corporation to ensure that the housing subsidies go where they are most needed.

Mr. Speaker, I hardly believe that the rent freeze can be described as a "state of limbo", as since May 1, of last year tenants have had a fix on their rent regardless of whether their earnings have increased or not. By the same token, where the tenant's income has reduced, we have continued to apply rental decreases.

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. E. W. Martel** (Sudbury East): A question of the Minister of Energy and Resources Management.

How much interest was paid by Ontario Hydro in 1967 on the money it borrowed? And what was the total amount of wages paid out in 1967 to those Ontario Hydro employees who are members of the Ontario Hydro Employees union?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I think the hon. member has a series of ques-

tions for Ontario Hydro. I wonder if he would like to read them all now?

**Mr. Martel:** The second question is: How much of the power which was purchased from Quebec to supposedly offset the power shortage attributed to the rotating strike last week, as reported in the press, was actually purchased under a firm contract which was already in existence?

In view of Hydro chairman's remarks last December that utilities may be faced with power cuts because of a shortage of Ontario Hydro power, can the Minister tell the House whether recent purchases from Quebec were necessitated by the shortage referred to last December?

An the last question: In dollars and cents, how far apart are Ontario Hydro and the Ontario Hydro employees union from a settlement? And what has been the cost to Ontario Hydro up to February 14 to transport supervisory personnel across Ontario to replace Hydro employees participating in the rotating strike?

**Hon. Mr. Simonett:** Mr. Speaker, I will have to take this series of questions as notice and I will get an answer for the hon. member later this week.

I have the answer now to his question No. 586. The questions were:

1. How many mw of power were produced on November 14, 1968 by the energy combustion turbines? 2. How many mw of power were produced in Ontario during November, 1968 by the emergency combustion turbines? 3. Why was it necessary to use the combustion engines so much in Ontario?

The answers are:

1. At the time of the East System peak demand on November 14, 1968, combustion turbine units delivered 206.5 mw. In the West System, combustion turbine units were not operating at the time of that system's peak demand.

2. During November, 1968, combustion turbine units in the East System delivered 26,707 mwhr; and combustion turbine units in the West System delivered 34 mwhr during the month.

3. As indicated on page 63 of the Report of the Hydro-Electric Power Commission of Ontario for 1965 combustion turbine generators were installed because they can be purchased and placed in service with a much shorter lead time than the much larger conventional thermal-electric and hydro-electric

units. They also serve as stand-by units and contribute toward a more adequate margin of reserve capacity at times of peak loads.

During November, 1968, primary demands in the East System began exceeding previous record demands while declining stream flows reduced the amount of energy available from hydro-electric plants. A delay in the completion of repairs to two large thermal-electric units narrowed the margin of power reserves in the month of November and combustion turbine units were utilized.

**Mr. Speaker:** The hon. member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, I have two questions for the hon. Minister of Municipal Affairs.

Will regional government public utility commissions be set up for electric power supply in their entire regions and, if so, what will happen to the previous real property and equipment purchases made by municipalities? And will these commissions be similarly required to purchase real property and equipment now owned by Ontario Hydro?

The second question: Has the Minister revised his ideas as to the minimum numbers for upper- and lower-tier governments under proposed regional government systems?

**Hon. W. R. McKeough (Minister of Municipal Affairs):** Mr. Speaker, in reply to the first question: We have had a brief from the directors of the Ontario Municipal Electric Association which proposes that electric utilities be on a regional basis. The brief makes some mention of the matter raised in the hon. member's question. This recommendation, as we understand it, is from the directors to the OMEA general meeting, which will be held some time in March, I believe.

I would assume that after the annual meeting has considered that resolution, the OMEA will come forward to government. Then, I imagine, there will be a continuing exchange between the OMEA, Ontario Hydro, The Department of Energy and Resources Management and ourselves.

Not until that has been completed, would we be in a position to answer the question.

In regard to the second question, the statement on regional government which I made in the House on December 2, 1968, did set out some population figures, which I stated we were working towards. However, in the same statement I also said:

Obviously access becomes virtually impossible in many rural and northern areas



if we adhere rigidly to our minimum desirable population figures . . . areas would be so large that individual access to regional decision making would be meaningless. To this extent our regional governments will show variation in population and size.

**Mr. Speaker:** Is there a supplementary question?

**Mr. Good:** Would the Minister accept a supplementary question? Am I correct in assuming that because of the views the Minister gave to the transportation conference last week—and also because of the fact that he has set up areas within the new regional government in Lincoln-Welland—that the minimum standards are actually going down in numbers in practice?

**Hon. Mr. McKeough:** Are going down?

**Mr. Good:** For the lower tier.

**Hon. Mr. McKeough:** No, I think the regional municipality of Lincoln-Welland as proposed, indicates exactly what I have said, because we are shooting for a population in the lower tier from 8,000 to 10,000—but the township of Wainfleet has about 5,500.

**Mr. Speaker:** The hon. member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, I have a question of the Attorney General:

In view of the recent CBC-TV programme on the possible murder of Tom Thompson and in view of the many questions raised by that programme, does the Attorney General wish to make any statement?

The second part of the question: Does the Attorney General propose that the grave be re-opened in order to verify that there is a body therein and the skeleton is that of Tom Thompson?

**Hon. Mr. Wishart:** No, Mr. Speaker, I have no wish to make a statement and I have no intention of making a statement about the CBC programme. I certainly have no intention of ordering that the grave be re-opened at all. Perhaps if I were to get a request from some close member of the family, I would consider it, but I would hope that nobody would disturb the situation any more than it has been disturbed.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an

address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, before I resume my speech, I would like to congratulate the members of the Liberal Party. I understand they are going to re-examine the pecking order in that organization. I suppose the addition of an ornithological species to the party will not do it any great harm—it may add something to it. We may even see the re-establishment of the truth squad of Eddie, Ben and Judy, or something like that.

Mr. Speaker, when I was speaking last Thursday I was pointing out to the members in this House that the only lack of money in this province seems to be in the public sector of our society and certainly not in the private sector. If we examine some of the financial reports from the newspapers we will learn something. I will just quote from a couple of issues of the *Toronto Globe and Mail*. The first one is from February 1, 1969. I will just read the headings:

Domtar Ltd., of Montreal, had a profit of \$10.8 million or 72 cents a share in 1968, compared with \$9.1 million, or 60 cents a share in the previous year.

Dominion Textile Company Limited, of Montreal, reports that profit for the six months ended December 31 was \$2,115,000 or 80 cents a common share, up from \$1,203,000 or 45 cents a share a year earlier.

D. A. Stuart Oil Company Limited, of Toronto, says profit increased to \$305,417, or 67 cents a share in the six months ended November 30, from \$175,074 or 38 cents a share a year earlier.

Salada Foods Limited, of Toronto, reports profit increased to \$217,000 or 8 cents a share in the three months ended December 31 for \$197,000 or 7.5 cents a share a year earlier.

Du Pont of Canada Limited, Montreal, says profit increased to \$12,553,000 or \$1.57 a share in 1968, from \$10,425,000 or \$1.30 a share a year earlier.

Here is a good one:

Steel Company of Canada Limited, Hamilton, had record production sales and profit in 1968. Profit was \$67,971,231 or \$2.79 a share, compared with \$46,732,814 or \$1.94 a share in 1967.



We notice here the Royal Bank of Canada profits, by comparison. It says:

The Royal Bank's balance of revenue in the fiscal 1968 was some 48 per cent higher than in the previous year.

We look at the headline of the *Globe and Mail* of Wednesday, February 12. The first thing you see across the top is: "\$1 million Belvedere giveaway hot on the heels of a TV ad ban."

In other words they can give away \$1 million. There is no lack of money in that particular department. These are some of the figures that are in the paper.

I have some more figures from the Wednesday, February 2, *Globe and Mail*. It says:

Granby Mining Company Limited, Vancouver, says 1968 profit from operations increased to \$1,137,000, or 79 cents a share from a restated \$829,000, for 57 cents a share in 1967.

Bartaco Industries Limited, of Orillia, says profit for nine months ended September 30 was \$679,123 in revenue. The nine months' results show a decided improvement from the 1967 year ended December 31, when the company reported a profit of \$276,840.

Canadian General Electric Company Limited, of Toronto, had a profit of \$14.6 million, or \$1.83 a share in 1968, compared with \$14,530,748, or \$1.82 a share, from the previous year.

Hollinger Mines Limited, of Toronto, says profit for 1968 was \$12,300,303, or \$2.50 a share, compared with \$11,642,165, or \$2.37 a share, a year earlier.

Labrador Mining and Exploration Company Limited, a Hollinger subsidiary, also reported an increase in profit to \$7,860,483, or \$2.38 a share, from \$6,939,796, or \$2.10 a share.

All these figures indicate a small cross section—but it is an indicative cross section—of the rate of corporate financial activity in this country. What they indicate is that there is no lack of money in the private sector. The only poverty in the country is in the public sector, or in other words, we can find money to build hotels, but not homes and hospitals. This, Mr. Speaker, is the crux of the matter.

Unless this government is prepared to plan their economy using the various methods available to them, such as investment taxes, price review boards, limitations on investments, Crown corporations, sweeping changes in taxation—unless it is prepared to do the things I have just stated, it will never raise

a sufficient amount of capital required for investment in the public sector.

What we have in this province and the country, Mr. Speaker, is a financial situation similar to the one that existed and, to a great extent still exists, in the municipal field. The only exception is that we have finally recognized that in the municipal field the existing tax structure based on property was not able to provide, except as a great expense to the taxpayers, the necessary revenue to pay for the various municipal services. The government has recognized this and is taking some measures in the municipal field by the transfer of capital.

The point here is that while the need for public investment was growing in the municipal field, it was also growing in all other fields, and just as the municipalities discovered that property tax alone would not pay for their services, this government is discovering that the existing structure of sales, income and all other existing taxes will not provide sufficient funds for the growing needs in the public sector.

The false hope that the normal increase of the gross national product will generate enough capital without trying to slice the pie differently is becoming more and more obvious to this government. If it looks at the matter realistically it will find out that it may have to tell General Motors or Ford that they will have to stop changing models every year and the savings from this would go into the public sector.

Bell Telephone may have to be told that princess telephones are not as important as hospital beds and other corporations will get similar messages. The old 48/52 per cent split in corporation tax may have to go and any hope that the corporations may have of passing on the tax increase to the consumer will have to be stopped by a price review board and corporations may have to learn to live with a return on investments of about three to five per cent instead of 15 or 30 per cent.

What I have proposed, Mr. Speaker, is not new. At the same time we do not have any illusions about the Tories and the Liberals changing the pattern of corporate or investment operation. Your record of complicity in corporate decisions and activities is written large across the land in slums, pollution and poverty. Yours has been the consistent pattern in the past and it will be in the future, if you have any.

I just have a few more matters to bring up, Mr. Speaker. The first is probably not the responsibility of this Legislature, although I feel that it should be. It has been a matter

that has been on my mind since it came to my attention over a year ago. During this period of time it has seemed to develop into a rather serious situation, and this is the matter of the local municipal welfare administrator.

I was going to discuss this matter in the course of the department's estimates. However, I feel that in my case it cannot wait. This is the matter of a welfare administrator, or one of his staff, sending people who are seeking welfare to a plant that is on strike. In effect, what they are doing is using people who are in desperate situations and forcing them into becoming strike breakers. This may be a situation that is only peculiar to Brantford, but some of the happenings have wider ramifications.

The same individual, the same welfare administrator, has caused people, older men, to appear on my doorsteps in tears, relating a tale of abuse at the hands of the administrator. I have had elderly women phone me complaining about this man. On one occasion a tearful caller related how his relative was told to go and become a prostitute if she wanted any money.

The other day, in a welfare situation involving the Children's Aid Society, the aid officials, in their objective opinion, said that unless the family receives assistance there was a good possibility that this family would break up and the two children in the family would suffer and would have to become wards of the Children's Aid Society. When this was reported to the welfare administrator he said, "I do not give a damn about the children."

On still another occasion, a couple was forced to sleep in a car in below freezing weather while the children stayed with relatives, all because this man refused aid to them.

This man has publicly abused welfare seekers and recipients, has shamed them publicly and privately and has insulted them on other occasions.

Mr. Speaker, when a man or woman is down and out and has doubts about his own dignity and self-respect, surely there is no need for them to undergo any further ordeals at the hands of the municipal official whose 80 per cent of his salary is paid by the province?

I am not sure how this man was hired for the job. Personally, I would not have him as municipal dog catcher for fear that he would probably bite the dog.

There is not a social agency in Brantford

that has a kind word for the man. It is not that they do not respect him. It is that they are convinced that the man should not be in that job.

As I said earlier, considering that the province pays 80 per cent of the cost, I feel that the Minister should start putting some of the municipal welfare administrators under some type of professional scrutiny or transfer their functions to the family service agencies, as in the case of Brantford.

While I am on the matter of welfare there is another point which I wish to bring to the attention of this House. This is instituting in Ontario's welfare programme a system, whereby the welfare seeker will set his own level of requirements. Although this may sound radical in Ontario, the measure is being instituted in the United States.

Here is what an article from the December 19 issue of the *Christian Science Monitor* says about the matter:

When the Department of Health, Education and Welfare said recently that all 50 states will have to adopt a self-declaration system for welfare by next July, it was meeting a pledge made by Secretary Wilbur J. Cohen during last summer's Poor People's Campaign. But it also was agreeing to a demand, generated by the nation's overtaxed welfare setup as a whole, for a more efficient system.

Basically the new policy means that the welfare applicant will fill out the necessary forms by himself, much as everyone does with his income tax. Will he cheat? Not likely, say those states and communities already using the method—25 states have tried it for at least one welfare programme, and New York has just completed a one-year test in parts of Brooklyn and Manhattan. Less than two per cent who thought they might get welfare help were found ineligible, which is about the national average when the forms are filled out by the welfare workers.

What are the new method's benefits? From the welfare agencies' viewpoint, case-workers should be freed from most of the financial investigation which now eats up 70 to 95 per cent of their time. Much of this "investigation" merely consists of sitting across the desk from an applicant and filling out a form that he could easily fill out himself. It has been found that there are fewer errors in forms filled out by applicants, both because the new forms have been greatly simplified and streamlined and because applicants seem more at

ease putting down personal data on a form than in disclosing it during an interview.

From the recipient's side, he will welcome having his request judged as an objective matter of need. There has been in the past an overtone of a presumption of fraud in the application process which recipients have resented. Under the new system, spot checks will be made on perhaps 10 per cent of the applications, just as with income tax returns. And those details that require verification—such as disability, or having been refused a job or training for “good cause”—will continue to be checked.

Financial investigation itself has already undergone major change in the past few years. At one time, agencies would check all banks in a city to uncover any unlisted bank accounts, or relatives would be canvassed to determine whether any could take up the support of the applicant, even though such support could not be legally required. In 1966 the government ended these practices.

Caseworkers, freed of much of the financial paperwork that can now be handled by clerks, will be able to spend more time counselling and aiding the needy. They will welcome this. Much of the difficulty of recruiting and keeping professional workers has been their frustration at not being able to contact those in need of services. Their past role as investigators has made it hard for them to win their clients' trust.

Opposition to the self-declaration system may come from two directions. First, the welfare scandals, budget crises, and welfare-rights agitation of recent months have added to a general mistrust of welfare. In Massachusetts, for example, a review of each recipient's eligibility every two months has been proposed in the aftermath of welfare troubles in the state. Such a move hardly shows any inclination to take the recipient's word on his needs.

Also, there is a suspicion of any welfare changes that might lead to something like a guaranteed minimum income. Reducing the inconvenience of getting help might make living on welfare seem even more inviting than earning a living, some fear.

But experts point out that, of the roughly 9,000,000 people getting aid, only 10 to 12 per cent could in any way be thought of as potential breadwinners—and this includes mothers with dependent children, many of whom already work. The

rest are the children themselves, the aged, and the disabled.

Many professional welfare workers hope the self-declaration system will help put the nation's welfare house in order. The long-range goal, they admit, is to stop the self-perpetuation of a welfare class in this country. To do this, they hope to focus more of their energies on the young. The new method may help them to do so.

I would suggest, Mr. Speaker, that this government give serious consideration to the implementation of the self-declaration systems in Ontario.

Mr. Speaker, I have decided to conclude my speech with an item for the newly appointed House leader, also heir apparent for the Tory leadership contest. This deals with the sleazy way that the LCBO operates in hiring employees for its liquor stores. Since it comes under the Minister's responsibility, it at times amazes me that a supposedly modern individual—by that he is not of the old school of Tories—a Minister who probably believes in fair play, equality of opportunity and all those other beautiful virtues, how this man of the 20th century, this advocate of supposedly responsible government would still permit a local Tory chief, or whatever he is known as in your ranks, to decide who shall get a job in the liquor store.

I heard about this slippery arrangement but I really did not try to find out how it works until close to the holiday season. At that time, I received a call from an individual who asked me to get him a job in the local liquor store to help out during the Christmas rush. He explained that when he was in Kingston, he used to approach the member for Kingston and the Islands and he always got him a job in the liquor store. It was then, Mr. Speaker, that I realized why the member was appointed chairman of the labour committee.

Anyway, to get back to Brantford. I was not able to help the man, but a few weeks later I received a call from a Mr. Andrew Grierson, who started to relate the tale of how he tried to get a job with the liquor store. Hearing of a couple of impending vacancies the man approached the manager of the store who explained that there was quite a routine to get a job in the store.

First the man went to see Mr. Andrew Donaldson, well known city alderman, one time city man-of-the-year, and defeated Tory candidate. Actually, Mr. Donaldson's role in the matter is quite small. He supplied the

addresses to which to apply, which is very reasonable.

Mr. Grierson wrote to Mr. W. G. Wiley, LCBO, Lakeshore Boulevard, Toronto. Ten days later, he got an application, which was filled in and returned. Following that, he received a cryptic note that the application had been received and something to the effect that no further acknowledgements would be forthcoming.

Well, Mr. Grierson—this is my man—waited, and then he went to see the manager of the store. There he was told that the decision as to who will be hired will not be made by the manager of the store, but by Mr. Reville Hitchon, also of Brantford. Now, Mr. Hitchon, besides being the chief Tory, or the local Poo-Bah, or whatever you call him—big wheel—is in the insurance business and not in the liquor business, certainly not in any visible way.

The point here is, why should an individual who wants to work in a store, sir, have to go and subject himself to questioning and scrutiny by anybody except the people directly concerned with the management or the operations of the store? Anyway, my man, Mr. Grierson, did see Mr. Hitchon on various occasions, who discussed with him the application without giving him a definite answer. Eventually he suggested a few days ago that they will call him—sort of, “do not call us, we will call you”—when they decide there is a job for him.

I do not have to point out, Mr. Speaker, that this is simple patronage, conducted by this government in a rather blatant manner, which puts into disrepute all the qualities of a democratic government for which this Legislature is responsible. Personally, Mr. Speaker, I am amazed at the Provincial Secretary, who stands up, on all possible occasions, expounding the virtues of responsible government and at the same time, tolerates this perversion of everything that responsible government stands for and permits it right in his own department. I would suggest that in the future, the matter of hiring people in the employment of the LCBO be placed in the hands of the civil service.

Mr. B. Gilbertson (Algoma): Mr. Speaker, I am back again reporting for my constituents from Algoma Riding. It has been my pleasure to listen to a great many suggestions and proposals by the hon. members during the Throne debate. And I dare say that I am very much in support of a number of the issues that have been brought before this House, because, for all intents and pur-

poses, they are intended to make for all of us—the citizens of this great province—a better place to live.

Although it is difficult to single out any issue as the more or most important, I wish to point to those issues brought before this House by my colleagues, the hon. members from Quinte, Durham and others. Hospital care and welfare programmes are of extreme importance to our people. And I too feel as the hon. members do, that there need be some changes in this respect.

I am referring, Mr. Speaker, to the chronically ill who are lying in hospitals because there is no other place provided for them. I certainly feel strongly that something should be done about this. If only we realized the cost of having these people in our hospitals for days, weeks and months, because there is no other place to put them. I strongly suggest, Mr. Speaker, that there be some provision made for these chronically ill.

Mr. Gisborn: Both the hon. member who is speaking and the member for Quinte (Mr. Potter) can come over with us any day.

Mr. E. A. Winkler (Grey South): Only he knows better.

Mr. Gilbertson: However, enough has been said about this by the hon. members and I am certain that their proposals shall be given every consideration which will result in changes for the better in these areas.

There is one specific area which I wish to bring to the attention of this Legislature and it has to do with the newly formed Department of Revenue. First I would like to congratulate the new Minister of that department, the hon. Minister from London South. I am certain he will do a job that will not only be a credit to him, but to this government as well. I have had the pleasure of speaking with the new Minister on numerous matters which concern his newly formed portfolio. I would like to say I believe it also concerns the Treasury Department.

And one of my major concerns, which is also a concern of this department, is that area which deals with what could be easily termed an unusual system of collection of the sales tax on logging equipment. I represent many logging and lumber operators in my riding and this is of concern to me.

It appears that logging equipment is exempt from the provincial sales tax—except that there is some question about the definition as to which area is exempt and which is not.

As an example, I find that the equipment used to bring logs to the log deck—that means to the receiving end of the saw mills—is exempt from this taxation. The same equipment used to take the cut lumber away from the other end of the mill, is subject to tax.

Now, if this is not confusing enough, there is more. Operators purchase the equipment for logging purposes, consequently the purchase is made without the tax charge. Later, these same operators are advised that they have used the equipment for operations that make it subject to this tax—and they are then asked to pay the tax.

It is an area of definition, Mr. Speaker. The operator has a logging operation consequently he feels that any equipment he uses is for logging purposes. The government has a different definition in that some areas within logging operations are classed as taxable.

Mr. Speaker, I would like to say through you to the members that I feel there is an area in which the logging and lumber operators could probably give some valuable information to The Department of Taxation. Because it seems to me that sometimes, perhaps, these rules and regulations are made from behind a desk, by people who are not familiar with the logging and lumbering operation.

I am sure there are many members here in this House who could lend a helping hand to The Tax Department in regulating the collection of tax on logging equipment that would be reasonable to the government and also to the members of the logging and the lumbering operation.

Mr. Speaker, I realize that we have to have money to run the government. I also realize that there is a nice way of extracting tax from people and there is also a way that really hurts.

As a person who is experienced with lumbering and logging and tapping trees for sap, I often have the question brought to me: "Does it hurt the tree to sap it?" Well, I always tell them: "No, it does not," because you only do a very small injury to the tree extracting the sap, and I think the same way if you are an expert in the tax collecting field you can surely figure out some way of extracting tax from people in a nice manner so that it does not hurt too badly.

I would like to make several suggestions in connection with this, Mr. Speaker. One is, that we undertake to spell out clearly just when the equipment is subject to the tax and when it is not. Secondly, let us provide this information to the dealers in our province so

that they will be able to give their customers a clear-cut explanation on the entire matter at the time of purchase. In other words let us put the onus on the dealer to inform the buyer—but only after we have armed him with the necessary information.

Thirdly, Mr. Speaker, I strongly urge this government that there be a reasonable time limit on the length of time that this province can come back at these operators and impose the five per cent tax. Two or three years later is an unrealistic length of time, because by that time the equipment has depreciated by at least 90 per cent in value—and, frankly, is often on the verge of being replaced.

Another area, Mr. Speaker, pertains to logging and lumber operations, and I would like to also stress my concern over the proposals to impose a 1,500-foot waters-edge reserve. The proposal is that no timber cutting would take place any nearer than 1,500 feet within any shore of a lake line in most of our parks.

This strict limitation would greatly hamper logging operations in places such as Algonquin Park, for example. And I say this because the operators must, in order to carry out logging operations, build access roads. These are built at considerable cost. If we increase the reserve from what in most areas is now set at 400 feet to 1,500 feet, then the operators shall suffer considerably. The 1,500 foot reserve is not a realistic idea at all because in many places the lakes are so close together that if you reserve 1,500 feet of shoreline on these lakes you will not have any timber limits left for the loggers.

I might stress, Mr. Speaker, that logging operations are extremely important to many communities in the northern and northeastern portions of our province. To take away some of their lumbering rights would be taking away their bread and butter. Frankly, it is my firm belief that selective cutting should be permitted even in the 400 foot area which at present is forbidden ground to lumber cutting operations.

Mr. Speaker, anybody who is familiar with hardwood lumbering and logging operations knows that the tops—and all the debris that is left—in four or five years time is completely rotten and goes back to mother earth. Some will get the impression that these loggers make an awful mess, when they go in to cut, but I have gone through hardwood bushes where after a few years the tops have completely disintegrated and rotted. So I feel that the loggers should not be blamed so much for the debris, because I think it is good for the tops to go back to



mother earth again and help enrich the soil and bring forth more trees.

At the same time I should point out that I am quite aware of the many good things the government has been doing about our northern communities and about the logging and lumber industry.

For example in the Blind River area, the McFadden Lumbering Company is phasing out its operation because of a lack of white pine. It is no longer possible for this company to operate economically as a result of this lack. I might insert here that this is not an unusual case because sawmills have closed from time to time over the years on account of there being no more timber.

It is my understanding that government negotiations are presently underway to replace this operation with a paper mill so that the people and the communities around the area will not suffer needlessly. I hope this will become a reality.

I have another area here, Mr. Speaker, that I would like to bring to the attention of the House, concerning The Department of Highways and has to do with the progress on Highway 631 between Hornepayne and White River.

Fifteen miles of Highway 631 from Hornepayne southerly has been completed under two separate contracts awarded in the 1965-66 fiscal year. Included in this work was the construction of the Shekak River bridge eight miles south of Hornepayne. The cost of building this 15 miles was \$1,400,000.

Clearing of the right-of-way for an additional 13 mile extension was awarded in the fall of 1967. Included in this contract is the construction of the West Beaton River bridge. This additional 13 miles of new road were completed this fall at a cost of \$1,500,000.

On the remaining 35 miles of Highway 631 a \$65,000 contract was awarded in October, 1968, for clearing of the right-of-way from White River northerly for 12.4 miles. This project is scheduled for completion by mid-April, 1969.

Still to be called are contracts for clearing of the right-of-way for the remaining 24 miles, to be followed by three major contracts for grading all 35 miles of the new route at an estimated cost of \$4.9 million.

I am sure you will agree that these are all very impressive figures. However, when you look at them very closely you can see that only some 28 miles of this new highway have been completed. And it has taken nearly

four years to do so. There is still another 24 miles to go.

This is a very important link in our sparse northern Ontario highway system, Mr. Speaker, and it will link Highways 11 and 17. Consequently, it is essential that it be completed in the shortest period possible. I call on this government to accelerate this construction programme so that this project is completed no later than 1970—in time for the tourist trade that year.

While asking for acceleration of construction programmes, I draw your attention to the St. Joseph Island bridge.

Pre-engineering for this bridge is now in progress. Location surveys are underway in the area to determine the site for the new bridge. Once the location has been established, work will start on the design of the structure. This will be followed by detailed planning to determine the soil conditions and construction techniques to be used in building the new bridge. Following completion of the engineering details, construction will proceed when funds are provided in the provincial budget.

Certainly, the people of St. Joseph's Island have had the advantage of a ferry to the mainland operated by The Department of Highways. This ferry operates at half-hour intervals. However, not only is this an inconvenience, but I also wonder how much more traffic load it will be able to hold in the very near future.

I could insert here that on weekends you can wait from two to three hours to get across and the ferry carries 12 cars at a time. I know that the people are not very pleased. I am hoping that the programme will be accelerated.

The population of the island is about 1,300 at a minimum. It swells to well over 4,000 during the summer months and this figure is increasing by the year.

On account of not having this bridge, we are losing a lot of revenue from the tourists. We cannot afford to lose tourist revenue. I would like to say, Mr. Speaker, to the hon. members, that we have incentive grants that we give to industry to help encourage employment in the various areas to the north. I feel that this bridge at St. Joseph Island is just as important as any industry. I hope that the hon. members will take this into consideration. Why can we not have a little incentive grant—or whatever you want to call it—for this bridge project?



Immediate action is necessary if we intend to develop this summer playground.

Lastly, Mr. Speaker, the heated exchanges that I have heard in this House—the accusations and the denials—have caused me to recall an essay I once read that moved me a great deal. I would like to quote from this essay for I feel that this world would be a better place if each and every person only took five minutes time to consider only a small portion of the things that are brought out here. It is entitled His Example and goes as follows:

He was born in an obscure town, grew up in a tiny village, worked in a carpenter shop, was an itinerant preacher. He slept in borrowed beds. He died on a borrowed cross, and he was buried in a borrowed tomb. He never made a business, professional, or “social success”. He never went to school, owned a house, held an office, had a family. He never travelled more than 200 miles from the place where he was born. Yet, the world’s calendar is dated backward and forward from his birth.

The only thing he ever wrote was a sentence in the sand. Yet more books, songs, and poems have been written about him than about all the other men who ever lived. And his teachings have influenced the world more than anyone else who ever lived. He is the most masculine, compelling, fascinating, and perfect soul in history.

He was so gentle that little children climbed on his knee, and so strong that powerful men ran from the temple when he accused them of making it a den of thieves. Officers sent to arrest him returned empty handed, saying: “Never man spake like this man.”

The night before his execution, his Roman captors took turns lashing his back with a whip made of leather straps weighted with pieces of metal. They knelt before him in mock homage and then arose to spit in his face. About eight A.M. they took him to Calvary, stripped off his clothing and set him astride a wooden peg which jutted from the upright pole of a cross. Then they nailed him to that cross, between two thieves. Many victims of crucifixion became raving madmen before they expired, and often their tongues were cut to stop their screams and curses.

But as this silent victim looked down upon his jeering tormentors, he said: “Father forgive them for they know not what they do.”

Christ challenged the slavery system and declared that man is the creation of God and responsible to God. Christ preached the freedom and dignity of the individual and his God-given right to come and go freely, to enjoy the fruits of his own labour, to work for himself or to sell his labour for pay.

He reminded us that the best way to reduce the exploitation of man by man is to embrace Christianity. Christianity, not handouts is the hope of the world. Christ was no socialist. He believed in the profit motive. He recognized that free men will have different talents, and abilities in varying degrees. Some, he said, would gain more with what they had, and these were rewarded with more. He even took away the “talent” of the man who did nothing with it and gave it to the man who had ten “talents”, as a lesson. He congratulated those who profited, and urged his followers to learn by their example.

And, he knew that charity is not charity unless it is voluntary. In Luke 12: 13-14, the Christ was talking to a large crowd when a man approached him, saying: “Master, speak to my brother that he share his inheritance with me.

And Jesus replied: “Man, who is it that would make me a divider among men?” True Christian charity, He knew, comes from within and cannot be imposed by authority.

And, Jesus Christ was not a moderate. He was, in fact, an extremist. The modernists today proclaim that there is no black nor white: That sin is imaginary, non-existent: that we are to be moderate and tolerant in all things, including evil.

That is idiocy. An agnostic is a moderate. Moderation is no virtue when one is moderately wrong or moderately sinful. Christ had this to say about these moderates—a religious type He denounced in extreme terms:

I know thy works, that thou art neither cold nor hot. I would thou were cold or hot. So because thou art neither cold nor hot, I will spew thee out of my mouth.

The Bible is not tolerant; it’s narrow-minded. And so is the compass, the multiplication table, the boiling and freezing points of water, all nature, and the kingdom of Heaven. The gates of hell, on the other hand, are broadminded—open to situational ethics, God, the Bible, sin, and Jesus Christ are not. They are rigid and unchanging.

Just as the Ten Commandments are forever the same, a true Christian has a standard beyond change. Hebrews 13:8 says: "Jesus Christ, the same yesterday, today and forever."

Loss of faith in God is our nation's—and the world's—most serious problem. When men lose God, they turn to the state. When men lose God, they compromise, appease, lie, steal, and make war. The collectivists, anarchists, and atheists must destroy our faith in God to take over the world. Unless we can recapture our Christian spirit and re-establish our Christian values, we will soon lose our freedom of choice with respect to all of life's values.

The time could be approaching when the question will not be whether America can be saved, but whether America is worth saving. Sodom and Gomorrah were not! Only the moral deserve to be free. As the apostle Paul said: "Where the spirit of the Lord is, there is liberty."

Mr. Speaker, I could not help but remember the other day when the member for Lakeshore was speaking on the various freedoms, he brought something out about Paul—he that is free is free indeed.

We cannot oppose evil by compromising with evil. We cannot go forth into all the world and spread the gospel of Jesus Christ if we deny Jesus Christ in the United Nations, in our schools, and in our daily lives. We become part of what we condone.

A. G. Heinsohn, a courageous Christian and member of the council of the John Birch Society, was told by a friend: "Once a nation is sliding down the toboggan of degredation, as we are, it never stops till it hits bottom. Why do you struggle against the inevitable?"

Mr. Heinsohn replied: "Because it's unthinkable not to."

There's no excuse for people who ask, "What can I do?" and are afraid you'll tell them.

When and if St. Peter meets us at the Golden gate, he won't ask what we agreed with, or what we belonged to: Heaven is not open to Methodists, Catholics, Rotarians, or John Birchers—Heaven is open only to individuals. It's not what we belong to, it's what we are. It's not what we say, but what we do and don't do.

These are the words of one Tom Anderson.

How refreshing it would be, Mr. Speaker, if all men were to do just as he asks—make some effort at giving just a little more con-

sideration to others. And I speak of all men—yes even the hon. members of this Legislature. For, if such was the case, Mr. Speaker, then perhaps the wild, sadistic accusations, the flapping of the dirty linens, and the unrealistic statements would be greatly reduced in this Legislature. And, we the legislators could get on, more effectively, with the business at hand—the business of running our great province as it should be run.

Mr. R. F. Ruston (Essex-Kent): Well, Mr. Speaker, I have kind of an odd time to start speaking. I understand that this debate is to adjourn at five o'clock, and perhaps I could just dwell on a few highlights to use up our few minutes.

I did think that maybe there might be something earthshattering about my speech—if I got through it today—and that if the government fell today, I checked with our leader and he was prepared to take over tomorrow. But now that I am not going to be able to give all my speech, I guess we will not have to worry about that part of it, but I would just like to make a few comments with regard to a few items.

I wish to speak in this debate today to bring to the attention of the members of this House, and especially the government of the province of Ontario, some of the problems facing the people of the province, and especially as they pertain to the agricultural economy, and the average citizen—the man who is striving to bring his family up in what we call suitable surroundings, and trying to make a decent living for them.

I, as a new member, was not overly enthused with the proceedings of this House in the first sitting of the twenty-eighth Parliament. On a number of occasions a vast amount of time of this Legislature was taken up in trivial and often repeated items when I am sure greater and more important matters could have been discussed.

Probably someone would say that right now about what I am discussing. Considering the vast amount of public funds that are expended, I have seen the shameful presentation of the estimates of some of the departments of this government.

I believe that the recommendations of the leader of the Liberal Party of this province to have a committee of this House study the estimates of each department and have the deputy heads and superintendents of different departments appear before the committee to explain how they spend our money. I think this is very important and this way it avoids a Minister turning down and asking a little advice from one of his deputies.

Mr. Speaker, I do not believe that the daily prayers are very becoming to the present day and I sometimes wonder if they go any further than the roof of this building. I believe we could have a daily prayer much briefer and, in my opinion, much more suited to our daily deliberations at the same time, Mr. Speaker.

Perhaps a new prayer would reach out past these great walls and reach the ears of someone who could assist us—and goodness knows this government needs some assistance.

Mr. Speaker, I wish at this time to draw your attention to the recent announcement of the village of Belle River and the elevation of its status to a town in my riding.

I wish to congratulate the people of Belle River on the establishment of the town with special regard to His Worship, Mayor John George, Reeve Henry Lambert, deputy reeve Clifford George and councillors Rod Ducharme and Jess Brooks.

We anticipate the growth of this town in the coming months and years and offer our personal assistance to the council and the people of the town at any time.

I would also make mention, Mr. Speaker, of a lady in our riding who is well known in the riding and throughout the province of Ontario, and I see this week there is a column in the *Western Ontario Farm* family section with regards to her. I speak of Mrs. Madeline Wallace.

Agriculture is the main interest of Mrs. Madeline Wallace. She is secretary of the Essex county federation of agriculture. Mrs. Wallace says, "Our whole family has been steeped in agriculture. My late husband Bill was a member of the OFA for many years and it was only natural that I would interest myself in the organization as well." Mrs. Wallace was a director of the federation of agriculture of the township of Rochester for ten years—

I might say that is the township that I live in, I am very proud of that.

—and has held her present position as secretary of the county organization for nine years. Mrs. Wallace became more serious in her interview as she knowingly discussed the plight of the farmer today. "Something must be done and soon or there won't be any agriculture," she said. "One answer is a general farm organization. I am in favour of a marketing board and all concerned will have to give and take a bit. There will have to be a new system of financing and the tax structure will have to be revised. Consumers will have to be

educated to the fact that the farmer only gets a tiny bit of the money he pays for his food." And on the wall of the home of Mrs. Wallace is a poem entitled "Young at Heart." Its words reflect Madeline Wallace's philosophy of life, "Keep busy and involved, be with people and life will always be interesting and rewarding."

Mr. Ruston moves the adjournment of the debate.

Motion agreed to.

#### NOTICE OF MOTION

Clerk of the House: Notice of Resolution No. 12 by Mr. Bernier:

Resolution: That the government of Ontario should assume full responsibility for the Indians and Eskimos resident in this province with financial assistance from the federal government and that as a first step an advisory committee should be established to counsel the government on problems affecting our Indians and Eskimos.

Mr. L. Bernier (Kenora): Mr. Speaker, I move, seconded by the hon. member for Hamilton Mountain (Mr. J. R. Smith), Resolution No. 12 standing in my name which has just been read.

Mr. Speaker, I think it is very appropriate that this particular resolution should come before this Legislature today as I am sure the members are well aware this is Canadian Indian Week across Canada.

This resolution, stems from the growing concern and confusion that exists in the administration of the affairs of our Indian people across Canada and in this province. The magnitude and complexity of this problem, I feel, warrants the immediate attention of both the provincial and federal governments. As I have pointed out previously in this Legislature and in other speeches across Ontario, programmes designed by these two levels of government to assist our first citizens are often duplicated and many times tripled.

In 1966, the province of Ontario signed an agreement with the federal government affecting community development of registered Indians living within the boundaries of Ontario. This agreement has failed miserably as very little authority has been transferred from the federal to the provincial government. I realize that the transition is difficult.

However, this is just another example of lacking cooperation and fruitless results we often experience when attempting to enter into agreements with federal authorities. I say

authorities because I believe the Ministers who have led and directed this particular department of the federal government have bargained in the best of faith but there appears to be no cooperation from senior civil servants in that department whose prime objective seems to be to build personal empires.

Mr. Speaker, being the representative for the great Kenora riding and since this particular area has attracted considerable recognition in connection with our Indian people, I am often asked just what are they like—well sir, I have lived with these people practically all of my life—I have gone to school with them—I have worked and I have played with them—so I do feel that I have come to know them exceptionally well.

I must admit that they are different from you and me and all of the hon. members sitting in this chamber—they are a small minority group which makes up only 1 per cent of our population. But, regardless of the fact that these people are such a minority, they have a special place among all the minority groups in Canada. Firstly, they are governed by special laws known as The Indian Act. Secondly, they are the first inhabitants and the only true natives of our great country. It is because of these reasons that I feel the Canadian Indian is entitled to special consideration above all other minority groups.

Yes, Mr. Speaker, the Indian people are indeed different. They have been pushed aside—at times mistreated and exploited by the aggressive white man. At the same time, I realize that the Canadian Indian is guilty of hindering formal education, ignoring helpful ideas, ridiculing conscientious administrators and making useless, ill-advised demands. Above all, in some cases, they are known for their reluctance to cooperate with others.

These drawbacks, however, stem from a lack of trust between the members of our two different cultures. In order to regain faith, trust and the other elements so essential to mutual cooperation, we must seek to gain their respect and confidence. There must be no feelings of superiority because we or they may be different. Indians have a very sensitive intuition and we must be sincere in our actions to help.

In this respect, I wish to bring to the attention of this House an example of what is happening to some of our Indian friends in the great northwestern part of this province.

In 1966, Mr. Speaker, the federal government reversed its policy as it pertains to Indian residential schools. As a result of this, the Oblate Fathers who operate the McIntosh Indian residential school in my riding have

been advised that on June 30 of this year their school shall be officially closed by the federal Indian Affairs Department.

I'm not even going to question why the building is being closed—what is the use of that! We can't even find out what will happen to this half million dollar complex, located in the backwoods of northwestern Ontario between Kenora and Dryden—let alone find out why it is being closed. Right now it is serving a very worthwhile and necessary function at this very moment. Once closed it will only begin to deteriorate for it is very unlikely that it will be put to any other use in that remote area.

Since the early thirties this residential school complex provided a home and educational facilities for over 160 students annually. However, in 1966, the dormitory was completely destroyed by fire forcing Father Lemere, the principal and director since 1936, to move into the well equipped, six-room school using three classrooms as a dormitory and the balance as classrooms.

In view of the federal government's closure decision, and the impossible task to even have them reconsider, I would like to enter a plea to our provincial government here today. That plea is that we take over these excellent facilities and provide a school for the children of northwestern Ontario who are faced with special problems such as broken homes, etc.

I would point out to you, sir, that there are over 60 non-white boys ranging in ages from 12 to 17 from homes in northwestern Ontario attending the St. Joseph's training school at Alfred, Ontario, which is well over 1,000 miles from their homes in northwestern Ontario.

I would point out also that over 90 per cent of these, and many of them are Indian children presently at Alfred, do not need training school regimentation and environment. Many are there because their families have neglected or abused them. In fact, I have known some young girls and boys who have been sent to training schools who have sent back glowing reports of consistently getting three meals a day, clean clothing, clean beds, security and shelter, and at least a measure of privacy.

I cannot overstress, Mr. Speaker, that to many of these youngsters this is the optimum of earthly existence, and I dare say that many others would knowingly get involved in some simple infraction in order that they could be committed and sent away to a training school just so that they too would get to enjoy things that they do not have at home.

To this I say—what a desperate state our society must be getting into if our very own children have to go to a correctional institution to experience these few of the very simplest things in life that most of us assume as a matter of fact.

Here at McIntosh we have an ideal location with excellent facilities now being abandoned by the federal government. I urge that this government undertake immediate investigation into the possibility of establishing this building as a special school for these youngsters so that they may at least be close to home and in an area to which they are accustomed. It is enough of a penalty to be sent to a training school.

I do not feel that the children of northwestern Ontario should receive a double dose of punishment by being removed so far from their homes and families, even though some of them get into trouble just to get themselves into a training school because life there is far superior to that in their own home.

Mr. Speaker, I realize our provincial government is moving into a number of fields to improve the status and the living standards of the Indian people in my area and indeed throughout the province of Ontario. I would like to outline a few examples to you. The Department of Education has recognized that Indian communities are an integral part of our society. Indians of northwestern Ontario are becoming increasingly aware of their rights as citizens. They are demanding equal rights with citizens of other ethnic groups.

Prior to 1966, The Department of Education had a programme of Indian development established in those areas serviced by roads. It was shortly after this that they undertook to service the isolated Indian communities of northwestern Ontario. This particular programme includes training in power toboggan safety, home economics, leadership at both youth and adult levels, woodworking, carpentry, weaving, and so on.

Just last winter, Mr. Speaker, this provincial department, with the assistance from other groups, organized 51 community projects in the isolated Indian communities of my area. We now have a larger budget and a full time consultant and certainly we will see an expansion of this highly accepted programme. All of us are aware, of course, of the interest and the assistance that The Department of Lands and Forests of this province renders to the Indian people by employing them as the province's crack firefighters. Other programmes this department

administers include fisheries and trapper education programmes, the setting up of a self operating fur auction sale at North Bay. Very recently this department, in co-operation with the Lakehead university, began a far-reaching study into the promotion and cultivation to guarantee a more stable wild rice production. This product alone, Mr. Speaker, in 1967 provided over \$1 million for the Indian people in my area.

The Department of Social and Family Services is recognizing many Indian reserves as municipalities and the Indians can and do administer their own welfare programmes. We now have a district office located at Kenora and it is staffed with a group of highly competent and knowledgeable, dedicated administrators and field workers. In addition to this, this department has shown concern and recognized the need by placing competent field workers in Red Lake, Sioux Lookout and in the Dryden areas. The financial assistance that this department rendered to the Amik association at Kenora will assist the many self operated Indian co-ops providing self help programmes on their own reserves.

Mr. Speaker, I am most pleased with the programmes this department has under way in my area to meet the needs of Indians, both as individuals and as a community. Also, the implementation of the legal aid plan has assisted greatly those Indians who are constantly being subjected to the laws which they do not understand or comprehend.

We saw the federal authorities, just last spring, Mr. Speaker, try to implement major cutbacks in providing health services to the Indians. I was indeed pleased when our Minister of Health stated, "I am determined that our Indian people will not be pawns in any game where their health is concerned."

The Department of Energy and Resources Management also, Mr. Speaker, has been able to assist, on a dollar for dollar basis, the development of revenue earning parks. Of course, one of the latest programmes of provincial assistance to the isolated Indian communities, Mr. Speaker, has been the establishing of airstrips throughout the northwest. One is presently under construction at Big Trout Lake, another is scheduled to be commenced at Sandy Lake later this month.

Mr. Speaker, The Department of Labour of this province also assists many Indian co-ops with job training programmes. And very recently it was my pleasure to welcome into northwest Ontario, Ontario's athletic commissioner, who met with the Indian



leaders of that area to plan, promote and organize additional recreational programmes.

It is obvious, Mr. Speaker, that the province is providing facilities, and as much of the other needs as possible, to assist our Indian people. I dare say that what we provide is a great deal more than is now being rendered by the federal government, whose only responsibility is to those Indians who reside within the boundaries of a reservation. Much more certainly could be done with the transfer of more obligations, and, of course, federal moneys, to this province. We in Ontario could provide much more extensive services and greater assistance to our Canadian Indians at less cost if this was the case.

I realize a good deal of work will be required to guarantee to the Indian leaders, beyond a shadow of a doubt, that this transfer of administration from the federal to the provincial government will be profitable and beneficial to their people. We could start by displacing any fears they have with respect to their treaties signed many years ago. The present main objective of all concerned is to co operate and to make the Indians understand that they have an interest in getting into the stream of life of the surrounding non-Indian communities, and, once this step is completed, to help them at their own pace to assimilate and to practice the system—this is what we generally call community development. Any changes and moves, Mr. Speaker, must be with mutual agreement and on a so-called partnership basis.

In community development we are dealing with human beings. This is the key factor, and has to remain throughout the process, considering that the natural resources most needed for community development are controlled by the province and not by the federal government. I can think of such things as land, timber, minerals, game, water, fish, and Hydro power, when we realize that the province is in a better position to attend to this development than those living in the specific regions within this province.

The federal government, Mr. Speaker, is already pushing by all means possible to integrate of the young Indians in the education system of the province. However, this has proved to be a failure in our area, because the federal government has not been able to provide the adequate climate and environment to these youngsters so that they may be in a position to play a role in the community development of their people. The task is simply impossible to be realized across Canada by the federal government. Each province has its peculiarities, specific natural resources,

definite industries, various potentialities. The education of these people has to be geared to the specific facets of each province.

It is because of these reasons, and the others that I have stated here in the last few minutes, that I urge this government to take effective steps and remove, not only the present duplication created by the federal authorities, but to demand that the funds set aside for Ontario Indians by The Department of Indian Affairs at Ottawa be given to the province of Ontario. There is no question that we can spend it more effectively towards the betterment of the Indian people in our province—and without building any private empires.

Now, Mr. Speaker, I would like to deal with the second part of my resolution in which I suggest that an Indian advisory committee or an Ontario Indian commission be established to:

No. 1. Direct the provincial government, through the person and office of one specific department, on all matters relating to the status and rights of Indian citizens of this province.

No. 2. To serve as a medium through which all Indians and Indian groups can make direct representation to the provincial government and eliminate much of the needless government red tape which tends to frustrate them untold.

No. 3. To encourage private organizations to join in helping to improve the social and economic position of the Indian citizens of this province.

No. 4. To have set up and to administer a revolving loan fund. I understand British Columbia and Alberta have recently announced such programmes within their provinces. This loan fund would provide the necessary capital quickly and easily accessible in order that the Indians themselves under proper guidance would be and could be in a better position to develop the natural resources where they are.

Mr. Speaker, I realize that we do have an Indian advisory committee presently established within this province. It is made up entirely of sincere, hardworking Indian leaders. Their efforts have not gone unnoticed. However, I sense among them a feeling of frustration in that their pleas and recommendations are not being heard. To rectify this I would suggest that on this task force or Ontario Indian commission we appoint members of this Legislature who, in turn, will report to the Legislature, through, as I said before, a single department. In this way, if



the Indian ideas and requests are neglected or ignored, the commission will answer and will exert stronger pressures in various ways. Through this commission the Indians will have a special voice to speak for them in government circles and in this Legislature.

I realize that this is an unusual situation and that normally it is not considered proper for a special group to have special privileges in speaking to government. However, I feel in this case that this provincial government recognizes that our Indians have special problems which merit this special facility.

Mr. Speaker, I realize that everyone is attracted to the liberation of oppressed peoples whether the oppression is real or imaginary. We, as an example, have the young college student who wishes to write his thesis on Indian culture. By the time he has collected a few notes he is already an authority who flays out right and left at the government, missionaries and administrators. There are the anthropologists and other variants of social science who explain everything about the Indian scientifically and have all the ingredients for solving the Indian problem except the part about brotherly love and so have no solution at all. Then we have the gushers—many politicians who loudly proclaim that there are no bad Indians, they can do no wrong, they should have special treatment and the treasury should be open wide for them.

Actually, there is a subtle smile on the faces of all Indians when they listen to these people. There are also many varieties of missionaries and social workers with preconceived ideas who work for the Indians and do more harm than good, because they are working for their own satisfaction, rather than for that of the Indians.

I realize there is no simple method of helping the Indian people. Minority problems are not easily solved and it may take generations. However, I do feel that with a well-informed legislative body, be it provincial or federal, and with proper agreements and research, great things and great improvements could be brought about. Certainly an extensive leadership programme among the Indian people should have top priority.

In conclusion, Mr. Speaker, I would like to recall the words of the Prime Minister (Mr. Robarts) on the subject of Indians. Members of this House who toured northern and northwestern Ontario last fall will recall that during that trip, the Prime Minister said Ontario was prepared to accept administration over Indian affairs, provided Ottawa would give reasonable financial guarantees

and such an arrangement was acceptable to the Indians.

The Prime Minister also noted he had informed the federal government that, provided the Indians were agreeable, Ontario would make available to Indians any services available to other citizens if the federal government was prepared to meet the cost.

Mr. Speaker, I commend this position as a sound one and I would hope that the federal government would pay it heed. I ask that they study it seriously and find a way to give Ontario the necessary financial support to provide the services the Indian people need and which most of us take for granted.

Mr. Speaker: Order! I would point out to the hon. member that he is now intruding on someone else's time and perhaps he would bring his remarks to a conclusion shortly.

Mr. Bernier: I will, sir.

Another way this might be done is by transferring to the province a lump sum for spending on Indian matters. This sum could be arrived at by working out a per capita amount based on the total Indian population.

Of course, the spending of this money would follow programmes and priorities arrived at through consultations with the Indians themselves. In all our endeavours in this area we must be sure the Indians themselves participate in the decision-making.

Mr. Speaker: Order! Order!

The hon. member is still persisting in pursuing his text. Would he please wind up his remarks?

Mr. Bernier: One more line, sir.

Mr. Speaker: Right.

Mr. Bernier: The Indians should also be assured that such an arrangement would not diminish present provincial spending on matters of concern to them.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I must inform you at the outset that I cannot support the resolution that has been put before us for a number of important reasons. But the most important, surely, is the 9,000 Indians in my constituency are not prepared to accept the largesse of the devil they do not know at this moment.

They have been under the direction of the Indian department in Ottawa for 175 years—I guess it has not been in Ottawa for that long—and while there are deep-seated difficulties and, in fact, many prejudices, on

the part of the Indians and those in the department, I have never yet been able to find an Indian in my constituency—and, as I say, there are 9,000 of them—who would say this would be an improvement over the present situation.

I would like, Mr. Speaker, to put in context one of the opening remarks that the hon. member for Kenora made. I quote from the *Toronto Telegram* of January 6, 1966, and the headline is: "\$500 Million Plan To Help Indians."

The Ontario Cabinet today approved a revolutionary federal-provincial pact which could bring \$500 million in aid to the province's poverty-stricken Indians.

Then to quote from an even more authoritative source—the press release of the then Minister of Welfare, who was responsible for Indian matters in the province, as follows:

Ratification of an agreement with the federal government on a development programme for Ontario Indians was announced today by the Hon. Louis P. Cecile, Ontario Minister of Public Welfare. The major responsibility for Indians is taken over by the provincial government. The development programme will cover education, housing, employment, law enforcement, health, recreation and economic development—

And the Minister ends the news release as follows:

Mr. Cecile stated the agreement would take effect immediately.

Now the hon. member who spoke first on this resolution was quick to say that there was fault on both sides and while I may sound partisan in my presentation, I hope that you will consider it on its merits, Mr. Speaker, because I believe the fault in this matter has lain with the government of Ontario and particularly, with The Minister of Welfare.

The Minister's committee has been singularly unsuccessful to bring into being any part of the agreement that he announced with such fanfare more than three years ago and I believe that he and his colleagues have but little interest in bringing out any of the solutions that they have been putting before this House for a good many years.

I would like to be quite specific. The Minister of Health has been quoted in this House just this afternoon as saying that he does not want the Indians in this province to be pawns in any political battle between the two levels of government. And yet the fact remains that, while we in this province are not

participating in Medicare, we do have a programme of public health services called OMSIP which is not available to the Indians but which is available to the rest of the citizens of this province.

And while The Minister of Health is quick to say that he is not going to make the Indians pawns in this programme, he will not provide them the same assistance in meeting their premiums for OMSIP, which is available to all of us as ordinary citizens of this province. This is a very serious matter on the part of the government in not meeting their obligations to these citizens.

I would say that it is well understood that the province of Ontario has been extending its services to those Indians in the community who are off reserves and, in many instances as has already been pointed out, to those Indians on reserves. But surely it is not going to solve the problem by setting up another committee to advise the government in how they might well accept the full responsibility.

The phrase itself has overtones of the old paternalistic attitudes which have been so severely criticized at the federal level. That is why I began my remarks by saying I do not know of any Indians in my constituency—and I have 9,000 of them—who would approve of this transfer.

Now it is possible if they heard the eloquent member who spoke previously they would in part change their minds. I believe, and it is my own view, that it must continue to be a shared responsibility. But we must get out of our minds that we are more efficient than another level of government, and that all we have to do is get funds from the government of Canada that would come to us without strings attached, and that we would then apply them in our wisdom, in our benevolence, as the resolution says—in taking sole responsibility for Indian and Eskimo affairs.

Surely this is an archaic approach, an approach that is no longer countenanced by Indians, or any thoughtful people, when they look on the problem as it has developed.

This consultation is a difficult business as I am sure the member for Kenora knows. He and I are in a position where we must consult, otherwise we are not going to be re-elected. These people are our constituents and we have to respond to their wishes and be as helpful as we can, and as progressive as we can.

But still there is the feeling that those Indians off the reserve do come under the present provincial programmes and, if any-

thing, the government of Ontario has been further remiss in its duties in education—this was raised previously—in not providing the schools on the locations near the reserves where the Indians need them but where they are not covered by the facilities already available.

The government of Ontario has done this in some measure already. Certainly when we examine the estimates of The Department of Education one of the most interesting expenditures is going to be that new school, that new education centre, in the constituency of The Minister of Lands and Forests up in Moosonee.

This is in the process of being built. There is some federal assistance and it is unfair to say that the government of Canada is short-sighted in providing a spirit of co-operation and funds in the development of this new approach.

But you know we must not always think that integration is the aim of education or any of these other programmes. As a matter of fact, I can give you an instance where, on the Six Nations reserve—and once again it is in my constituency—there are more young Indian people actively engaged in the education process than in either of two nearby townships. That is on a percentage basis.

These young Indians have a first rate—an excellent education system on their own reserve, which is operated by Indians at every level and is paid for exclusively for the government of Canada. I might add that drop-outs come when they go into the secondary system and go by bus to the nearby schools. I taught in one of the schools for six or seven years. I taught many of the Indians and they find that they have difficulty adapting to changing social pressures when they come off the reserve.

Now there are two ways that this problem might be approached by an authoritarian government—which Heaven forbid. The first is to fully integrate the schools, bus the young Indians out into integrated schools from the very earliest time, which I believe would be a serious mistake under these circumstances, and would simply not be acceptable to the Indians themselves.

The other alternative is to provide continuing education at the secondary level on a reserve setting where they can face the challenges of the outside community if they choose to do so—and that is the operative phrase, when they choose to do so, and not because, if they are going to get further education, they must do so.

I would say that this is going to be one of the solutions for the large concentrations of Indians in our province—and there are many of them remaining.

I would also like to point out to you, Mr. Speaker, that there are many international rights that the Indians still have, or should have, which could not possibly come under the direction of the provincial government. We know that the Indian bands and tribes have connections well beyond the boundaries of any one province, and it would be a shame to divide them up specifically for all of the services that are available to them so that the services would be better in one area—and possibly Ontario would be one of those areas—than in other areas.

Secondly, the controversy over the provisions of the Jay Treaty that we are hearing about so much these days, is surely a federal responsibility and one in which the province should not, and really could not, become involved. The Indians of Iroquois extraction, particularly, are very much accustomed to crossing the border without any of the formality that most of us are used to, and as a matter of fact they have claimed as their right to bring back with them those things that they can carry which should be brought back without duty.

Now obviously there has got to be some reasonable accommodation in this regard, but I think that we in Canada are too quick to say that their demands are thoughtless, that they are pointless, instead of looking at the treaties as they actually exist, and as they were entered into by the people who came long before us in solemn agreement with the Indians.

It is very difficult for the Indian to see any reason why they should be restricted on these agreements that have been laid down for so many years. The third matter of extra-provincial jurisdiction is surely the hunting and fishing rights which have been guaranteed on the old parchments and deeds and treaties that have come down to us from the very earliest times.

Sometimes you hear people say “oh well, any provision that says they have the right to hunt and fish as long as the winds blow and the grasses grow” has got to be a ridiculous one and they have to come under the modern provisions of the statutes.

Well I am not prepared to accept that. I do not believe The Minister of Lands and Forests is prepared to accept that the provisions in our game and fish statute, the regulations in our province, transgress many

of those agreements. The argument that has been put to the Indians by this Minister and many of his predecessors—and I mean a long way back—has been that really it is the federal government that is involved in the upholding of these treaties. Now I do not believe that it is possible for us to pass the buck any longer. I believe we must—Mr. Speaker I see you are on your feet.

**Mr. Speaker:** The agreement, as I understand it, is a ten minute limit after the initial speaker, and I would draw to the hon. leader's attention that we have now exceeded that a bit, and that there are others who wish to speak.

**Mr. Nixon:** I thank you, Mr. Speaker, and I will conclude simply by saying that I do not feel the welfare of the Indians would be served by yet another committee, even if there are members of the Legislature on it. I well recall the last select committee on Indian affairs coming up into the Brant area and doing some of the research which I am sure can still be read in the libraries of this institution.

I am not prepared at all to think that a further committee investigation is going to be of any use to the Indians. I believe that the impasse which presently involves the Indian health services is one which must be broken immediately and here is an area for action, here is an area for generous solution, which lies open to this government and I would heartily recommend that they seize upon it.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, I do not support the resolution. To me this is a typically insipid, Tory resolution, because it is blatantly clear to all, and most particularly to the Indians, that the government of Ontario, with its present limited jurisdiction, has failed to fulfill its responsibilities to the Indians of the province in those areas where it has responsibility.

To suggest that they will take greater responsibility and cover all the aspects of Indian affairs is to project their inadequacy on a broader scale, the same kind of ineptness and the failure to deliver the rudimentary services of life to the Indians and Eskimos of our province. We know right now that it is a toss up whether Ottawa or Queen's Park is superior in passing the buck as far as services to the Indians are concerned.

I realize the importance that the Liberal Party places on this issue by the fact that the leader of the Opposition takes the private members' time to speak on the resolution. It

could be that he sensed in the Tory resolution a political ploy that he wanted to answer on behalf of his constituents. It could be that he read of the growing unrest about his leadership that was an issue this morning in the press.

Getting back to the role of the governments; both are past masters in passing the buck. Both have learned how to spend large sums of public money without providing even the simplest of services; both vacillate between a policy of irresponsible neglect and spirit-shattering paternalism.

There is no doubt that the Ontario government, in all its departments dealing with Indians, has a negative bigoted approach to the Indian, the end result of which is to perpetuate the Indian citizen and the Indian on the reserve in a state of economic dependence and dire poverty, without the benefits of modern medicine, modern education and the other aspects of life which are part of the Ontario scene.

We cannot expect that the government would be so direct as to say these things about itself, but that surely is the state of affairs in every one of the dealings between the government of Ontario and the individual Indian or the groups of Indians in the various communities in the province.

There is no doubt in any thinking man's mind that all levels of government become highly proficient in passing the buck. So, when one addresses oneself to the question why is the hon. member for Kenora (Mr. Bernier)—noble young stalwart in the ranks of the Tory party, a veritable godsend to the Tory party from the north—why is he raising this resolution, what is the meaning of his great concern. It is of course clear that he is not interested in the Indian, or the welfare of the Indian, but that he is doing the work of a party hack for the Tories in the north. He is pretending—in that cynical, gross way that Tory politicians have—that they are concerned about people, when they are only concerned about their political fortunes. The fact of this solution is that it would make it possible for the Ontario Government to continue to avoid its responsibilities to the Indians in Ontario for at least another five years, if not longer, awaiting the necessary constitutional changes that would grind their slow way out of the machinery in Ottawa. Slow—as the last few days of the constitutional conference have shown us.

So let us not kid ourselves that this red power advocate from Kenora is really interested in the Indians. It was his party that

swept the Indians off the streets in Kenora before the Legislature visited there in that famous march through the north that we took last year—at considerable cost to the taxpayers of the province.

I had the opportunity of visiting Kenora shortly afterwards and I found that the scene was quite different from what was presented to us when we were there. Now, I assume—

**Mr. Bernier:** The member is talking like a typical southern Ontarian.

**Mr. Brown:** The member knows that very well. Indeed, the only significance of this resolution is that it would buy more time for the Tory party at a phenomenal cost to the Indians of Ontario. When we ask ourselves, as I think the leader of the Opposition did a few moments ago, what has the Ontario Government done for the Indians—we find that there is a tremendous shortcoming in all of its works. They have failed to accept the responsibility that was placed in them, the responsibility that they fully agreed with.

We hear, as a first step, the suggestion from the hon. member for Kenora that there should be the establishment of an advisory committee to counsel the government on problems affecting the Indians and Eskimos. He and his scriptwriters refer to the Indians and Eskimos as “his Indians and Eskimos.” I would like you all to take a look at that resolution. It says, “our Indians and our Eskimos”—as though they are his prized possessions, as though they are somehow like his chattels, like his dogs and like his cats, and the other things that he refers to as his personal property. Just who does he think he is that these are his Indians and his Eskimos? The government will wake up one day to find that the Indians and the Eskimos are their own masters and that they do not belong to anyone.

But let us take this suggestion of the advisory committee and let us deal with it in a straightforward fashion. The government has long needed advice, God knows that. But if it is to find out the problems of the Indians and the Eskimos then it had better establish some machinery by which these people can have a voice of their own. There should be no committee or commission that includes a non-Indian or a non-Eskimo on it.

It is not enough to make a gesture to the Indians, it is not enough that the government pretend an interest or go through a meaningless act. The Indians must be given the right to determine their own destiny and they must have full voice in the carrying out of the programmes of government.

In reply to the bigoted, stereotyped statements that emanate from the people of Ontario, politicians and non-politicians who say that the Indian is unable to solve his own problems, I would say, without hesitation, that if we were to immediately turn over to the Indian even a fraction of what is now being spent on his behalf, and give him the opportunity to be fully responsible for his people and for the services they need, we would find that they can immediately do a better job than any government branch of service is now doing. They would improve with time to the point where they could certainly teach us much about what constitutes good service to people. But the Indians' solutions may not be our solutions, he might not come to the same conclusions we would come to—this is where the rub comes in.

We want the Indians to become junior whites. He cannot and he will not. What gets set up must be relevant to him and to the many varieties within the Indian community. There must be a relevancy, not just to some conglomerate concept of what the Indian is, but to the individuals that make up the Indian communities.

I would like to say in closing, that the history of our relationship to the Indian is one of which I am not proud, nor do I think any of us here in this Legislature can be proud. I think we must face the consequences of not only our inability to deal with the Indian honestly, but we must also face the consequences of all the dishonest acts that our government has done to the Indian over the whole history of our country.

The Indians have always come to the negotiation table openly and honestly, and he has been met—time and again—with lies, deceit, misrepresentations, and has always been treated in an inferior fashion. His ancient history, his ancient culture, his way of life have been the subject of derision and ridicule, and he himself has been the subject of great individual and collective abuse.

I would like, Mr. Speaker, to just read one paragraph from Mr. Bernier's remarks. He says:

Yes, Mr. Speaker, the Indian people are indeed different. They have been pushed aside, at times even mistreated and exploited by the aggressive white man.

At the same time—And I would like to underline the following:

I realize that the Canadian Indian is guilty in hindering formal education, ignoring helpful ideas, ridiculing conscientious administrators, in making useless, ill-advised



demands. Above all, he is known for his reluctance to cooperate with others.

I have never heard anything further from the truth. The man obviously has no concept or idea of the history of the relationship between the Indians and the rest of the Canadian community. Somehow or other, while he grew up with these people, joined them in the school programmes, and knew them in their community, he has failed to understand what it means to be an Indian in Ontario, or in northern Ontario. So when the Tories, in this resolution, try to exploit the Indian politically, they create a strong feeling of abhorrence and disgust in me, this is what comes out of it for me. Let us make it very simple. If any political group wishes to be useful—and I would address this to the leader of the Opposition too—it will do so by advocating that the Indian immediately be given control over his destiny, and that he be given at least as much money to sort out his destiny as is now being expended on his behalf by people who neither understand him nor care about him.

In the moment I have left, Mr. Speaker, I would like to make one further small remark about the shameful manner in which the Christian church has played its role with the Indians.

The time has long passed when we can stand by and allow this organization, or these various Christian church organizations, to be the front men for the inadequate policies of government. We still are finding that that is too true. There are still many areas of the north where the church dominates the Indian and dominates him to the ruin of the Indian.

Mr. R. H. Knight (Port Arthur): They went there when no one else would go.

Interjections by hon. members.

Mr. Speaker: Order. I would like to point out to the hon. member for Beaches-Woodbine, who has just spoken, and to all hon. members, that in debates in this House it is not customary, nor is it advisable to refer to the hon. members by name, but by the constituency which they represent. In this way, a great deal of bitterness perhaps can be avoided. Therefore, in future, I would hope that we would follow the rules of debate in that regard. The hon. member for Hamilton Mountain has the floor.

Mr. J. R. Smith (Hamilton Mountain): I choose to speak to the resolution introduced by my colleague the hon. member for Kenora because I am also concerned for the

well being and the future of our Indian and Eskimo citizens.

Last summer I had the privilege of being the guest of the Eskimo settlement of Povungnituk for several weeks. I had some insight into the life of a people in transition. This concern—one of the main reasons for suggesting that Ontario be responsible for Indians—was generated less than a year ago by a complete disregard for the Indian residents of northwestern Ontario by the federal government's Department of Health.

Since then Mr. Speaker, I would like to draw the attention of the members of this House to the fact that the hon. Minister of Health, the Hon. John Munro has seen fit to visit some of the Eskimo settlements of Ontario and the Northwest Territories.

The federal government saw fit to build a hospital on Moose Island, at Moosonee, in an extremely isolated area. When I visited this hospital last August, you had to pay \$2 for the canoe ride from Moosonee to Moose Island. This hospital serves not only as a centre for TB treatment, but as a general hospital, treating all ailments of the residents of the north country of Ontario and of northern Quebec.

This grave error committed by the federal government is well reflected in the number of ridiculous situations which have resulted since.

For example, approximately 13 patients from Kenora, Red Lake and Sioux Lookout district that were all active tubercular patients at the Fort William San—which, on comparative basis is not too great a distance from their families—were transferred to the Moosonee General Hospital, at Moose Factory, many hundreds of miles away.

And the reason for this move? Well, they were long-term patients who would be treated cheaper at Moosonee. No compassion here, Mr. Speaker, only disregard for the hardships that would be cast on the families who could no longer even hope to visit their loved ones. Similarly Eskimo patients from the back region of Nouveau Quebec are also hospitalized at Moosonee, hundreds of miles from their homes and in a strange community and society.

Yes, complete disregard for these human beings; no thought of love or affection that would be lost. They were simply loaded like cattle—and perhaps you might say they were shipped off to the Alcatraz of Ontario, to Ontario's federal government hospitals at Moosonee.

The federal Department of Indian Affairs has failed miserably in this responsibility,



Mr. Speaker. Its failures and its attitudes to the 50,000 Indians in this province has resulted in complete disillusionment, embitterment and suspicion of even friendly and honest approaches.

This department cares only for those Indians who are registered and who reside within the confines of a reservation. The attitude of federal authorities is—move out of the reservation, and relinquish all rights to federal assistance. Perhaps I should have said all rights to whatever miserable federal assistance there is.

And many of our Canadian Indians are leaving the reservations, Mr. Speaker, leaving because they are fed up with the federal government's attitude. They know that, despite the millions of dollars that the federal government pumps into their Indian affairs programme, this province is the one which really provides them with more of what they are seeking.

The white man has done much to assist the Indians on the reserves. But we seem to have lost sight of the assistance we might have been able to give Indians moving to urban centres. They indeed got shoddy treatment by our federal government compared to many immigrants who settle in our large urban cities.

In this respect, I would like to make reference to an article in the *Globe and Mail*, dated November 21, 1968. The article deals with the Indian situation at Red Lake—which many hon. members had occasion to visit this summer on the tour of northwestern Ontario, 170 miles north of Kenora.

And it states that:

They (the Indians) are coming in increasing numbers to Red Lake. And they are doing so because, in Red Lake, there is an absence of militancy or demands. There is no atmosphere of tension—no divided camps of white man and Indian backing into rigid positions.

The article, goes on at some length explaining how in Red Lake the white man and the Indian work side-by-side and hand-in-hand towards the betterment of the entire community.

But, there is something missing from all this new-found harmony. Yes, Mr. Speaker there is something missing—and that is federal influence. The federal Department of Indian Affairs disclaims any responsibility for non-registered Indians and those outside of reservations. So there just is not any federal influence here.

According to the *Globe and Mail* article, a federal Indian affairs superintendent was sent into the Red Lake district last summer, but few of the Indians ever even saw him. It appears that this superintendent had left a vicious dog at the front of his home and as a result, few of the Indians wished to risk going by this animal just to see the superintendent.

These are not merely our fellow Canadian citizens. These people are human beings. They are flesh and blood; people who laugh and cry; people who are desperately in need of assistance and understanding. They need a voice to speak for them.

The best solution to present problems will undoubtedly come from the Indians and Eskimos themselves. We, as a province, are trying our best but our funds are too little, our efforts too weak. We need more money and more facilities and this could be all available if only we could wrestle a few measly pennies away from the federal authorities who are only duplicating our efforts, doing many of them clumsily and badly.

It is because of these and many other reasons, most of which have been outlined here today, that I join with my colleague from Kenora in urging this government to take steps which will result in the provision of federal funds for this province for the rehabilitation of Indians.

I believe that the interest of the Indians of this province could best be served by such an advisory council which would be used at the form where elected Indian representatives can sit down with legislators; these people are not satisfied with only speaking with civil servants, they want a voice. They have many of the solutions themselves, let us harness their resources.

Mr. Knight: Mr. Speaker, I welcome the opportunity to participate in the debate on this resolution.

It is very interesting to me to sit back and watch non-Indian people argue about the Indian problem and to see how they very quickly start tearing one another apart. I think it is a big mistake we make in modern-day society.

Surely, the whole white society is not to blame? Surely there are many white people, and I would like to include myself among them, who are very sincerely interested and concerned about this problem. I certainly could not go along with the remarks that were made about the hon. member for Kenora. I think his intentions—party politics

apart—are of the highest calibre, where the Indian problem is concerned. I do not think we are going to get anywhere in this House if we start questioning one another in the manner that he has been questioned.

However, I will not go along with his resolution because I think that he is fostering a plan to decimate the Indian nation. Indian people are a nation, of course, which knows no boundaries within Canada and perhaps even in North America. To allow the province of Ontario to assume full responsibility for the Indian people in this province would also be to open the door for the other provinces to do the same and in this way, divide the Indian nation into 10 or 11 parts.

I feel myself that this has to remain a federal matter—that the federal government must retain the responsibility and should be the watch dog over these treaties with the Indian people. However, when you look at the problem from a practical point of view you will realize that there are so many services within the government of Ontario, within the departments of this government, that should be available to Indian people who live in this province and these services are not available to them.

I feel that inasmuch as they live within the boundaries of Ontario, these services should be made available to them. Therefore I think that it might be possible to consider that, while the federal government retains the responsibility, financial and legal, it might be possible for greater liaison between the provincial and federal government, so as to make it possible for these services. I am thinking of Family and Social Services, Health, Ontario Human Rights, Lands and Forests—all the other departments of government through which the Indian people could benefit as well as the rest of us do.

So I would suggest greater liaison in that area. However, there is an area where this government is to blame where the Indian people are concerned. That is, the Indian people who do not live on the reserves. These are the forgotten ones. These are the ones who are turned loose in a sea of civilization, humanity, tall buildings and discriminating people—superior people. These are the Indian people who are lost, who do not know which way to turn.

I think that our society has been remiss in making it possible for Indian people to leave the protection of their reserve and to come into society without a proper preparation or introduction. I see it every day up in my own riding of Port Arthur where people call me. Indians are coming into the

city with their families; they have no job, and they do not know where to begin. They need assistance. They go from one department of government to the other—this government and the other government as well.

They wind up back with some Indian person within the city of Port Arthur who has established himself. He will pick up the problem and try to get it solved for them.

I am thinking of one man up in Port Arthur, Mr. Xavier Michon—I am sure he will not mind if I mention his name—who spends hour after hour, dollar after dollar, to help to get his people, the Indian people, properly introduced into the society with no recompense whatsoever to him. He does it out of the goodness of his heart; it is sincere interest.

I fear that it is people like Mr. Michon who will be lost to us. They are really, Mr. Speaker, the missing links in this entire problem, because the Indian person today is a very distrusting one and no one can really blame him. He distrusts. I have been at the Lakehead for nine years and I dare say I am distrusted by many of them, although I feel that my motives have been on the highest level. And yet he mistrusts me.

Some day, perhaps, I will win his confidence, if I deserve it, and his trust. But I know of people who do have that confidence and these are the people who we should not lose, or should not allow to be discouraged. And I think this is where this provincial government and the federal government can perhaps co-operate, to set up some kind of a commission of ombudsmen, go-betweens, so that you have somebody in every urban centre where Indian people are coming in, somebody they can go to and talk to and be guided and be assisted. If they do not come to departments of the provincial government, it is because they do not know anyone in there—they do not trust them. So we should have someone they can go to and can trust. I think this is extremely important.

I admire the hon. member for Kenora for advancing his resolution. He is aware of what I am aware of, because we live in the north, that there are all of these provincial services, but the Indian person does not seem to be benefitting from them.

So we would like to find some formula, some way to put the services within the reach of the Indian people, whether they be treaty or non-treaty, whether they live on the reserve or do not live on the reserve. And this is a very important area that should be explored.

Mr. Speaker, I do not know how we could go about bringing together all these people, these ombudsmen types in Ontario, into an organization or into a grouping of some kind, so that we can let them know that their services are appreciated, that we feel their services are needed and in demand, how we could get further use from them or attract others of their kind into the service of the Indian people and ourselves at the same time. But I do believe that efforts should be made in that direction.

Thank you, Mr. Speaker.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, in the few minutes remaining in this private members' hour, I would like to congratulate the member for Kenora for bringing this very important subject to our attention. I endorse the premise that the provincial government does have a responsibility in the field towards Indians.

I am not as optimistic about their ability to tackle the job, or in the way in which it has to be tackled, particularly when you see the need for health services in northern communities, where you see the lack of educational facilities in many of the northern settings and reserves.

I think there is a very important part for the provincial government to play in this field. I think it is high time that we came to realize that The Department of Indian Affairs is not fulfilling the need it was intended to fill. They have been playing with the problem since the year 1850.

Obviously they have fallen far short of the mark. I think what we have failed to comprehend and to realize here in this debate this afternoon is, really, no one has asked the Indian who he thinks should be assisting him in doing the many things that have to be done to uplift the Indian.

I would just like to quote briefly from an article by Mr. Walter Currie of the Indian-Eskimo Association and he goes over the whole spectrum of the need for educational facilities, hospital facilities, the need of a complete revamping of The Indian Act and after he goes over all these, he says:

And then, what is to be done? He says the federal government, which is the people of Canada, must examine its policies and role toward its native people. The provincial governments must get off their tailbones and must accept the fact that these people are citizens as much as anyone else in the provinces and, therefore, deserve equal opportunities and equal services.

It is high time the provinces stopped hiding behind the idea that Indians are a federal responsibility. One sometimes gets the idea that the only time provinces fight for provincial rights is when it involves a source of revenue. The Indian people want to accept—and must be given—responsibility for their destinies.

Mr. Speaker, I see that my time has expired but I would just like to impress upon this government that, if we are going to uplift the Indian and bring him into the mainstream of society—socially, culturally and any way you want to put it—I think it is incumbent upon this provincial government to take action and bear their share of the responsibility to see this task to a successful conclusion.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, we will continue with the Throne Debate tomorrow.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.

#### ADDENDUM

(Thursday, February 13, 1969)

The following petition was received and presented and should be shown under that order of business on Page 1231:

Of the corporation of the city of Ottawa praying that an Act may pass authorizing a by-law controlling the occupancy of all types of buildings; and for other purposes.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Tuesday, February 18, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 18, 1969

The House met at 2.30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our guests today in the east gallery are students from Main Street School in Toronto; and in the west gallery from Sir John A. Macdonald Collegiate Institute in Agincourt; and in both galleries, from the John G. Althouse Public School, Islington. Later this afternoon we shall be joined by personnel from the Manpower Retraining Centre at Keele and Dundas Streets in Toronto.

Petitions.

**Clerk of the House:** The following petition has been received:

Of the corporation of the town of Mississauga praying that an Act may pass permitting it to provide public transportation by agreement without the necessity of a referendum.

**Mr. Speaker:** Presenting reports.

Mr. A. B. R. Lawrence, from the standing private bills committee, presented the committee's third report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr19, An Act respect the City of Belleville.

Your committee begs to report the following bill with certain amendments:

Bill Pr6, An Act respecting the City of Niagara Falls.

**Mr. Speaker:** Motions.

Introduction of bills.

The hon. Minister of Highways has a statement.

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, I should like to draw to the attention of the members that the official Ontario road map is now available for distribution.

A copy of the map has been placed on the desks of the hon. members and, in pass-

ing, I might say that the cover design this year has been co-ordinated with The Department of Tourism and Information to be compatible with that department's overall promotional material to attract additional tourists to our province.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a question for the Minister of Education.

Has the Minister any information on when we might expect a report of the Mackay commission on the teaching of religion in the schools, which I believe has been sitting now for four years?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I will not get into a discussion today as to the exact length of time, because that was not a part of the question that I received. My own recollection is not that it is four years, but we can discuss that on another occasion.

I have a copy of the report; it is in the process of being printed for distribution. When it is ready I shall make it available to all members of this House so we will have ample opportunity to discuss it I think, at some great length.

**Mr. Nixon:** Did I understand correctly—the Minister has a copy of this right now, and so it should be available within a few days?

**Hon. Mr. Davis:** Mr. Speaker, in that I am not a member of the printing profession, I cannot say just how many days are involved, but I am saying that we are in the process of getting it printed for rather wide distribution.

**Mr. Nixon:** Mr. Speaker, I would like to ask the Attorney General if, following the Supreme Court of Canada's decision yesterday, is he prepared to recommend to the Minister of Justice for Canada that all off-track betting be made legal?

Second, is the Attorney General preparing regulations to control the operation of betting agencies?

**Hon. A. A. Wishart (Attorney General):** No, Mr. Speaker, I do not intend to recommend

that all off-track betting be made legal. On the contrary, I spoke with the Minister of Justice, the Hon. John Turner, last week, somewhat anticipating perhaps the decision of the court, or at least outlining our thoughts whatever the decision of the court might be, and that was in company with the attorneys general of other provinces—so that he had an understanding of our approach.

I spoke with him again this morning and our recommendation was to amend the code to make such activity illegal if the court should hold that it was not illegal now.

As I say, I spoke to him this morning and we are anticipating that action will be taken to bring the law at the federal level in line to make this sort of activity illegal; so I would not be anticipating—in answer to the second part of the question—any programme to license or control this type of activity.

**Mr. Nixon:** The Attorney General's recommendation to the Minister of Justice would include the present betting agencies that were reviewed by the courts just recently?

**Hon. Mr. Wishart:** The law—if the Minister sees fit to amend it as I trust will be the case—would, of course, cover everybody. Regarding these activities which are perhaps being carried on, or which may spring up in the interim, I would expect first of all that they would get their own legal advice as to what they may do and they will be certainly aware of what we propose the legislation shall be, to affect that type of activity.

**Mr. Nixon:** May I ask, Mr. Speaker, if the Attorney General will permit a supplementary question? Does he not think that it might be in order for a general review of the laws as they are understood here in Ontario, and applied here in Ontario, before we opt for the *status quo*?

**Hon. Mr. Wishart:** Mr. Speaker, regarding the law covering gaming, betting and off-track betting generally, I think the hon. member is aware that the section under which we proceeded was one of the subsections of Section 177 of the Criminal Code. This is federal legislation, which has control of betting. We cannot review or alter that legislation.

If the federal government takes jurisdiction in this, as it does and has, it is in that area of jurisdiction that the law would be reviewed, extended or altered, and that is the proposal that I, along with, as I say, the attorneys general of certain other provinces, put forward.

We have much concern about this activity; how it would be controlled; how it would be licensed, if that were to be considered; and how one would regulate it if certain criminal elements might find it easy to get into the field. These are the things that give us concern and I think this is certainly in the federal area of legislation under the Criminal Code.

**Mr. Nixon:** If I might have another question of the Attorney General, I am well aware that it is in the federal jurisdiction and that the Attorney General of Ontario has been making recommendations to him, but surely the Attorney General is also concerned about the involvement of criminal elements in the illegal betting that now goes on in such tremendous proportions?

**Hon. Mr. Wishart:** Of course we are concerned and that is why we are particularly concerned that this type of activity, by the decision of the court, can be carried on as a legal activity because I think one does not need to be very perceptive to know that this would be an easy way to create a front for illegal activities. This does give us great concern.

But I must go back to this—that that is why, and I think quite properly, the Criminal Code takes cognizance of this type of activity. That is why we have made our views known to the Minister of Justice. He is quite aware of it and he shares our concern, as do other attorneys general and the leaders of the government in other provinces.

The only thing we could do, I think, if the law were left in this present state, could possibly be to bring in a system of licencing, supervision or control which would be extremely difficult to enforce. It would be a most difficult thing to enforce so as to prevent criminal elements getting in behind this front.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a long standing question to the Minister of Highways. What is the government doing to end the winter time isolation of the 300 to 400 citizens of Pelee Island?

**Hon. Mr. Gomme:** Mr. Speaker, the transportation facilities between the mainland and Pelee Island have not changed for a number of years, and to my knowledge no changes are anticipated.

**Mr. MacDonald:** Mr. Speaker, I did not get the latter part of the comment.

**Hon. Mr. Gomme:** And to my knowledge no changes are anticipated.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question. Would the Minister consider a feasibility study of the use of hovercraft running between Pelee Island, Leamington, Ontario, and Sandusky, Ohio? I understand this is one of the proposals that have been advanced by the local people coping with this problem.

**Hon. Mr. Gomme:** Mr. Speaker, I believe this was done by the federal department and no action was taken on it after that study.

**Mr. MacDonald:** Mr. Speaker, by way of a further supplementary question, has the Minister got a copy of that feasibility study? Does he know whether or not hovercraft is feasible, or is it just that the federal government does not feel it is their responsibility; that it is the responsibility of the provincial government?

**Hon. Mr. Gomme:** Mr. Speaker, I could not answer the hon. member's question as to what the federal government feels. But my understanding is that transportation to Pelee Island is subsidized by the federal government and, of course, I think that would be their responsibility.

**Mr. MacDonald:** One gets nowhere fast, Mr. Speaker. My second question is to the Minister of University Affairs. Is the Minister in a position to comment, either by confirmation or by denial, on the contention advanced by Pauline Jewett in the March, 1969, issue of Maclean's magazine that Canadian universities have manifested an indifference to Canadian talent and a preference to non-Canadians in their staff recruiting?

**Hon. Mr. Davis:** Mr. Speaker, in reply to this question, I must say that I am not aware of any national survey or any survey internally within the province, showing a breakdown of academic staff according to the country of origin. I am just wondering whether such a survey is either desirable or feasible, but that is not what the hon. member is asking.

I think it should be pointed out at this stage that in this province in the past 15 years we have grown in the post-secondary area from four universities to 15. The enrollments have quadrupled and obviously the universities have gone to other jurisdictions for specialized staff, including the United States, and, of course, the U.K.

Increasingly, within the universities,

through the graduate fellowship programmes, we have been interesting substantial numbers of young people to move into the academic area, not only for post-graduate work, but for university lecturing as well. I think it is also relevant in this society of ours to recognize that there is a place for a certain diversity, and that the experience and the talents that have been brought by people from other jurisdictions have been helpful to the total educational environment in our universities. I am sure the hon. member would not disagree with this.

I think it should also be stated that the hiring of staff quite obviously comes within the competence of the University departments and, through them, in the recommendations the senates and boards of the universities. These are done usually once a year, sometimes twice. On two occasions each year the Association of Universities and Colleges of Canada publishes a list of academic vacancies which receives a wide distribution in the Canadian university community. I think I can say, Mr. Speaker, that I have not received from either the professional association in Ontario or from individual professors any direct complaint about discrimination against Ontario or Canadian scholars. Now, whether this will help the hon. member in relieving his mind about the statement from Pauline Jewett. I cannot say, but perhaps it might be somewhat helpful.

**Mr. MacDonald:** Mr. Speaker, far be it from me to disagree with the Minister, he is very disarming. But may I go back to the question that I asked and couple it with this query? Is it not correct that OISE is involved with CAUT in a study of the origin of university staff here in Ontario and, perhaps nationally? If so, and if the study has reached that stage, is the Minister in a position to comment on whether or not there is any credibility in the contention that there is discrimination against Canadians or preference for non-Canadians.

**Hon. Mr. Davis:** Mr. Speaker, as I have always been prepared to do, hopefully, in this Legislature, if I have any information that is relevant to any particular issue—this one included—that may be available to me I shall immediately make it available to the member for York South and all other members of the House. I do not have any direct communications from individual professors or faculty associations; nor do I have any results from any survey that may or may not be under way under any auspices.

**Mr. MacDonald:** Mr. Speaker, by way of a supplementary question, may I ask the Minister again: Is OISE involved with CAUT in such a study?

**Hon. Mr. Davis:** I cannot speak for the CAUT; I do not know what studies they may or may not have underway. If they have such a study underway, and if they have asked for certain information from OISE, obviously that relationship would be between OISE and CAUT, over which I have no jurisdiction.

**An hon. member:** Have you any relationship with OISE?

**Hon. Mr. Davis:** We help finance that very important organization.

Interjections by hon. members.

**Mr. G. Ben (Humber):** Mr. Speaker, if I will first put question 667, and I understand that the hon. member for Nipissing (Mr. R. S. Smith), also has a question in similar vein. The question is directed to the Minister of Health.

1. Has Vermillion Fairbank Lake water, contaminated with cyanide from an Inco spillage at Moose Creek on January 5, been used for livestock or domestic purposes? 2. Is not a 1,200 gallons spillage huge in relation to the toxicity of undiluted cyanide? 3. Will the Minister take steps to see what, if any, effects this spillage has had on the public health in the area, by undertaking free medical examination of 150 families who may have been exposed to risk? 4. Will the Minister take steps to recover the costs of such medical examination from the International Nickel Company? 5. Can the Minister assure this House that no contaminated food of any kind has reached the market as the result of this grave incident?

Interjections by hon. members.

**Hon. M. B. Dymond (Minister of Health):** I will take this question as notice.

**Mr. Speaker:** I have no question from the hon. member for Nipissing on that problem.

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I have a copy of the question that was submitted to the Minister of Energy and Resources Management (Mr. Simonett).

**Mr. Ben:** Oh, then I apologize.

Interjections by hon. members.

**Mr. Speaker:** Perhaps the hon. member for Humber would let the Speaker run the

question period so far as the members are concerned.

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Humber has a further question of this Minister.

Interjections by hon. members.

**Mr. Ben:** Mr. Speaker, if it proves anything it proves the duplicity of departments; one does not know where to direct the questions.

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for Humber has the floor.

**Mr. Ben:** Again to the Minister of Health:

1. Will the Minister of Health arrange an early conference with the Canadian Manufacturers Association following the publication of the CMA codes of principles relating to industrial pollution? 2. At the same time such meeting is convened, will the government itself be ready with and will it lay before this Legislature a commentary on the code relating to the legal aspect particularly in relation to appeal and judicial review? 3. Will the Minister set up a centralized crew of technological information in order to assist industry in meeting its obligation to maintain a liveable atmosphere? 4. In view of the further evidence in this code that pollution is indivisible, will the Minister urge upon the Cabinet the need for his taking overall pollution control measures in this province, whether of air, water, noise or soil?

I guess, Mr. Speaker, that question could very well arise out of the incident that just took place with the question put by the hon. member for Nipissing.

**Hon. Mr. Dymond:** Mr. Speaker, I submit to you that this question more likely belongs on the order paper, and when it appears there I will get the answer.

**Mr. Ben:** Oh, good grief!

**Mr. Speaker:** The hon. Minister will then advise the Clerk of the House it is being transferred to the order paper. The agreement has been that questions for the order paper submitted to the Speaker's office will only be transferred to the order paper by the Minister.

The hon. member for Humber has a further question.

**Mr. Ben:** I have a further question, and I hope the hon. Minister has not run out of money so he can pass the buck again.



1. What is the general position of companies operating in Ontario with respect to reporting to the provincial Minister of Health the manufacture of any toxic substance which might be volatile or efflorescent, yet which might form part of a classified military contract?

2. Does the Minister have any jurisdiction or power whatsoever to enforce any regulation relating to health and public safety when air pollution may arise as the result of the manufacture of classified chemical or biological substances in Ontario?

3. At the time of the inquiry into the pollution of air, soil and water in the townships of Dunn, Moulton and Sherbrooke in Haldimand county: (a) was either the Electric Company Limited, or the Sherbrooke Metallurgical Company, manufacturing any toxic product or by-product not reported to the commissioners? (b) was either company manufacturing any noxious substance or agent, or component of any agent, in contravention of the Geneva convention on chemical-biological warfare?

**Hon. Mr. Dymond:** Mr. Speaker, I would like to take that question as notice.

**Mr. Speaker:** The hon. member for Windsor West has a question of this Minister?

**Mr. H. Peacock (Windsor West):** I have a question of the Minister of Health, Mr. Speaker:

1. What were the findings of the air pollution control staff arising from its recent field investigation of complaints of damage to employees' cars and neighbouring residential property attributed to improper ventilation at the Windsor foundry of Chrysler Canada Limited?

2. What recommendations has the Minister made to the company for control of emissions, and how will these be enforced?

**Hon. Mr. Dymond:** Mr. Speaker, investigation of the complaints concerning Chrysler Canada Limited foundry at Windsor indicated that the emission of particulate matter exceeded the standards set forth in Ontario regulations.

Under The Air Pollution Control Act, 1967, the Minister's order was issued requiring Chrysler to submit a programme of control by March 15, 1969. The company has co-operated by submitting this programme and a meeting of the air pollution control service and Chrysler will be held on Friday or early next week to finalize some of the details.

When approved, the company is required to implement the programme as rapidly as possible and by a stated date.

**Mr. Peacock:** I wonder if I could ask the Minister by way of a supplementary, if in stating that the programme must be implemented as rapidly as possible his department has given a deadline by which the measures must be undertaken?

**Hon. Mr. Dymond:** I have answered that question already, sir.

**Mr. Peacock:** No, the Minister has not.

**Mr. Speaker:** The hon. member for Scarborough East has a question of the Minister of Health.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, a question for the Minister of Health:

What are the least changes that would be required for federal medicare legislation and regulations to make eligible for federal contribution, the medical insurance plan presently in force in Ontario?

**Hon. Mr. Dymond:** Mr. Speaker, I have complete lack of understanding of this question. I do not know whether the hon. member means changes necessary to the federal Act. If this be so, of course this lies outside my jurisdiction. If the hon. member means changes necessary to our Act, then I would like to know.

**Mr. T. Reid:** Mr. Speaker, I apologize to the hon. Minister for the ambiguity in the question and of course it refers to the changes in the medical insurance plan presently in force in Ontario to make Ontario eligible for the medicare grant from the federal government.

**Hon. Mr. Dymond:** I will have to take this as notice, Mr. Speaker.

**Mr. T. Reid:** Mr. Speaker, surely the Minister must know now.

**Mr. Speaker:** The hon. member for High Park has a question of this Minister.

**Mr. M. Shulman (High Park):** Thank you, Mr. Speaker.

A question of the Minister of Health in three parts:

In view of the statements at yesterday's inquest into the death of William Ambing, which revealed that the pregnancy of a 16-year-old patient at the Ontario hospital in Toronto occurred as a result of insufficient

supervision, would the Minister care to revise his denial of my statement on these problems?

2. In view of Doctor J. Duksta's comment nobody at the hospital was aware that the girl had become pregnant, and in light of his further comments about this problem, would the Minister care to revise his estimates of the number of pregnancies which occurred in the Ontario hospitals last year?

3. Are birth control pills now being administered to patients at the Whitby psychiatric hospital? If the answer is yes, how many patients are receiving such pills and how many of these patients are married?

**Hon. Mr. Dymond:** Mr. Speaker, the answer to the first part is no; the answer to the second part is no; and the answer to the third part, this is confidential information between the patient and the doctor and has no place in the public records.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Dymond:** No.

**Mr. Shulman:** Did the Minister say no or yes?

**Mr. Speaker:** No.

The hon. member for Ottawa Centre has a question of the Premier.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker, I have a question to the Prime Minister.

Would the Prime Minister give consideration to increasing the shelter allowances, provided for in the various assistance Acts, to meet the amounts which those on assistance are compelled to pay due to the housing crisis?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, a similar question was asked of the Minister of Social and Family Services (Mr. Yaremko) last week. He answered it on Thursday. I think that answer will cover this question.

**Mr. Speaker:** The hon. member for Etobicoke has a question of the Minister of Social and Family Services.

**Mr. L. A. Braithwaite (Etobicoke):** Yes, Mr. Speaker:

In view of the recommendations of the coroner's jury investigating the death of five-month-old William Frederick Ambing, is the Minister prepared, (a) To introduce legislation to allow for the protection of children

of mentally ill parents? (b) To establish a central communication file system where all welfare agencies would provide information on their services?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I will take notice of the question and give the answer later.

**Mr. Speaker:** The hon. member for Essex South has a question of the Minister of Agriculture and Food.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, has the hon. Minister ever indicated verbally or in writing to the Minister of Agriculture for Canada that he and the province are willing to abdicate certain agriculture marketing powers to the federal government?

Second, have any other provinces made proposals of a similar nature?

Third, at the federal-provincial conference of agriculture Ministers to be held in Ottawa commencing March 24, will this province indicate a willingness to abdicate certain marketing powers in favour of national marketing arrangements, especially in regard to grains?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, in reply to this question: First of all, "Has the Minister of Agriculture and Food ever indicated verbally or in writing any abdication of certain agriculture marketing powers to the federal government?"

May I say that agreements do exist between the federal Department of Agriculture and The Ontario Department of Agriculture and Food as far as, for instance, the marketing of industrial milk in the province of Ontario. This is under the authority of the national dairy commission. As such, there are joint working arrangements between the Ontario Milk Marketing Board and the national dairy commission.

As far as any other marketing powers or extension of marketing powers to the federal government, I do not know of any at the moment. But there certainly are discussions going on, particularly with reference to national marketing of some commodities, for instance, a form of national control on eggs.

This would require a mutual exchange of authority between the provinces and the federal government, if such a national authority were to have jurisdiction across provincial boundaries, because The Agriculture Products Marketing Act of Canada does provide for the right of producers within a prov-

ince to handle the particular commodity involved within that provincial border. But it really does not authorize the marketing board for that particular commodity to have any jurisdiction on inter-provincial or international borders. So it would be an extension of powers that would be given to the federal government by the province, and vice versa, to do just this.

These matters have been discussed on various commodities, Mr. Speaker. There have been no written agreements and certainly no talk of abdication of powers whatever—just attempts to find how best to resolve certain matters that the producers of some commodities feel should be resolved in this way.

As far as the third question is concerned, there is really not a meeting of Ministers *per se* on March 24, at Ottawa. The federal Department of Agriculture has called a national agriculture conference and has, in turn, invited the various provincial Ministers of Agriculture from across Canada to attend that conference along with a great many other delegates—several hundred, I believe. I am not aware of any discussions that will involve just the Ministers with the federal Minister.

**Mr. Paterson:** Mr. Speaker, by way of a supplementary question. Would the hon. Minister undertake to discuss the marketing of corn at this particular conference, should he be in attendance?

**Hon. Mr. Stewart:** Mr. Speaker, as the hon. member is very well aware, I am sure, there is a corn industry inquiry committee now working in the province of Ontario. They have had several hearings and they are continuing their discussions and hearings into this matter, and I feel it would be essential we have their recommendations and report before discussion takes place at any other level.

**Mr. Nixon:** Is that the group that is already recommending a corn marketing board report?

**Mr. Speaker:** The hon. member for Grey-Bruce has a question of the Minister of Agriculture and Food.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, in view of the fact that in the province of Quebec, The Department of Agriculture subsidizes farm loans—it says “losses” here—so that their net cost is 2.3 per cent, and in Ontario the net cost to the farmer is seven and a half per cent, will the Minister of

Agriculture and Food reveal how Ontario farmers can be expected to compete on the market with such an advantage being given to Quebec farmers?

**Hon. Mr. Stewart:** Well, Mr. Speaker, this question, of course, is relevant to the situation. The Quebec Department of Agriculture has decided to subsidize interest rates on farm loans and has been doing this for some years. While it does put our farmers at some disadvantage as far as this particular item is concerned, I am sure the hon. member, with his great knowledge of the province of Quebec and what a wonderful privilege it is to live here, would recognize that there are many other things that offset that advantage.

**An hon. member:** It is not what you said, it is the way you said it.

**Mr. Sargent:** Mr. Speaker, will the Minister answer a supplementary on this?

In view of the fact that the differential on a \$50,000 loan would be \$2,500 a year—on a 30-year loan it would be \$70,000—how does the Minister justify the fact that he will not reconsider this? It is a five per cent differential, and \$2,500 a year is an awful handicap on a \$50,000 loan. Would the Minister reconsider that?

**Hon. Mr. Stewart:** Mr. Speaker, he is referring to the straight interest rate across the entire length of the loan, amortized over a period—

**Mr. Sargent:** Well, it doubles every 13 years.

**Hon. Mr. Stewart:** It would not be nearly that much, but I suppose I would tell the hon. member that, as the Prime Minister suggested a moment ago, if we were willing to support an eight per cent sales tax in the province of Ontario, we might be able to consider that kind of subsidy.

**Mr. Sargent:** Well, will the Minister reconsider it?

**Hon. A. Grossman (Minister of Correctional Services):** Is the member in favour of an eight per cent sales tax?

**Mr. Sargent:** We tell the farmers—

**Mr. Speaker:** Order, order! The hon. member may ask a supplementary question, but that is all.

I would like to ask the hon. member for Huron-Bruce (Mr. Gaunt) if he understands the situation with respect to the question he

placed yesterday, which was taken as notice and which he placed again today? When questions are taken as notice, that means the Minister will answer them at the earliest possible moment. Therefore, the question is open to answer when the Minister is prepared.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, if I may, I understand that the Minister was not in the House yesterday so I did not ask the question; that was my understanding.

**Mr. Speaker:** I am sorry. Would the hon. member now place the question?

**Mr. Gaunt:** Thank you. Will the Minister table correspondence with the Ontario Federation of Agriculture as follows: 1. A letter of August 27, 1967, recommending Mr. George Klosser, MA, Econ., a farmer with experience in preparing reports, to chair the inquiry into the pollution of air, soil and water in the townships of Dunn, Moulton, and Sherbrooke in Haldimand county?

**Mr. Speaker:** Perhaps the hon. member would check his copy? Mine is the townships of Dunn, Hamilton and Sherbrooke.

**Mr. Gaunt:** Well, Mr. Speaker, it is a typographical error. It should read Moulton.

**Mr. Speaker:** Thank you.

**Mr. Gaunt:** 2. A reply by the Minister dated August 31, 1967, stating that this recommendation would be given serious consideration.

Will the Minister explain how it was possible to write such a reply in view of the statement on page 288, paragraph 201, of the report, that "on August 24, 1967, Cabinet approval was given to the appointment of Dr. G. E. Hall as chairman of the committee"?

**Hon. Mr. Wishart:** I will take the question as notice, Mr. Speaker.

**Mr. Speaker:** The hon. member for Windsor West has a question of the Minister of Transport.

**Mr. Peacock:** Mr. Speaker, does the Minister intend to introduce legislation limiting to reasonable levels the amount of noise that may be caused by motor trucks operating in the province, and providing for enforcement of noise level limits by the province on a uniform basis, as requested by Woodstock, Windsor and other cities.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the problem of motor vehicle noise

pollution has been under continuous study for some years. The National Research Council in Ottawa has done work on it, but no satisfactory solution has been found. Only very recently, the Society of Automotive Engineers has come up with what I believe is a technically valid set of standards and method of measurement. And I feel that the time is fast approaching, Mr. Speaker, when legislation can be effectively used to enforce quieter motor vehicle operation.

**Mr. Peacock:** Mr. Speaker, did the Minister say that the standards prepared by the SAE now provide him with the opportunity to bring legislation before the House at an early date?

**Hon. Mr. Haskett:** Mr. Speaker, that was not just what I said. I did say that they had come up with what I believe were technically valid standards and method of measurement, and that I think the time is approaching when legislation could be effectively used.

**Mr. Peacock:** Will it be?

**Hon. Mr. Haskett:** That we shall see in the fullness of time.

**Mr. Speaker:** The member for High Park has a question of this Minister.

**Mr. Shulman:** Mr. Speaker, to the Minister of Transport: Why did his deputy issue instructions on February 3, that:

If any employee's driver's licence is suspended for an offence under the Criminal Code of Canada or The Highway Traffic Act, whether on or off duty, he may be subject to immediate dismissal.

Will the Minister agree with me that, in effect, such employees are being given double punishment? Will the Minister also agree that dismissal from one's job is a very severe penalty for losing one's driver's licence? Will the Minister rescind his severe order?

**Hon. Mr. Haskett:** Mr. Speaker, I have before me a copy of the letter of January 3, 1969, over the signature of the Deputy Minister which reads:

To each employee; This department is responsible for a continuing, comprehensive highway safety programme throughout Ontario. I feel there is considerable onus on our employees to support this programme by practising good driving habits. Therefore, this will serve as notice of the following:

If an employee's driver's licence is suspended, or he is sentenced to a jail term

for an offence under the Criminal Code of Canada, or The Highway Traffic Act, whether on or off duty, he may be subject to immediate dismissal. If dismissal action is not taken, there will be no obligation on the part of the department to arrange an alternate job to a person who must have a valid driver's licence to perform his normal duties.

It is necessary, Mr. Speaker, to deal forthrightly with this problem, but if there appears to be an warranted intrusion on the rights of an employee I am prepared to take the matter under careful consideration.

Interjections by hon. members.

**An hon. member:** The Minister had better speak to his Deputy.

**Mr. Shulman:** But, Mr. Speaker, the Minister has not answered the last three parts of the question.

**Mr. Speaker:** The hon. Minister states that he has answered the question as he proposes to answer it. The hon. member for Scarborough East has a question of the Minister of Education.

**Mr. T. Reid:** Why does the Minister of Education allow his Deputy Minister to make a policy statement on basic changes in his departmental regulations before the Minister makes such changes known?

**An hon. member:** Stick to the secondary school guidelines!

**Hon. Mr. Davis:** Mr. Speaker, I think the answer to this is very simple. The Deputy Minister has not made any major policy statement whatsoever.

**Mr. T. Reid:** Could I ask the Minister a supplementary question?

**Hon. Mr. Davis:** Mr. Speaker, there is no point in entertaining a supplementary question. We have been through this, the hon. member for Scarborough East and myself, once before on another issue. I recognize he is going to read to me, as part of his supplementary question, certain information either from one of the evening papers last night, or in the *Globe and Mail* this morning. I am saying that they arise out of an interview that did not relate to policy that has been determined, and the Deputy Minister of education of this province does not enunciate policy. This was particularly—

**Mr. Nixon:** Mr. Speaker, this is pre-judging the question. Surely the Minister is out of order.

**Mr. T. Reid:** Mr. Speaker, I will just have to make the speech outside the House.

I would like to ask the Minister question 507: Why are orthodox Jewish students attending public school in Ontario forbidden to wear traditional skull caps?

**Hon. Mr. Davis:** Mr. Speaker, this is a matter which, I think, very obviously falls within the jurisdiction of the locally elected school boards. I am informed, and this comes from information just received, that the practices actually vary from one board to another. There are, apparently, some schools where this practice does occur and there are others where caps are worn, for instance, during meal times.

**Mr. Speaker:** There is another question from February 6, No. 546, in connection with the Humane Society and school children.

**Mr. T. Reid:** Mr. Speaker, I would like to withdraw that question.

**Mr. Speaker:** The hon. member for Kitchener has a question of this Minister.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, a question for the hon. Minister of Education: Before the estimates of the Minister's department are presented to the House this spring, will the Minister first indicate how many students of the 55 who have seized a building at the University of Windsor are receiving student loans? Secondly, indicate the number of students of those 55 not residents of Ontario. And, thirdly, of the students from outside our province, the number receiving grants from the province of Ontario.

**Hon. Mr. Davis:** Mr. Speaker, I am somewhat interested, of course, in this question. One can anticipate from this that the hon. member for Kitchener is not only asking, he is suggesting that the Minister of Education do this, or that the Minister of University Affairs do this. I put this to the leader of the Opposition because I—

**Mr. Nixon:** I put this to Mr. Speaker, right now, I submit that the Minister of Education is completely out of order. He was asked for information. I would say the Minister is completely out of order. He has already attempted to answer a supplementary question that he would not permit.

**Mr. Speaker:** Order, Order! The hon. leader of the Opposition, if he is fair in his recollections, will understand that Mr. Speaker has allowed him a great many aberrations from the strict orders of the day in order that he might obtain information which he thought



was necessary. In my view, both sides of the House are entitled to this leeway. If not so, then I will be delighted to hold everyone to what I interpret the rules of this House to be. I will admit that the hon. Minister was endeavouring to help the questioners today more than usual.

**Hon. Mr. Davis:** You see, I was just trying to find out really who enunciated the educational policies from across the House at this particular point; whether it is the member for Scarborough East, the leader of the Liberal Party, or who it is?

**Mr. Speaker:** Order!

**Hon. Mr. Davis:** Mr. Speaker, to answer very specifically the questions asked by the hon. member for Kitchener. It is not my intention, prior to the estimates of The Department of University Affairs, to give the information here, that has been suggested on this occasion. Obviously, during the estimates the hon. member may ask what he wishes to ask, but to say that, prior to my estimates, I provide this information, I think the answer obviously is no.

**Mr. Speaker:** The hon. member for Peterborough has several questions.

**Mr. Nixon:** Mr. Speaker, if you will permit me, on a point of order. I cannot see how we can permit the Minister of Education to say that he will not give this information prior to his estimates. What makes those so sacred when we are concerned with an immediate problem now?

**Mr. Speaker:** The hon. leader of the Opposition has no point of order. The hon. Minister has been asked a question and he has answered it in the manner in which he feels it should be answered, or has refused to answer it. That is quite proper so far as the rules of the House are concerned. The hon. leader has other ways of bringing this Minister to task, if he feels he should be brought to task, but not by debate in the question period.

The hon. member for Peterborough has the floor.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I would like to ask a question of the hon. Minister of Education. Is it true that the Minister has directed the department officials not to take a positive stand on the Hall-Dennis report, as indicated in the *Globe and Mail* story of Saturday, February 15?

**Hon. Mr. Davis:** Mr. Speaker, I think we went through this exercise a few days ago. I

indicated at that time that I did not take, nor were the officials in the department taking, a stand completely in support of or completely opposed to the Hall-Dennis report. I hope we do not have to say that again here in this Legislature.

The officials of the department have been spending their time and effort determining just what portions of the report are practical for implementation, and those that have economic considerations. After the public discussion has gone on, after meetings with the OTF and other related agencies, then we will be in a position to enunciate policy. It is not a question of direction or otherwise.

Surely this is the opportunity—as the hon. member for Peterborough reminded me so specifically a year ago when these major changes are taking place when we should involve the total constituency, the teachers—even, to a degree, the students. This is what we are attempting to do without the Minister coming down and saying, “This is all right, this is not.” We are just trying to do things the way you have suggested, up to a point.

**Mr. J. B. Trotter (Parkdale):** The Minister has become the Paul Martin of the Tory party.

**Hon. Mr. Robarts:** Well, that coming from a Liberal—

**Mr. Pitman:** I hope *Hansard* reports that last remark, Mr. Speaker.

As a supplementary question, Mr. Speaker, I wonder if I could ask the Minister why the co-chairman seems to believe that officials in the department have been—I think he used the word “sniping”—making private attacks upon the report itself? What is the reason for the co-chairman in this regard?

**Hon. Mr. Davis:** Mr. Speaker, I really cannot speak for the co-chairman of the committee. He obviously has had very ample opportunity to explain his views and explain the report that he helped prepare, and I think that this in itself is sufficient evidence that, as far as I am concerned, the more constructive dialogue we have with respect to the report the better.

**Mr. Pitman:** My second question, Mr. Speaker. In view of the fact that municipalities must send out their tax bills within a few weeks, can the Minister indicate when the new grant regulations will be made available to these school boards and to the municipalities who must collect the money for them?



**Hon. Mr. Davis:** Very shortly, Mr. Speaker.

**Mr. Pitman:** I wonder if I could ask a supplementary question? In view of the great concern of the smaller municipalities who now find themselves in the larger county boards and who find, on a basis of the last year's grant regulations, that their mill rate for education is doubled in some cases, can the Minister give any indication whether the new regulations will alleviate the situation?

**Hon. Mr. Davis:** Mr. Speaker, I think the new regulations will speak for themselves when they are made available.

**Mr. Pitman:** Does the Minister wish to enlarge on that?

**Hon. Mr. Davis:** If you have an extra half-hour?

**Mr. Pitman:** We have lots of time over here, Mr. Speaker. Well, we will move on. In view of the statement that the Minister would not enter the University of Windsor dispute, would he indicate the circumstances on which the Minister might change this decision?

**Hon. Mr. Davis:** Mr. Speaker, really, as I assess that question, I give the hon. member for Peterborough far more credit. He is asking me to speculate and develop a series of permutations and combinations as to what specific situations might lead the government to become involved in what is an internal situation—

**Mr. MacDonald:** When are you going to reverse your position as with the Ontario College of Arts?

**Hon. Mr. Davis:**—when obviously I am not in a position to give any indication of this kind on this occasion.

**Mr. Pitman:** Mr. Speaker, the reason for that question was that, in view of that Minister's attendance upon the battleground yesterday, I thought perhaps we might get some light on these matters from him.

**Mr. Speaker:** Order! The hon. member is entitled to ask questions but not to comment—

**Mr. Pitman:** Might I ask a supplementary question? In view of the fact that the president of the university has now broken off negotiations with the students, and in view of the fact that there has been some suggestion from several quarters that a committee of citizens might provide a negotiating area for the dispute, I am wondering whether

the Minister has any role to play in this particular kind of situation?

**Hon. Mr. Davis:** I do not believe the Minister has any role to play in what is being suggested by the hon. member at this particular point. I think that one must recognize that, as I understand it, there is to be something of a referendum at the university tomorrow. We have had no request—this is interesting—from either the administration of the university, the faculty—I was a guest at that university yesterday—the students' administrative council or from the students of the department for the Minister or the government to become involved. Surely this in itself is some indication that, hopefully, they are able to resolve their own problems and I am sure the member for Peterborough, having a great interest in the autonomy of higher education, would like to see it done in this fashion.

**Mr. Pitman:** My final question, Mr. Speaker: Will the incentive grants be given to those boards with schools willing to accept the new guidelines for secondary schools if extra costs are involved in carrying out the programme?

**Hon. Mr. Davis:** Mr. Speaker, I think the question really was answered when I indicated to the member for Scarborough East that there has been no formal announcement of any change in guidelines. Obviously, the question of whether there will be incentive grants would relate only at that time if such a decision were made and the guidelines distributed—so I cannot answer the question for the hon. member at this moment.

**Mr. Speaker:** The hon. member for Sudbury East has a question of this Minister?

**Mr. E. W. Martel (Sudbury East):** How many teachers employed on probationary contracts with the provincial institute of trades did not have their contracts taken over by the colleges of applied arts when the provincial institute was transferred to the college system?

Second, why did not the school management committee of The Department of Education ensure new contracts for their employees at the time when the provincial institute of trades was transferred to the college system?

**Hon. Mr. Davis:** Mr. Speaker, the probationary contracts of all teachers employed at the provincial institute of trades were taken over by the board of governors of the George

Brown College of Applied Arts and Technology as of March 1, 1968, and this was done on the basis of the transfer from the school management committee. Decisions as to the renewing of the contracts by the board were based upon two criteria: 1. competency; 2. programme requirements.

From a total of 40 probationary teachers, contracts of five were not renewed for the following September.

**Mr. Speaker:** We now come to the hon. member for Nipissing with his question for the Minister of Energy and Resources Management.

**Mr. R. S. Smith:** What steps is the Ontario Water Resources Commission taking to ensure that the public health and safety will not be endangered by the dumping of 1,200 gallons of cyanide into Moose Creek on January 5? 2. Why was there such a long delay between the spillage occurring and yesterday's despatch of samples of the lake water to Toronto for analysis? 3. What measure is Inco taking to ensure that future spillages do not occur? 4. What penalties will be levied against Inco for this infraction?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I will take the question as notice.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of this Minister?

**Mr. F. A. Burr** (Sandwich-Riverside): I have a question of the Minister of Energy and Resources Management. How many copies of the bulletin "News and Information," published by the Ontario Water Resources Commission, are sent out per issue?

**Hon. Mr. Simonett:** Mr. Speaker, if the bulletin is intended for general news distribution, 850 copies are sent out. If the news item is of regional interest only, the number is correspondingly reduced. In either case, copies are sent to all members of the Legislature for their information.

**Mr. Speaker:** The hon. member for Port Arthur (Mr. Knight) has a question which, I believe, the leader of the Opposition wishes to place?

**Mr. Nixon:** Yes, Mr. Speaker, he asked me to put it in his absence. It is to the Minister of Energy and Resources Management. Why was the recommendation of the Lower Trent Region Conservation Authority for the appointment of authority members ignored by order-in-council 550-69, of February 6, 1969?

And, why was a representative from Stirling appointed who has been actively opposed to the formation of the authority?

**Hon. Mr. Simonett:** Mr. Speaker, I am sorry I have not received that question in the office yet, nor have I it on my desk.

**Mr. Speaker:** Perhaps the hon. Minister would take it as notice until we find out where his question went. The hon. member for Thunder Bay has a question of this Minister.

**Mr. J. E. Stokes** (Thunder Bay): Mr. Speaker, is the Minister aware that the last increase in power costs represents an additional \$150,000 on energy costs to most pulp and paper mills in northern Ontario?

2. Why are industries in northern Ontario discriminated against by not making interruptible power available to them as in the case of southern Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, I might say that I do not sit in on the day to day operations—

**Mr. Sargent:** Mr. Speaker, on a point of order, in view of the seriousness of this Hydro strike situation, the fact that this Minister is not answerable—

**Mr. Speaker:** What is the hon. member's point of order?

**Mr. Sargent:** My point of order is this, Mr. Speaker, Hydro is not answerable to the House and the Minister in charge gets his information from a man in the back row there.

**Mr. Speaker:** That is not a point of order. The Minister is—

**Mr. Sargent:** It certainly is, a very important one.

**Mr. Speaker:** Order! The Minister is entitled to get his information where he thinks best.

**Mr. MacDonald:** Where do you get your questions?

**Mr. Speaker:** The hon. member is not in order and he has no point of order.

**Mr. Sargent:** Will the Speaker tell me then why the Treasury appointee on the Hydro cannot report to the House; cannot tell us what is going on, because this man never will explain?

**Mr. Speaker:** Will the hon. member resume his seat and I will come to that. The hon.

member placed a question with Mr. Speaker today directed to the vice-chairman of Ontario Hydro, who is a member of this House. I ruled that it must be submitted to the Minister because questions must be submitted to the Minister.

**Mr. Sargent:** He does not know the answer.

**Mr. Speaker:** Order! And the Minister, of course, will get his reply, as I say, and his information from that place and those persons that he feels can best supply that information. Therefore, if the hon. member for Grey-Bruce wishes to submit his question tomorrow, directed to the hon. Minister of Energy and Resources Management, it will be processed, and where the Minister gets his information, I must say, I have neither any interest nor any say.

I hope that clarifies the matter.

**Mr. Sargent:** With the greatest respect, sir, I say this: I have a letter here from the chairman of the Hydro commission—

**Mr. Speaker:** Order! The hon. member is out of order. The hon. Minister has the floor.

**Hon. Mr. Simonett:** Which question will I answer?

**Mr. Speaker:** Order! The hon. member for Niagara Falls has the floor.

**Mr. G. Bukator (Niagara Falls):** It is not possible to ask a question of the vice-chairman of Hydro in this House?

**Mr. Speaker:** Not in the period of questions before the orders of the day; they must be of the Ministry. And the hon. member for Muskoka is not a member of the Ministry.

If the hon. members will recall, we had that situation one time previously, I think maybe in the fall or last spring, when a question was directed to the member for Haldimand-Norfolk (Mr. Allan) as chairman of a commission. The matter was researched carefully at that time, and I recall pointing out that these questions must be directed to the Ministry or a Minister. That, I think, is still the ruling and I think it is still a proper ruling.

**Mr. Ben:** Mr. Speaker, on a point of order. If my memory serves me correctly, a private member here had a question directed to him and the rules provide that a question may in a proper manner, that is 48 hours' notice in writing, be directed to any member of this House. If the hon. Speaker will let me finish, please—

I do recall that the practice was stopped abruptly because the members who had anticipated asking questions saw that this House would be deluged with questions of the different members. But I submit that the practice and the rule still remains—it is possible, although the members in their good judgment have refrained from using it.

Under those circumstances, I suggest, Mr. Speaker, that a question in writing could still be directed with the usual 48 hours' notice as prescribed by the rules to any member, which would include a vice-chairman of a board or commission.

**Mr. Speaker:** The hon. member is confusing two things—and I agree with him entirely on what he says—he is confusing that with a question of a private member who is holding a position within some administrative area of this government. In that event, the question must in my opinion go to the Ministry.

**Mr. Sargent:** What is the function of the member for Muskoka (Mr. Boyer)?

**Mr. Speaker:** The hon. Minister again has the floor.

**Mr. Ben:** Mr. Speaker, may I ask your Honour a question? Is your Honour saying that although we may ask a question of a private member in the usual form, that is according to the rules where we give a 48-hour notice, that we may not so address ourselves in such a manner to a private member in his capacity as the vice-chairman of a board? Do I understand you correctly?

**Mr. Speaker:** That is my understanding.

**Mr. Ben:** Would you perhaps send me the citation for that?

**Mr. Speaker:** Yes, I will take the matter under further consideration. I will not undertake to send the hon. member any citation, I state that as a ruling made by myself now. If the hon. member wishes to appeal it, fine, I will be glad to put it to the House.

If he wishes to be advised as to it, I would ask that he come down and see me, and the Clerk of the House, the hon. member for Humber and I will go into the matter. But at the moment the ruling stands as I have expressed it.

**Mr. Ben:** On a point of order, on this business of appealing the Speaker's ruling. As I understand it, I would have to do so this instant and I may not do it later; is that correct?

Well then, I regret that I must appeal your honour's ruling on this point, that we cannot address a question in accordance with the rules of this House, that is 48 hours' notice, to a member if that member is a vice-chairman or other official of a board, if the question touches on him in such capacity. I would have to appeal your honour's ruling in that regard.

**Mr. Speaker:** Does the hon. member wish to speak any further to his appeal?

**Mr. Ben:** Yes, if I may be permitted.

To my recollection this is the first time since I have been in this House—and I do not profess having been here any undue length of time—that the ruling of the Speaker has been challenged. The fact remains that it is incumbent upon a government which has an overwhelming majority to be extra careful that the rights of the private members, the rights of the Opposition members are preserved because rules that are imposed under duress only bring disdain upon those people who bring in and impose such rules.

The hon. Speaker has agreed that the rules provide that we may, in the prescribed form, ask questions of any member in this House and I am not referring in this instance to questions before the orders of the day, which are not provided for in the rules but have arisen through custom and usage, I am referring to the rules in the book—and I may be able to refer to it, Mr. Speaker—Rule 37 which states:

(a) Questions may be put to Ministers of the Crown relating to public affairs; and to other members relating to any bill, motion, or other public matter connected with the business of the House in which such members may be concerned but, in putting any such question, no argument or opinion is to be offered, nor any fact stated; and, in answering any such question, a member is not to debate the matter to which the same refers.

(b) Such questions and the replies thereto shall be in writing and shall be entered in the Journals.

(c) Whenever any question requires, by way of reply thereto, any statement of facts or records or statistics of a lengthy or voluminous nature or other material which, in the opinion of the Minister whose Department is concerned, should be made the subject of a Return, the Minister may, instead of answering such question, require a motion to be made for a return.

On a point of order, Mr. Speaker, should you

be in the chair or should the Clerk of the House be in the chair?

**Mr. Speaker:** The hon. member will continue.

**Mr. Ben:** I am not trying to be offensive, Mr. Speaker. The point is, the rule is here, it has never been repealed, it states unequivocally that we can ask a question of any member of this House, and I suggest therefore that the Speaker may have erred in hastily concluding that a question can be put to a member of the House, but to say that the answer must come from a Minister.

I suggest that if a question can be put to any member of this House in the prescribed form, that any member of this House can answer the question and he is not compelled to transmit his answer through the mouth of a Minister of the Crown. I suggest that this is very important point, that we should not be indirectly gagged from determining how departments of government are run.

We have had statements made to us by the hon. Prime Minister that we can call any government body or board or commission and ask them questions and it has been pointed out that it is impossible to do so in the time allocated. I would suggest it would be a travesty of justice and the rules of conduct of this House and the British system of parliamentary procedures if the ruling of the Speaker were upheld.

**Mr. MacDonald:** Mr. Speaker—

**Mr. Speaker:** Before any other hon. members speak, perhaps I might have the floor.

First of all, I would like to point out to the hon. member that far from gagging the members of the House the Speaker has made it possible for them to express many opinions. I have just been advised by the Clerk, who knows these matters very well, that these matters are neither debatable nor is the person who appeals the ruling entitled to elaborate on it. I have given the member that opportunity.

But I would say this, that I am very pleased that the hon. member did, because between the hon. member for Grey-Bruce (Mr. Sargent) and the hon. member for Humber (Mr. Ben), I must confess that I thought we were still discussing the matters of oral questions before the orders of the day. Without any question in my mind, the ruling that I have made applies to that. Now, with respect to written notice questions that is an entirely different question.

The hon. member did not make it plain to me; he may have made it plain to the other members, but he certainly did not make it plain to me, that he was discussing a different type of question entirely. Then the ruling of the Speaker might be different. I would take this under advisement, certainly so far as questions before the orders of the day are concerned. All the questions which we have directed only to the Ministry must be answered only by the Minister.

If the hon. member's point was that there is another type of question following the rules which he has read, and which type of question by the way has been somewhat adjusted to form part of the oral question period, I would be most certainly pleased to say to the House that the ruling I made was entirely with respect to this period which we now have for oral questions before the orders of the day. I would be glad to look into the other matter, because certainly I did not follow that.

**Mr. Ben:** Sir, I should direct to you if I may be permitted that I recognized there was some noise which distracted your Honour's attention because I was only addressing myself, as you have now surmised, to the written questions. I accept your ruling pertaining to questions before the orders of the day.

**Mr. Speaker:** Then I will be pleased to take the other submissions under advisement, and, perhaps give a ruling or discuss it at least with the members to decide how it should be dealt with.

**An hon. member:** See how easy I am to get along with!

**Mr. Speaker:** I think it is obvious that it is good for the House for members to have an opportunity to explain. I must confess to members that I was entirely on another type of question as far as the hon. member was concerned.

Interjection by an hon. member.

**Mr. Speaker:** The hon. member for Grey-Bruce is pursuing something.

**Mr. Sargent:** Mr. Speaker, would you advise the Minister that we want the Hydro reports directly to the House and not to a puppet Minister?

**Mr. Speaker:** I am afraid that Mr. Speaker really does not have any jurisdiction over that unless and until the rules are changed because the question, before the orders of the House, is to the Ministry.

The hon. member for Thunder Bay was in the process of asking the hon. Minister of Energy and Resources Management a question about energy costs and paper mills. He now has the floor.

Interjections by hon. members.

**Mr. Speaker:** Order! The hon. member for Niagara Falls has a point of order.

**Mr. Bukator:** The question that I asked of you, Mr. Speaker, was, can we not ask the vice-chairman of Hydro questions in this House, such as we do before the orders of the day? Can we use the rules that my colleague from Humber was talking about, and get questions answered in the House about Hydro?

**Mr. Speaker:** That is exactly the point that I said I would have to look up to take under advisement, as I advised the member for Humber, because that is a different type of question from the questions we are asking now. We shall try again. The hon. member for Thunder Bay.

**Mr. Stokes:** Is the Minister aware that the last increase in power costs represents an additional \$150,000 on energy costs to most pulp and paper mills in northern Ontario? Why are industries in northern Ontario discriminated against by not making interruptible power available to them as is the case in southern Ontario?

**Hon. Mr. Simonett:** Mr. Speaker, the increase in power rates to Ontario Hydro's direct industrial customers, effective January 1, 1969, results in an additional annual cost of \$150,000 or more to three of the 13 pulp and paper companies in northern Ontario. Since the cost of power represents 8 per cent to 10 per cent of the total production cost in the pulp and paper industry, this adjustment in power rates would result in an increase of approximately 1 per cent in the total production cost of these companies.

Interruptable power is not available to the customers on the West System, northern Ontario, because the conditions on the West System are quite unlike those on the East System, where the daily peaks are more pronounced, occurring for periods of only a few hours, once or twice a day.

On the West System the daily load curve is very flat because of the prevalence of high load factor industries. And if interruptible power were to be of any value to Ontario Hydro, it would have to be subjected to interruptions for much longer periods, even to the extent of 16 hours per day. In extreme



circumstances with major equipment failure, this could extend for several days or even weeks.

From a customer's point of view, such conditions, of course, would be impractical. It is possible that at some time in the future the relationship between the loads on the East and West Systems and the capabilities of the interconnecting transmission lines might permit the sale of some interruptible power on the West System. However, recent studies indicate that interruptible power will not become available on the West System for several years.

**Mr. Stokes:** Will the Minister permit a supplementary question?

**Hon. Mr. Simonett:** Yes.

**Mr. Stokes:** It is my understanding that there is a surplus of power in northwestern Ontario now by virtue of the fact that the steam generating plant on island no. 2 in Fort William is only operating at low capacity. Why wouldn't it be possible to allow power users in northwestern Ontario to take advantage of the interruptible power when there is such a surplus of it in that area at the present time? Witness the fact that the transmission lines are integrating the two grids.

**Hon. Mr. Simonett:** Mr. Speaker, that would not be interruptible power. That is power that you could close down or start up when extra power is needed.

**Mr. Speaker:** The hon. member for High Park has questions of the Attorney General.

**Mr. Shulman:** I have a number of questions to the Attorney General, Mr. Speaker. I will place them all at once as they are all related:

1. Have over 50 complaints been received by the Inspector of Legal Offices during the past six months about strange occurrences in the York County Eighth Division Court? 2. What has been the cause of these problems? 3. What is being done?

What action is being taken to clear up the backlog of cases that have piled up in the York County Eighth Division Court as a result of failure of the Court Clerk to place cases on the list and/or to see that the bailiff issues judgment summonses? 1. Did Mr. R. A. McFarland, representing the Inspector of Legal Offices, write to bailiff F. P. Switzer of the York County Eighth Division Court on December 9, 1968, asking why a judgment summons issued last summer was

not served? 2. What reply was received to this letter?

1. Has Mr. R. A. McFarland, representing the Inspector of Legal Offices, investigated certain mysterious disappearances of papers and cheques from the York County Eighth Division Court, as detailed by that gentleman in a letter dated January 23, 1969? 2. What was the result of this investigation?

1. Did Mr. R. A. McFarland, representing the Inspector of Legal Offices, write to Mr. F. P. Switzer, the bailiff of the York County Eighth Division Court, on December 19, 1968, inquiring why execution and committal warrants had not been served? 2. What was the result of this inquiry?

1. Did the Inspector of Legal Offices write to Mr. E. A. Clark, the clerk of the York County Eleventh Division Court, on November 15, 1968, inquiring why a claim dating back to July 29, 1968, had not been put on the trial list? 2. What was the result of that inquiry?

**Hon. Mr. Wishart:** Mr. Speaker, it would take some time to get the answers to these questions. I would request that they go on the notice paper.

**Mr. Shulman:** Mr. Speaker, I believe this is a matter of urgent public importance in that there are many hundreds of cases being held up.

**Mr. Speaker:** Order! The Minister is quite within his rights to have this put on the order paper.

**Mr. Shulman:** Mr. Speaker, is it not correct that the Minister may take this as notice, but he cannot direct it to go on the order paper?

**Mr. Speaker:** The hon. Minister can direct that it goes on the order paper. The hon. member for Oxford has a question of the Minister of Highways from the 13th.

**Mr. G. W. Innes (Oxford):** Mr. Speaker, to the Minister of Highways. What are the names of the counties in the province where development roads were started or completed in 1968?

**Hon. Mr. Gomme:** Counties where development roads either were started or completed during 1968 are: Stormont, Dundas and Glengarry, Haldimand, Hastings, Wellington, Dufferin, Ontario, Frontenac, Prescott and Russell, Lennox and Addington, Huron, Prince Edward, Lanark, Leeds and Grenville, Grey, Northumberland and Durham, Brant,



Welland, Victoria, Peterborough, Norfolk, Elgin; provisional county of Haliburton, Lincoln, Lambton, and Bruce.

**Mr. Speaker:** The hon. member for Sandwich-Riverside has a question of this Minister from the other day.

**Mr. Burr:** Mr. Speaker, a question to the Minister of Highways. Is the Minister planning to improve Highway 18 between Lasalle and Amherstburg as requested recently by various municipal councils in that area?

**Hon. Mr. Gomme:** Mr. Speaker, I will have to take this as notice. It will take a little time to get this information.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, to the Minister of Highways. Was any consideration given in the planning of Highway 403 as to the effect that blocking natural waterflow patterns would have on homes in Perth Park and Ancaster?

**Hon. Mr. Gomme:** Mr. Speaker, minor construction changes were made in flow patterns during construction of Highway 403 in the area of Perth Park. These were studied prior to construction and we do not consider that any detrimental effect was caused by these changes to joining properties.

**Mr. Deans:** Mr. Speaker, may I, by way of a supplementary question, ask the Minister if he would conduct a further investigation particularly into those waters that are underground? Not necessarily those that flow on top, but the water table and flow pattern underground?

**Mr. Speaker:** The hon. member for Waterloo North has a question of the Minister of Municipal Affairs.

**Mr. E. A. Good (Waterloo North):** Mr. Speaker, a question of the Minister of Municipal Affairs:

Is the Minister satisfied that section 197 (2) of The Municipal Act has not been violated by the method used in filling vacancies that have occurred on London city council in the last 13 months?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Yes.

**Mr. Good:** Would the Minister accept a supplementary question? You are satisfied that no legalities have—

**Hon. Mr. McKeough:** I said yes.

**Mr. Speaker:** The hon. member for Welland South has a question of this Minister.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, I have a question of the Minister of Municipal Affairs. It is in two parts.

In view of the fact that regional government planning by the Minister's department has reached such an advanced stage, is the Minister now prepared to announce a master plan of regional government for the province? 2. when does the Minister intend to announce the regional government plan for the Chatham area?

**Hon. Mr. McKeough:** Mr. Speaker, the answer to the first part of the question is no; and to the second part of the question, no studies are underway, nor have they been requested.

**Mr. Haggerty:** Mr. Speaker, I have another question for the Minister of Municipal Affairs. In view of the difficulties that the Minister has experienced with the tax rebate scheme during 1968, is the Minister planning a massive overhaul of the scheme to eliminate red tape?

Could the rebate in 1969 apply towards the cost of education in the province?

**Hon. Mr. McKeough:** Mr. Speaker, government policy will be announced in due course.

**Mr. Speaker:** The hon. member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Thank you, Mr. Speaker, I have a question of the Minister of Municipal Affairs. When will the Minister reply to the request of the citizens committee of Ear Falls as to financial assistance for that community, and for financial assistance for members of that committee to attend the seminar on regional government to be held at Quetico Centre in Rainy River riding this weekend?

**Hon. Mr. McKeough:** Mr. Speaker, I wrote to them on February 12 and February 17.

**Mr. T. P. Reid:** Will the Minister accept a supplementary? What was his reply?

**Hon. Mr. McKeough:** Why did the member not ask that in the first place?

**Mr. T. P. Reid:** I would not have asked the question if I did not want that information.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. T. P. Reid:** Would the Minister tell me what his reply was?

**Hon. Mr. McKeough:** No. If the member had asked that in the first place I would have the information. I will have it for tomorrow.

**Mr. Speaker:** The hon. member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Speaker, a question of the Minister of Municipal Affairs. In view of the announcement that the province of Ontario is planning legislation on rent control, what steps will be taken to insure that this announcement will not set off a new round of rent increases by landlords wishing to establish new high levels of rent before the legislation takes effect?

**Hon. Mr. McKeough:** Mr. Speaker, no such announcement has been made by me, by my department or by the government.

**Mr. Speaker:** The hon. member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question of the Minister of Mines. Will the Minister set a date within which Texas Gulf Sulphur must make public their decision for location of their smelting and refining facilities for the ores from their Kidd Creek operation?

**Hon. A. F. Lawrence (Minister of Mines):** The answer, Mr. Speaker, is no.

**Mr. Ferrier:** Will the Minister accept a supplementary question?

**Hon. A. F. Lawrence:** Yes.

**Mr. Ferrier:** Does the Minister not feel that the delay in coming to a decision seems inordinate?

**Hon. A. F. Lawrence:** Mr. Speaker, this was answered by a question, I think, from the very same member on or about November 28 or so.

**Mr. Speaker:** The hon. member for Sudbury East has a question.

**Mr. Martel:** Mr. Speaker, I would like to address my question to the Minister of Energy and Resources Management, which I was not given an opportunity to do a while ago.

**Mr. Speaker:** I am sorry; I do not seem to have it. Has the hon. Minister a question? Perhaps the hon. member would place it. My apologies, I will locate it.

**Mr. Martel:** Mr. Speaker, is Ontario Hydro contravening the law which states that disciplinary action cannot be taken by management against union members who are following union procedure during a legal strike, when it suspended linemen for refusing to work on Saturday, February 8, as reported in the press?

Secondly, how many employees has Ontario Hydro suspended since the beginning of the legal strike, and is there intention to add to their number?

**Hon. Mr. Simonett:** Mr. Speaker, it is my understanding that labour legislation in this province has not contemplated conditions created by rotating strikes, and, therefore, it may be necessary to obtain a legal opinion in order to answer the hon. member's question.

The further information he seeks is not immediately available since those in Ontario Hydro who are in a position to report on this matter are, at present, fully involved in further negotiation discussions with the Ontario Hydro Employees' Union representative:

I might say, Mr. Speaker, that I have—

**Mr. Martel:** Mr. Speaker, a supplementary question? Mr. Speaker, does the Minister mean to say that he is going to allow continuance of the practice whereby employees of Ontario Hydro are suspended?

**Hon. Mr. Simonett:** No, Mr. Speaker, I did not say that at all, and I will not accept any more supplementaries to that question.

I have answers to questions 618, 619 and 620 asked by the hon. member yesterday.

Question 618: How much of the power, which was purchased from Quebec to supposedly offset the power shortage attributed to the rotating strike last week, as reported in the press, was actually purchased under a firm contract which was already in existence?

In view of the Hydro chairman's remarks last December that utilities may be faced with power cuts because of a shortage of Ontario Hydro power, can the Minister tell the House whether recent purchases from Quebec were necessitated by the shortage referred to last December?

Mr. Speaker, the answer to the first part, None of the power purchased from Hydro Quebec last week, as reported to the press, was power taken under firm contract with Quebec.

Reference was made only to purchases made above the contractual amounts.

Purchases were made on Tuesday, February 11, through Friday, February 14, and were necessitated solely by strike action against Ontario Hydro. A loss of up to 900 megawatts of capacity was caused mainly through the effect on Lakeview generating station.

The second part of the answer is no. System peak loads during the week in question were of the order of 1,000 megawatts below the peak load carried last December.

Question 619: In dollars and cents, how far apart are Ontario Hydro and Ontario Hydro Employees' Union from a settlement?

What has been the cost to Ontario Hydro up to February 14 to transport supervisory personnel across Ontario to replace Hydro employees participating in the rotating strike?

Mr. Speaker, in answer to the first part, the difference in cost between the Ontario Hydro Employees' Union's demand and Ontario Hydro's offer, as of April 1, 1969, is \$1,452,000 per annum. However, since this is a recurring expense, its cost in perpetuity must be considered and the present value of this, and is calculated to be \$29,040,000.

The above figures do not include the effect of any escalator clause or job evaluations, as these cannot be forecast at the present time.

Any escalator clause that increased wage rates by a further three per cent, based on past experience, would increase annual costs by a further \$2,888,000.

The answer to the second part; we do not have any figures and probably will not know the cost until the rotating strike is over.

Question 620: How much interest was paid by Ontario Hydro in 1967 on the money it borrowed?

What was the total amount of wages paid out in 1967 to those Ontario Hydro employees who are members of the Ontario Hydro Employees' Union?

The answer to the first part; the amount of interest paid by Ontario Hydro in 1967 on money it borrowed was \$113,041,957.

Mr. Sargent: Half a million dollars a day.

Hon. Mr. Simonett: —of which \$84,357,455 was charged to the cost of power. Second, the gross earnings of members of the Ontario Hydro Employees' Union amounted to \$66,577,907 in 1967. In addition to this, a cost of \$10,566,000 was incurred to cover

pensions, life insurance, health plans, workmen's compensation and unemployment insurance for these employees.

Mr. Martel: May I ask the Minister a supplementary question?

Hon. Mr. Simonett: No.

Mr. Sargent: He could not answer it anyway.

Mr. Martel: Thank you, Mr. Minister. I have a question of the hon. Minister of Mines. Can the Minister inform the House whether the Falconbridge Nickel Company has advised Mr. Redsell, the district engineer, what action it intends to take to reduce the noise from the Fecunis compressor at the Fecunis Mill? If no action is considered by Falconbridge, did it present any brief to Mr. Redsell regarding the compressor noise, and what action will the Minister take to ensure that the situation is rectified?

Hon. A. F. Lawrence: Mr. Speaker, we are obtaining information. May I take this question as notice?

Mr. Speaker: The hon. member for Dovercourt might like to place his question to the Minister of Labour, since they are both in the House.

Mr. D. M. De Monte (Dovercourt): A question to the Minister of Labour; What hourly rate is the Holiday Inn at Warden Avenue and Highway 401 paying its chambermaids? Does the management have a waiver in respect of the Ontario minimum wage?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, the employers must comply with the provisions of The Employment Standards Act and its regulations. As to the specific question of wages, that is a matter between the employees and the employer, unless the provisions of The Employment Standards Act are not being complied with. If they are not, then there are procedures to deal with individual cases.

Mr. De Monte: Would the Minister accept a supplementary question? Does that mean the Minister is not aware that they are paying a lower amount than the minimum wage at that hotel?

Hon. Mr. Bales: If some employee feels that they are being paid less than the normal wages then they can take action provided under the Act and we will make a normal investigation.

**Mr. Speaker:** There was another question, redirected to the Minister of Labour.

**Mr. De Monte:** Yes, that is correct, Mr. Speaker. Will the Minister be intervening in the decision of the Toronto barbers regarding a shorter work week in the interests of people who must work during the hours of nine to six p.m.?

**Hon. Mr. Bales:** Mr. Speaker, a conference was held yesterday under the provisions of The Industrial Standards Act and a report will be made by the officer who chaired that meeting. A decision will then be made as to the rules and regulations that will be applied to the working conditions of those in the barbering trade in Metropolitan Toronto.

**Mr. Speaker:** Orders of the day.

**Hon. Mr. Dymond:** Before the orders of the day, I have two questions of which I have taken notice. One was asked yesterday by the hon. member for Humber, question 625, and since it is lengthy and already in *Hansard*, sir, I will not repeat it. The answer to the three points raised in the question are being thoroughly investigated to determine their relative bearing on the situation. At this time there does not seem to be any cogent reason to reopen the inquiry into the pollution of air, soil and water in the townships of Dunn, Moulton and Sherbrooke in Haldimand county.

The answer to the second part: There has been no approach from Dr. MacTaggart Cowan of the Science Council of Canada in connection with the national programme of air pollution and of research and monitoring. However, both the Minister of National Health and Welfare and the Minister of Natural Resources and Energy have been advised by my department that we are ready, willing and anxious to co-operate with them in anything that will help to further our knowledge and their knowledge in this field. I would point out to you, sir, that the air pollution control programme in Ontario is ahead of the schedule presented to the Legislature last year.

Mr. Speaker, I have held the other question, two or three times now because the hon. member for York South, who asked it, was not in the House, but it has been lying on my paper since February 7. He asked—

**Mr. Speaker:** Perhaps we should ascertain, since the hon. member for York South is not here, whether the deputy leader of that party would like the question answered.

**Hon. Mr. Dymond:** Mr. Speaker, I would like to clear my paper.

**Mr. Speaker:** That may be so, but we have the rule, which I think is reasonable, that a question will not be asked of a Minister if he is not in the House, and I think the Minister should extend the same courtesy, despite cluttered up paper, to the members of the House. Does the hon. member for Riverdale say the answer would be acceptable now?

**Mr. J. Renwick (Riverdale):** Yes, Mr. Speaker.

**Mr. Speaker:** Perhaps the hon. Minister would give it then.

**Hon. Mr. Dymond:** The second part of the question, which was not answered, was "Have requests been received from the Neepawa General Hospital in Manitoba for the payment of hospital bills of Ontario patients?" The answer is, yes. They have all been paid. The matter to which apparent reference was made arose from a letter written to the hospital services commission by the steelworkers union, quoting that one man in northern Ontario had incurred an account with Neepawa General Hospital, but it had not been paid. The administrator knows of no such person, nor does she know of any account being rendered to this man by her hospital.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order; resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Hon. the Lieutenant-Governor at the opening of the session.

#### THRONE SPEECH DEBATE

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I will continue from where I left off yesterday. This is one of the days on which I can see you had to use your judgement at times, and you must find it rather trying. I appreciate that you are in your position and I am in mine.

I would like to cover one or two articles here, particularly one that the Minister of Agriculture announced last week with regard to the government removing assistance to junior farmers in the way of junior farm loans. In his statement he says that it is the recommendation of the farm income committee report—and this is the book that a

number of us have had an opportunity to read. I might say that there is a lot of good reading material in it, and there is some that is not so good. However, that is what a report is for.

But the thing that bothers me a little is that if the government is going to pick out the recommendation bit by bit and use it to their advantage, then I am not sure the report is so good. Because in their recommendation here, the committee encourages use of short and intermediate term credit at reasonable rates from available sources of credit, and the reduction of the number of public agencies involved in farm lending to prevent duplication of services between the farm credit corporation and the junior farm establishment loan board.

Well, they are doing this. As the Minister stated, he is going to return this to the power of the federal government under the farm credit corporation. That is to the advantage of the province of Ontario, and to the disadvantage of some young people who may wish to start farming, due to the interest rate of 5 per cent that they were paying.

Now, we take on page 247 of the farm income report—and here is another recommendation that in my opinion is very good, but the funny thing is that the Minister did not bring it out. He did not recommend that anything be done on it right away, and in my opinion it is very serious right now.

The recommendation is that the Ontario Milk Marketing Board should place a limit of 3,000 pounds on the size of fluid milk quotas; for holders of quotas of over 3,000 pounds no further expansion should be permitted. This would allow fluid shippers to move to viable units; employing three men it would provide quotas for new grade "A" entrants. There is a recommendation there that possibly could be used. I understand a member of the Ontario marketing board has more than that amount, so maybe that is one reason it was not used.

It is so strange, Mr. Speaker, when the Minister of Agriculture (Mr. Stewart) is so short of funds that he had to cut out the assistance to junior farmers. And the Minister of Trade and Development (Mr. Randall) can go around the province throwing out \$500,000 loans, forgivable loans, to companies that are in my opinion well-heeled, and some are foreign owned. They go into certain areas, obtain forgivable loans, if they meet certain specifications, up to six years, and yet the Minister of Agriculture does not have money. Maybe we should make the Minister of Trade

and Development our Minister of Agriculture, maybe he would put us on the right road.

Mr. E. Sargent (Grey-Bruce): Here he comes.

Mr. Ruston: Mr. Speaker, I wish to comment briefly on the dairy industry and especially as it pertains to the counties of Essex and Kent. The Ontario Milk Marketing Board that was appointed by this government has ruled with dictatorial power and in some cases perhaps without adequate authority under their original powers given them by this Legislature.

This government has in the past encouraged dairymen in our area to enlarge their herds, to build more efficient modern facilities and then, without due consideration to their financial positions, taken away from them large amounts of their milk quotas. Some had paid a great deal of hard earned money to obtain them. Then, after having them reduced, they were told to go and buy some more quotas.

The next setback was that at the time of selling a herd, the Board relieved the owner of 25 per cent of the amount of his quota for the pool. The real irony of this, Mr. Speaker, was that officials of The Department of Agriculture told dairymen to go out of the dairy business, to go into cash crops, that their land was too valuable for dairying. Well, this was done in some cases, but the lower prices of corn and soyabeans and the closing of the sugar beer plant in Chatham all added up to considerable lower incomes, and the man who calls himself a friend of the farmer from Middlesex North blamed all this on to the federal government.

Ten years ago there were some 1,300 dairy herds in Essex and Kent counties. There are now 340 left. Farmers are selling their cows and selling their milk quotas to dairymen in central and eastern Ontario.

There are reasons for this change in attitude toward cows by dairy farmers. Regulations of the Ontario Milk Marketing Board, which cut quotas on Essex and Kent county dairy farms and lowered the proportion of the dairy farms' output at the top fluid milk price, are partly to blame.

Through the creation of the Ontario Milk Marketing Board, and the Milk Commission of Ontario, the Ontario government by legislation transferred what advantage Essex-Kent dairy farmers had to farmers in other parts of the province. We realize that part of this decline of producers was due also to the natural retirement of some farmers and, others giving up due to the fact that they



felt they were not receiving a fair return for their investment.

However, the deciding factor in most cases in the last two years of dairymen quitting was due to the unsettled conditions of their quotas. Mr. Speaker, it is rather difficult to realize that rulings made by the Milk Marketing Board would in fact actually reduce total income per year of some of these farmers by as much as from \$3,000 to \$12,000 gross income.

Where in our society today do we have such a system? I know of none. How would the doctors, lawyers—and we hear about the lawyers lately—and other professional men like it if the government passed a law stating that each profession in Ontario would in fact share his business with another man in his profession in some other area? In the disposing of his business to another professional man, the government collects a tax of 25 per cent and takes ownership of that amount of his business to pass out at its will to political patronage.

Mr. Speaker, we are not mavericks or un-Christian in our belief in Essex and Kent. We are willing to share our milk market with other parts of the province but we are not willing to share our hard earned cheque. We are still not assured of a continued quota and this is something that must be assured to our dairymen by this government and in consultation no doubt with the federal government.

The ruling of the board in setting trucking rates is another example of their non-arbitrary system. They talked to the truckers in the county, and then about six weeks later sent a letter to them stating the rate that they would be allowed. There was no checking as to actual cost of this service rendered. I have had the opportunity of seeing audited statements of truckers and they show proof that at the rate designated by the board it is impossible to operate without a loss in the areas involved.

I say, Mr. Speaker, when the province of Ontario produces 95 per cent of the corn grown in Canada that this province must share some of the responsibilities that goes with its production and see that the producers receive a fair share of the end price to the consumer.

Ontario corn growers produce 70 million bushels of corn a year. In the last two years corn prices have fallen 40c a bushel. Corn growers have been required to subsidize other farmers who feed cattle, hogs, and poultry. Why? So that cheap feed to dealers will enable them to produce beef, pork and poultry meats at less cost and that prices for

those items will be lower to the urban consumer.

This is happening in Canada where wages, particularly in manufacturing, have risen steadily in the last two decades, and where people are complaining about the high cost of food. Yet in 1946 an hour's wage bought 1.9 pounds of pork chops, in 1967 the same hour's work bought 2.8 pounds. The same hour's work that bought 1.7 pounds of creamery butter in 1946 bought 3.4 pounds in 1967. The Minister of Agriculture of this province told the farming public that if Ontario agriculture is to survive, it must submerge some of our traditional thinking and replace it with the disciplines of business. What corn field has the Minister been trapped in for the last few years? Farmers adopted business attitudes years ago.

Mr. Speaker, this government has set up a committee to study farm machinery prices but I would like to know when it is going to report its findings, if it has any, because reports of tractors being bought in England for \$3,000 less than the same tractor in Canada has a very disturbing effect on the buyers of this machinery.

The Minister of Agriculture has also set up a committee to study the corn industry in Ontario under considerable pressure from corn groups. I believe, Mr. Speaker, that the Minister of Agriculture should request the committee investigating the corn industry to make a very thorough investigation of the pricing of fertilizer in Canada and especially the basic ingredients as to the selling price of some Canadian products. From the investigation I made while visiting Ohio I found that some U.S. companies were buying nitrogen from a Canadian source at what appeared to be about half the selling price in Canada.

I believe, Mr. Speaker, that the fertilizer differential is not necessarily the fault of the local distributors or dealers, but in fact is mostly due to policies carried out by the people that control the basic ingredients. In my humble opinion, possibly the anti-combines legislation of the federal government should be used to attempt to ferret out the culprits who are gouging the public in this industry.

Mr. Speaker, I wish to add at this time that only 7 per cent of our population is now directly connected with farming and this is still a great industry in Ontario and Canada. Farmers in Canada purchased \$2.6 billion worth of goods and services in 1967. The farm machinery industry alone employs 12,000 workers who receive close to \$70 million annually in pay cheques. The feed industry has



some 8,400 employees. Also, 20 per cent of the gross value of factory shipments are made from farm products. Farm productivity has gone up 67 per cent in the past 20 years.

So let us not think that agriculture is a dying business. It must stay fluent and must be encouraged.

Mr. Speaker, I wish to comment briefly on the procedures and business of the agriculture committee at its meeting on February 11. I understand that Bill 17 was referred to the committee to allow interested groups to present their views with regard to the intent of the bill and how it would involve them. I was surprised at the beginning of the meeting when the chairman insisted on passing the bill through committee without first allowing any presentations to be made.

I believe, Mr. Speaker, that this was not the intent of this Legislature when Bill 17 was passed to the committee. I understood that it was intended to allow interested parties to present their brief and then the committee would be able to vote, much better informed.

However, Mr. Speaker, a majority of the committee decided this procedure was not what they wanted and I accept majority rule. However, I believe the whip was cracked and they jumped on the bandwagon regardless of the intent of this Legislature in turning the bill over to them.

Mr. Speaker, I was amazed at the statement made in committee by the chairman of the Ontario Milk Marketing Board with regards to Channel Islands milk and his broad remarks and background leading up to its inception in the board.

Mr. Speaker, I believe that if this information is accurate and can be documented this man should be immediately relieved of his duties as head of this board for withholding information that could very well be pertinent to some of the hearings and decisions made by officials and courts.

After discussing the proposed investigation with some members of this Legislature, there seems to be a great deal of doubt as to the authority of a standing committee in a matter such as this.

It would appear that it may be necessary to have a select committee or a Royal commission to look into the allegations of the milk board chairman, and yet, it was only a short time ago that this government had a Royal commission studying the milk situation in Ontario, called the Hennessey report and the milk inquiry report.

I might add, Mr. Speaker, that I have some reservation about the statement made by the

milk marketing board chairman and I am not sure that it might be just a smoke screen to relieve the pressure from the government and the dairy commission and transfer it to the agriculture committee and processes for public hearing that will probably take months to complete.

I believe that since the milk marketing pool is now on the statutes of Ontario, we must see to it that those in charge of administering are willing to carry out the regulations in a reasonable and arbitrary manner, and not continuing in the dictatorial ways of the past. I would further suggest that a properly constituted arbitration board be set up to hear appeals of the milk marketing board by people who have been aggrieved by their decisions, rather than, as the Minister of Agriculture states, appeal their decisions to the Supreme Court which is very lengthy and costly and may even be thrown out by the courts due to the fact that there is no allowance in the provisions for an appeal to the Supreme Court.

I would like to comment briefly, Mr. Speaker, on the recent decision of this government to discontinue the ARDA grant of one third to farm drainage.

I have had correspondence from many municipalities in this matter and it has put many of them, as well as individual farmers, in a rather precarious situation. I realize the federal government has cut back its ARDA programme but we also realize it was a provincial government decision, based on its area of priority, to discontinue this type of assistance in western Ontario.

The Department of Municipal Affairs officials held a meeting in Chatham on November 10, 1968, with local clerks and municipal officials. The information given out that day by The Department of Municipal Affairs officials present was that ARDA grants would be continued until March 1970 and yet only next month, on December 20, word went out to cancel all ARDA grants to aid drainage. I believe the rest of the province felt they were not getting the full share of ARDA grants and objected to the large amounts going to southwestern Ontario.

Mr. Speaker, here again is duplication of departments, as The Department of Municipal Affairs administers the usual drainage aid and The Department of Agriculture administers the ARDA programme—and apparently neither one knew what the other one was doing.

Another matter that seems to be a contradiction of two departments' thinking is when The Department of Agriculture keeps telling

farmers to get larger, buy large machinery and to share it with your neighbour to avoid high overhead. Well, this is fine but The Gasoline Tax Act collectors say that if you do work for your neighbour for hire with your machinery, then you are not entitled to the usual tax refund of 18 cents a gallon.

However, if your neighbour puts his gas in your machinery then he can obtain the 18 cents a gallon refund which is 5 cents a gallon more than you may receive as the owner of the machine. Is it any wonder that people in the hustings wonder about our bureaucrats that attempt to control our society.

Mr. Speaker, I would hope that haste will be made in final approvals and early work will begin on the dikes of the lower Thames River. This is a very urgent matter and must be taken care of immediately in order to avoid severe damage to adjoining property owners.

Mr. Speaker I would like to speak briefly on the facilities for many of our aging citizens in the county of Essex. It is a sad state of affairs when a doctor informs an aging person that they no longer need special hospital care and then find out that there are no facilities available for them outside the hospitals such as bed care. I would urge this government to be as forward in their thinking as the officials of the county of Essex, who see the situation at the local level and realize the urgent need for these facilities.

The facilities I speak of would be the immediate approval of a rest home with a capacity of 90 beds. I would urge the Ontario Housing Commission to speed up their plans to supply geared-to-income single family units in the four towns in the county of Essex for our senior citizens.

Mr. Speaker, I would like to take a moment or two on a couple of matters that are disturbing to many of the citizens in this province, and one is the crimes that are taking place in the province. I have here the Chatham *Daily News* headlines of November 30, 1968, "Night of terror in 4 city homes."

I believe, Mr. Speaker, our courts are going to have to deal severely with crimes against a person, especially when committed in the so-called "safety of our homes", or violent crimes committed anywhere.

Mr. Speaker, I quote here from a report in the *Windsor Star*, February 7, 1969, by Chief Preston of the Windsor police department:

House burglars should get jail terms as stiff as those handed out to thieves who

hit stores. What's the difference if the thief breaks into a store and steals a typewriter or into my house and steals everything I own?

Burglars who break into houses now get about three months' jail terms while a store burglary may bring a five-year jail sentence.

Chief Preston said stiffer jail sentences are needed to curb the drastic increase in break-ins; last year they increased 95 per cent in Windsor.

Mr. Speaker, with regard to regional government, I cannot agree that this is the ideal or the master plan that will solve all our ills in local government. I believe that the 150,000 to 200,000 minimum population in a region is absolutely ridiculous in a great many areas. This would entail large administrative units to be set up and the serious loss of any possibility of local involvement or local participation. It would, in fact, in some cases include such large areas that it really would be as cumbersome as making yourself heard in the provincial set-up as we now know it.

I have a copy of the *Windsor Star* where the mayor of Windsor is talking with regard to government and the cost of government:

Mayor John Wheelton painted a black financial picture for the future of Windsor Tuesday night. Speaking to the Credit Grantors' Association at the Seaway Hotel, the mayor said the city would face a grim situation if the municipal debt continues to climb at its present rate.

The debt, he said, is increasing faster than the assessment to pay for it and the municipal expenditures and taxes are rising faster than personal incomes.

To overcome these financial problems, the mayor said, municipal officials will have to wrestle with forces over which they have little or no control. These forces include demands of provincial officials for more complex equipment and facilities in such areas as sewage, garbage disposal and schools. He pointed out the provincial government is in even worse financial straits and in no position right now to help municipalities out.

If the provinces cannot help, is regional government the answer? "No," said the mayor.

"If annexation has taught me anything, it is this. Bigger government is not cheaper government."

With regional government, taxpayers in the smaller communities who were once content with gravel roads, roadside ditches and septic tanks, see a larger unit with more staff, more money, and more borrowing power, and it suddenly begins to demand services that it did without in the past, said Mayor Wheelton.

At a time when more and more people are flocking into the city and their suburbs, the ability of these communities to deal with the problems of growth is diminishing.

The mayor said an answer to these problems can begin to be found through the adoption of certain policies:

A more reasonable division of responsibilities and resources among the federal, provincial and municipal governments.

Costly duplication of services to the taxpayers must be eliminated along with double taxation.

All agencies of local government must co-operate closely in accordance with the scheme of planned development in order to demonstrate a high degree of responsibility on the part of municipal government so that it might get a more efficient share of functions and resources.

Modern business techniques must be applied to government in forecasting revenues and expenses some years ahead. This would provide guidelines for the offering of new services and for collective bargaining in salary arrangements.

Another area which is in line with regional government is the passing of Bill 44 and the formation of county school boards.

When I see the Kent county school board set-up, they have, in their new staff, seven employees and their total salary comes to \$163,000. Then we go through The Department of Education estimates and the top seven people in The Department of Education, here in Toronto, are drawing \$155,000.

So instead of having one department in the province with a top echelon salary of what we call reasonably fair, and would look pretty good, we are going to have about 35 or 40 of these units throughout the province of Ontario in the same salary range. So, I just wonder where the money is going to come from to pay for these.

Our area is not the only one. I see by the *Farm and Country* paper of February 11, with regards to the Peterborough area, that Peterborough's rural people are seething over the latest education estimates for the county.

Basically, people outside the city will have to find an extra \$1 million in education taxes this year. Those in the city will pay \$1 million less, according to the report in *Farm and Country*.

I might say, with this salary range, that these are all chiefs; there are no Indians in this classification. I am sure that the teachers know that they need to be adequately paid, and we are very much in favour of them getting adequate salaries, but it bothered me a little to think that we have to have so much before we get anything for the children at all.

I believe that since the Ontario government has taken away most of the authority from local ratepayers—as far as schools are concerned—it is time that they gave some consideration to abolishing the “horse and buggy” method of assessing the municipality's portion of the school costs.

Too long have the long suffering property owners borne these ever increasing taxes. Owners pay more than their share of school costs all their lives. I will note an actual case which of course, can be duplicated in many places: A man on a 200 acre farm with adequate building—his school taxes in 1968 were \$967. Now what about net income? His net income is \$6,500.

His school tax alone on \$6,500 net income is \$967 plus all his other taxes. This is the height of stupidity for a government to allow this, and I put the blame on the Treasury Board and, in particular, the Minister of Agriculture and Minister of Education.

How can a Minister of Agriculture sit by and see the overburdening of school taxes pricing our farmers out of world markets, and sit back and chew his fingers or make a political statement at every opportunity he has in this House? Mr. Speaker, the Minister of Agriculture, in my opinion, has been irresponsible and is not carrying out the duties, as a Minister of this government, to protect a major industry that indirectly furnishes 30 per cent of the economy of this province, and I say that he does not have the confidence of the farmers of this province.

Mr. J. L. Brown (Beaches-Woodbine): Mr. Speaker, before I begin my remarks I would like to refer to the private members' hour yesterday and convey through you to the member for Kenora (Mr. Bernier) that, by the use of his personal name rather than his riding, I did not wish in any way to express a bitterness, a rancour. Quite the contrary. I was trying very desperately to express my

disagreement with the resolution itself and certainly not with the man. I appreciate your bringing it up and I will watch that in the future.

I would like, in my second Throne speech, to discuss with you some of the aspects of socialism and capitalism. But first I would like to extend my congratulations to the Speaker on his second term, and to convey to him my appreciation of the difficult task that he has and the manner in which he carries it out, which I think is above reproach. It is not an enviable position. He does not make the rules. He interprets them and I wish to convey to him my congratulations on his second term.

I would like also to offer my personal congratulations to the ascension of the member for London South to the Cabinet in the Ministry of Finance, and to say that I hope he brings to that body some of the arch Conservatism that he represents so that the distinctions between the parties grow ever wider and stronger. You know he is a great friend of the socialists and, as you probably know from the remarks of my colleague from Lakeshore, the reason he is such a great friend of the socialists is that it is very easy to be in opposition to him.

Now, by extending these ritualistic congratulations, I am sure you understand that I am not departing from socialist etiquette. I am simply recognizing, as a good socialist, a proper concern for history and tradition.

As socialists, we are very aware of beginnings and of the evolutionary processes. We believe that to understand the present, one must understand the history and development of the past.

At the same time, one must realize that in order for history and tradition to exist archaic traditional forms must be preserved as they are of value to us all.

A good socialist will have a place for these traditional and archaic forms. He puts them in a museum. He designates a fort or colony to preserve the flavour and colour of the ancient times so that the young and the interested can learn of their predecessors and the conditions under which they existed. It is with this in mind that I make this suggestion, Mr. Speaker, that with the exception of the 20 members of the real Opposition party, the New Democrats, this entire chamber—indeed the entire building—be designated as a public museum.

We can continue to sit as we now sit, and to talk as we now talk, deliberate as we now

deliberate, but we would have a small fence around the entire area with a gate. We would charge a public fee so that the public could come and see the artful demonstration of our past; so that they could see the origins of the parliamentary procedures which obstruct our present governmental function.

We could call it the Queen's Park Colony. Of course, that would make it possible for those in the Legislature who are really interested in democratic government to tackle, without hindrance, the very urgent problems of organizing a relevant modern democratic procedure, to get at the problems and to take care of the urgent affairs of the people of the province of Ontario. Urgent affairs, for instance, as significant as the health of the people of the province which was bandied around and disregarded so blatantly last week in Ottawa by the Prime Minister.

Of course, one of the great problems in being a new member of the Ontario Legislature is that the whole structure, the procedure, the apparatus of Queen's Park is bent on seducing the newly-elected member into the false belief that there is an urgency and a value attached to his functions in the Legislature. Within a few weeks, however, it is clear to most new members that there is no relevance to their jobs in the Legislature. They realize that they go through a pre-arranged farce, to pretend to the public that worthwhile work is being done on its behalf.

In reality decisions are made in Cabinet, away from the Legislature. The decisions are made without consultation with the public and always with the central focus being on the advantage it brings to the party in power.

One quickly sees that much of what is considered to be parliamentary procedure has evolved from the common man's effort to gain a voice in the running of government.

The common man has failed to get that voice and in reality what we have under the name of parliamentary procedure are all those rules and regulations which protect the sovereignty of the government and the party in power.

My observations in the year I have been here indicate that there is little that can be done to see that this parliament works. The Prime Minister says we must have rules. This means that he must have rules, because if he cannot set down the rules, he cannot control. If he cannot control, he will have to enter into an exercise in democracy. If he enters into an exercise in democracy, his

friends are going to get hurt. If his friends get hurt he will not be Prime Minister.

So we have carried over from royal rule into the Ontario Legislature. Just as the British parliamentary structure is designed to benefit the privileged, so the structure of the Ontario Legislature is designed to benefit the privileged.

I was elected to represent all the people of Beaches-Woodbine, even though all the people did not elect me. I find it impossible to find the structures by which this can be done in this legislation. I have listened to the speeches in reply to the Speech from the Throne, from all sides of the floor. There is continual repetition of complaint and innuendo that expresses the frustration of the members in not finding democratic ways to bring before the Legislature the wishes of the constituents at home, in the interests of the people represented by them.

The very procedures that are set up to gather information, for instance—it is impossible to find out what is happening at this moment in any single department. It is impossible to find out what monies are being spent, and how the decisions relevant to the spending of those monies are being made, who makes them with what kind of a philosophy and with kind of an orientation.

When questions are asked in the ritualistic fashion that we go through here it is impossible to get down to the relevant information. One is continually struggling with the frustration of continually setting up the party in power to make a public press release out of the questions that stem from real concerns.

Before I leave this particular section of the frustrations that I have felt myself as a member of the Legislature, I would like to comment just briefly on the working conditions themselves. It is obvious, if people are going to work and bring forth their best effort, not only must there be procedures that are relevant here in the Legislature to the issues of the day, but the conditions under which they work and the provisions that they have to aid them in their work have to be improved upon considerably. Many members are sacrificing far beyond what should normally be expected from them to remain in the Legislature. They are maintaining homes in two locations and absorbing all of the costs and expenses that are part of being a member.

The working conditions within the building itself are not conducive to good work. These conditions provide extreme frustration, interference and a lack privacy in carrying on

your affairs. There is not adequate help to make it possible to process the many complaints that come from constituents; the real needs of people who are suffering day by day in the province. It is impossible for a member who is taking his role seriously to process all that work himself.

There has to be some kind of a process, either to improve the services of government to these communities or to see that there is some provision available to the member to help him in processing the complaints. We get into this dreadful dilemma—if a constituent who is in need in our riding organization, or in our constituency areas, or outside our constituency areas, comes to a member of the Legislature, and he intervenes through his good offices, it is possible that that individual can get some redress for the wrongs he has suffered and for his needs that have been neglected. And many times that is possible.

But in the very act of doing that we are giving to one citizen what we cannot give to all citizens. And if we are talking about a democratic process we should be looking to see if we cannot remedy the condition that made it possible and necessary for special privilege to be gained by coming to your member of the Legislature and asking for help for what should rightly be yours.

I have found a considerable amount of defensiveness, particularly within the Tory ranks of the Legislature. You get some in the Liberals too, and we are defensive from time to time. But I want to talk a little about it because I think it hinders the task even further. I know of no alternative, if one becomes aware of unsuitable conditions within the government institutions or within the departments of government, other than to bring them before the public. And in the very act of bringing them before the public, there is a general callousness, and an inability on the part of the government in power to take a look at the real conditions that exist.

We saw an example of this not too long ago when the member for High Park brought before the Legislature what he considered to be most urgent information about conditions in institutions of the Department of Health. Obviously, the situation had come to his attention, or he had found out by investigations that these things existed.

Within his role in the Legislature, he must do something about it or assume a callous position towards the people who are suffering, who have no voice, who cannot speak for themselves, who are not here to defend their



position. And when he brings it before the Legislature I know that each member is concerned about it. I know that each person who hears it is disturbed to think that bad conditions exist and that people are living in misery in untenable positions.

I know that feeling is there, but instead of an admission of it, instead of saying, "Now, let us tackle it, let us do something about it," there is a defensiveness that says, "We do not like the way he presents the information, we do not think he should present it here. It should be done this way or it should be done that way."

And time and time and time again when real issues affecting real people in the province come before this Legislature, the government benches become extremely defensive and they tend to call down the method by which it is done, instead of looking at the fact that the real issues exist. There are people who exist in our province. They exist in untenable conditions and we should not be fooled by how it is presented or who presents it from looking at the realities that are there.

**Mrs. M. Renwick (Scarborough Centre):** The Ministers make up false motives sometimes, especially the Minister of Trade and Development.

**Mr. Brown:** What is left is the feeling that so much of the work of the government—even down to the departments themselves, even down below the deputy Minister level and the heads of sections, and so forth—is being done always with a sharp eye cocked to the political advantage of the party in power. It seems as though the motivation of the bulk of the work that is being carried out, which is a public service, is being done with a political orientation rather than a service orientation to people. And that concerns me because it means that the government services are becoming political services and are tied to affiliation with the party in power.

I was warned a number of years ago before I became a candidate, by members of my board at Warrendale, that one could not expect to get from the departments of government, for children's services, that which they had by right under law unless they had a well-oiled road to Queen's Park. And I found to my dismay and my chagrin, that that is basically true. The laws that should be equal to all, that all should have without contention or argument, seem to be more available if you are a Tory.

If you happen to be outspokenly anti-Tory, you can expect not to be treated equal under the law; you can expect to be treated unequal under the law in the province. That is an unhealthy condition, and even after the year and a half I have been here, I do not know what can be done about it. I do not expect that there is going to be a sudden enlightenment in the government which will change that. But it is the kind of practice that stems from a bully power; a power that feels it has to answer to no one, and this is an unsavoury condition in Ontario politics.

I would like to think that it would be possible to expect that people who are in need within The Department of Social and Family Services would be treated equally, regardless of their political affiliation, regardless of who intervenes on their behalf. That it would be possible for all people in need to receive equal service under the law. I would expect that the same would happen in other departments, too. We know that is not true.

I would like to take a little time at this point to talk about the attack on me that came from the Legislature last year or, as the hon. member for York South (Mr. MacDonald), says, came from what he called the vulgar ejaculations of the member for London South (Mr. White), that mighty finance expert who taxes the food and clothing of the poor to help his dear friend, the Prime Minister (Mr. Robarts), out of the financial mess that he himself created.

I would like to take some time to talk about the whole episode. I do it because I believe the most that could be achieved in this Legislature is the beginnings of some kind of a communication between members themselves. And I think that episode has created barriers to communication between me and the members of the Legislature and the Legislature itself.

I will start out by giving a little background. I am a professional social worker with a degree in psychology and anthropology from the University of Minnesota, a degree of social work from the University of British Columbia, a degree of psychiatric case work from the University of Chicago. I have the pleasure of being associated with the Royal Society of Health in London, England; I am a certified member of the social work of the Academy of American Social Work; I am a member of the American Group Psychotherapy Association. I have had 20 years of experience in direct work with emotionally-disturbed children, delinquent children, in family, individual and group counselling.



I operated, in the province of Ontario, a treatment centre called Warrendale for 13 years, during which time it grew from a small charity institution with a budget of \$29,000 with 13 children, to a modern, internationally recognized residential treatment centre with a budget of \$1 million in an operation of 100 children.

In the course of that history, contributions were made to the basic knowledge of children which have been found useful in most jurisdictions in North America and western Europe. We have developed methods and techniques which are each day finding broader use in the field. We have developed a mental health team that has never been equalled anywhere.

We had just built a new treatment centre in Etobicoke and we were on the threshold of a great expansion programme when The Department of Health and The Department of Welfare, in conjunction with certain elements of the business establishment on the board of Warrendale, joined forces to discredit that programme, destroy its operation and to disperse the team that had been collected.

I should say, in all fairness to the Minister of Social and Family Services and the Minister of Health, I do not think the present Minister of Social and Family Services was a part of that.

Mr. Speaker, I know that the Minister of Health was brought into the situation late when the then Minister of Welfare was unable to fulfil promises that he had made to see that the programme would continue to certain members of the business board.

Of course, the fact that it was done at all can never be understood outside the context of politics. In the professional community, people do not destroy programmes just because they differ from their own. In the business community, people do not destroy organizations that operate efficiently. Nevertheless, this programme was attacked with its destruction in mind. It was attacked for purely political interests which goes back to the point I made earlier, that all the government services to people are tinged with political motives rather than service motives. And the Warrendale escapade of the Minister of Health is a direct example of this.

The Warrendale team, by great sacrifice and struggle, was able to stay together to build a new programme under the Brown Camps label, which later became Browndale in Ontario. Last year I was attacked by both the conservative parties for a conflict of interest. The press joined with them in trying to discredit the work that I had done because

I was now in a position to deal with the government on a purely political level.

The main point of that attack seems to be that we have been successful. Our team had not been destroyed; the methods that we had developed had not been discredited; the facilities and techniques that had been established at Warrendale were improved and expanded. We had grown from a treatment centre with 100 beds at the time of the Warrendale interference to a treatment centre at that time caring for over 200 children in the province of Ontario. And we have done that in a year's time.

The second argument of most of these people seems to be that all this was done by a private company operating under the free enterprise system, a structure of operation which I would gather most people in this Chamber are quite proud of. And I have no apologies for having done it this way.

I would say, as a good Socialist and as a Marxist Socialist, I should be able to do that; I should be able to understand that the historical development of our economic system sees free enterprise as a precondition for social planning, economic planning, equitable distribution. So I do not think it is anything to be particularly concerned about. I am pleased that I was able to do it. I am sorry that I had not entered into the business community when I was much younger, that I had not learned a great deal about the free enterprise system when I was 19 and 20 and 25, rather than having to wait until after 40 to learn the rudiments of it.

I certainly owe a great deal, I think, to the various departments of this government for precipitating me into this private enterprise. I had never dreamed of doing that before and I have learned a great deal about how to organize services for emotionally disturbed children without having to become bogged down in bureaucratic structure that I did not know about before when I was working strictly within the charitable community.

I think it is important that we look both within my own party and within the other parties in this Legislature at some attitudes about the free enterprise system. Certainly in the old traditional socialist—

**Mr. E. Sargent (Grey-Bruce):** The member is doing pretty well.

**Mr. Brown:** I was not doing too badly before. I have been under the free enterprise system, I guess, for some 46 years now; that is how old I am.

**Mr. Sargent:** Do not knock it.

**Mr. Brown:** Who is knocking it? The socialist movement has learned a considerable amount about the need for free enterprise, too, and I think sometimes we have to remind ourselves of it. We certainly need to remind members of the Legislatures of it because there is an assumption that the New Democratic Party means the end of the free enterprise system. Of course, that is not true at all.

We have learned in the socialist programmes of the world that the free enterprise system is an essential heritage from prior conditions so that certain elements within the economy have to be dealt with in that fashion. There is much to be learned from it; there is much of it that we have to discard. But it is not a complete disregard for the preceding forms that were useful and effective in their time and in their historic place.

One of the things, of course, that is important to us, regardless of what our political philosophy is at this time in our history, is, how are we going to organize efficiently and effectively the multitude of services for people that have become the role of government to play? This is a critical problem. It does not matter which political party you are, when you are in power you are faced with the difficult task of organizing an efficient operation to serve people effectively.

I would say that the free enterprise parties have failed to do this. They have failed to do it in a whole variety of ways. They are failing to bring a humane, sensitive service to people; treating them like human beings; treating them with feeling; treating them with a differentiation for each individual, a respect for each individual. Despite the fact that their philosophy advocates an individualistic approach, the services set up for people by this government and by other free enterprises, parties in Canada and in the United States have become completely dehumanized. The individual is neglected and forgotten. He becomes a cipher.

Somewhere along the line, dedication to the conviction that the individual was important got lost. I know that in socialist countries some of the same things have happened. So we have at the present time a serious problem. How can we humanize the services?

When I spoke a moment ago about the fact that it was fortunate, in many respects, that I got the boot from Warrendale and that I was precipitated into the position of getting into the private programme, I mean it

gave me an opportunity to demonstrate whether or not we could provide an extensive, broad service for a large number of children without losing that special quality that we had in Warrendale, of having individualized and humanized service focussing on the needs of the child.

We have demonstrated that we are able to do that, from British Columbia to Ontario, for some 300 or more children at the present time. The programme is growing at about 100 children a year. We are not becoming bureaucratized. We are not forgetting the individuality of the child. And I would say to you, regardless of the political circumstances under which you and I talk together, that there is something of value to be learned in what we are doing in the Warrendale programme in this respect, in the Brown's Camp programme and in the Browndale programme.

Can we learn from each other? Are we prepared to learn from each other? Are we prepared to say Okay, we have a basis for a political difference? I happen to be a Marxist socialist, and I make no apologies about it. I came by it legitimately, it was part of my heritage, part of my growth, and part of my development. I respect the fact that you have arrived at your political convictions by the same force, but we face common problems, and we can learn from one another about these common problems. One of the great tragedies of the Warrendale episode, and of the events that have followed since the Warrendale episode, is the fact that the government in power, who could use and could benefit from some of the experiences of that programme, have been unable to do so because of a political constipation that has set in at a certain level.

It is easy to make political hay on both sides. It is easy for me to do it; it is easy for the government to do it. I think it is an exercise in futility. I ask the government to let bygones be bygones. I am prepared to do that. I have said it before—it has not been taken seriously but I say it again—I am not a politician; I am a professional person.

I came into politics, I may learn how to become a professional politician; I do not know whether I will, or whether I will not.

And when I say to the members of the Legislature and the members of the various departments, that I am prepared to sit down and share ideas I mean exactly that—because within the professional community, this is a common area of communication. You do not hold back from somebody else because you do not like what he thinks, or what he be-

lieves. He can be in direct opposition to you and you will share with him the most intimate things you were discovering in the work that you are doing on the professional level.

And that is the way it should be, and that is the way I have approached it. If it has not been understood in that way, if it has been understood in another way, then more is the pity for those who understood it incorrectly.

I say again, I am genuinely offering that which is valuable and I am not saying that we have got all the answers and that it is something that can be taken holus bolus, not at all. But I think that there is, within our experience, a great deal that would have value to the various services to children which the government is trying to build, trying to extend and trying to meet the desperate needs of, that could be useful to them. But they do not have to feel apologetic or badly about it if they look at it and find something they can borrow.

Now, it is happening, of course. It is happening discreetly and behind the scenes; it is happening without anybody having to acknowledge it—and I do not want to embarrass anybody about it—but you know it is happening.

The Department of Health, which took over the Warrendale complex, is closing Thistle-town hospital. It is building small treatment units, on the grounds of Thistle-town hospital, and this to me is the way it should be. That is the proper kind of development and I am glad that they are able to do it.

But you will notice that the direction that they moved was not to reconfirm the hospital medical model, but was indeed to reconfirm the things that we were trying to do at Warrendale before they took over.

I asked myself many times, and I have the question asked of me many times in various parts of Canada and other countries, why was the Warrendale programme attacked and why was it destroyed? Why was this done at all? Then I think—certainly within the political context I talked about that earlier today but I also think that there is a further dimension and that is that throughout the entire programme from 1953 to the time that the Ontario Provincial Police in plainclothes surrounded the buildings and replaced the staff with staff they brought in—in that entire period of time, the programme was based on deep, human involvement.

What we were saying and what we were

doing tried to live up to the conviction that a child, regardless of his label, is a human child; that he has the same needs as human children everywhere. And if the children that came to us were not being treated like human children, because they fouled up their communications with people who tried to help them, we set about to discover ways that would make it possible for us to give these children, despite themselves, the kinds of things that every human child needs.

And that means that you have to be involved. That means that you have to care. It means that when you do become involved and you do care, it is embarrassing to people who do not. It sets a standard, not because we say it is a standard, but it sets a standard by demonstration that others find onerous or difficult, or feel inadequate to follow. Now I do not think that, but I know that this is the reaction that comes. I know that others can follow it; I know that it makes a great deal of difference to them when they do.

One of the great problems that we have, and I am speaking again as a private citizen in the province of Ontario, is that we have, over the evolution of child welfare legislation, attempted to set conditions that would protect and set a minimum for the life that each child in the province would enjoy.

In the course of doing that, the government has established many devices for moving in and protecting a child from the natural family. But when one of the devices fails to work, I think this is a most serious lack.

What happens when the government fails to provide for the child as it should? What is the recourse? There is no structure by which it is possible to protect the child who is under the government's hospital care. All you can possibly do, if you try, is to bring down the wrath of the government machine on your programme, on your funding, on the professional colleagues that you have, on every aspect of your life and enterprise. One of the things that I think was continually forgotten in the whole episode around Warrendale, and in the attack within the Legislature, was that there were children involved. They were not mine; they were never mine.

They were children of the province. They were children of people who lived within the province of Ontario. They were children who were real. They had real needs. And it was no skin off my nose.

I could be stopped and my programme could be stopped, but that was not going to hurt me. It still is not going to hurt me, but it is going to make a profound difference to the children that we helped over some

13 to 15 years, that we are still helping, and for whom we have set up procedures, methods and techniques that can be used by other people to help. It is not something that we claim any credit for. It is there. It exists. It is for the benefit of children who are not our own, and I think it should be seen in that light.

Now I am concerned—I have had a growing concern in the last six to eight months—by things that have been happening in the province because I think we are in danger of returning the services of emotionally disturbed children to the level that they occupied some 30 or 40 years ago in the province. My concern stems from the fact that no one within the professional community, and no one within the Legislature, seems either aware of the problem, or to be concerned at all.

With the exception of an editorial or two, the press has been completely silent, except for their usual charity appeals that come each Christmas to help the retarded or the mentally ill child, or the children who are disadvantaged. If we just look at the charity appeals that come at Christmas time, we would get a good measure—just by that alone—of the kind of need that exists in the city of Toronto, for instance.

One of the things that concerns me, of course, is the jailing of children—and I use that term very deliberately—the jailing of children who are emotionally disturbed, in training schools under The Department of Correctional Services. On December 3, 1968, the hon. Minister of Health and the hon. Minister of Correctional Services, in response to a question, expressed their approval of the placement of emotionally-disturbed children in training schools. None of the press gallery picked it up; no one in the government or Liberal Party picked it up. No one in the professional community responded. To this date, it has been totally glossed over by everyone.

That it is a serious condition is evidenced by the fact that the major professional bodies going as far back as Mr. Kelso, who originated the Society for the Prevention of Cruelty to Children, and who developed the foundation for the beginning of the Children's Aid Society, worked and struggled to remove the children out of those kinds of facilities and into appropriate facilities.

It seems incredible to me that in the year 1969 it is necessary for me to make the argument, once again, that the children who are emotionally disturbed or retarded should not be housed in training schools, or similar

institutions, as though they had committed a wrong. Nevertheless, it seems necessary to go back in history and make these arguments.

Before I do that, however, I would like to give a brief history of the development of services to disturbed children in the province of Ontario. Originally, of course, these children were treated like adults, that is, the same facilities that were available to the adults were used for children if they came afool of the law; if they were found to be in a state of neglect, or vagrant.

When people first began to realize that there should be some differentiation between the child and the adult, the type of institutions that were first built were modelled on the adult institutions. The form and structure were essentially the same; the philosophy was essentially the same. The difference was that there was a segregation by age.

Following from that, there was the development of some of the institutions that are still around—the large orphanage—there are still a few of those in the province; the Ontario Hospital school structure—there are still a few of these in the province. All of these facilities preoccupied with the idea that you would remove the deviant child from his local community and place him out of sight and out of mind in some kind of a large, conglomerate mob.

To say that these institutions dehumanize children is a kindness to them. The individual was totally forgotten. There was a preoccupation with the administration of these places and the processing of the feeding, clothing and sleeping arrangements based on the least possible cost and without regard to the individual differences that existed.

The graduates of these centres now fill our prisons and adult mental hospitals and have passed on one, two, or three generations of maladjusted children in their wake.

We can go through some of the funding history. As recently as 1953 the government subsidized the cost of large institutions at one-fourth of the cost of operation. That came to a grant of five cents a day. After pressure by an organization called the Organization of Institutions for Children and Youth, negotiating with the government over a period of time, that grant was raised to \$8 a month. Later—quite a few years later—(in some departments it still has not happened, it is only promised, like the accreditation in The Department of Health) the government has now undertaken a formula of subsidizing 80 per cent of the cost.



In the meantime, of course, the cost of care has risen, and the remaining 20 per cent is beyond the reach of, I would say, 90 per cent of the people who live in Ontario. They just do not have \$200 a month or \$180 a month that they can pay for these programmes if their child happens to need services.

The cost of treatment has risen to the point where it runs somewhere between \$25 and \$60 a day in terms of official reports. It is obvious that with those kinds of costs, 20 per cent is beyond the reach of most families. We know that the much vaunted White Paper on mental health, which promised to remedy this situation in 1966, has bogged down in the typical bureaucracy and red tape which is such a mark of identification of The Department of Health.

As the pressure has mounted for services for emotionally-disturbed children, and much of that was precipitated by the blow-up of the Warrendale situation, and the new-found interest that the public had and the professional people had, in the whole issue of emotionally-disturbed children, there grew out of that a pressure for services to emotionally-disturbed children. That pressure on the government forced the government to act before it was really ready to act, and I think this is what is leading to the use of training schools as repositories for emotionally-disturbed children.

The training schools are there; the child can be locked in, dealt with like any other child in the training school system. The problem of where do you put the child, what do you do with him, is eliminated temporarily until The Department of Health, or the new promised commission on youth, or the new promised department of youth, is able to find some way of providing the facilities.

We are talking about roughly a quarter of a million children in one capacity or another, who need services in the province. Now, I admit to you that that is a guess. We have no statistics. We deliberately have no statistics. I say to you that one of the first tasks of the government should be to compile accurate statistics on the number of emotionally-disturbed children.

The problem with that, politically, is that if they do it, they will then have to do something about service for that number of children. This, of course, is the reason why it is impossible for anybody to get an accurate count of the number of children being serviced. If we take the percentage estimates

of organizations like the Canadian Mental Health Association—studies that have been done, one here in Ontario and in other jurisdictions outside of Ontario—we know that the current figure ranges from 10 per cent to 20 per cent of the child population. In a province like Ontario, where we have approximately a population of 7,000,000 people, we can expect that between 33 per cent and 50 per cent of the population are children. Of that number between 10 and 20 per cent are disturbed to the point where there needs to be some intervention, if they are going to avoid serious maladjustment.

The fact that the pressure was on the government and the fact that the government found a solution by turning to the training schools; of course, placed an additional problem on them. They then had to try to legitimize the use of training schools for the emotionally disturbed child. This is not such an easy thing to do.

The Department of Correctional Services, as we have spoken about before when I first entered the Chamber, has a great capacity for altering names and changing labels, in finding new ways of describing old things. But it is not quite so easy to gloss over the fact that The Department of Reform Institutions now houses perhaps as many children who are disturbed as it does who are socially delinquent.

It is very hard to gloss over the fact that the same set of living conditions and the same kinds of services are offered to both groups, that there is not a distinction between a child, who has an emotional problem or a mental illness, and a child who is socially delinquent. The same services are provided to both, and out of that fact alone, one can say that this is inappropriate placement for such children.

We tried, as I mentioned earlier, to deal with the serious task of what you do when a child, who is the ward of the government, is not being appropriately treated. What do you do about it? We tried to do something about it in the case of a child who was committed to a training school under section 8 of The Juvenile Delinquency Act. I will just talk for a moment about this, because after the Warrendale collapse it was important that we try and find, within the law, a basis for the protection of the children that we were dealing with.

Whenever it was possible to go to a court of law for a decision, we tried to do that. We thought it would be important and useful not just to us, but to the whole field of child

welfare. Certain things were tested within the courts. At the present time there is a case around this particular child that has to do with her civil liberties being violated under section 8 of The Juvenile Delinquency Act because she was placed in an Ontario training school; she was classified as a delinquent—

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, on a point of order! The hon. member himself is stating that this is a case before the courts and I think it is quite improper for him to even discuss any matters relating to this case at this time.

**Mr. Brown:** Mr. Speaker, I am not a lawyer, as you know, but my lawyer told me that I would be able to talk about it. I have no great vested interest in pursuing it. I am simply trying to explain to you that one of the things we have tried to do whenever there was an issue in which we felt there would be value to the community, was to take it to the court and to get a court decision. I do not care to go any further than that on this particular point. I think that is the point I was trying to make and I appreciate the hon. Minister's interjection.

One of my major objections to the programme—as if one had to have major objections to the practice of sending disturbed children to training schools; as if one would even have to argue the point in this day and age. But we are faced with the necessity of having to do it, and one of my major objections to the use of the training school programme for emotionally disturbed children is the fact that the basic philosophy behind the training school programme has not altered; only the names and forms have altered.

It is hard for me to sit down and pinpoint all of the evils, but I will just pick out one or two that I think are significant because they are not usually talked about when we talk about training schools. They are usually glossed over, or people do not understand, or they do not look at the child who is an inmate of these training schools as a human being, the same as other children, the same as their own children, with the same human needs that children have everywhere, plus a special problem which they have and because of which they are now being imprisoned.

One of the most serious things here, of course, is the fact that these children are seen as being limited in their capacities and aspirations. The approach to these children is as though they are a form of second class

child; that they do not have the same potential and capacity that other children have, and that somehow because they do not have the same potential and capacity, they can be given a second rate service; that they can be given second rate training; that they are all going to become artisans; that they are all somehow going to be trained in a trade regardless of whether or not they have a capacity for more than that.

And there is this sort of class attitude and atmosphere around the whole training school programme. It is a fact that the children of the poor populate these institutions more, on a percentage basis, than the children of the rich. This class attitude is carried over in the philosophy and structure of the programming of the aspirations for and the actual help which the child gets.

Then, if the child does not make an adjustment, it is a very easy thing to say he is a delinquent child. It is the child's fault and it is so easy for a government institution, it is so easy for a government department, to gloss over its inability to meet the needs of these children by the statement that, "it is the child's fault". This is a serious problem in the whole field of child welfare. It is easy to say, when a child does not respond to the treatment offered, that it is the problem of the child and not the problem of the service.

I would like to assure you that the children who do not respond to the training school programme justify a very careful review of the basic philosophies and attitudes underlying that programme and the basic kinds of assumptions that are made about the condition of the human child—how he functions and how he works and how he responds.

Perhaps an even more glaring problem in The Department of Correctional Services is that the department has never seriously focused on the needs of the children it services. It is more focused on the political implications of its assistance. When the Minister gets up to talk about it he is talking as a politician interested in defending the role of his government in this area. I do not hear him talking about the needs of children—

**Hon. Mr. Grossman:** What is the hon. member's interest in this; perhaps the hon. member is interested in \$30 a day if they go to his school.

**An hon. member:** Do not judge everyone by yourself.

**Mr. Brown:** Mr. Speaker, I would like to say that I do not have a school in Ontario.

**Hon. Mr. Grossman:** Oh, no!



**Mr. Brown:** But I can set one up fairly easily and I could do it for under \$30 a day.

**An hon. member:** So could the Minister, if he wanted to.

**Mr. E. W. Martel (Sudbury East):** He does not want to.

**Mr. Brown:** But this, of course, gets right down to the nub of the question. The very remark that the Minister makes indicates that his focus is on dollars and cents, rather than on the human beings that are involved.

**An hon. member:** A real cynical approach.

**Mr. Brown:** I do not have any objections to looking at an efficient operation. I will compare the organizations that I operated in terms of efficiency with any government programme, any time, any day, anywhere. And the government is in no position to talk about costs of services to children.

The Thistleton programme is costing in the neighbourhood of \$60 a day. Now I do not say that money is being wasted, but before the government begins to talk about the high cost of treatment in any programme within the province, they had better take a good healthy look at the cost of their own. It is awfully easy for a department who has access to large undefined budgets, to garner from the tax dollar these kind of fees. And out of the other side of their mouth they can be complaining about the high cost of services in a programme such as was developed at Warrendale. That, to me, is a typical political orientation that identifies this particular government.

I have never argued that The Department of Correctional Services was not efficient. God knows, it is efficient.

**Hon. Mr. Grossman:** The member is kidding?

**Mr. Brown:** God knows, it is efficient. It is efficient if you forget the human element. If you think of the children as a can of beans or some other kind of a product that can be processed along a mechanical line, then it is mighty efficient.

But the minute you put in the human element, then the department's efficiency begins to fail because the effectiveness of the service has to be demonstrated in whether or not the child becomes rehabilitated. Whether or not the child can make a go of it. Whether or not the child becomes a contributing member of society after the work has been done. And to me that is the test of whether it is efficient, not whether you can prod them like

so many products through a factory assembly line for X number of dollars.

One of the things that concerns me whenever we get to the issue of children is that the child is so immediately forgotten. It seems like the people in this Legislature and in this government do not really want to talk about children. They do not really want to talk about the needs of children. They want to talk about all kinds of extraneous issues aside from the fact that these are children who are the products of this society.

They were born without knowledge, they were born without civilization, they were born without request into our Ontario society. And out of the conditions in which they found themselves, through no choice of their own, they develop problems, and our society assumes a responsibility to do something about those problems. The children did not make the problems, the society made the problems. So society has the responsibility to do something to see that those children get a normal life experience.

And every time the issue comes up, the government wants to avoid it, wants to talk about other things. It wants to throw red herrings, and make a political game out of it. I say we have had enough of that. Let us stop it. Let us get down to the facts that these children do not determine their own destiny. They are real. They exist in large numbers. They have tremendous needs. Those needs can be met. They do not have to be met to the glory or discredit of any one group or any one individual. But they can be met.

We cannot continue making political hay out of the fact that the Minister of Correctional Services is able to change names in his department and set up all kinds of programmes to house, inappropriately, children who are not delinquent. Now, I do not know whether he is doing is not aware of this, or whether he is doing it as a callous politician. I have not been able to decide, but the fact that he has children inappropriately placed, and children who are inappropriately served, makes me wonder a great deal about whether he is a very unscrupulous man in a political role, living off the misery of children in the province, or if he has very poor advice because he does not know, and his advisors—

**Hon. Mr. Grossman:** The member is a man who has become very wealthy out of those children.

**Mrs. M. Renwick:** What has that got to do with this discussion?

**Hon. Mr. Grossman:** Well, he brought it up.

**Mr. D. C. MacDonald (York South):** The Minister brought it up ten minutes ago.

**Hon. Mr. Grossman:** He can call me an unscrupulous politician if he likes.

**Mr. MacDonald:** Put the cap on if it fits!

Interjections by hon. members.

**Mr. Brown:** Mr. Speaker, this is the typical kind of response from the Minister. And there is a reason why he responds like that. There is a reason why he leaps to his feet, and tires to go off in these kinds of directions. I could give you a very full analysis of how this particular Minister operates, but I do not think this is the place or the time to do it. But I will say this, that any money that I ever made from children was made as a professional person; it was not at the expense of children. Any political advantage that I have ever made has not been at the expense of somebody else, and if I have to stay in politics, succeeding at the expense of somebody else, then I will not be in politics.

Now I do not know whether the hon. Minister is prepared to make the same kind of statement, but I doubt it. We have learned a great deal in the last 60 years about the needs of children.

**Hon. Mr. Grossman:** Is the hon. member prepared to let me get up and make that statement?

**Mr. Brown:** Yes, I would like to hear it.

**Hon. Mr. Grossman:** I would say that I have not made any money from looking after children who are in trouble as the hon. member has, and he does not deny that. And I will say that the hon. member made a statement in the election campaign that the only reason he wanted to get elected to this Legislature was to help those children, and we have seen damn little of him in this Legislature.

**Mr. Brown:** Once again, the Minister demonstrates his focus is not—

**Hon. Mr. Grossman:** How does he help the children if he is not in the Legislature?

**Mr. Brown:** I would say that I have increased the availability of beds for emotionally disturbed children at a higher rate of incidence than all the government departments put together, in the same period of time, without any taxpayers' money, and with the government down my back.

**Mr. MacDonald:** And the facts are there to back that up.

**Mr. Brown:** With The Department of Health spending \$16,500 for public relations services to try and smear that programme, a figure that the Minister of Health himself tabled in this Legislature. That was my tax money as well as yours, and it was misspent. You did not get your \$16,500 worth. You had better look to another public relations firm. You had better look to another issue.

One of the things that we have learned about children in the last 60 years, and it is an important bit of knowledge, and you do not have to be a psychiatrist to understand it, is that the human child needs to feel that he belongs, that he is affiliated, that somebody cares about him. And if you want to measure your services, gentlemen of the government, go into your institutions, put yourself in the shoes of the child and say, "who really cares about me, who cares?" If you come away from that, and you can tell me that the services for children that are provided by this government do that, then I can tell you I am out of the field completely. You have it. It is yours.

**Mr. Martel:** Take that one.

**Mr. Brown:** We are talking about some complicated dynamics; these are human children. Their needs can be measured by you in the same way that you measure the needs of your own child, and it stands there before you to do it. If I thought that you did not care, that it did not matter to you, I would not even open my mouth, but I think you do care, and I think all the members who are here care.

I think they would like to do the best thing for the children in Ontario. I think they would like to do the best job for the people. I do not know how to communicate to you that we can do better than we are doing, that we do not have to go along in this fashion. The job can be better done; why not do it?

If children do not feel that they are affiliated and related in the beginning years of their childhood, and later—then they become uncivilized and dehumanized to varying degrees. And this inhibits their ability to adjust, to go through the learning process that all children have to go through.

Their capacity to use their innate talents and potentials becomes warped and their spirit, enthusiasm, curiosity and hopefulness are impaired. Like all children, if they do not belong, they not only suffer in the here

and now, day by day, but their potential for the future is seriously hindered.

Children need love, children need to belong. They need reciprocative feelings from adults who will model their identification. To that end, the groups and organizations that care for them must like them and must appreciate them, and must provide for them in a spirit of parental love and affection.

In the drive for efficient operation, the eight hour shift on the one hand, and the attitude that these are society's wrong-doers, grossly inhibits the natural warmth and loving relationship that all children need.

So far, we have dealt with what all children need, but the emotionally disturbed child has needs above and beyond the needs of a normal child, special needs that result from his emotional disturbance. When society intervenes with these children, society, by the act of intervention, assumes a responsibility to meet the special needs that the child has. Otherwise, why intervene? So, when the intervention is there, there is with that, automatically, an assumption of responsibility to do something about the special problems that brought the child's needs to light.

I think, thirdly, the process by which children come to a correctional institution is perhaps the cruelest of all of their experiences. Anyone who will take a moment to look into himself, and think of his anguish at the moments when he is not well related—and all of us have times when we are not well related, not well adjusted to some situation or event, when he is isolated or when he is lonely or irrationally angry or upset—will know the agony under which the emotionally disturbed child exists in the best of times and in the best of conditions.

To be brought before a juvenile court, which is modelled on the adult court, and having one's maladjustments laid out like crimes, and having the judge consider them and sentence the child to a training school for problems and acts which are perhaps the result of the maladjustment, is the most dehumanizing treatment that the child can possibly get.

Generally, the child is housed for a period of time in the observation home, which is a new name for a detention centre. In Toronto, we know the condition of the observation centre. There is a flurry of editorials, letters and public protest from interested persons about the inhumane conditions of the detention home in Toronto; the lack of air conditioning and ventilation, yet the children are kept there year after year while the government dawdles and does nothing about it.

It requires very little thought about the serious problems of the emotionally disturbed, maladjusted and the deviate child in our society without recognizing that the juvenile courts and the training schools are archaic forms for any child, that their use should not be increased but eliminated, if for no other reason than the civilized feeling it would bring to all the people in the province to think that we could care for our children without these organizations.

We should try to remember that society should be growing away from these kinds of archaic institutions and archaic practices. We should be trying to find more advanced organizations for dealing with children, consistent with our increased knowledge about what causes children to function the way they do and how we can remedy it.

I would like to read a statement that was issued by me on December 3, 1968. Following is a statement by myself in connection with a series of questions before the orders of the day regarding emotionally disturbed children. The statement reads:

I am gravely concerned about the conditions prevailing in Ontario in the field of services to emotionally-disturbed children. Judge Little's remarks emphasize, once again, the fact the government has failed to act in a sensitive, co-ordinated, intelligent manner to serve the problems of emotionally-disturbed children.

These questions resulted from a comment by Judge Little saying that training schools were appropriate for some children who were disturbed. To go on with the quote:

The government has created chaos rather than providing a harmonious programme by vesting interest in emotionally disturbed children into half-a-dozen departments that appear to be working at cross-purposes and without identifiable objectives. Indeed, one would suspect sinister motives judging from what has occurred in recent times. By this I mean it has been evident for a better part of a year that The Department of Correctional Services has been bent on legitimizing the placement of emotionally-disturbed children in reform institutions.

The heat has been on children's aid societies and juvenile courts to sentence children with emotional problems to such centres. Other children have been sent out of the country for treatment in the United States and others have been placed in adult wards in mental hospitals. All this, bad as it is, does not equal the literally

thousands of children left at home in the community without service or care.

It has been repeatedly said by certain elements in The Attorney General's Department and others in reform institutions, The Department of Health, mental health division, The Department of Social and Family Services, that there are no available alternative resources. This is an outright lie. There has existed in the province of Ontario the availability of 100 beds for emotionally-disturbed children which has gone unutilized in the past.

This was one of the things (to move out from the quotes of this particular statement), that I did shortly after the collapse of Warrendale. I offered to the Minister of Health 100 beds that would be available for emotionally-disturbed children on demand.

There was never even a discussion. Again, we go back to the fact that all of this issue has been treated as a political issue. Now I realize that, in my naivety in the field of politics, I probably contributed to that as much as the government has, but I am prepared to look at my part in it, and I certainly made the offer, not with an interest in political gain, but to the end that I recognize there are a large number of children who need emergency services. That offer still stands.

I would suspect that there still remains for immediate use—or that there could be provided on a very short notice—50 beds. By the time these were filled, 50 more beds could be available, even today.

I say without reservation that no emotionally disturbed child in Ontario need be placed in the reform institution or adult ward of a mental hospital, or shipped out of the country for treatment for lack of facilities in Ontario.

I am prepared, as a member of the Ontario Legislature, to undertake the immediate provision of alternative facilities for all emotionally-disturbed children coming before the courts and needing treatment.

My experience in the field tells me that this programme could be dealt with by existing resources properly utilized and co-ordinated. I would further assert that these services could be provided at a cost of under \$30 a day all inclusive; and that includes capital costs, education, clothing, health services—

In the process of neglecting to provide for the needs of emotionally disturbed children, the government and its various de-

partments has created an oppressive and excessive burden on children's aid societies, courts, training schools and other government institutions, the result of which is a serious distortion in the function of these institutions.

When an adult ward has to take on a seriously disturbed adolescent, not only is the adolescent not being treated, but the services to the adult are being neglected and abused and this is the serious kind of distortion that is happening in many of our organizations.

When emotionally disturbed children are brought into correctional institutions, they create a disturbance for the purposes for which that institution was set up in the first place. They add a burden to the staff and the children who are there before they come. It is not wise planning and it is not wise action.

I say it is impossible to include quantities of emotionally disturbed children into the training school programme without serious damage to that programme in which the emotionally disturbed children were so placed.

I say The Department of Social and Family Services has expended large sums of money sponsoring a private treatment centre known as Boys Village in the hope that some magical solution to the problem might be found; but none has yet emerged.

I say that The Department of Health has vested large sums of money in the Thistle-town programme in the hope that some magical solution could be found; but not one has yet emerged.

I say that the government has failed to appropriately and sufficiently support the one significant, outstanding treatment programme that was developed in Ontario: the programme that is now operated under the name of Browndale, formerly the Warrendale programme.

I say that the government has played politics with the issue of emotionally disturbed children far too long and must now immediately convene the respective departments concerned, with other public and private organizations, and demonstrate their capacity to deal with the programme, and to map out an immediate, co-ordinated course of action if they are to remain credible in the field of providing services to emotionally disturbed children.

Last year, I gave up my direct work with the emotionally disturbed children in the

province of Ontario in the hope that by so doing, it would be possible for the government, without losing face, to let bygones be bygones and to get on with the important task of providing services to emotionally disturbed children.

I find no evidence of that happening to date and I challenge the government to rise above their personal feelings of animosity to me, and to take a clean hard look at what is available in services to emotionally disturbed children in the province of Ontario.

The Browndale programme, under its new board of directors, provides treatment for approximately one per cent of the emotionally disturbed children in Ontario. All other facilities, private and public, provide for another one per cent. The other 98 per cent are either getting haphazard, occasional assistance in outpatient clinics, schools, etc., or they are going without services.

I would like a positive assertion from the government that they are prepared for the sake of emotionally disturbed children to let bygones be bygones and find ways to bring together the available knowledge and resources that better serve the needs of the emotionally disturbed child in Ontario. And that does not mean that they have to deal with me; the programme has been passed on to people who can carry it effectively and well.

That is the end of that particular statement. I would like to read further from a statement on December 4, 1968:

Despite the Prime Minister's reluctance to make policy statements in yesterday's question period about sending emotionally disturbed children to training schools, the Minister of Health and the Minister of Correctional Services stated in bold terms the policy of this government. They both emphatically stressed that training schools were suitable centres for emotionally disturbed children.

As a professional person who has spent 20 years studying and developing services for emotionally disturbed children I call these statements gross, inhuman and without any foundation whatsoever.

**Hon. Mr. Grossman:** Would the hon. member mind if I asked him a question?

**Mr. Brown:** No.

**Hon. Mr. Grossman:** Does he believe that the Association for the Emotionally Disturbed

Children agree with his views on training schools?

**Mr. Brown:** I have no idea whether the Association for Emotionally Disturbed Children, which I played a large part in founding and developing, has an opinion one way or the other about it.

**Hon. Mr. Grossman:** Would the hon. member like me to give him their opinion at this time?

**Mr. MacDonald:** Why does the Minister not take his own time?

**Hon. Mr. Grossman:** I am speaking to the hon. member. He can say whether he has any objection.

**Mr. Brown:** I have no objection to you interceding at any point in any way if you will address it through the chair.

**Hon. Mr. Grossman:** Well, of course, I have addressed it through the chair. Of course, the hon. member—

**Mr. Brown:** The proper procedure is through the chair.

**Hon. Mr. Grossman:** The hon. member has made a great plea that we should let bygones be bygones and we should all work together in this field which was, of course, an appeal I made last year, if he will recall. But I wonder whether he really feels that by getting up here and making a charge that the Minister of Correctional Services is approaching his problem with the children in the training school as a callous politician, he helps this sort of thing.

**Mr. Brown:** Read *Hansard* and get it straight. Do not be so defensive about it, just read *Hansard* and get it straight.

**Hon. Mr. Grossman:** May I tell you what the Association for the Emotionally Disturbed Children said?

**Mr. Speaker:** The hon. Minister started out to give the hon. member a report of an association. He has not come to it yet; would he please do that.

**Hon. Mr. Grossman:** This is the edition of the Ontario Association for Emotionally Disturbed Children, dated January 1969. It is just coincidental—I just happened to have it handed to me on the outside as I was coming in. I would be very pleased to read it to the hon. member.

It refers to Workshop No. 13, treatment services for the delinquent, and it refers to



a panel, on which was Judge William Little, juvenile and family court of metropolitan Toronto. The others were Mr. Stanley Out-house, senior probation officer, juvenile and family court of metro Toronto; Mrs. Roberta Roberts, chief social worker, Whiteoaks village, Hagersville, Ontario; Mrs. Dorothy Chandler, supervisor, West End Creche, Toronto. The editorial reads:

On the grounds that this particular panel of concerned experts in their field has already been extensively reported in the daily press, we feel that straight reporting would be redundant, hence our personal comments.

This is the editor speaking.

Certainly the major problem—too many troubled children and not enough places for them—is likely to be with us for some time to come. We regret quite as sincerely as Judge Little that there is a stigma attached to children who have spent time in training schools. We would like, however, to point out that this stigma which, according to Judge Little, closes off certain avenues of employment, was, and is, based on public misunderstanding.

The public is always inclined to suspect the worst of what it actually knows very little about. It has always been true, and I speak from having both knowledge and experience of children who had spent some time there, that for many children the training school was the first decent home they had ever experienced, and training schools have in addition moved ahead very rapidly in recent years in bringing their principles and their facilities and their knowledgeable handling of disturbed children into line with the most approved modern practices.

It should be emphasized again and again and the public should be made fully aware of the fact that a child may be sent to a training school simply because it is immeasurably a better place for him than the home from which he has been taken. He may be disturbed. He can hardly help being so in many homes where he may feel himself to be a reject. But he is not necessarily delinquent and, in any case, minor delinquency in such a child is by no means an indication that the child has permanently abandoned the value of society.

Now I hesitate to read the last paragraph which is a very short one, because when I did this once before someone said I was getting up and extolling my own virtues. I cannot help it under the circumstances.

Under the progressive policies of Mr. Allan Grossman, Minister of Reform Institutions, our training schools—I speak of them as ours because they are now institutions in which we can take an honest pride—can hardly be distinguished from the best of modern treatment centres. We only wish that the homes which still shelter after a fashion so many badly handled and mistreated children, might some day attain to a comparable standard.

**Mr. Brown:** Mr. Speaker, the Minister should be justly proud of that kind of an editorial from such an eminent group and it just brings out some very tragic points that I suppose in the Minister's haste to defend himself and a programme that he did not create and did not blueprint, he did not say what was the proper way to serve these children. It was simply inherited as a part of the history of our institutions in Ontario. I would just like to comment a little bit, if he can take time to sit in his seat and not be so defensive about it. I certainly—

**Hon. Mr. Grossman:** I just did not like being called unscrupulous.

**Mr. S. Lewis (Scarborough West):** That was an hypothesis.

Interjections by hon. members.

**Mr. Brown:** I certainly did not, Mr. Speaker, charge him with being blatantly political, but I said I had to ask myself and that I had not been able to answer yet. But he has, I think—

Interjections by hon. members.

**Mr. Brown:** I think we have had much enlightenment this afternoon. Whatever I may have thought before, I have certainly new evidence to support suspicion.

It is a tragic situation when the Minister of Correctional Services, in defence of himself, rises in the Legislature in the year 1969 and justifies his behaviour on the grounds that there exist in the province living conditions for children so bad that a training school is an improvement.

The question, when we are dealing with human beings, is always simply reduced to what would you do for a child of your own. What would you expect as a standard if your child were involved? And if you are not prepared to say to me that you would place your children in your own correctional institutions before you would place them in your home, then what are you talking about? In-



deed, what are you talking about? This is a ridiculous position and—

**Mr. Speaker:** Perhaps at a convenient time the hon. member would adjourn the debate. I do not wish to end his remarks on the Minister's remarks, that would be quite in order, but perhaps after that he might.

Mr. Brown moves the adjournment of the debate.

Motion agreed to.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, tomorrow I would like to go to the order paper. There are some second readings that have been on the order paper for some time; that is, down to order No. 14—and there are one or two bills in Committee of the Whole House. In any event, I will go to the order paper and we will deal with what is ready and then we will resume this debate.

I would think next week we will commence to sit on Tuesday and Thursday evenings. There will be no night sittings for the balance of this week.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I wonder if I might ask the Prime Minister if he is in a position to enlighten us as to when the Budget will be presented?

**Hon. Mr. Robarts:** Oh, yes, I hope there will be no more changes; on March 4.

**Mr. MacDonald:** March 4?

**Hon. Mr. Robarts:** March 4 is the date as of today. I think we have made the final change.

**Mr. S. Lewis (Scarborough West):** Under pressure from the leader of the NDP.

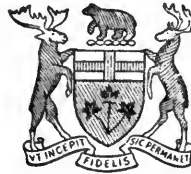
**Hon. Mr. Robarts:** While I am on my feet talking about the business of the House, I would like to think that we might call order No. 2 some time toward the middle of next week. That will probably come to be known as the constitutional debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Wednesday, February 19, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, FEBRUARY 19, 1969

The House met at 2.30 o'clock p.m.

Prayers.

**Mr. Speaker:** Our guests today in the east gallery are students from Franklin Horner Public School in Etobicoke, and St. Michael's Separate School in Oakville. In the west gallery are students from the West Preparatory School in Forest Hill Village.

Petitions.

Motions.

Presenting reports.

Introduction of bills.

## WELFARE OF ANIMALS USED IN TEACHING AND RESEARCH

**Hon. W. A. Stewart** (Minister of Agriculture and Food) moves first reading of bill intituled, An Act to Regulate for the Procurement and Provide for the Welfare of animals used in Teaching and Research.

Motion agreed to; first reading of the bill.

**Hon. Mr. Stewart:** Mr. Speaker, this bill which I introduce today has several objectives which will result in benefits to both man and animals.

The people of Ontario are, I am sure, aware of the tremendous progress that has been made in human and animal medicine as the result of teaching and research. Countless human and animal diseases have been overcome, and great progress has been made in the battle against other diseases and ailments as a result of the continuing programmes of research conducted on animals. As the beneficiaries of these research discoveries, we must recognize that many of these important advances made in the fields of medicine and nutrition have been the result of such research conducted on animals.

Under the proposed legislation, protection will be provided for these animals by insuring that:

1. Animals are procured in a legal manner.
2. Animals maintained by animal suppliers and research facilities are given proper care.

After I served notice to this Legislature that legislation to this effect would be introduced, I received a letter from Dr. E. H. Botterell, dean of the faculty of medicine at Queens University and vice-principal of health sciences at that university. Dr. Botterell was writing to me in his capacity as chairman of the Council of Deans of Medicine of Ontario, which embraces in its membership the deans of all the faculties of medicine in the province.

**Mr. Speaker:** Order, order. The hon. Minister is entitled on the introduction of a bill to give a short explanation of a bill. If the hon. members wish to hear this, I would be glad to have them hear it—but I would suspect that the hon. Minister is not now in order in reading the statement which he is about to read.

Interjections by hon. members.

**Mr. Speaker:** The hon. Minister, then, may proceed by the unanimous consent of the House.

**Hon. Mr. Stewart:** Thank you very much, Mr. Speaker. Dr. Botterell says:

I welcome this announcement of your intention to introduce legislation which will, I am sure, regularize and control the means of obtaining animals used in teaching and research and provide safeguards for their welfare.

The continual use of animals in teaching and research is of the utmost importance to the education of health care personnel, and the provision of high quality health care. I am confident that the legislation you propose will have a significant effect on human science teaching and research in Ontario by improving the means of procuring animals and ensuring their proper care and protection from unnecessary or unreasonable pain or discomfort.

The present high level and accelerating pace of development of modern medical science would be impossible to maintain without research involving the use of animals. For advances in health care for both man and animals, ranging from the elimination of such diseases as diphtheria

and poliomyelitis to the transplantation of organs, medical science and veterinary science are dependent upon research.

Emphasis must again be placed on the severe shortage of animals for teaching and research which was emphasized in the brief to the government of Ontario. As a result of this shortage the development of new methods of diagnosis and treatment of disease, as well as the basic research in the health science is seriously handicapped. At the same time, increasing responsibilities are being laid on the health sciences for the education of more doctors which will in turn, require the procurement of increasing numbers of animals.

Now, Mr. Speaker, these comments come to us from a very important group of professional men upon whose shoulders have been placed the responsibility of training the doctors of tomorrow and the development of new methods of disease control.

With regard to the procurement of research animals, this Act will control the source of supply and in addition will require the teaching and research facilities to obtain their animals from approved sources. The source of dogs and cats will be pounds and licenced dealers. Both will be required to have approved facilities for the housing and care of animals.

However, a person wishing to donate his own animals to a research facility may do so. Pounds will be required to make unwanted animals that have first been offered for pets, available for research purposes. The owners of pets who do not wish to have their animals used for research purposes, may direct the Humane Society or pound operator in writing to dispose of the animal in a humane manner, if a new home cannot be found for it, rather than having it used for research purposes. Provision is also made for the humane disposal of animals unsuitable for research purposes by reason of disease or old age.

By controlling the sources of animals and by making animals more readily available to research facilities, undesirable practices such as the theft of dogs—dognapping—the provision of inadequate animal care, and the operations of unscrupulous dealers will be curbed. At the same time, pet owners will be protected against hasty action in disposing of impounded animals for research purposes. Owners of dogs and cats that are impounded are allowed at least 48 hours in which to redeem their animals under this legislation.

With respect to the welfare of animals used in teaching and research, the Act provides for the inspection of premises supplying animals for research and research facilities using animals. The Act also provides for the making of regulations respecting matters pertaining to the care of animals. These matters include health standards, facilities, and equipment for housing and care for animals, the establishment of animal care committees in connection with research facilities, and the services of veterinarians at research facilities to supervise the care of such animals.

This Act also includes as research facilities those premises generally regarded as PMU—pregnant mares' urine—farms, and accordingly provision is made for the registration and inspection of these facilities as well. In order to protect the welfare of foals born on these PMU farms, a prohibition is placed on the sale of foals under 90 days of age except in cases where the foal is orphaned or sold with its dam to the same owner or destroyed by the owner.

This Act will be administered by the veterinary services branch of The Ontario Department of Agriculture and Food. In the interests of animal welfare and the general public, the responsibility of administering this legislation will be placed in the hands of a branch of government comprised of veterinarians who, by the very nature of their profession, have as their first concern the health and welfare of animals.

This legislation was prepared after a careful study of the research animal situation undertaken by those who are experienced in the field. We have followed the recommendations contained in the June 1966 report of the special committee on the care of experimental animals, commissioned by the National Research Council of Canada. This report revealed a need for the establishment of adequate uniform standards relative to the procurement and care of animals and facilities for their maintenance, and made a number of useful recommendations in this regard which are implemented in this legislation.

**Mr. R. F. Nixon** (Leader of the Opposition): Since the provisions of the bill, which have been so amply outlined by the Minister, correspond almost exactly to the news reports in the papers yesterday about the bill, I wonder if he can explain to the House why the newspapers were aware of these provisions before we in the House received them.

**Hon. Mr. Stewart:** Well, Mr. Speaker, I wish quite frankly that I could provide an



answer to the hon. member because I would be so enlightened myself.

I have no idea how the story got out. I suspect that it was very, astute newspaper work. I just have no idea how it was done.

#### THE ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1955

**Hon. A. A. Wishart** (Attorney General) moves first reading of bill intituled, an Act to amend The Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this Act constitutes a review and amendment of our present Act. There are certain important features to which I might refer briefly, and the amendments or I might say the repeal, of three sections—that is sections 12, 13 and 14—which permit entry without more than the language of the statute.

The new Act will require for entry a warrant obtained through a justice of the peace. Taking of an animal, which now may be done by an officer of the society without any other authority than that contained in the present Act will also require the order of a veterinarian.

Generally the provisions of the new legislation are designed to conform to what we consider to be the proper principles in dealing with the rights of persons.

The Act establishes an animal care review board and new provisions for review of decisions and for appeal from the actions of officers of the society.

**Mr. Speaker:** The member for Sudbury East has the floor.

#### THE SEPARATE SCHOOLS ACT

**Mr. E. W. Martel** (Sudbury East) moves first reading of bill intituled, an Act to amend The Separate Schools Act.

Motion agreed to; first reading of the bill.

**Mr. Martel:** The bill would permit a non-Catholic ratepayer whose spouse is Roman Catholic to elect to be a separate school supporter.

**Mr. Speaker:** The hon. leader of the Opposition.

**Mr. Nixon:** I was going to ask the Attorney General if he might clarify the intent of the bill that he has introduced in first reading, which

I understand requires a warrant before officers of the humane society can enter premises. I understand that the chief director of the humane society has already publicly objected to that provision. Really the point is whether, having become aware of this evidently in the last day or two, the Attorney General might comment on how he got the information or perhaps defend the bill, since it is already an open debate before it is presented to the House.

**Hon. Mr. Wishart:** Mr. Speaker, taking the last part of the hon. member's question first, I do not propose to defend the bill on first reading. I think the proper time to defend the principle of the bill is on second reading, if it is attacked, and then to discuss the bill fully in committee, of course, where the bill will undoubtedly go.

As to how Mr. Hughes discovered that this proposal was to be contained in the legislation, I am in the same position as my colleague, the hon. Minister of Agriculture and Food, I do not know. I am sure that the leader of the Opposition is aware of the procedures through which bills have to go, and that some time is taken in preparing and drafting of them, and carrying them in the Cabinet and caucus. In this procedure, somebody did not feel that it was too wrong to suggest some of the things that might be accomplished.

**Mr. Speaker:** Introduction of bills.

**Mr. Nixon:** Mr. Speaker, I have a question for the Premier. I wonder if the Premier would give the House more information on the representative at the educational conference in Niger, as to his regular responsibilities with the government and his instructions as a member of the conference?

**Hon. J. P. Robarts** (Prime Minister): Yes, Mr. Speaker. He is named Jean-Marc Tessier. He is an assistant superintendent in the curriculum section of The Department of Education.

His usual duties and his particular responsibilities are in the preparation of courses of study in our bilingual schools. He has quite a range of experience in the department. He has been a member of the staff of the department for some time; he has been an inspector of modern languages in our secondary schools. He is, of course, a teacher, a former teacher. He has served as a professor of education at the Ontario College of Education.

He was given no specific instructions by the government. He is attending the conference as a member of the Canadian delegation,

and he is participating in the deliberations there as one of the members of the Canadian delegation. He also attended apparently an educational conference held in the Congo in January, and he was designated by us to serve on the Canadian delegation at the request of the federal government.

**Mr. Nixon:** We presume the federal government is paying his expenses?

**Hon. Mr. Robarts:** I am afraid I cannot answer that question.

**Mr. Nixon:** I would like to ask further, to the Premier's announced programme for expanding the province's capital area, does the province own all the land in the block between Bay Street and Yonge Street east of the new Queen's Park complex?

And second, who administers the present use and rental of the properties that are owned; and is there any timetable associated with the new programme?

**Hon. Mr. Robarts:** No, Mr. Speaker, we do not own them all; I think we own most of the larger ones, but some of the smaller ones we do not own. They are being negotiated continuously. Those we do own are administered by The Department of Public Works.

We have no timetable, it is a very long-range plan as I mentioned at the time. We are looking ahead and preparing, but we have no timetable as to when construction will take place.

**Mr. E. Sargent (Grey-Bruce):** If they can afford it.

**Hon. Mr. Robarts:** We will wait until we can.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, my first question is to the Minister of Health: Has The Health Department purchased the drug tetracycline over the last 13 years? If so, has the department made representations to the five American drug companies—Charles Pfizer and Company, American Cyanamid Company, Bristol-Myers Company, Olin Mathieson Chemical Corporation and Upjohn Company—to recover the amounts overcharged by the companies as per consent decree reached last month as reported in the *Toronto Daily Star*?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, the answer to the first part of the hon. member's question is yes, we have purchased this drug. The answer to the second part is no, not yet. The purchases of

the department are being scrutinized. I directed this to the attention of my staff as soon as I read the report. Going over 13 years' records will take some time. As soon as we have that information and we are certain that we bought from those firms concerned, our action will be dictated by our findings.

**Mr. MacDonald:** Mr. Speaker, I have two questions for the Minister of Labour. The first one:

With regard to the Welland plant of Cyanamid which has been on strike since January 6, 1969:

1. Is it true that some of the new work force, involving former supervisory personnel, have been confined to the plant for weeks, without returning to their homes and families?

2. Is it true that workers, as reported on radio by the wife of one of them, receive \$5 per hour while working and \$2.50 per hour while sleeping on cots beside their machine?

3. Has this company permission from The Department of Labour for employees to work excessive overtime—12 hours a day regularly—day after day?

4. In view of the fact that the work of a normal maintenance staff of 150 is now being done by a few supervisory staff, is the safety of the workers and the community being safeguarded by this explosive-manufacturing plant?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member, I received this just a little over an hour ago and he has asked a number of detailed questions. I will be glad to obtain the information and send it to him.

**Mr. MacDonald:** My second question to the Minister of Labour—incidentally, Mr. Speaker, I trust the answer to my last question will be presented in the House.

**Hon. Mr. Bales:** I will obtain the information and provide it.

**Mr. Speaker:** The hon. Minister is being asked if he will take this as notice for the purpose of returning the answer to the House.

**Hon. Mr. Bales:** I have no objection to giving it in the House. I would want to see that the member gets the information.

**Mr. MacDonald:** My second question to the Minister of Labour:

From the department's investigation of the death this week of Gerry Nagy in a tunnel

being constructed by Cristan Construction Company on Denison Avenue in Toronto, does the Minister feel that safety regulations had been observed?

**Hon. Mr. Bales:** Mr. Speaker, I am sure the hon. member appreciates that this accident occurred two days ago. The investigation is continuing and until it is complete I cannot say, nor would I want to say, that all regulations have been complied with. I hope they have, but I want to find out myself.

**Mr. MacDonald:** Mr. Speaker, by way of supplementary, would the Minister report when the investigations are completed?

**Hon. Mr. Bales:** Yes, and I might add that it is my understanding that an inquest is to be held, in which event, of course, there would be the normal investigation.

**Mr. Speaker:** The hon. member for Sudbury East.

**Mr. Martel:** Mr. Speaker, a question of the Minister of Education.

Will the promotional policies, discrimination charges—and staff academic qualifications—issues raised by Dr. Costa of George Brown College—be investigated by the department, and if not, why not?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the problem as it relates to Mr. Costa at George Brown College is now under discussion and arbitration between the institution and the individual. It is not appropriate for the department to become involved at this point.

**Mr. Speaker:** The hon. member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, I have a question of the Attorney General.

In the case of Regina vs. Gary Perly, is the Attorney General aware that the Crown attorney, under oath, advised Judge Bigelow that PC Woodhead had indicated to him outside the court that he had denied in court having read the transcript because he thought it was improper to have done so?

Since PC Woodhead was under oath when he denied having read the transcript, does this denial not constitute perjury? If so, will the Attorney General investigate what action should be taken against PC Woodhead?

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member raised this question I think just a few days ago. At that time I told him I would look into the matter, investigate it. I

have therefore obtained the transcript and have read it. I notice that in the Ron Haggart column of the 15th instant and back in November 29 of last year, he made some comments, some quite uninformed. Since the matter has been raised again and is of some importance I have decided to, very carefully, state the answer which I shall now read.

As I say I have the transcript and I have considered the various suggestions by the hon. member for Timiskaming that some sort of charge should be laid. I might point out to the hon. member that one of the essential ingredients in the charge of perjury is that the alleged untrue statement must have been made with the intention of misleading the court. The allegation should also be related to the main charge, not to a collateral issue such as was the case here.

I would also point out that the evidence of the assistant Crown attorney is not completely unequivocal; he does not recall the exact statements but rather, he says, the gist of the conversations. Finally, the only evidence respecting the allegations made against Police Constable Woodhead is that of the assistant Crown attorney who states in the transcript that, and I quote: "he did not know if Woodhead read the transcript". That is on page 108 of the transcript.

All in all, Mr. Speaker, I am of the opinion that the evidence does not warrant the laying of any charge. The officer admitted the practice he had followed. The assistant Crown attorney made full disclosure to the court and to the defence and thus, the entire matter was cleared up in order that the defendant might be protected from any possible prejudicial effect on this evidence.

I feel that the matter was dealt with in the proper way once it came to the attention of the Crown. The action of the officer was wrong, of that I make no question. It is obvious from the transcript that he knows that his actions were wrong and the practice he followed was wrong. I am sure that he and his associates will now be aware of the facts and the result of the case. But in short there is nothing which would require the laying of a charge of perjury.

**Mr. Speaker:** The hon. Minister of Mines has an answer for a question from yesterday, number 636.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, question 636 was asked by the member for Sudbury East as follows:

Can the Minister inform the House whether the Falconbridge Nickel Company

has advised Mr. Redsell, the district engineer, what action they intend to take to reduce the noise from the Fecunis compressor at the Fecunis mill?

If no action is considered by Falconbridge, did they present any brief to Mr. Redsell regarding the compressor noise?

What action will the Minister take to ensure that the situation is rectified?

Mr. Speaker, I am informed that any complaints we have had respecting noise have not been about the mill but about a compressor room adjoining the machine shop and I assume that that is what the hon. member is referring to. I am informed that the Falconbridge Nickel Company do not intend to take any further action to reduce the noise from the compressor in the compressor room adjoining the machine shop, as I think I answered previously to the hon. member in this House.

An audiometric survey revealed that the noise, although unpleasant, was certainly not harmful and certainly not a safety danger. No brief on compressor noise was presented to Mr. Redsell, our engineer, and in view of that information we feel that there is no situation to be rectified.

Mr. Martel: Mr. Speaker, may I ask the Minister, as a supplementary question: Is the Minister aware that one man has received compensation as a result of noise in that area and two more cases are being processed at the present time?

Hon. A. F. Lawrence: Yes.

Mr. Martel: There must be something causing it then.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, a question of the Provincial Secretary.

In view of the news release of September 16th, 1968, in which the select committee on taxation stated that people in northern Ontario should pay the same price for beer as the rest of the province, will the Minister prevail upon the Brewers Retail Stores to reduce the price of beer in northern Ontario in the interest of uniformity?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I have asked the members and officials of the liquor control board to thoroughly review this matter and once that study is completed I would be glad to speak with the member about it further.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I have a question of the Minister of Municipal Affairs.

Will the Minister advise the House of his reply to the Ear Falls citizens' committee request for:

(a) Funds to go to Quetico Park for the seminar on regional government?

(b) An administrator for Ear Falls?

(c) A subsidy to carry on the basic services to the community?

Did the Minister reply to each of these requests personally?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the reply to this question would involve reading most or all of four letters and I think it would be best if I tabled those four letters with the Clerk and I will send a copy to the member.

Mr. Speaker: The hon. member for Oxford has a question of the Minister of Transport, if he wishes to place it.

Mr. G. W. Innes (Oxford): Will the Minister inform the House if he is planning to change the regulations respecting truck loads this year for the half load season?

How many Benklemen beam devices are currently in use by this department?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the regulations respecting half loads in the same form as last year have already been passed.

The Benklemen beam device is not employed by our department. I suggest, sir, that questions concerning it or the road *per se* might more properly be directed to my colleague, the Minister of Highways.

Mr. Speaker: The hon. Minister of Highways has the answer to a question from yesterday, perhaps he would give it now.

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, the answer to question No. 600, asked by the member for Sandwich-Riverside (Mr. Burr).

Mr. Speaker: Is that member in the House?

An hon. member: No.

Mr. Speaker: Will the hon. leader have that question answered? The member for Sandwich-Riverside is not in the House.

Mr. MacDonald: Mr. Speaker, I think we could have the reply and if there is any

supplementary question it can be placed at some later date.

**Mr. Speaker:** Thank you.

**Hon. Mr. Gomme:** Mr. Speaker, the answer is yes.

**Mr. Speaker:** I would point out to the hon. members why I am particular about this because we do not allow questions to be asked of the ministry if the Minister is not present and I think that the same courtesy should be extended to the members.

The hon. member for Windsor West has a question or two here.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, a question of the Minister of Education. What action does the Minister intend to take to give effect to the proposals of the Blind Brotherhood Association presented to him on Monday in Windsor?

**Hon. Mr. Davis:** Mr. Speaker, I received these suggestions on Monday and they are being considered.

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question of the Minister of Health. How many birth control pills were purchased by the department last year for use at the Whitby Psychiatric Hospital?

**Hon. Mr. Dymond:** Mr. Speaker, I will take this question as notice.

**Mr. Shulman:** Thank you. A question for the Attorney General. If Magistrate Lucien Kurata is found innocent in the forthcoming judicial inquiry will his legal expenses be reimbursed to him?

**Hon. Mr. Wishart:** Mr. Speaker, it is not a question of being found innocent or guilty, a judicial inquiry does not do that; there is no charge laid, but I do not want to get into a question of semantics at all. I think that I would definitely say the answer is no.

**An hon. member:** No?

**Hon. Mr. Wishart:** No. Now if the member wishes me to expand on that I simply say that the judicial counsel having found conduct which it felt required reference to a judicial inquiry—a public inquiry—I would not expect to pay the costs.

**Mr. Speaker:** The hon. member for Grey-Bruce.

**Mr. Sargent:** A question yesterday, Mr. Speaker, to the Minister of Energy and Resources Management. In a release to the

press on January 27, the hon. member for Muskoka (Mr. Boyer) is quoted as saying the total cost for Ontario Hydro Employees Union demands, the effective increase for the two-year contract, would be 15.5 per cent, amounting to a cost to Hydro of \$19.6 million.

Calculating the three increases as follows: six per cent increase on \$77 million equals \$4.6 million; three per cent increase on \$81 million equals \$2.4 million; 6.5 per cent increase on \$84 million equals \$5.4 million—the total is \$12,549,000.

Subtracting these figures—\$19,996,000 minus \$12,549,000—leaves a balance of \$7,447,000. Will the Minister tell why the balance of \$7,447,000 is left unaccounted for? Will he explain the difference?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, on January 27, the vice-chairman of the Ontario Hydro wrote to members of this House setting forth a number of matters relating to the differences between the management of Hydro and Ontario Hydro Employees Union. Only a few of the words quoted by the hon. member for Grey-Bruce, however, come from the vice-chairman's letter. The remainder of his quotation closely resembles statements made in a subsequent letter to members of the Legislature written by Mr. Keeley Cummings, president of Ontario Hydro Employees Union.

In any event the difference of \$7,447,000 between the commission's estimate and that of Ontario Hydro Employees Union is easily explained. According to OHEU's calculations, if its demand is met its members will receive increases in the first year totalling \$7,447,000. Regardless of what percentage increase is applied in the second year, they will continue to receive this money for the life of the contract. The first year's increase does not expire after 12 months. If it did the members would be back at the same level they were at the beginning of the contract period.

Obviously then, the cost of the first year's increase alone is more than \$14 million over two years—not \$7,447,000 as stated by OHEU. By adding the union's estimate of the cost of the second year's increase, approximately \$5,400,000, we arrive at a figure very close to the commission's estimate of \$19.9 million.

**Mr. Sargent:** Mr. Speaker, would the Minister answer a supplementary question?

**Hon. Mr. Simonett:** I am listening.

**Mr. Sargent:** Well that is interesting. How can he justify a six per cent increase on \$77 million as \$14 million? It works out to \$4.6 million.

**Hon. Mr. Simonett:** I just answered that question. The hon. member should realize that that is the second year; the first year is the \$7,447,000.

**Mr. Sargent:** The second year is the three per cent increase.

**Hon. Mr. Simonett:** Perhaps I should send this to the hon. member and he could maybe understand it better if he were to look at the figures.

**Mr. Sargent:** Is the Minister implying the union is not telling the truth?

**Hon. Mr. Simonett:** Mr. Speaker, I am telling the truth as it was given to me and I think it is quite easily understood how one would arrive at that figure.

**Mr. Sargent:** Mr. Speaker, will the Minister say that the union is not telling the truth?

**Hon. Mr. Simonett:** I did not say anything about the union; I am not talking about the union.

**Mr. Sargent:** These are their figures.

An hon. member: So what?

**Mr. Sargent:** They say \$7 million—

**Hon. Mr. Simonett:** Mr. Speaker, I have answers to questions from yesterday if you would like me to answer them at this time.

**Mr. Speaker:** Is the member who placed them in the House?

**Hon. Mr. Simonett:** Yes. I have a question from the hon. member for Nipissing (Mr. R. S. Smith). I believe it is in four parts:

1. What steps is the Ontario Water Resources Commission taking to ensure that the public health and safety will not be endangered by the dumping of 1,200 gallons of cyanide in Moose Creek on January 5?

The answer—the spill of cyanide was to the tailings area serving the Levack mill of Inco and not directly to Moose Creek. Water analysis of the Vermilion River, which receives the flow of Moose Creek, did not indicate the presence of cyanide.

2. Why was there such a long delay between the spillage occurring and yesterday's—February 17—despatch of samples

of Vermilion-Fairbank Lake water to Toronto for analysis?

The answer — the commission was not informed of the spill until February 11th. At this time it was learned that the discharge was contained in the tailings area.

3. What measure is Inco taking to ensure that future spillages do not occur?

The answer — the commission is in discussion with Inco officials for the purpose of reviewing what measures can be taken to prevent further accidental spills.

4. What penalties will be levied against Inco for the infraction?

The answer — since the spill was accidental and the company has adopted preventative measures, and since no discernible impairment of downstream waters has been observed, no legal action is contemplated. However, the commission's investigation is continuing.

I have an answer to a question asked last Thursday by the hon. member for Essex South (Mr. Paterson). His question was as follows:

1. On Tuesday, January 28, at 3.15 p.m. were tenders for the Woodslee water area system open?

The answer is yes.

2. How many tenders were opened and what were the amounts of the bids?

The answer—five. The first bid for cast iron pipe was \$74,615.23; for duct tile pipe, iron pipe—\$79,388.83; and for asbestos cement pipe—\$70,935.58. The second bid was \$78,197.25; \$83,169.75; \$72,230.25. The third bid was \$89,321.50; \$91,111.60; \$87,332.50. The fourth bid was \$91,105.54; \$95,879.14; \$88,619.29. The fifth, \$110,096.50; \$111,787.15; and \$105,422.35.

The third part of his question:

When such tenders are opened is this information automatically public information?

The answer is yes. The last part of the question:

Can the press or interested citizens be present to watch the proceedings?

The answer is yes. The next part to his question:

On the date in question and in relation to the opening of tenders for the Woodslee Area Water System, how many tenders had the commission expected to receive?

The answer: Fourteen sets of documents were issued and it is impossible to know how many tenders will be submitted. His next question:

Was the secretary of the commission aware that one or more tenders in the proper On-



tario Water Resources Commission tender envelope for this contract were in the offices of the Ontario Water Resources Commission on Monday, January 27th?

The answer is no. The next question:

Why was this or these tenders not included among those opened at that occasion?

The answer: All tenders that met the requirements of the tender call were opened. The next question:

If there has been negligence on the part of the Ontario Water Resources Commission staff in this regard, has this official been reprimanded by the Ontario Water Resources Commission, and if not, why not?

The answer: There has been no negligence on the part of the staff of the commission responsible for the tender.

And I have another answer for the hon. member for Port Arthur (Mr. Knight).

**Mr. Speaker:** The hon. member has left the House.

**Mr. Paterson:** The hon. Minister has not answered the last part of the question. I was asking if the contract had, in fact, been signed by OWRC in this regard.

**Hon. Mr. Simonett:** I am sorry, Mr. Speaker, I thought that was the finish, but I see, in fact, that it was not.

The answer is no, the contract has not been signed. Then there was another question.

If not, will the Minister intervene in this case to open all properly-documented tenders that were in the office of the Ontario Water Resources Commission prior to 3 p.m., January 28?

The answer: The Minister has no reason to intervene. All properly-documented and valid tenders were opened at the public tender opening.

**Hon. Mr. Dymond:** Before the orders of the day I also have—Oh, I see the members are not here. I have questions that I took on notice, but I do not believe any of the members are here. I am sorry.

**Mr. Speaker:** Orders of the day.

#### THE EVIDENCE ACT

**Hon. A. A. Wishart** (Attorney General) moves second reading of Bill 1, an Act to amend The Evidence Act.

Motion agreed to; second reading of the bill.

#### THE COUNTY JUDGES ACT

**Hon. Mr. Wishart** moves second reading of Bill 50, an Act to amend The County Judges Act.

Motion agreed to; second reading of the bill.

**Mr. J. Renwick** (Riverdale): Mr. Speaker, on a point of order, these bills in sequence from order No. 15 through to order No. 26 only appeared in printed form in the books today, and I wonder whether, in the circumstances, the Attorney General would stand them down.

**Hon. Mr. Wishart:** Mr. Speaker, I would be very happy to oblige my hon. friend, but I would like to—

**Mr. Speaker:** May I advise the hon. member for Riverdale that the Clerk advises me that 15, 16 and 17 were only in today but the others have been in.

**Mr. J. Renwick:** Mr. Speaker, I refer to the order paper which is the guiding order paper, and in the order paper as I understand it for Tuesday, Feb. 18, bills nos. 15 to 26 are shown as not printed, and it was on that basis that I asked the Attorney General to stand them down rather than expect us to search the bill book to find out whether they have been inserted or not.

**Mr. Speaker:** I think now the Attorney General might answer that.

**Hon. Mr. Wishart:** Mr. Speaker, as I said, I would always be happy to oblige my hon. friend. I would point out that, for instance, the 18th number on the order paper, bill 63, providing for the consolidation of the regulations, I should not think would be one that would be debated at any length on second reading. The next five following orders, bills 64, 65, 66, 67 and 68, are rather minor amendments.

Bill 70 constitutes The Department of Justice, and I can understand someone wanting to examine that at some length before second reading. But I would hope that we might get on to some of the others, because I am sure that the debate in the House would be quite ample to take care of any point that might arise in those bills, 64, 65, 66, 67 and 68. They are now before the hon. member, he can see that they are brief.

**Mr. J. Renwick:** Well, Mr. Speaker, I raise the point not because of any particular concern that I have that the Attorney General's remarks are not accurate, but I do not think it proper for the other members,

both in this party and elsewhere, not to have an opportunity to look at them and decide whether or not they are innocuous.

For example, Mr. Speaker, I think that on the Act to provide for the consolidation and revision of the statutes and of the regulations, there are indeed some comments which could be made about both those Acts. I would appreciate it if the Attorney General would stand them down until we have had an opportunity to consider them thoroughly.

**Hon. Mr. Wishart:** Mr. Speaker, I would not even want to give the appearance of trying to rush something through the House without the fullest opportunity for debate, and therefore I am glad to accede to the hon. member's request.

I still adhere to the remarks I made that I think there will be little debate on them, but I certainly would not want to give the impression that we were hurrying them beyond a point where someone could examine them.

**Mr. J. Renwick:** Mr. Speaker, I appreciate the Attorney General adhering to the order paper regulations.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, just for a moment in fairness to the Attorney General, I believe it had been his intention to proceed with the seventh order today, and at the request of myself and the hon. member for Lakeshore he desisted, and I think this is why he is now proceeding with other orders.

**Hon. Mr. Wishart:** That is right, Mr. Speaker, I had fully intended to give second reading to Bill 36, The Mechanics Lien Act, and at the request of two members we deferred that. Otherwise we perhaps would have spent most of our time this afternoon on that bill.

**Mr. Bullbrook:** Mr. Speaker, having had an opportunity to look at the flimsy copies of these statutes, we are prepared to proceed with the order as the Attorney General wishes today.

**Clerk of the House:** Resuming the adjourned debate on the motion for second reading of Bill 24, An Act to amend The Mining Act.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I believe the hon. member for Lakeshore moved that adjournment. I would not mind ending up the debate, Mr. Speaker, if he does not wish to proceed.

**Mr. Speaker:** Yes, I think we should follow our normal procedure, and that is to have the members who wish to speak to this second reading, speak, and then the hon. Minister can wind up the debate. So, if there is a member on any side of the House who wishes to speak to this, would he please take the floor, otherwise the hon. Minister will have the floor.

### THE MINING ACT

**Hon. A. F. Lawrence:** Mr. Speaker, there is rather an interesting division within the House that has not necessarily followed political lines in respect of this bill. I have heard from just about all the northern members, one way or another, whether privately in writing, or from the floor of the House. I merely wanted to point out to you, sir, that the three or four members who have spoken in the House on the matter took the attitude that the effect of this bill would be to assist the larger mining corporations or the larger exploration companies, and would be perhaps a death blow to the smaller exploration companies.

The real flood of correspondence that I have had from people in the north and from some of the other members who have not spoken in the House, has just been to the contrary. I think evidence has since indicated our intention to proceed with this new system and with this new procedure. The universal tax system has proved to us that this simply is not the case.

I have been very interested especially in hearing from local branches of the prospectors and developers associations across the north. Almost all of them have very effectively rebutted some of the arguments that I have heard on the floor of the House from some of the hon. members.

I would like to give notice if I may, sir, in moving second reading of the Act that in committee I intend moving an amendment to section 6 of the bill, relating to the effective date of when the bill should come into force. We are very anxious that this system take effect as of the beginning of our new fiscal year, namely April 1, and therefore, I do give notice to the House now, sir, that in committee I will be moving an amendment to section 6, to make the effective date of the bill—of the Act, rather—on April 1, 1969.

**Mr. Speaker:** The motion is for second reading of Bill No. 24. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

**Clerk of the House:** First order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable, the Lieutenant-Governor at the opening of the session.

### SPEECH FROM THE THRONE

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, when I adjourned the debate yesterday, we had just heard a very light, very well written editorial lauding the service of the Minister of Correctional Services (Mr. Grossman), and I would like to pick up on that for a minute before I resume quoting from my statement issued on December 4.

As we saw yesterday, the hon. Minister was extremely defensive about his service and about himself. He rose on many occasions to try to divert the direction of the discussion from focussing on the needs of children and the kinds of services that they are getting, to issues that were extraneous to those facts.

Time and again we tried to focus back on children and what children need. I would simply like to say in reply to a remark by the hon. Minister that I am very pleased to serve the association for emotionally disturbed children in Ontario—a very worthy organization—and support him in his programme. During the many years that I had served on the board of that organization, we tried to get sponsorship and help from government departments to co-ordinate the services to emotionally disturbed children in the province, but our pleas always fell on deaf ears. The fact that perhaps they are now writing favourable editorials about the services would probably indicate, in keeping with the pattern usually followed in this province, that some department or other will make money available to this long standing, hard working organization.

In speaking further on that particular point, since it was brought up by the Minister, I would like particularly to commend Mr. and Mrs. Don Hurley who spent so many years of their lives maintaining that organization when they had no support from the professional community and no support from many of the government agencies.

The organization, under their guidance and direction, grew throughout the province of Ontario and found interest in many parts of North America as well as in other countries outside of North America. It was an organiza-

tion that started a good many years ago when schizophrenic children were first being discovered in the city of Toronto, and there was an effort on the part of a doctor at Sick Children's Hospital—Dr. Keeler—to discover the incidence of schizophrenic children in Metro. They identified some 100 children, and as a result of coming in contact with them, decided that it would be useful if he spent some time meeting with the families and parents. As a result of this, a parent-group was formed for schizophrenic children; later it developed into the Association for Emotionally Disturbed Children in Ontario.

Because this particular doctor was not financially supported beyond a certain stage in his research into schizophrenia, the programme that he started with parents was not supported. The general reason seemed to be an attitude on the part of the government that to encourage the parents of these children would be to create a political problem for themselves. Because, of course, when you have a seriously disturbed child in your family, you have strong feelings about it—and you are not content to sit by and hear the endless promises of the good days that are about to come some time in the future.

Indeed, you are faced with the fact that every moment is a crisis, or a potential crisis. So these parents, instead of being a trouble group or a problem group, and containing energies, motives and directions that could have provided a tremendous impetus to the development of services for emotionally disturbed children, built the association without outside help. I just want to say that I do hope the editorial which the Minister of Correctional Services read yesterday is an indication that at long last this very worthy organization will get some support from some government department.

I would like to get back now to complete the statement that I was trying to read at the time of the Minister's interjections. I will not go back to the beginning—I think they probably have it in *Hansard*. I will simply start at this particular point:

In 1966, the Tory government came down with a white paper on mental health, which was to develop services for emotionally disturbed children in all parts of the province, on a regional basis. No emotionally disturbed child was to go without treatment. We have been told time after time that the content of the white paper was being implemented by The Department of Health and other departments of the government at the fastest possible pace.

We know now that there has been very little action to provide specialized services to emotionally disturbed children by this government in the last two years. There have been frantic efforts to extend the programme of reform institutions so emotionally disturbed, children could be sent to jail apparently for being a problem.

The statement by the Minister of Health and the Minister of Correctional Services constitutes in fact a black paper on mental health, one so retrograde and archaic that I find it difficult to express my abhorrence and shock. This is the mentality that created the asylum and operated it and still operates it in many parts of our province. This is the mentality that allows children to perish in Ontario hospital schools. This is the mentality that sees no need for distinguishing between children and adults in Ontario mental hospitals.

In short, these are the callous words of men who are content to place other people's children in training schools because they are disturbed. It is not an accident that the bulk of the children who go to these training schools are either children of the poor or orphans. Is there any member of the Ontario Legislature who would send his disturbed child to a training school? Is there any parent worthy of the name in the province of Ontario who would send his child to a training school because that child was emotionally disturbed?

I ask the Prime Minister to immediately refute the statement made by his Minister of Health and his Minister of Correctional Services that training schools are suitable centres for emotionally disturbed children. I ask the Prime Minister to cease pretending that the government has a plan of action for emotionally disturbed children that has any relevance to their needs or to the urgency of the present problem; that the government stop pretending that it is doing something about the white paper on medical health and start afresh in all urgency to tackle this problem on a sound basis.

And that is the end of that quotation.

That statement was issued on December 4, and of course there has been no effort to refute the position taken by the two Ministers at that time. I assume that it is still government policy. I assume that the major programme of the government of this province at the present time for emotionally disturbed children still consists of sending them to correctional institutions that were designed

for delinquent children, which are staffed and organized and established on the basis of treating delinquent children. I assume the government programme still consists of sending them to adult wards of existing mental hospitals where the child goes in and lives, for long periods of time, with people who are seriously mentally ill, without appropriate services and without appropriate focus on his specialized needs—without even a simple respect for the age differential between him and the rest of the patients.

Perhaps the largest number of children are being covered by a policy that says, "If you can keep the whole issue quiet, keep it down; don't acknowledge it; pretend it doesn't exist; maybe it will go away." So they go on, sir, in the communities, living in their homes, failing to develop what they need to develop in order for them to use their full potentialities as they grow. And this, of course, is perhaps the cruelest form of all—to be treated as though you are normal when you are not normal. It is almost as criminal as being treated as though you are retarded when you are not retarded, as are many emotionally disturbed and mentally ill children in Ontario hospital schools today.

I know there is difficulty in diagnosis. I know there is a problem in trying to discern the retarded child from the child who is mentally ill, but the fact remains that a large number of children who are known to be mentally ill are housed in institutions that are set up for retarded children. That is an extremely cruel thing to do to any child, yours or anybody else's.

I thought I would take a moment today to review the history and development of treatment resources in the province of Ontario. It is a unique kind of history. It has not followed the same pattern of other jurisdictions.

The residential treatment centre has a recent history in the province. It started in the early 1950's. The first two treatment centres began in the year 1953 in Ontario, one in Ottawa—the Protestant Children's Home, and the other St. Faith Lodge, Warrendale at Newmarket. These two organizations for quite a number of years were the only treatment resources available, not only in Ontario but in the whole of Canada.

They had grown out of large congregate institutions for children. We had been developing historically in the province of Ontario this kind of a movement. The old congregate children's institutions, either branched off and became cottage-like structures, which we would call more in the nature of a "group home pro-

gramme", or it branched off and became identified with the whole movement in the rest of the western world known as the "residential treatment centre" movement. As I said earlier, the Protestant Children's Village in Ottawa and St. Faith Lodge, Warrendale, in Newmarket, developed in the direction of becoming part of that whole new movement in the world to serve children more effectively, known as the "residential treatment centre".

The residential treatment centre came out of realization, when the medical practitioners and other professionals moved into the psychiatric wards and into the large asylums, that there needed to be an intervention in the nature of the living accommodations. Large numbers of children were being poorly accommodated, which was poor individualization and so forth. All this needed to be corrected, and one of the ways that it could be corrected was to form smaller treatment units on a non-medical basis outside of the hospital structure.

Initially, the idea was still primarily that the child would be treated by professional people but housed in a more humane way. The intervention would be an intervention of environment. Gradually, because people can absorb knowledge, and can learn—the people who staffed these units began to intervene in the daily activities of the disturbed child in a fashion that had a therapeutic benefit itself, and when the various professionals discovered that this was a possibility there began a more concentrated effort to train and teach the staff of the treatment centres to carry out therapeutic intervention.

In fact, the entire development of that movement led to the establishing of the possibility of a new professional group, the child care group, those persons who live with the child patient.

So historically the residential treatment centre was not something that was invented in Ontario, it was something that was brought to Ontario. You cannot close the gates of the province to ideas. It was first mooted not by professionals but by lay people who were interested. They got together and decided that something should be done. They hired people like they hired me, to come and transfer an old custodial institution into a treatment centre programme.

So, we see a kind of evolution in the development of institutional services to children, starting with the old asylum concept, then the medical ward concept where there was an effort to put in more professional services and to create it more like a hospital. Then the treatment centre movement.

Now, in recent times, in the province of Ontario we see a further development of it, something we were trying to do for many years at Warrendale, but, because of the funding, it was difficult to get it under way. We were able to do it once we developed our own private programme.

And that is the therapeutic family living in the community on a street benefiting from community life much as we in our families do and much as our children do.

This is a trend that is happening around the world, it is not something that is just unique to Ontario. I do not say that we in any way discovered it, it was done in various countries of Europe for a good many years. Certainly it was done immediately after the war in Holland and in France and in some of the other European countries, the effort to develop benefits to the child by living in a therapeutic family in the community.

It is obvious from the work we have been doing in Ontario over the last three years that this movement is in itself, just a phase, a part of the evolutionary development of services to children which ultimately will place the specialized techniques, the specialized knowledge of child care, the special child psychiatric information, into the hands of the family or into the family home, before the child indeed is separated from that home.

We can visualize starting next September in the private programme at Browndale the development of a school which will have attached to it, teams of staff who will go out into the community into homes where there are problems which would lead to the breakdown of the family and to provide the specialized help to the parents and to the children of that family, before the family disintegrates.

We see that ultimately this type of preventive service will be the pattern for the future. Of course, it is infinitely cheaper. I do not mean that it is not going to cost money—it is going to cost money—but there is no great saving in neglecting the child, the family and the family home only to have, by force of circumstances, to take the child into wardship. Then, through a series of failures in placement, have the child fail to make the adjustment of the first separation, the first loss of his family and ultimately pay between \$30 a day and \$60 a day to have him treated in a residential treatment programme.

This is not good sense and it is not good economy. It is not good for the family either, because there is a great social burden on



parents who have to be declared, before the courts, unfit to parent their child. Of all of the human failures that one can imagine, there is no failure more burdensome, more painful to the individual than to have to acknowledge that you have failed in your function as a parent, that you stand before your peers in society condemned as someone who was unfit to raise his child. This is the most burdensome of all burdens that we can put on people in our society.

We should be thinking most carefully before we move into a wardship action. We should be asking ourselves, "Have we put in the kind of services that could make this individual a better parent?" before we separate the child from the parent or declare him unfit. We should ask ourselves: "Have we done everything that is humanly possible to support this person, to train this person, to extend this person's capacity into being a better parent before we separate the parent from the child?"

I think it is important for us to remember in this evolutionary structure of services to children that this is not something that is necessarily the whim or wish of one person.

As I said earlier, the treatment services that were developed in Ontario did not grow out of the profession, they did not come from the direction of The Department of Health or the direction of The Department of Social and Family Services; they did not come out of The Department of Education.

They grew out of an awareness within the public sector that there was a need that was not being met, that the forms of services that had existed up to that time were not adequate forms of services and they had to say, "we cannot wait, we cannot wait for leadership from government departments. We cannot wait for leadership from professional groups. We, in our social responsibility, as citizens of the community, must go out and start an organization that will have a different approach to children, it will have a different service to children," and this is what led to the development of these services. And we must remember, that in each age and at each time, the forms that we have used to treat children have been the result of this kind of concern about children. In its day the old asylum was a tremendous invention, a tremendous improvement in child services. It began to focus on the child as a separate entity. Each of these forms they were appropriate to their time and to their age. The problem is that they tend to become entrenched in our legislation, in our funding.

What happened was, of course, that we did not know when to turn them off and change them into something that was more relevant to what we now know and what we now need at this particular time.

In all of this natural evolution of our services it is wise if we can come into harmony with it. It is wise if we can say this seems to be the trend in which services are going. We should ask ourselves how can we harmonize our own efforts with it, how can we get into stride with it and help it along? This is what we are trying to do in the various programmes at Warrendale, at Brown Camps and at Browndale.

Behind that is the recognition that prevention, of course, is the best, the most humane and the cheapest form of service that can be provided. If we look casually at the budgets of the various departments of government—and I do not mean just this particular government, I mean all levels of government from municipal right up to the federal, but certainly this government included—we find very little attention paid in budgets to services of prevention.

We cannot do anything about the services of treatment or the services of care. We cannot avoid those costs. They will be in the budget in large amounts, something in the neighbourhood of \$40 million for Correctional Services; something in the neighbourhood, I guess, of—I do not know how many—\$400 million in terms of health; how many more hundreds of millions of dollars in terms of education and re-education.

But the preventive services were not included and we failed to put our money into that kind of investment. We failed to take action at the time when the least amount of action would have the best amount of result, when the cost for such intervention would be most economical. In terms of investment, the money that we are investing in services is poorly spent at the present time, in that it is not bringing us a good return. And when you look at it—and again now what we are talking about are services to children. We are not talking about political advantage or disadvantage, we are talking about a reality that exists—it is a fact regardless of what your politics are, that this is the better way to do it. These needs, these methods, and these things that I am talking about transcend politics.

Now in all of the work that has come out of the residential treatment centre movement—and certainly this was a by-product of our work at Warrendale too—while we were



doing it we were not aware of it particularly, we were busy doing what we were doing but there was implied, in all of the residential treatment centre approach, an anti-medical attitude because doctors were not in charge. It was not organized like a ward in a hospital, and so there was growing up, as this movement continued, an antagonism from the medical and psychiatric professions who felt that somehow their control and jurisdiction over the emotionally disturbed and mentally ill child was being threatened.

I can understand that. I can simply say it was never the intention of the residential treatment centre to make this kind of challenge. I wish that I could claim that we had in fact determined that in advance, but we had not. As time went on and antagonisms from the various medical groups and psychiatric groups accelerated we had to become aware of it, we had to deal with it, we had to analyze it. In that process, we discovered that in all countries the same thing was happening. There was growing up a grave concern about the kind of absolute control that the medical profession had over services to children. In fact, in some areas it is going even beyond just the children's field itself.

So if you lose the medical model, what model do you then have? If you lose the hospital model, what model can you then turn to? In our work at Warrendale, starting in 1953, we began to look more and more to the family model rather than to the hospital or medical model. We came at it, over a period of several years, with this kind of thinking—the human family has existed for centuries. It has suffered every kind of conceivable calamity that man or nature could devise. Despite these calamities and despite the rigours of living that had been part of the human scene down through the centuries, somehow the family had managed in its relationships to its young, with the children in the family, to provide a large percentage of adults who had the capacity to be flexible, to learn, to adapt, to carry on the work of society, to expand, to grow, to develop.

And we then had to ask ourselves how is it possible for people who had no specialized training—they were not psychiatrists, they had not had special courses in orientation to human growth and development, they were people equipped only with the intuitive knowledge that came to them down through the ages, through the customs and practices of their cultural groups—to do for their children what many professional people were unable to do when they were called

upon by the state to provide a substitute for the family when the child was orphaned or taken into care?

And we came to the realization that no professional had ever been able to create an artificial environment for a child that equalled what an unschooled and uneducated couple in the community could do for their own children in terms of developing them and having them grow into mature adults.

Now that required that we would have to stop to see what were these special qualities within a family that made this possible. How was it, say, in times of revolution or in pioneer days or in times of war and great conflict, in times of economic depression, in times of all kinds of severe critical pressures from outside the family, the family was still able to carry on this tremendous function of creating an environment for the child that made it possible for him to fulfill himself and to grow and to be flexible enough to take on the tasks of living?

As we studied the family we found that there was indeed in the family model a tremendous amount that would be useful to us to add to our scientific knowledge about human growth and development and about child care. We found that we could learn much from people who could not speak the professional language that we had been accustomed to but who indeed had developed and carried on out of their own background, a tremendous wealth of knowledge.

First of all, we said, obviously there must be something pretty good in the family structure itself. A mother and a father and a small family unit, and a small social unit, and an independently economic, economically independent unit, living separate from other units. That there must be something good in that itself, there must be something of benefit in that itself. And so we began to organize, even within the larger institution, the children into smaller family type groups, and we saw immediately that there were a great many benefits that have come from that. The benefits of close communication, of individual attention, of involvement and investment in the needs and interests and capacities of the child involved.

Gradually, as we became more and more aware of the family in nature, we found that there were many devices that the family had created without identifying them, without saying, now we are using this technique or that technique, there were many devices that had evolved out of nature where the family took care of stress situations. And I will just

give you an illustration of one or two so that you will understand what I mean.

One of the things we noticed was that all families had a certain set of sort of idiosyncrasies toward what the child could do in the family, and each family was a little different but there was this common theme: A parent would say to a child, "Do not put your elbows on the table, do not lean back on the chair, do not go around the house without your slippers on, hang up your clothing." The child had been told this since he could first understand language. He could now be a junior in high school or he could be a college student, and mama was still telling him this and papa was still telling him this, and it was not because he was dense and he could not understand. There had to be some other reason why he was still carrying out these acts that had been prohibited over the years. And when we looked at it and tried to analyze it, we found that the child and parent had an unconscious arrangement between them.

If things were bugging the kid at school he would come home and fail to hang up his coat. Mama would be on his back. They could then, around that issue, let off steam, and then they could go on living in greater harmony within the family unit. And that device we call an anchor point. We began to develop it in 1954 into our programme. We found it extremely useful. It is the key.

This is one of the great tragedies of this whole situation in Ontario around Warrendale, that this was going on and no one ever bothered to take a look at it. But it is the key to the treatment of seriously disturbed children in the community, because it makes it possible for the staff to control the acting out behaviour of the child and to see that it comes within the treatment centre itself.

It could eliminate, in and of itself, the necessity for locked wards, for locked doors, and for the other repressive measures that we use to hide children away when we cannot control their behaviour. It meant, in fact, that we would be able to bring these children into a more normal kind of life experience which they had never experienced before, because we had discovered a device that would make it possible to cut down on the impulsive behaviour, their gross body acting out of the problems that they have.

The family model as the model of treatment, of course, means immediately that you have to be involved. There has to be a deep-vested interest in the child. You cannot do it

indifferently. You cannot do it objectively. You must do it subjectively. And because you cannot do it subjectively, it is extremely difficult for people who have the concept that they will treat children and treat people at arm's length under a rigid structure, under a rigid protocol. It makes it very difficult for them to carry on their work.

This, alone, I think, has led to more strong reaction and criticism from professional groups than any other aspect of it. I do not think they have always understood why they were antagonistic, but essentially they were antagonistic because it meant they had to get involved. They could not treat at arm's length, they had to care. They could not stay out of the messy situation that people who come to them for help brought along with them.

I want to take a few moments to discuss another aspect of the medical and professional problem that has plagued the field of services to children and services to people for so many years. You know, Freud observed the nature of human behaviour 50 years ago, and his observations were revolutionary in the helping profession.

One would have thought that, in those 50 years, it would have been possible to have this information available on all levels of life, for all people who were dealing with other human beings. But somehow it did not happen that way and when you look at it historically you see that the professional groups—getting this information, taking what Freud had learned—made it into a clinical team, made their therapeutic intervention into a little island, separate unto itself.

They developed a special language so that they could talk to one another. They were more preoccupied—and still are more preoccupied—with talking to one another than talking to the public or talking to clients or patients who come to see them. What we have then, is that the very profession that should be in the forefront of bringing services to the community and to individuals and to people, are themselves blocking this development, because they have laid on to archaic institutions, and old models of service, their special little islands of professionalism, of therapeutic intervention.

They take the child, or the patient, out of the ward into their service for an hour or two a week. They give him the special knowledge and the special attention and the special intervention that is a part of this very rich field of human awareness. They do that for a short period of time and then they send

the individual back into the archaic institution, back into the uncivilized and dehumanized experiences of the ward.

And this, of course, is a serious problem, because the patient understands enough to know that the same people who are giving him a special therapeutic moment are also sending him back to the untherapeutic moments that he has to live in day by day and hour by hour throughout the week.

And so the patient sees the service as a hypocritical service. God knows we could use a little stimulus from the people who lead in the various departments of government concerned in this area. We should have some leadership from them. What we need to do is to bring to the administration, to the supervision, to the life pattern of the whole institution, the same therapeutic principles and standards that we apply when we take the patient into our therapeutic hour.

There is no reason, no reason at all, why we cannot create an entire environment for the patient or the child twenty-four hours a day, seven days a week, that is just as solid and pure and as full of the therapeutic benefits that come when we take them into our therapeutic hour.

The fact that we have not done so means that the professions themselves have abdicated their role of leadership. They have turned it over to chance, to somebody else. They have made a deal with the establishment. It is easier for them to have their little therapeutic island attached to this archaic institution than it is for them to say the whole institution can change.

It is an extremely serious problem within the professions—one which the professions themselves are concerned about, one which the professions themselves are going to have to try and change. Of course, people who are in the public service—professionals who are in the public service—know how difficult it is to change the bureaucratic structure. The minute you begin to codify, and put down in regulation how people will act to one another, it becomes extremely difficult to change those patterns.

Most professionals feel the deep sense of despair that there would ever be the possibility of changing these institutions from within the institution itself. I think they are unnecessarily filled with despair. I think much could be done if professional people spoke out, but I recognize, at the same time, that leadership will also have to come from the political sphere. We will have to get Ministers of Health and Ministers of

Correctional Services and Ministers of Family and Children's Services who indeed are prepared to give this kind of leadership—to say that the archaic forms under which we now serve children are not good enough; that we are going to set about as quickly as possible to rectify that by bringing some of the therapeutic concepts and knowledge we have from our therapeutic interventions into the administration's supervision and life patterns of patients in our institutions.

I know to a certain extent that people within The Department of Health are trying to do that at the present time. I know Dr. Zarfes is concerned about this and has been working on it.

I know, at the same time, there is a great deal to be criticized in his department and I have been in a dilemma since the very first month I came to the Legislature when I went to visit him, because I know something about his department. I talked to him about what he was trying to do and the frustrations that he had.

I decided at that point not to attack the many problems that were there to be attacked. I decided at that point to give time to this particular department to see whether or not, indeed, they would make a concerted effort to bring about the changes within their institutional structures that were so necessary to do. I do not have assurance that that movement is going fast enough and I think, once again, that Dr. Zarfes, and others like him, are probably bogged down by political considerations at the high level within the department, on the deputy level or on the ministerial level.

Now, this is not something we can play around with. Change is going to come; we cannot stop it. It is not something that ordinarily springs out of the ground. Somebody steps out and takes a leadership role. Will it be the people outside the professions who do that? Will it be the people who say we are discontent with the services we are getting from the professionals?

Will it be the people who say the present political structure is not adequate—there is not enough being done? Where will that leadership come from? I see no reason why we could not encourage the present Ministers to step out and provide some of that leadership.

Now people are going to get hurt—let us not kid ourselves—people are going to get hurt. When you have an archaic form like one of the hospital schools, set up originally as a political benefit to the local community to provide jobs, to provide some economic

stimulus, and you build it into brick and mortar, and you establish a large dependency on the people around that area to civil service jobs in the institution; when you have that kind of a pattern and you want to change it, it is very hard to change; but you have to make a decision.

Is it important enough to change it so that some people within the structure that was created, within that monster, may get hurt? Or is it better to let the children suffer, or the adults suffer, in an archaic institution?

This is the choice. To take no action does not mean that the choice has not been made. The choice has been made. Whether you act or whether you do not act, you have made a choice. The consequences are real consequences, and I say to you that I think we can find ways—within the government departments—where a great many of these people can be reoriented and retrained and replaced into other services if they are not suitable for those new services that could then be developed in some of these programmes. I know this has been tried, but I think there is a tendency and a reluctance to move as quickly as needs to be moved.

I do not know all of the reasons why the professions have failed to speak out, but I know that some of the ways of government in the province encourages that kind of holding back out of fear. I know there are doctors, psychiatrists, social workers and psychologists who will tell you in private of a great many things that they would like to see differently. But they are afraid to speak out in public because of their livelihood. They are afraid of their career. They are afraid to bring down the wrath of the establishment within the departments on their head.

It even goes so far that they are afraid they may not get research grants, or they may not get education grants, or their organization may be chopped off on a budget. It is this kind of intimidation and fear that has undoubtedly led to a great deal of holding back on the part of the professions. I do not excuse it. They have a responsibility, they should be prepared to take the consequences if they are going to be in the area of work.

This leads me to a discussion of where should children be placed within the government departments. What do we have at the present time? It is not quite as bad as in Indian Affairs, where every department of government has a little chunk of the action and nobody can be held accountable, and nobody can be held responsible, because when

the member tries to track down a specific case, it bounces from department to department.

It is almost as bad as that with children. There are still some five departments involved with children—maybe more by now, I do not know, I have not bothered to count them up. But a single child, through no fault of his own, just by being what he is, by having the problems that he has, can be divided up into five parts in this province—into five jurisdictions, five superstructures, five costly administrations and bureaucracies. This, of course, is nonsense.

I know there has been a move afoot for a good many years following the study by the Commission on Youth into services to youth, carried out by the Legislature a few years ago. There has been a move and an effort—I do not know what holds it back, or why it is so slow in coming—to consolidate the services to youth into a single department or to coordinate it into one of the existing departments.

There is no reason why it could not have been done immediately. It was obvious that it was needed. The moment it was obvious it was needed, it could have been done because the government has power. They do not have to worry about somebody in the Opposition blocking it. They would have gotten good support for it.

The only reason that it has not happened is because the government was not prepared to do it, or there exists between these five departments a covetousness so that they cannot permit themselves to give up their jurisdiction. They want to hang on to the little empire they have—regardless of the cost.

In my opinion, the services to emotionally-disturbed children should be taken out of The Department of Health completely and out of welfare completely. They should be essentially services under The Department of Education, because what we are dealing with here is a re-educative process.

The child, through his life experience, has learned a maladjusted pattern of existence. There is a necessity of retrain the child, to re-educate the child. That, in my mind, would, in itself, place the services to emotionally disturbed children under The Department of Education. But for other reasons, even more compelling than that, the services should be under The Department of Education.

The child before coming to school lives relatively free within a given society. He plays with other children from the neighbourhood. He is identified to the adults within his family separately from the other children, and for the first time in his life when he enters

the classroom, he joins with a group of peers in a large enough number so that you almost have a laboratory situation.

He is given a common assignment with all the rest of the children there. He is asked to perform in a specified way; and immediately, without any vast clinical service, it is possible to detect the deviant child because he does not perform; he does not act the same as the others. And any first grade teacher, or primary grade teacher, or kindergarten teacher, can immediately tell you—without any special mental health training or diagnostic training—that this is a deviant child.

How do they know it is a deviant child? Because he does not act like the rest of the classroom. So it is not very hard within the school system, if we begin to use it, to have an assessment and finding centre where we could identify these children.

In fact, they are already identified. Only that information has not been collected from the teacher; it has not been co-ordinated and presented in some kind of systematic, scientific fashion to the community. For the teachers know—they already know. It would just be a question of collecting it. The fact that they are able to spot the deviant child means that they can spot the family in the community which has problems and which needs help. It would be possible at that early stage to bring help to the family. The kid is still there, the family is intact.

So we see, for that reason alone, there is good justification for placing services for emotionally-disturbed children under The Department of Education. I know it is a big department. I know the Minister has lots of responsibilities and problems—but if we look at it from the standpoint of what would best benefit the child, that is the department that could best benefit the child.

Then if we take it one step further—in the intervention that goes on in all classrooms between the teacher and the pupil there is a potential for a corrective measure. It is possible, through the teacher's intervention, to change the focus and like patterns of the child, as all you who have been influenced by teachers know.

And so, it would be possible with a very small amount of information given to the teachers at the time of their training, to prepare them and equip them to intervene with the child in a corrective manner. It would not have to be called therapy. It could be the natural, normal, human intervention that occurs daily in the classroom.

Now I know this sounds very simple. It

is very simple. It would not cost a great deal of money. It would immediately identify all disturbed children who are above the age of four or five in the province. It would immediately make possible, a designation of whether they were deviant children because of retardation, because of emotional disturbances or because of superior intellect.

That would be very useful for us to know at that age.

We incorporated the programme in Brown-dale under The Department of Education for that reason. In many other jurisdictions, in other countries, services to emotionally disturbed children does come under The Department of Education—

**Mr. E. Sargent (Grey-Bruce):** Is his time not up in the House? He is over the two hour mark now.

**Mr. Brown:** I do not go by the hour, only when giving therapy do I go by the hour.

**An hon. member:** Does the member need some?

**Mr. Brown:** I do not mind.

So, we would not be breaking new ground in the province of Ontario. We would be following patterns that have already demonstrated their usefulness in other jurisdictions. We know, of course, in the last few years there has been a great—

**Mr. Sargent:** Same speech the member gave last year.

**Mr. Brown:** Yes, it is—a great deal of attention paid in the school system to the services to emotionally disturbed children. We are getting classes for them. We are getting increased services to these children in the public schools and I would like to say that some of the work that is being done in the North York school system is particularly outstanding in this direction. They are certainly exploring and probing for better ways to deal with this problem within the school structure than we have had within the medical structure and a great deal could be learned by all people working with disturbed children if they took a look at the kinds of classes and programmes that have been established there; both from very individualized work to using the small group dynamics work.

On the other hand, we have schools in the province that—despite what the Minister of Education says about it and how he denies it—refuse to admit a disturbed child to the classroom. We even have some school jurisdictions where a child who has been disturbed in the



past is not allowed in the classroom. In fact, our concept of universal compulsory education is not carried out as far as emotionally disturbed and mentally ill children are concerned. It is for all other classes of children but not for those children. That is something we need to take a look at when the estimates in education come up.

I want to go back, just for a moment to talk about costs. It is important in the evaluation of costs for services that we do not lose sight of the human being. At the same time we must be aware of the high financial burden that it places on society. So we need to analyze where do the costs come from; what are the large components in the cost of treatment, and I think a lot could be learned in all of the programmes in the province if that kind of a study were done.

I would suggest that the people who are most concerned in Family and Social Services, Department of Health, that a study begin to identify the components that make up the cost of care and they could start with their own institutions. What are the components of cost in Thistletown Hospital that add up to \$60 a day? What are those components? I think it would be very revealing to all concerned to have that information. It may be that we could immediately see ways that it could be improved. One of the things that we have done in our programme at Warrendale, now in Brown Camps and Browndale, has been to re-organize the administrative structure of services. I think perhaps in the long run this will be the most important contribution that has been made by this particular agency over the years to children's services.

What we have done is to take the high cost professional services out of the inline authority structure and make them into professional resource banks which are available to the people working with the children 24 hours a day, seven days a week. That means when we pay a psychiatrist \$22,000 or \$25,000 a year he does full time psychiatry. He does not spend half of his time or more doing administrative work that you can hire someone at a much lesser salary to do. These are some of the separate little points that I want to put in before I stop because I have had them on my mind and I have wanted to say them.

I would like to take a moment to talk about the zoning bylaw battle that has been going on in the province since the inception of the Brown Camps programme. I have heard a lot of flak about it from different sources. I have had a certain amount of, I would say, indirect intervention from the Tory party, in

various communities and I thought it would be worth the time to talk a little bit about it.

In most of the communities of our province if the child is emotionally disturbed or orphaned or for some other reason does not have his own family with him, he is denied the possibility of living in a residential area by the zoning bylaws of that community. My feeling is that this is not only wrong, it is wasteful, that if anybody in our society needs the benefit of residential living it is precisely these children who are orphaned, who have lost their families, who have an adjustment problem of some kind and we decided that we would test before the courts whether or not it was true that the civil liberties of these children were being denied by the fact that they were not permitted to move into a residential area. We set up our therapeutic families to be as close as possible, similar and like, in all ways that we could make them, the family in nature.

I have given you some of the reasons why we did that. We then, in groups of four children and later five children in a house, moved into zone one areas of residential neighbourhoods. Where the local community was prepared to say we have no objection to this we then went through the procedures of working out with them the necessary changes in the zoning bylaw or the necessary acceptances that would make it possible for these kids to continue there. Where we were charged with a zoning bylaw infraction we felt obligated to carry the cases into the courts, into the appeal courts and I suppose if we have to ultimately to the Supreme Court, to get new laws made that we hope will bring about the end to the practice of excluding the most needy of our children from the benefits of family living in residential areas.

Now, again I would like to say that it is of no particular benefit to me to do that. As much as I admire the city of Scarborough, the county of Peel, La Salle, Ontario, and so forth, and would be pleased to live there, I have no need to live there. I live in Newmarket. I live someplace else. I do not need those houses for myself, but I have a feeling that there are a great many children in the province who do need those houses and the zoning bylaw fight is a fight to see whether or not we can get equal treatment for the disenfranchised children who have no one to speak for them and no one to defend them and no one to look for their rights.

Now I have to say, in all honesty, out of the experiences that I have had with the government in Ontario over the last two years



that I do not really know whether it is possible, in the province of Ontario, to get a fair shake from the courts themselves. I do not know whether it is going to be possible for us to establish in law the fact that we can create a single family unit therapeutically organized to provide for the child who does not have a family, what that child would have gotten if its family were living. I do not know that we are going to get that kind of a shake but I think the province of Ontario needs to know—and I need to know for my own personal social conscience—whether or not it is going to be possible for these children to be brought together in therapeutic families within a normal residential area.

At some point the decision will be reached in law and we will certainly not argue with that decision. We may not agree with it; we hope that we will; we hope that it will be in favour of emotionally disturbed children but if it is not, then we will have to find other alternatives. What are the other alternatives for children who are in this circumstance? The other alternatives are that they can live in other zones but not in single-family zones. And of course that is a deprivation to them and it is a deprivation that they should not have to suffer.

**Mr. J. W. Snow (Halton East):** Mr. Speaker, as I rise to participate in my second contribution to a Throne debate, may I first join the many previous speakers in this debate in congratulating you sir, on the manner in which you have performed your duties as Speaker of this Legislature since your election to this position. The sincerity and the dignity you have displayed in your position and in dealing with routine and sometimes very controversial situations has been an inspiration to us all and I believe especially to those of us who came into this Legislature as new members at the same time as you took over your new office.

Interjection by an hon. member.

**Mr. Snow:** If the hon. member for Lakeshore will just wait a minute I will have something nice to say about him, too.

**Mr. P. D. Lawlor (Lakeshore):** I will stay around then.

**Mr. Snow:** May I also compliment your able assistant, the hon. member for Waterloo South (Mr. Reuter) on the performance of his duties as deputy Speaker and as Chairman of the House committee, and on the capable manner in which he has handled the many debates while he has been in the chair. Mr.

Speaker, I would also like to congratulate the hon. member for London South (Mr. White)—there he is, just coming in at the right time—

**Mr. B. Newman (Windsor-Walkerville):** The grand entry.

**Mr. Lawlor:** He has a nose for that.

**Mr. C. G. Pilkey (Oshawa):** He knew it was coming.

**Mr. J. E. Stokes (Thunder Bay):** He left so he could re-enter.

**Mr. Snow:** Now that he is in his seat, I will continue—I would like to congratulate him on his appointment to the Cabinet as Minister of the Revenue Department. I am sure we can all look forward to a great performance. I, along with other members of the Legislature spent some three months this past summer as a member of the select committee of the Legislature on taxation under the chairmanship of the hon. member for London South. I can only repeat, as has been said before by others, including the hon. member for Lakeshore, how much I enjoyed my duties on this committee, but more so how much I enjoyed acting on a committee under the chairmanship of such an able man. During our work on this committee, we worked long and tedious hours hearing many delegations and studying over 300 written briefs. If it had not been for the leadership, the drive and the humour brought to this committee by its chairman and chief counsel, I am sure we would not have been able to carry out the work which we did and produce the report in such a short time.

I would also like to say, to all other members of that select committee, how much I enjoyed working with them. I shall always treasure the fellowship and friendships created during that summer of 1968, especially the time that I took the hon. member for Lakeshore and the hon. member for Oshawa for a ride through the air at the same time. At that time I really considered that the odds were with us—if we went down we were going to lose two of them for one of us.

**Mr. Lawlor:** The member almost did, too.

**Hon. Mr. Grossman:** They should be hijacked to Cuba, they would be more at home.

Interjections by hon. members.

**Mr. Snow:** I would like to bring to the attention of the members of the House, a

matter I feel is of great importance to our government and to our economy of today. I would like to speak on the position in which our small businesses, our family-size businesses and our family farms, have found themselves in today.

This province—this country—has been built to its present position on the free enterprise system and has been built mainly on a basis of small businesses and family businesses working together and competing together in order to better themselves and to enjoy a higher standard of living for them and for their employees.

Now, Mr. Speaker, I realize that big business has its place as it has contributed much to the development of our country and our economy. The Hudson's Bay Company, the CPR, the Bell Telephone Company, International Nickel, and many more, have made great contributions to our development. Without them this country would not be what it is today.

The real contribution to our economy, though, has been the individual and the family prosperity. The thousands of small businesses with the initiative, the incentive, and the willingness to work hard to build a future for themselves and their families. We as legislators must continue to build this initiative and to leave this incentive for this type of economy to thrive.

I would like to point out, Mr. Speaker, that Canada's largest industry and perhaps the largest contributor to our economy—the construction industry—is but, with a few exceptions, made up of private companies and in many cases, operated today by members of a family whose fore-fathers started the business two or three generations ago.

It is estimated that the construction industry volume for the current year will be approximately \$12 billion. If one checks this industry closely, you will find that there are a few large public companies. But I believe if you check further, you will find that over the past years these companies have not been as successful, nor as efficient as the family-owned corporations which include some of the biggest in Canada.

As a matter of fact, recently one of the largest publicly-owned construction companies has been taken over by a private company. I also note that the hon. Paul Hellyer, Minister of the federal government responsible for housing, in his recent report has said that the housing industry needs more, larger and better financed companies in the business in order to meet the demands for new housing.

No doubt, Mr. Speaker, additional financing will be required by construction companies for the carrying out of the larger projects which we can foresee in the future. But I suggest that the healthy and vigorous privately-owned small companies will be able to produce the housing that is so drastically needed more efficiently than the formation of a few large corporations for this purpose could possibly do.

In this respect, Mr. Speaker, I am sorry to say that some of the present taxation policies in this country, and especially those policies pertaining to death duties and succession duties are not only undermining the incentive and the initiative of our people, but are also in many cases making it most difficult, if not impossible, for the family-owned business or a farm to be passed orderly from one generation to another.

A few years ago there was little or no problem for the prosperous and hard-working farmer who had built up a 100 or possibly 200 acre farm complete with a good set of equipment and livestock, to turn this asset over to his son or sons upon his retirement or his death.

Today, Mr. Speaker, the increased value of our farm land, the highly-mechanized nature of the business of farming, and the intensified specialities of livestock raising have brought the value of the farm unit to a level where it is seriously affected and sometimes devastated by the application of death taxes when the owner dies. This problem, Mr. Speaker, is aggravated by the fact that in most cases the farm family will have their total net worth invested in the farming unit.

Under normal circumstances very little cash or other investments are carried by farmers as it is his nature to enlarge and build his operation rather than put money in the bank. Also, it is not normal to find many farmers or even small businessmen taking the necessary steps to carry large amounts of life insurance in order to ease this transition problem.

The select committee on taxation made many recommendations on changes in the taxation of wealth and of death duties, and I know since bringing in our report there have been many changes announced by the federal Minister of Revenue on this same type of federal taxation.

Mr. Speaker, I urge our government to take a close look at the recommendations of our select committee and at the changes being proposed by Ottawa. We must take immediate steps to alleviate this situation, which I have tried to point out in the last few minutes.

We must make provisions which will allow the small businesses to carry on and be passed

from father to son. Far too many of our small businesses, and many not so small businesses, are lost to the merger-hungry large companies regardless of whether they are foreign or Canadian-owned. Far too many millions of Canadian dollars are being lost, probably forever, because of our estate and death taxes.

In many cases, a businessman owning his own business, on getting legal and accounting advice, finds the only way to protect his estate is to sell his business to a large company, and take this money out of the country or make arrangements for the payment of large amounts of taxes within Canada and distribute the balance to his heirs.

In doing this, Mr. Speaker, the continuity of this business is lost often creating a hardship on the employees, as a small business is usually a closely-knit group of people sharing in the harvest and the profits of their work and their endeavours. In small businesses, the people that run the business and the employees, are the greatest assets.

It has been said many times, and I will say again, you can take away my money, my customers, my buildings and my land, but leave me my loyal employees and I shall rebuild my business and get back my customers and regain my wealth.

Another matter that I would like to bring to the attention of this House is the very serious problem of high property taxation being brought upon the agriculture industry in the areas close to the metropolitan centres. In my riding of Halton East, during the past year, the assessment department has been reassessing all properties within the county and updating these assessments to one-third of market value.

I believe the same is happening in many other ridings, in some areas going to 100 per cent of market value. This reassessment is, of course, being carried out on all properties, whether they be residential, industrial, commercial or farm. The updating and increasing of these assessments has little or no effect on an area that is basically all urban, but in an area such as Halton county, this is having an adverse effect.

In the county of Halton, or should I say in the town of Oakville in particular, there are still many, many thousands of acres being actively farmed by the farmers who have been on this land for many years—in some cases, many generations. Even with this large acreage of farmland, the farm assessment in the town of Oakville represents a very small percentage of the overall assessment—I believe something like 3 per cent. With the reassess-

ment that is taking place today, farm land assessment is at least doubling—in some cases tripling.

In the rural townships which are highly oriented to agricultural land, of course this same reassessment and increasing of assessment is taking place, but should have little effect on the taxes paid, as the mill rate should have a counteracting reduction. However, in the area where the farm assessment is a small proportion of the overall assessment, a greatly-increased assessed value of the farmland will have a direct relation to the increase of the taxes as the amount of farm assessment is not large enough to be offset by a decrease in the mill rate caused by the higher assessment.

In many cases, Mr. Speaker, in my riding, the taxes on a farm holding which might have been \$500 or \$600 this past year, will no doubt be \$1,200 to \$1,500, or even higher in 1969. The increased assessment on these farms, in many cases, has been appealed to the court of revision. But, with few exceptions, the assessors' values have been upheld by the court.

In Halton county the farmers are now applying, I believe, to the county judge for a further review of their assessment. However, I believe there's little hope of any relief in this matter.

This leaves the problem, Mr. Speaker, that the land in the agricultural areas close to developing metropolitan centres has become too expensive or too valuable for agricultural purposes. Consequently, what are we to do with the agricultural land in these areas? Do we create a taxation policy that will allow this land to be kept in food production where it is being farmed by a *bona fide* farmer, or do we let the high taxes on this land carry on which will no doubt cause the land to be sold for the longhold speculation and the productivity of this land for food purposes be lost perhaps forever?

Mr. Speaker, during our deliberations on the select committee on taxation, the committee studied this matter very carefully and came up with many recommendations, most of which were based on a system of assessment and taxation to allow the *bona fide* working farm to be maintained in production at least until such time as actual development is ready for that land.

In our recommendations of the committee, we attempted to create suitable definitions of a farm and a working farm, and recommended the creation of county or regional farm classification boards be established for the purpose of resolving disputes arising from the interpretation of the definition of a working farm.

I believe the definition of a working farm, as established by our committee, is a workable one. I have taken every opportunity to discuss the recommendations on farm assessment with farm organizations in my area and with individual farmers who I believe generally agree that, if our recommendations on agricultural assessment and taxation were carried out, this would greatly assist the agricultural industry in keeping many thousands of acres of good prime agricultural land in production.

And, I believe that this is very important—I urge our government to take immediate steps to implement such a plan or such an alternate as their experts may suggest. One only has to drive his automobile along the Queen Elizabeth Highway from Toronto to Niagara Falls to see the thousands of acres of prime agricultural land, whether it be dairy farms, vineyards or peach orchards, that are today lying idle.

In many cases it may be too late to bring some of this land back into production by a change in taxation policy. But if such changes are not made, then this problem will continue to grow as it has in my area and it is now affecting farmlands ten or more miles out from the actual developing area.

Mr. Speaker, while we have made great strides in progress and development in this province over the past 25 years, in those areas so vital to the future of our people, there is one area which I feel has been treated with some degree of neglect.

I contend, Mr. Speaker, that while the government has strived for a better way of life for our people, in any and every way possible, it has fallen somewhat short in the area of developing our sporting needs and capabilities. And I mean all sports—perhaps I should say competitive sports—excluding hunting and fishing which of course have been receiving a great deal of financial support from the province itself.

It is my firm belief, Mr. Speaker, that it is time for us to seriously embark on a study of this situation, a study which would guide us as to specific needs and requirements. It has always been my firm belief that our immediate need in the concentrated part of Ontario is a sports complex that would boast a multi-purpose facilities—facilities to accommodate baseball, football, hockey, basketball, horse and dog races, a vast convention centre, and among other things facilities adequate to cater to Olympics.

You will recall, Mr. Speaker, that only a few months ago—last August to be more specific—the Prime Minister (Mr. Robarts) pro-

posed a great government complex at the CNE grounds on the waterfront south of Lakeshore Boulevard and partially on newly-created land.

He further stated that the new complex could be ready for use during the 1971 edition of the CNE, and that it would be the impetus required to inspire other developments along the entire Metro waterfront—developments which are under intensive study by many private and governmental agencies.

The Prime Minister went on to state that this new development would contribute a great deal as for the playing a far greater role in the life of the people of Ontario and Canada. He could visualize the exhibition as having a major role in ensuring the continued unity of the people of Canada.

I cannot agree more with the Prime Minister's views. In my personal opinion, his views present us with a challenge and a possible future unlike we have known in the respect that he is speaking. I question only one thing. And that is that I do not believe the Canadian National Exhibition grounds to be the logical place for such a complex or centre.

On the contrary, I can see such a complex situated some miles from Toronto—

**Mr. R. F. Nixon** (Leader of the Opposition): Probably west, eh?

**Mr. Snow**: Just hold it a moment, you will soon find out—where it is readily accessible from a number of centres in that part of southern Ontario which contains a majority of the province's population so as to be capable of supporting the sporting activities that would be taking place.

I suggest, Mr. Speaker, that what Ontario needs is a super sports complex—one that is strategically located so that it is readily accessible and within the reach of a great concentration of people. And we have such a possible site, Mr. Speaker. This ideal situation is available in what I like to call the golden triangle and includes all municipalities of this triangle whose three extreme points are the centres of Hamilton, Kitchener-Waterloo and Metropolitan Toronto. This area is already extremely well serviced by major and secondary arteries. It is joined by the two major arteries—the Macdonald Cartier freeway better known as Highway 401, and the Queen Elizabeth Way—to the east and west. A third major east and west artery, Highway 403, is already partially constructed. Between those two arteries there are many secondary arteries both east and west as well as north and south—Highways

5, 10 and 25 just to mention the three major secondaries.

What is perhaps even more encouraging, Mr. Speaker, is that the present and the projected population figures indicate that this already heavily populated area shall continue to grow rapidly in population.

Comprehensive figures available show that the area I speak of had slightly more than 2.75 million people in 1964. This figure, if updated to 1969, would be increased by nearly half a million to show a population of nearly 3.5 million by the end of this year. By 1980—slightly more than ten years hence—the population of this so-called golden triangle is expected to nearly reach 4.5 million. That, Mr. Speaker, is more than half, by far, what the present population of the entire province is today.

To be specific, Mr. Speaker, the area I speak of includes the following municipalities: The city of Toronto and the boroughs representing Metropolitan Toronto; the city of Hamilton and the surrounding county of Wentworth, on the southwest; the cities of Kitchener, Waterloo on the northwest and all that area lying between these major cities including the Halton and Peel area, the Guelph-Galt-Preston area, and reaching as far north perhaps as the town of Orangeville.

As stated previously, this entire area represents the so-called golden triangle and as its longest point covers a distance of barely more than 80 miles. It would appear logical that the site of the sports complex would fall somewhere at the midpoint. My recommendation for a site is an area in Oakville that is south of Highway 401 and north of the proposed Highway 403 and east of Highway 25.

Not only is this the approximate midpoint between the three major centres that would be concerned and involved, but it is an area that is best serviced by arteries from all municipalities concerned without exception.

This area, Mr. Speaker, is closer in terms of minutes if perhaps not by miles, to most residents of the Metropolitan Toronto area than the proposed CNE Lakeshore site. This site would also be very easily serviced by an expanded GO transit route that will no doubt be extended from downtown Toronto to the Kitchener-Waterloo area. The site is an ideal location for the football stadium that could very easily service both Toronto and Hamilton major league football teams.

**Mr. E. W. Martel (Sudbury East):** They would both be there?

**Mr. Snow:** They would both be there.

**Mr. R. D. Kennedy (Peel South):** Double header.

**Mr. Snow:** This site would also, I believe, be the ideal location for the much publicized auto raceway that was proposed for the Toronto lakefront area. I would urge the private backers of the Grand Prix Raceway to investigate the possibilities of the location I suggest. I am sure they could get a great deal more support and co-operation for the construction of their facility at this location than they did for the CNE lakeshore site which I am sure if it had proceeded would have created a real hodge-podge not only of the CNE grounds, as they presently exist, but for the major lakeshore traffic arteries.

Even more important in considering this as a possible site is the economic advantage. This land at the present moment is in either a dormant or semi-dormant state to some degree because of heavy taxation, and it is awaiting or held for speculation. At the present time it is not overly expensive as it has not passed through speculative hands too many times as yet. Consequently, it could be purchased at a small percentage of what it would cost to, let us say, provide equal facilities in the Toronto lakeshore area. As a result, greater financial concentration would be available for the construction of the facilities.

In attempting to provide this House with a maximum of information concerning this proposal, Mr. Speaker, I have made efforts to find similar projects elsewhere. Much to my concern, I was not able to discover anything that would be comparable, or even close. The closest thing for comparison is the Houston Astrodome. However, this complex does not have facilities for hockey or for Olympics.

To us in Ontario, these facilities are extremely important. Hockey is our main source of sports entertainment in the winter months. Everyone knows of the sad, sad story about our bid for the Olympics. Both Hamilton and Toronto were badly beaten by Montreal, which itself is badly lacking in facilities and as a result is bidding for the possibility of the 1976 Olympics on a hope and a prayer. This would not happen if we were equipped with the sports complex that I urge this government to study. It is my firm belief, Mr. Speaker, that a committee set up to carry out this study, would not only agree with the proposals I have pointed out in this House today, but would come back with recommendations as to size, accommodation requirements, expected costs, and probably even suggestions for financing.



We all know of the shortcomings of our present sporting facilities—the Maple Leaf Gardens that is inadequate; the make-do suggested auto raceway along the lakeshore that has been virtually condemned by the people of that area; the lack of proper football facilities in this and other centres—and the complete lack of facilities such as racing, Olympic pools and race tracks in most Ontario centres.

It is time that we—this government—stepped into the picture and did something for the people of Ontario about this sporting complex. It is time we put Ontario on the North American sporting map—a place that it rightfully deserves.

One other subject, Mr. Speaker, that I would like to discuss briefly, and that is the method and timing of introduction of regional government for the Halton and Peel area. I was most interested in the statements made by the Prime Minister and by the hon. Minister of Municipal Affairs (Mr. McKeough) last December on the government's plan for regional government throughout Ontario. In the Halton and Peel area the restructuring of municipal government has been a matter of prime importance and under serious discussion for the past several years.

A regional government review was carried out and although in general, many principles of this review and recommendations of this review were not acceptable to the areas involved, the Plunkett report did give the municipalities food for thought in coming up with other proposals on their own initiative.

The municipalities within the Halton and Peel area, with perhaps some exceptions, have accepted the need for restructuring municipal government and are prepared to proceed and co-operate to this end. Last fall the county council of the county of Halton unanimously passed a resolution calling for The Department of Municipal Affairs to proceed with a plan for regional government in the Halton county area. Our municipalities and The Department of Municipal Affairs have been working together very closely over the past few months and many meetings between them have been held and have been most fruitful. We hope that in the near future conclusions from recommendations submitted can be brought together into a firm plan for regional government in this area.

Regional government of course, has been brought one major step closer to reality for the area with the presentation by the hon. Minister of Municipal Affairs on January 22

of his preliminary proposal for the Halton and Peel area.

I believe that it is most important that a strong regional unit be developed that will be capable of carrying on as a regional unit and withstanding the encroaching pressures from Metropolitan Toronto and Hamilton. The Halton and Peel area is presently blessed with a very compatible blending of urban, semi-urban, rural and recreational areas which I have no doubt, if brought together under an overall plan and under the overall jurisdiction of a regional government—whether it be one-tier or two-tier—can be developed over the years into an integrated, residential, industrial and agricultural community with its own playground and recreation facilities within the boundaries.

Mr. Speaker, in conclusion I wish to observe the fact that it is approximately seven years ago that the Prime Minister was sworn in as Ontario's first citizen. On October 25, 1961, he was elected leader of the Ontario Progressive Conservative Party at that memorable meeting at Varsity Stadium. Some two weeks later, on November 8, 1961, he became Prime Minister of Ontario.

Since he assumed office, Ontario has undergone remarkable changes. Moving from the solid base established by previous Progressive Conservative administrations, the Prime Minister has guided this province through a series of enlightened advances that have made Ontario the flagship province of Canada.

In a mere seven years, he has achieved unique status in this country. He has become the catalyst of Confederation, a Canadian statesman of the first rank and a statesman who in a brief seven years has assured himself an important place in the history of Canada.

He seeks to harmonize provincial needs with those of the whole country. He seeks to harmonize relations between French and English Canada. And, Mr. Speaker, most important of all, he is achieving his high objectives.

The following few lines, I believe, best explain the opportunities of the attitude made available to the people of the province of opportunity by our leader:

I do not choose to be a common man.  
It is my right to be uncommon.

I seek opportunity to develop whatever talents God gave me—not security.

I do not wish to be a kept citizen,  
humbled and dulled by having the state  
look after me.



I want to take the calculated risk; to dream and to build; to fail and to succeed.

I refuse to barter incentive for a dole.

I prefer the challenges of life, to the guaranteed existence; the thrill of fulfillment to the stale calm of Utopia.

I will not trade freedom for beneficence, nor my dignity for a handout.

I will never cower before any earthly master, nor bend to any threat.

It is my heritage to stand erect, proud and unafraid; to think, and act myself; enjoy the benefits of my creations; to face the world boldly and say: "This, with the help of God, I have done."

All this is what it means to be a good Canadian.

Mr. Speaker, as a member elected for the first time in 1967, I look forward to the continuing guidance and wisdom of our leader, for many, many years to come.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, it gives me great pleasure to rise today and speak in the Throne Debate. Before I get into the serious part of my speech, I would like to point out a few of my thoughts on the role of prayer in this House, a topic that has been under discussion—especially I might say under attack by the member for Sudbury—in this debate. I would like to suggest a change in the rule of the House. I think it is very apparent as most of us sit here in our seats or stand, rather, while you, sir, are reading the prayers at the beginning of the session, that they are somewhat antiquated and quite irrelevant to the working of government in Ontario today.

Now, as a substitute for the prayers before we begin our session, I would suggest most strongly that this House adopt the singing of *O Canada* and, for those who feel strongly, *God Save the Queen*. During the hymns that were sung in this Legislature—or down on the steps leading to the Legislature—last Christmas I thought how appropriate it was that in the Legislature of Ontario we should be singing *God Save the Queen* and *O Canada*. I suggest that this is much more relevant to this day and age than the somewhat passé prayers that you give us, sir.

I would say—and I think most members in this Legislature are aware—that the students who come into the galleries to watch the proceedings and hopefully learn something of the process of government in Ontario, must surely go away with the feeling and the impression that this chamber is one of fusty old men living in the nineteenth century.

It is obvious by the expression on their faces and their attitude that this is something that certainly does not impress them and has no relevance for them. It may be noted that after the prayers, and when the saying of the Lord's prayer begins, that the students themselves join in the saying of these prayers.

I suggest most respectfully to you, sir, and to the House, that the singing of *O Canada* and *God Save the Queen* would bring them a little closer to the reality of government and their part in the province of Ontario and in Canada.

Perhaps you might like—I just throw this out for the suggestion of the House—perhaps we could have a sing-along-with-John hour; the Premier could start off Monday singing *God Save the Queen* or *O Canada* by himself and—perhaps this will be a great boon to the tourist trade—then perhaps other members on the government benches subsequently could take their turn in leading the House in the singing of *O Canada*.

**An hon. member:** That would be the end of community singing after he started.

**Hon. A. Grossman (Minister of Correctional Services):** Like: "Please release me; let me go."

**Mr. T. R. Reid:** Mr. Speaker, today in Ontario we are faced with a very serious problem and I suggest to you, sir, that that problem is a breakdown and a loss of interest in the democratic process. There is really only one party that we can say is responsible for this feeling—the feeling of frustration and disappointment in government today—and that is the Conservative Party in Ontario.

We continually ask ourselves why we have student riots, why we have unions marching on Queen's Park, why people are so dissatisfied. It is simply because they are so far divorced from the decision-making process, and they feel that they have the impression that they cannot help form the decisions that are taken in this chamber, and that affect them. It is this feeling of frustration that gives certainly power to their marches and their opposition.

Now this party—the Conservative Party in Ontario—was the main culprit in this. This party in the time since I have been here has consistently mocked the democratic process in its disregard of the people of Ontario and their representatives in this House and in the Opposition in particular.

Now, let me give you a few examples of what the government opposite has done.

We can think first of all of an obvious one, the imposition of regional school boards. Now we would not argue with the principle that this is bad. We on this side are for it, but it was the undemocratic and arrogant way in which this was imposed that we are against in this party. The Minister of Education (Mr. Davis), from his high mount—and it is getting very crowded up on that high mount—hands down the dictum that we are going to have regional school boards—you have no say in the matter—we here know what is good for you. I suggest again that this is the cause for some disinterest in the democratic process and gives rise to the kind of violence that we have seen. People are not being involved in their government and it is your fault.

Let us take the second expression of why this government is contributing to the breakdown of democracy and interest in government in this province. Let us talk about the regional government scheme of the hon. Minister from Chatham-Kent (Mr. McKeough). We are all aware on this side that there is a power struggle going on in the Tory party to see who will replace "good old John" when he is gone and buried. For a while there we thought it was the Minister of Education who was number one, but it seems that the priorities are shifting and that now the Minister of Municipal Affairs is trying to become number one in the pecking order, and it was quite obvious in this House yesterday that the Premier (Mr. Robarts) in his wisdom, had stepped on all of them across the way who were trying to perhaps hurry his exit from this Chamber.

The petulant—liverish, I believe is the word the member for Downsview (Mr. Singer) used—answer to a question of mine was a direct reflection of his arrogant attitude to the people of Ontario. I stand here as a representative of Rainy River district and the people of that area and of the province of Ontario, and certainly they are entitled to a decent and intelligent answer to a question that I may place in this Chamber on their behalf.

It is the attitude of the Minister of Municipal Affairs to the people of this province that is most disturbing, not only to me but to the people in Ontario. He has gone to the Lakehead with no prior consultation with municipal officials, and said you are going to have regional government. No discussion. I, from Mount Olympus, have handed that down. You know, for a while there I thought that the Minister of Municipal Affairs was—

**Mr. R. F. Nixon** (Leader of the Opposition): We do not hear you speaking much for Fort William.

**Mr. J. Jessiman** (Fort William): I will speak for Fort William.

**Mr. T. P. Reid**: Well you should speak a little louder, we cannot hear you over on this side.

I would say that for a while there, Mr. Speaker, I thought the Minister of Municipal Affairs thought he was Moses handing down the tablets. Now I have changed my opinion, I think he thinks he is God, because without any consultation with those areas involved, he has said you, and you, and you, are going to have regional government whether you like it or not. The attitude of this government to the people and the democracy and the intellect of its people of the province is shocking—

**Mr. W. Newman** (Ontario South): Is the hon. member talking about the Lakehead?

**Mr. T. P. Reid**: The people of Ontario are not going to be bribed by the rebate that this government went through, the tremendous machinations and administrative cost, to return to them. Surely this government should have learned from the experience of the Manitoba government, which also at that time was a Conservative government, when they tried to bribe the voters with their own money, I say to you it will not work! The people of Ontario are much wiser than you give them credit for.

It is one of the most basic concepts of this government that the people of Ontario are not intelligent enough to govern themselves and that those opposite in this House are the ones to do it. The electoral process, the democratic process, does not end with the election; it does not give any party or any government *carte blanche* to go ahead and impose all kinds of legislation without some kind of dialogue between the people that this legislation is being imposed upon.

We do not say on this side that a government should not make and take these decisions, but surely it is not too much to ask those proud people on the other side of this House to deign to talk to the small people back in the ridings, back at the various municipal levels, to give them a chance to at least have their views known and appreciated.

Interjections by hon. members.

**Mr. T. P. Reid:** Surely democracy is dialogue and there is no dialogue between this governing party and the people of Ontario.

**Mr. Jessiman:** Where is the hon. member going this weekend? Is he going to that meeting at the Lakehead?

**An hon. member:** If the hon. member just listens, he will hear where he is going.

**Mr. T. P. Reid:** I will get to the hon. member. Now, Mr. Speaker, I am speaking generally of this government's attitude to the people of Ontario. I could mention other things such as the unilateral and dictatorial handing down, by the Minister Education (Mr. Davis), of the fact that the school year is going to be extended without consultation with anyone else. He certainly has been hard pressed to give good reason why that should be.

We do not say that the government should not make these decisions, but I say to the Minister of Correctional Services (Mr. Grossman), surely it is not too much to go and consult the people directly involved and say, "We are planning on doing this, what are your views?" Because when people have that feeling that their views no longer matter, or that their positions and jobs do not matter, then that frustration leads to the kind of violence that we have today in Ontario.

I have been speaking about the general attitude of this government to the people of Ontario. I would like to give you some specific references to northern and northwestern Ontario and to my own riding in particular. I cast your minds back, those of you who were on the tour of northwestern Ontario. It was bruited by this party—the public relations men were in full force—that the members of the government and Opposition were going to make a tour of northwestern Ontario. There are five ridings in northwestern Ontario. We were in northwestern Ontario for almost seven days; in that seven days this government, the Conservative government of Ontario, saw fit to visit my riding for one hour.

**Several hon. members:** Shame!

**Mr. T. P. Reid:** Now, my hon. friend who just finished speaking spoke at great length of the virtues of the Prime Minister (Mr. Robarts), or Premier, of Ontario—what a great man, what a national figure he was. I would not deny this. But I feel it is a shame and a blot on his reputation that as the responsible Minister in that government, with overall responsibility, should descend to this kind of politics, of blackmailing an individual

riding because it did not return a Tory candidate.

I say that it was a direct insult to the people of Rainy River district that this chamber saw fit under the leadership of the Premier of this province and the Minister of Lands and Forests (Mr. Brunelle) to visit the riding of Rainy River district for only one hour. There are many things of note and of interest to be seen in the riding of Rainy River.

Let me tell you something else this government did that directly cost the taxpayers a great deal of money. They flew 40 or 60 members, I forget which, all the way from Kenora to Fort Frances for a cup of coffee. Now, these airplanes do not run on coffee. If they ran on hot air, as provided by the government opposite, we would not be complaining so much.

But surely this was very poor planning. Why in a seven-day tour of northwestern Ontario did this government see fit to spend only one hour in the riding of Rainy River district? I am willing to have a reply from opposite.

With five ridings, surely the time could have been allocated so that each riding would have been visited by the members of the Legislature. I might add at this time that the Premier did not see fit to give the students in Fort Frances a holiday, and the teachers also.

But I tell you, the political blackmail by this party, the Conservative Party, did not work—it backfired. The people of the north—and you do not understand this, you never have—are very proud, independent people and they are not going to be blackmailed into putting a Tory in my place next time.

I can tell you that one of the leading Conservative supporters, one of those who had hoped to run himself as a Conservative candidate, was so hopping mad, was so disappointed, was so disgusted that he is ready to go to the ridiculous extreme of joining the NDP.

And you can see what a state the man must have been in—he was unbalanced at the time.

**An hon. member:** He had to be unbalanced to be a Tory anyway.

**Hon. Mr. Grossman:** Does he not know that suicide is illegal?

**Mr. T. P. Reid:** The mayor of the town of Fort Frances, the president of the chamber of commerce, all have expressed their disappointment in the treatment by this government of Rainy River district. And they are now convinced more than ever—and they were not all Liberals—but they are now convinced more

than ever that the only way to get anything done for northern and northwestern Ontario is to return a Liberal government in 1971.

Let me give you, Mr. Speaker, a couple of other incidents of the political blackmail that this party is trying to perpetrate on the riding of Rainy River district and the arrogant attitude that they have, not only to my riding but to the province as a whole.

Since I have been elected, two government offices have left Rainy River district and moved to the riding west of me which happens to be a Tory riding. Perhaps this is just a coincidence.

Let us start with the mining recorder's office; the reason given is that it was a recommendation of the select committee on mining. That committee reported in 1962, I believe, but it seemed very shortly after I was elected the government acted very quickly to move that office out of Rainy River district, a Liberal riding, into a Conservative riding.

But even worse than this, even worse than this is the attitude of The Minister of Mines in this regard. I will say this, he went to Fort Frances to explain why the recording office was being moved, ostensibly anyway.

**Mr. Nixon:** Too bad he is not here.

**Hon. Mr. Grossman:** It is all right, I have a lot of lash marks on my back.

**Mr. T. P. Reid:** But he knew the interest of the people, not only of Fort Frances where the office was located, but of Atikokan and the surrounding district, in keeping the office there, town council and the chamber of commerce. Yet when the final decision came—and I was in almost constant touch with the department—when the decision came I was not informed, the chambers of commerce were not informed, the town councils were not informed, and all had asked to be so.

And yet, out of the blue, this was done without any warning at all after we had asked for some kind of consideration on this matter.

I move on to the moving of the head office of the social and family services to Kenora. And this is a very, very interesting problem. When I first heard the rumour that this was going to be done, I went to the Minister and asked him if there was any truth to the rumour that the head office would be moved or personnel would be moved to Kenora.

His reply: "Well, as far as I know, the office has been rented for a year". I asked to be kept informed of what was going to happen. Then again, out of the blue—not a word to anyone, not to the town council, not to the cham-

ber of commerce, not to the Rainy River district municipal union, all of whom had petitioned the Minister against moving the office—this was done without any warning whatsoever, and no information was passed on.

An interesting point here, although it is just a rumour. But certainly I was not consulted, I was not informed as the member for that riding. I might clear it up for the benefit of the member involved, because it reflects on him. There is an interesting rumour that the member for Kenora, to whence the office was moved, journeyed down to Toronto—perhaps it was a coincidence—with the head of the office of social and family services, to discuss moving the office to Kenora. Perhaps it is not true.

**Mr. P. J. Yakabuski (Renfrew South):** Guess he is too smart for the hon. member.

**Mr. T. P. Reid:** I would ask for the member's own benefit that he rise and deny it, because I think it reflects poorly on him if it is true, and if it is not—

**Mr. L. Bernier (Kenora):** Mr. Speaker, on a point of personal privilege, I certainly did not travel from Kenora with the director of social and family services to discuss any movement of a building to my riding. But I would point out that Kenora is the capital of the northwest and that is where it belongs.

**Mr. T. P. Reid:** There is a typical myopic reflection of a Tory member, interested in Kenora, not in the northwest or the rest of us from northwestern Ontario. None of us in northwestern Ontario except, apparently with the exception of the present member for Kenora, who has just spoken—and I would say not with the exception of the member for Fort William—want to grow at the expense of another riding. I am sorry to hear the member for Kenora make that statement.

Interjections by hon. members.

**Mr. T. P. Reid:** In conclusion on this topic Mr. Speaker, I would say that this government, in their attitude towards my riding and to northern and northwestern Ontario, have done a great disservice. In the northern tour, which I had great hopes for, it was successful in the respect that it gave the members of this Legislature an idea of the distances, of the geography and the isolation that is involved in the people who live in northwestern Ontario.

And I hope that the destructive elements of that tour will be minimized. I think it is unfortunate, and I would not want to see it repeated if we go into other areas, as the

Premier has indicated, that we again go to only those areas, those establishments, those industries, those mines that are thriving and successful. Instead, we should go to see some of the problems that exist in those areas and the people who are suffering from those problems.

And I say, and I say most respectfully, Mr. Speaker, that the government did the people of northwestern Ontario a disservice in the way that tour was run.

Now, this government is at fault in two regards, in errors of commission and errors of omission. We, on this side—and I think even those less aberrated people on the left—would give northwestern Ontario and northern Ontario a special status.

**Hon. Mr. Grossman:** Did the hon. member say less aberrated people?

**Mr. T. P. Reid:** Than the hon. Minister. I do not mean special status in the Quebec sense, but certainly a fuller understanding of northwestern Ontario and the problems that face the people who live there. When handing down government legislation, I think it is necessary to realize, and to keep in mind the conditions that exist in northwestern Ontario, and to treat it at times with some special regard.

The Minister of Lands and Forests, much to my horror, has placed on the people of Ontario, all the people of Ontario, a fishing licence. I recall, I believe, that Kelso Roberts, when he was Minister of Lands and Forests, said that a fishing licence would be imposed only over his dead body.

**Mr. Nixon:** Well, he is dead as far as the Tories are concerned.

**Mr. T. P. Reid:** But surely if fish hatcheries and propagation are needed—and they are needed in the north, although we see very little being done in the north on this, the money is necessary—there are areas where this is not so. And if this money is being spent—and I am not trying to be overly parochial—but if the majority of the money collected supposedly from fishing licences is to be spent on the propagation of fish and fish hatcheries in southern Ontario, then surely if nothing is going to be done in the north, the north should have been exempted.

I would ask the Minister once again, as I see he is listening rather attentively, to reconsider the plight of the senior citizens, those on old age pension. I pointed out to you in the estimates last year that the State of New York gives complete exemption

to old age pensioners; they get an automatic fishing licence which is good for life after they reach the age of seniority.

**Hon. Mr. Grossman:** They have no fish in New York state.

**Mr. T. P. Reid:** I would suggest that the Minister give once again consideration to this. Some people are living on a very meagre pension, and \$3.00 for a fishing licence is a hardship for them. Not only that, but it would give them some indication that their contribution to the life of this province is, in some small way at least, appreciated by this government.

Now, in regard again to the special consideration that should be given to northern and north-western Ontario, one of the Minister's bright boys somewhere thought of the idea of back patches for hunting. And he came out with a white back patch—he had obviously never heard of a white tailed deer. But I understand, in any case, that this idea was so that people hunting on farms in southern Ontario could be identified if they destroyed property, or shot a cow or a roving Tory Cabinet Minister, or something like that. But surely this is something that need not apply to northern Ontario, and I would ask the Minister to give this some thought in the edicts that come out of his office.

**An hon. member:** We have yellow ones in our area.

**Mr. T. P. Reid:** Again, the government passed legislation dealing with snowmobiles—which is needed, I do not disagree with that—but surely some of the provisions are very restrictive, and they need not apply to the wide open spaces where the air is clean, the water is fresh, of northern and north-western Ontario.

Now this uniqueness of north and north-western Ontario is already recognized even by those members over there by the special programmes, the regional development programmes and so on, that are going on. I would suggest that the various Ministers of the government take this general principle and apply it to the legislation that pertains to their particular department.

Along this line, I would like to point out the total disregard of this ministry and this government for the people of northern and northwestern Ontario, and I would recall to your mind, Mr. Speaker, a question I asked in this Legislature before Christmas in reference to The Department of Agriculture providing some sort of assistance for the farmers



who were experiencing difficulty because of the heavy rain in Rainy River districts. The Minister of Agriculture's curt answer to that was no, he would not—crop insurance was available. Then we find out that the Minister really is not aware of how many crop insurance salesmen he has, or if he is even selling crop insurance or whether this programme has been advertised. Then we find out further, Mr. Speaker, on a question from the member for Port Arthur, that there is not even one crop insurance salesman for the area around Port Arthur and Fort William.

**An hon. member:** Not one?

**Mr. T. P. Reid:** No, not one. And this is the consideration that this Minister gives to the farmers of north and northwestern Ontario. The consideration is nil, and they, the people of northwestern Ontario, are aware of it and they will remember until the next election.

**Mr. Yakabuski:** The hon. member needed a Tory escort as he was afraid to face the union that day.

**Mr. T. P. Reid:** The member has got to be kidding! The Liberal labour man was there but this government refused to act, but I am glad you brought that up because that brings me to some of the errors of omission of this very government. And a lot of these labour problems would not continue in this province if that government was willing and able, and they are neither, to take and do their responsibility.

Let us talk about the recent pulpwood strike—we will not even hark back to that other strike but let us hark back to the recent pulpwood strike—in the Rainy River district and this government's involvement, or non-involvement, in that strike. The situation, very briefly, is this. Boise Cascade Company controls a great deal of timber rights in the Rainy River district to feed their pulp mill at Fort Frances, Ontario. They buy poplar, especially, from independent contractors who have been receiving the same price for their wood for some ten years now. All other prices have gone up, the prices of licences for their trucks have gone up, instituted by this government, and yet the company refused to give the truckers and the cutters an increase in salary.

This government was asked, both by myself, and from the Premier down or from the Premier up, whichever your view happens to be, to step in and do something about this strike. The Minister of Lands and Forests

has since been asked if he would provide a scaler at the company mill to see that the men were getting a fair break when they brought their poplar in. And the Minister of Lands and Forests replied that the lands and forests scaler has a different method of scaling and therefore could not do it.

But I submit to the Minister and to the House, through you, Mr. Speaker, that this government—which controls 90 per cent of the Crown timber in Ontario and which is responsible for giving the Boise Cascade Company rights to that land—has the duty and the right to protect the citizens of this province and to see that the small independent contractor gets a fair break on the price and on the scale that he is doing. And if this government is not prepared to stand up for the small man in this regard, if it is willing to side with the company in this, then I say it is more than overdue that this government was on its way out and it is.

During this strike the Minister was asked to act under The Pulpwood Settlers Protection Act to investigate the prices being paid to these independent cutters. The Minister, after deliberation with his colleagues or with his lawyers, said that he did not feel that he could investigate under this Act. I am not a lawyer, thank goodness, but I would say that the Minister did have that authority if he wanted to exercise it and I serve notice on him now that I intend to introduce a bill into this Legislature giving the Minister of Lands and Forests authority to investigate prices of timber that is being sold off Crown land.

But there again we have the fine example of the government's non-intravention pact with big business in this province and I say it is time that the government forgot about big business—they have got their coffers full—and protected the small independent man in this province.

Another error of omission of this present government and I know it is a fact that we, in northwestern Ontario, at the present moment, Mr. Speaker, do not have a government Minister. Maybe this is a blessing in disguise. I think maybe we might be worse off, if that is possible, if we did have a Minister from northwestern Ontario.

But certainly there is no one in the Cabinet at the present time who can speak for northwestern Ontario and bring their good counsel and their influence to bear on the decisions of this Cabinet and this government.

**Mr. Nixon:** They were expecting to elect the mayor from Fort Frances.



**Mr. T. P. Reid:** Well, that does not say much for their foresight, I will tell you that.

Now why, why do we not have a Minister from northwestern Ontario? We had one in the Hon. George Wardrobe for many years and now, all of a sudden, we are left without any Cabinet representation. Is it because the present government does not feel that the present members, Tory members, from that area are competent? Certainly, I would not like to pass judgment on that. Or is it just a continuation of their total disregard for northwestern Ontario and the people who live there?

**An hon. member:** That must be it.

**Mr. T. P. Reid:** I would think that that is the reason.

**Mr. R. F. Ruston (Essex-Kent):** Has to be.

**Mr. T. P. Reid:** So I would suggest most strongly to the Premier and to whoever is number one or number two over there, it looks like The Minister of Correctional Services—

**Mr. Nixon:** He is number one.

**Mr. T. P. Reid:** He is number one today. He would be number one in my riding if he would give us that new jail we have been asking for for so long.

Now, I would recommend most strongly for the Premier's consideration that surely one of our members from northwestern Ontario—and they are both good men, although there are better Liberals of course, but they are good men—should be given the consideration of being in the Cabinet.

I would suggest that one of them would be better able to serve this Cabinet, this government and the people of Ontario than perhaps one or both of the Ministers without Portfolio, one of whom seems only to be a living, breathing advertisement for the Wrigley spearmint people.

Another error of omission of this government is something that they could do very simply in regard to the present labour legislation in this province. For the last number of years this party, the Liberal Party has been consistently against the ex parte injunction. We categorically say that legislation should be rescinded, done away with completely, notwithstanding the recommendation of Chief Justice Rand on page 80 of the Rand report.

It should be done away with 100 per cent so as to put both management and labour on an equal basis. As it is now, the legislation certainly favours to an unfair degree the

management side. If we are to build a just society in this province and in this country, surely we can start with the very easy, simple things that would give everybody an equal chance, an equal opportunity.

So I would ask, Mr. Speaker, through you, that the government officers give good and deep and deliberate consideration to rescinding the legislation in regard to that ex parte injunction, so as to make it fair for both sides.

There is no reason, no reason at all why this kind of legislation should remain on the statute book of this province—except the government's inertia and disregard for the working people of this province. Along this line, and also on a more positive basis, this government should implement legislation requiring companies who are going to automate their plants within the next few years to give the union—or the workers if there is no union—advance notice of their plans and intentions.

Surely, we have come far enough in our history to realize the security of the worker is paramount, or should be paramount, and that he is not just an automaton working in the plant himself. Surely he is entitled to know what the future of the company will be insofar as the company is able to tell him.

It is often said that the company has a great investment in the plant, and takes the risk. Well, the worker takes a risk too, when he moves or locates in a town where he brings his wife and his family, buys a house and raises his children. Surely his risk, his investment in human values, is even greater than the monetary risk of the company. Surely it should be the legislation of this province that he be given some protection for his investment in this regard. And surely it is not too much to ask that this be written into legislation and, by this government, into The Labour Act.

Now, a word about Medicare, another error of omission of this government. We have seen and heard much in the last few days, in the last few weeks, of this government's stand on Medicare. The Premier has laid the groundwork well; for over a year he has been going around beating his breast, tearing his hair, punching the Treasurer on the shoulder and saying: "Oh, my goodness, what are we going to do? Look at the terrible state we are in due to the federal government."

But I say—and I say it again—the people of Ontario are not fooled by this kind of parlour display by the Premier and the puppet he controls to his right, there.

The fiscal nightmare that we in this province face is certainly due to the irresponsibility of this present government. That government over there, that Conservative government, was well aware of the attitude of the federal government. It knew how much money it was going to receive from the federal government, and still it went along and got itself into deficit after deficit. If this is the planning that they so proudly speak of on that side, it certainly is bad planning of the worst sort.

The Premier got on national television and said to the people: "I speak to the people of Ontario; I speak for the people of Ontario. It is this government, the federal government, that is costing you money." Any intelligent, reasonable person in the audience—and they all are—knows very well that this is not the whole truth. There were 69 federal members elected from Ontario in the last election, on a plank, Mr. Speaker, that certainly included Medicare. As those opposite are quick to point out, this has been a plank of the federal Liberal party since 1919. Yet the Premier has the audacity and that total disregard of the intellect of the people of Ontario to get up and say, "I speak for the people of Ontario," after the people of Ontario have spoken and voted 69 members from Ontario into the federal government, where this decision was made.

What is the present situation therefore? The Premier's refusal to bring Ontario into the federal Medicare plan is costing the people of Ontario some \$175 million per year. That is a lot of money. It is a lot of hay; it would fill a pretty big barn.

Yet, why does the Premier refuse to do so when he will be given almost, as a free gift, \$175 million to spend as he chooses; because, as he is quick to point out, 92 per cent of the people of Ontario are already in some kind of medical scheme.

Well, perhaps it is as the newspaper article in last weekend's *Star Weekly* suggested—that the insurance companies located in the London area are pretty heavy contributors to the Tory coffers.

Now I—this is not my suggestion—I would not have a mind that would sort of ferret out these ideas, but the *Star* pointed out that the London Insurance group is certainly located in the Premier's own riding and that they are known to be heavy contributors to the Tory party, and perhaps the conclusion is only logical and inescapable. The Premier, as far as I know, has yet to deny this. It seems a conundrum that the province should have an Omsip scheme and yet the civil

servants of the province of Ontario are not registered in it. One can only sit and wonder why this is going on.

**An hon. member:** The Minister of Revenue is pretty quiet over there.

**Hon. J. H. White (Minister of Revenue):** Well the whole London Life executive is Liberal as the hon. member knows.

**Mr. T. P. Reid:** He is giving the Minister without Portfolio a little exercise.

**Mr. Ruston:** Did you say they were liberal with their money?

**Hon. Mr. Grossman:** They are all Liberals.

**Mr. T. P. Reid:** Mr. Speaker, it is symptomatic of this government's approach to government and to the people of Ontario that the Premier, a nationally-known figure as my friend was quick to point out to us, should stand in front of the television cameras and try and put over this fraud on the people of Ontario. They are not buying it.

So I would ask, Mr. Speaker, through you of course, that the Premier give reconsideration to bringing Ontario into the federal Medicare scheme. It is not going to involve that much administrative detail. It is going to provide the Ontario taxpayer with some \$175 million that he is going to have to pay and is not going to receive any benefit from unless this province enters this scheme, and if that is not the biggest fraud that is perpetrated on the people of Ontario, I do not know. For the Premier to refuse what amounts to a gift of \$175 million and to sit there and say—

Interjections by hon. members.

**Mr. T. P. Reid:** —and to sit there and say that we face a fiscal nightmare while on the other hand turning down \$175 million of the taxpayers' money. Mr. Speaker, I am willing to sit down and have perhaps the Minister of Correctional Services, or even the Minister without Portfolio, dazzle us with his expertise on this matter and explain this problem.

**Hon. T. L. Wells (Minister without Portfolio):** The hon. member would not understand it.

**Mr. T. P. Reid:** Mr. Speaker, I am willing to yield the floor to the Minister without Portfolio who perhaps can explain how the Prime Minister can turn down \$175 million.

**Mr. Speaker:** The hon. member for Rainy River will confine himself to making a speech

himself and not altering the order of the Throne Speech debate.

**Mr. T. P. Reid:** Thank you, Mr. Speaker. For instance, if we receive that \$175 million I am sure that the Minister of Correctional Services would head in a bee line to the Rainy River riding and to Fort Frances in particular, and say, here, this is a great gift from the Province of Ontario, a new jail. I am sure he would be more than pleased to do that, and after having received already \$650 million from the federal government, plus another \$175 million, they, of course, would take all the credit for it.

**Mr. Speaker:** Perhaps with the vision of that new jail in his mind the hon. member might adjourn the debate and we can adjourn the House.

**Mr. Nixon:** They have not had a gift up there since the Noden Causeway.

**Mr. T. P. Reid:** No, that is supposed to do us for the rest of our lives. Mr. Speaker I move the adjournment of the debate.

Motion agreed to.

**Hon. A. Grossman** (Minister of Correctional Services): Mr. Speaker, tomorrow we will go to the order paper and continue with the Throne Debate if there is time.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock, p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Thursday, February 20, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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THURSDAY, FEBRUARY 20, 1969

The House met today at 2.30 o'clock p.m.

Prayers.

**Mr. Speaker:** Today we have a large number of guests: In the east gallery, from the W. F. Herman Collegiate Institute, Windsor; and in the west gallery, students from University Heights Drive public school, London; from the Adult Education Centre, 21 McGill Street, Toronto; and in both galleries from the Franklin Horner public school, Etobicoke. We also have members of the Lindsay and District Women's Liberal Association; and this afternoon at 3.30 we will be joined by students from Windsor high school of commerce, Windsor.

Petitions.

Presenting reports.

**Mr. A. B. R. Lawrence** (Carleton East) from the standing private bills committee, presented the committee's fourth report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr22, An Act respecting the Township of Teck.

Your committee begs to report the following bill with certain amendments:

Bill Pr8, An Act respecting the Town of Lindsay.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE PENSIONS BENEFITS ACT (1965)

**Hon. C. S. MacNaughton** (Provincial Treasurer) moves first reading of bill intituled, An Act to amend The Pensions Benefits Act (1965).

Motion agreed to; first reading of the bill.

**Hon. Mr. MacNaughton:** Mr. Speaker, the amendment prohibits withdrawal of contributions from a plan except voluntary addition of contributions or upon termination of employment or of the plan.

**Mr. Speaker:** Introduction of bills.

## THE POLICE ACT

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, An Act to amend The Police Act.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill prohibits police officers tapping the telephone of any person except upon the authorization of a judge of the supreme court.

**Mr. Speaker:** The hon. Treasurer has a statement.

**Hon. Mr. MacNaughton:** Mr. Speaker, I am pleased to announce that the government of Ontario will undertake a comprehensive management analysis project to gear its administration and operations toward the challenge of public service for the 1970s. The project, which will encompass all aspects of government administration will be undertaken with the assistance of the most qualified management experts we can secure in the business and consulting community of the province.

I have requested this project to ensure that the government's intensive efforts to develop new organizational and procedural concepts will be compatible with future needs in the field of public service in Ontario, to make certain that we are taking full advantage of the new developments in management science and technology, and to provide a thorough appraisal of our existing operations. The principal objective will be to ensure that the government continues to manage its affairs with intelligence, efficiency and concern for the needs of our citizens.

The members of the Legislature, Mr. Speaker, will appreciate that the good health of any active body requires that it undergo periodic checkups to determine whether it is functioning as effectively and efficiently as it might. The government of Ontario is no different. We believe that conscientious management must welcome and encourage checkups of this kind.

During the 1960s this Legislature has approved an increasingly broader range of public services, greatly expanding its contribution in such areas as health, education

and welfare. This government and its departments have striven constantly to improve these programmes. We believe that our public services are being provided more efficiently than ever before.

Our leadership in developing the planning-programming-budgeting system of public administration in Canada is indicative of our desire to employ the most sophisticated management devices. Yet we believe that there is always room for improvement.

Interjections by hon. members.

**Hon. M. MacNaughton:** These interruptions are easy to understand sometimes, Mr. Speaker, very easy to understand.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Hon. Mr. MacNaughton:** Maybe I could suggest to you, Mr. Speaker, that if these people evidence the interest they appear to do, maybe they would like to listen—

Interjections by hon. members.

**Hon. Mr. MacNaughton:** I will continue, if I may, Mr. Speaker. The productivity improvement project will consider all aspects of provincial administration.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Special attention will be paid to the overall organization structure, personnel and financial management; the relationship between central and operating agencies; paperwork and systems, and the uses of automatic data processing. The project will consider every possible means of improving the effectiveness of government operations.

It will be expected to determine whether any economies can be achieved through the elimination of duplicated or overlapping services, and of unnecessary or uneconomic operations; consider whether performance can be strengthened by the reallocation or regrouping of organizational units or through improved management of departments and agencies; analyze the effectiveness of the government decision-making process itself.

As part of its research, the project will consider the results of past recommendations for improved performance. Over the years, Royal commissions, legislative committees and internal agencies have made recommendations for administrative improvements and many of these proposals have been implemented. The review will consider how these changes have met the test of practice.

Our productivity improvement project will be directed by a senior steering committee composed of a combination of outstanding leaders from the private sector of the Ontario economy and senior public servants. I believe this co-ordination of internal and external expertise offers significant advantages over a Royal commission or a completely independent review.

Perhaps the most important benefit is that management improvements can proceed during the course of the study as findings indicate that changes should be made. A Royal commission, on the other hand, would tend to suspend all administrative innovations until its review was completed.

Because of this desire for on-going improvements, we feel that our senior public servants should be involved in the preparation and analysis of recommendations to facilitate their early adoption and implementation. The experience and knowledge of dedicated public servants will play a vital role in expediting the study and in developing the climate necessary to undertake constructive change.

I believe the "mixed" composition of the senior steering committee will ensure that the project will benefit from the best of creative business management and sound public administration.

Under the productivity improvement project, individual research programmes will be conducted in an a minimum of five basic areas: machinery of government and organization structure, personnel management, financial management, paperwork and systems, and automatic data processing. A number of additional specific projects may develop from these fundamental studies.

Directors of the individual projects will be selected from management consulting firms and private industry. They will be chosen by the senior steering committee in a manner that will secure the best talent available.

The entire project, which will be conducted in several phases, is expected to require 18 months to two years to complete. As I have indicated, however, improvements will be implemented during the course of the studies.

I am convinced, Mr. Speaker, that this comprehensive approach to management analysis will assist us in developing the depth of expertise and soundness of organization which is required to meet the complexities of public service in the future. I believe it will provide us with the guidelines to develop the flexibility and skill necessary to cope with the challenges we see for the 1970s and beyond.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, if I might ask the Treasurer, by way of clarification. What would the status of this group be? Will it be a Treasurer's committee? He has said it will not be a Royal commission which he believes would suspend any change. I want to know if a Minister's committee would, in fact, have the objectivity to accomplish what the Minister sets out to do.

**Hon. Mr. MacNaughton:** Mr. Speaker, the Minister is convinced that this format to undertake the work that I have described will be totally objective in character. I have indicated, if the hon. leader of the Opposition was listening, that we are going to mix the private sector of our business community with the public administrative side. Those who are taken into the machinery that will be established for this will become actually, if you like, Treasury Board officers.

They will be under the direction of the steering group which will be independent in its character, but the whole framework will branch out then, as I have mentioned, with the use of management consultants where various types of expertise can be drawn into this type of review.

I cannot see, Mr. Speaker, that it will be anything but totally objective in character, and that, of course, is the way the government wants it.

**Mr. Nixon:** Well, I hope so, Mr. Speaker, but the Treasurer has not been able to clarify my question. What will the status be? Are you going to use a new term—task force—or is it going to be a Minister's committee?

**Hon. Mr. MacNaughton:** We call it the productivity improvement project, and I have outlined to you the organizational plan that is established to do it. It is similar in many respects to a recent operation of this kind in Manitoba, except we have had the opportunity to examine the manner in which the complete study in which the operations of the Manitoba government was undertaken and initiate some improvements.

So, I would not know what you would like to call it. Certainly there are disadvantages as I pointed out to a Royal commission because it takes too long before you get the information you require.

**Mr. E. Sargent** (Grey-Bruce): Call it the MacNaughton improvement project.

**Hon. Mr. MacNaughton:** Maybe we should appoint the hon. member from Grey North—

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Then I suggest to you it would be something less than objective and we would have confusion supreme. I do not know, Mr. Speaker, how I can explain it in any better terms than I have to the leader of the Opposition; but its purpose is entirely total objectivity.

**Mr. Nixon:** My only point, Mr. Speaker, is this—you are going to have to pay these people. Normally they come under some sort of vote in the estimates that refers to a Royal commission, which you are not having; or a Minister's committee. You really have not been able to give them any status that I can recognize. You have indicated that it is going to take 18 months in order to accomplish this and we presume, on this side, that you are going to start immediately. Will we be aware of the appointments that you make? Will they be made public? How about their findings from time to time? Will the Legislature be advised of their findings and their recommendations to the government?

**Hon. Mr. MacNaughton:** Mr. Speaker, if you wish to permit this exchange to go on, I am quite happy to explain it to that extent.

You will recall from my remarks that we said it would lend itself to periodic implementation of their recommendations. Certainly—

**Mr. Nixon:** But we are—

**Hon. Mr. MacNaughton:** Maybe, Mr. Speaker, the hon. member would let me finish.

Of course, as reports can be made available to this House on a continuing basis they will be made made available. I can assure you that funds will be voted either in The Department of Treasury or Treasury Board for the estimated cost of this operation for the ensuing 12 months.

It is our intention to get underway with this work immediately and the names of those who make up the steering committee will be announced in due course.

**Mr. Speaker:** The hon. Minister of Trade and Development has an announcement or statement.

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, I am delighted to see so many members in the House this afternoon—and our visitors—because it gives me the opportunity to introduce to the hon. members and this House the 27 young men and women who have been chosen out of

2,500 applicants across Ontario to man our booth at Osaka, Japan, Expo 1970.

These young people speak 10 different languages; 18 are very very proficient in French. They will be taking instruction from our department between now and 1970. They will also take instruction in Japanese which, you know, is a very difficult language. I am sure Ontario and Canada will be very proud of them when they take up their responsibilities. With you, Mr. Speaker, I hope the members will welcome them here this afternoon.

**Mr. Speaker:** The hon. the Provincial Secretary has a statement.

**Hon. R. S. Welch (Provincial Secretary):** The chief commissioner of the liquor control board, Mr. G. Harry Sheppard, announced today that the first LCBO "self-service" retail sales outlet in its history will open its doors on Monday, Feb. 24 next. Located at 40 South Station Street in the riding of the member for York South (Mr. MacDonald), this very attractive store is the first of three such outlets planned for the Metro Toronto area.

Others are planned to be opened at Yonge and Lawrence in North Toronto and at Queensway, just west of Islington in West Toronto. These are pilot projects and should they prove successful, consideration will be given to establishing similar operations in other parts of the province.

This is yet another step in the constant efforts of The Liquor Control Board of Ontario to provide the highest possible level of customer satisfaction through the use of modern marketing techniques. In support of that statement may I point out the significant evolution from the earlier type of "in" and "out" stores with the high, painted green windows, wire cages, personal liquor permits, and so on, to the bright, attractive outlets of today.

In the modern LCBO outlet, more customers can be served in less time than at any point in the past.

Interjections by hon. members.

**Hon. Mr. Welch:** Mr. Speaker, I do not get the impression that members are taking this very seriously at all. I do not get a chance to make statements very often.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Hon. Mr. Welch:** If I might go on. We are having our dry run in this new store tomorrow. A further step in the streamlining

of purchasing methods has also been announced by the chief commissioner and involves the use of purchase order slips in LCBO, Brewers' Retail and winery retail outlets.

**Mr. Sargent:** Do you give out stamps?

**Hon. Mr. Welch:** Purple stamps in the winery section. For many years it has been necessary for customers to sign these slips as well as having to write in their address. Effective Monday, Feb. 24 next, it will no longer be necessary for the customer to sign the purchase order slip or write in an address.

In fact, in the self-service stores and in all Ontario winery retail stores there will be no need for these slips at all.

In other outlets, in order to ensure speedy and efficient service, customers will be provided with a revised form on which they will simply indicate their brand preferences. Customer convenience will, of course, always be the objective in the development of such procedures.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, as the Minister is modernizing the procedure in the stores, is he going to modernize the hiring system as well?

**Mr. Speaker:** Order! The hon. member's question is out of order. The hon. leader of the Opposition has the floor.

**Mr. Nixon:** Mr. Speaker, I have a question for the Premier.

Have any definite proposals regarding provincial assistance in the redevelopment of the Canadian National Exhibition been made available to the board of directors? Is the province going to take any further initiative in this matter in time to affect the 1969 exhibition?

**Hon. J. P. Robarts (Prime Minister):** The answer to the first question is no. The second question—it is under study.

**Mr. Nixon:** A question to the Minister of Agriculture and Food.

Can the Minister explain to the House his system of consultation with farmers and farm organizations in the development of a bill leading to a referendum on one farm organization?

Will a draft bill be made available before the introduction of legislation promised by the Minister?



**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I think the hon. member will have to wait until we see what government policy will be.

Yesterday, he was criticizing us for having a story leaked to the press somehow—and I do not know how—for getting it out in public. Now he says let us get it out in public today. The two are not quite consistent, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, since the Minister is in such an amiable mood, will he permit a supplementary question? Perhaps he can square his comments with his statement to the farmers that he was prepared to undertake full consultation.

What I want to know is what does he understand by full consultation and what are the mechanics whereby he is going to fulfil that promise?

**Hon. Mr. Stewart:** Mr. Speaker, I gave no such undertaking to any group of farmers yesterday at any time and I want that clearly understood.

**Mr. Nixon:** I did not say yesterday.

**Hon. Mr. Stewart:** Or any other time.

**Mr. Nixon:** We saw the Minister on television.

**Hon. Mr. Stewart:** No, sir, I did not. I said that we would undertake to bring to the attention of the government the need and the desire of the conference at the Seaway for some type of legislation to be drafted so that the farmers of Ontario could make a decision as to whether they wanted one farm organization or not. But I gave no undertaking as to what would be in that legislation or with whom I would discuss it.

**Mr. Speaker:** The hon. member for York South has the floor.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have a number of questions that are held over from earlier days. Perhaps I can deal with those first. To the Provincial Treasurer:

1. What are the net proceeds of the \$64 million loan floated by the government of Ontario in Germany?

2. If there are commissions and other charges, what is the effective interest rate through to maturity on the net proceeds?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer to part one of the hon. member's question is that the final proceeds of the

recent German loan will be \$62,492,181, subject to possible minor modifications depending on our final foreign exchange conversion.

The answer to the second part—the effective rate of interest is 6.67 in the case of the private placement of 90 million Deutsch marks, and 6.98 in the case of the 150 Deutsch marks public issue.

**Mr. MacDonald:** I have two questions, Mr. Speaker, to the Minister of Trade and Development.

Pursuant to the Minister's reply to the hon. member for Oshawa on February 10, can the Minister inform the House what his industrial officers have reported might be done to assist the company and its employees following Kelvinator's announcement of a proposed shutdown of its London plant?

**Hon. Mr. Randall:** In answer to the question by the member for York South, may I point that it is obvious to our trade and industry officers that the company in question is not interested in continuing its present Kelvinator operation, inasmuch as they purchased the large new modern facilities of the Franklin Corporation in Galt, along with the Guelph Stove Company, formerly owned by the T. Eaton Company. They had also acquired the Hupp Company in Quebec which also manufactured a line of refrigerators and stove equipment.

In view of these acquisitions, and the fact that the Kelvinator facilities in London are obsolete, it is the intention of the company to rationalize production by producing both the Kelvinator and Leonard brand appliances from other sources, including its own.

It should be noted that the date of shutdown was not announced, but we understand it will be several months before production ceases. Therefore, there will be a gradual lay-off of 370 workers, some of whom already secured jobs with another appliance manufacturer in London. We also understand that it is anticipated that the 70 persons employed as office staff will be retained under the new distribution set-up.

The Canada Manpower Centre in London will register workers who complete unemployment insurance forms, and in discussing the possibilities of employment with the Ford Motor Company at Talbotville, they will go from the present 1,580 employees to 2,700 employees starting in May, and this plant will go on a two-shift basis.

Under the circumstances, while we recognize industry must rationalize its facilities to remain competitive under rapidly changing

conditions, it is obvious that any inconvenience to the employees is of a temporary nature and many of them will find the same line of employment, in most instances at a higher rate of pay.

**Mr. MacDonald:** My second question to the Minister is: Does the rent freeze in Ontario Housing Corporation, geared to income rental accommodation, apply to tenants who have moved into such accommodation since May of 1968?

**Hon. Mr. Randall:** Yes, the rent freeze in Ontario Housing Corporation geared to income rental accommodation does apply also to those tenants who have moved in after May 1, 1968.

In such cases the rent is calculated initially in accordance with the income of the family at the date the tenancy is established. Thereafter the rent is fixed, unless the income decreases. If earnings reduce, a corresponding reduction in the rental rate is put into effect. In other words, the rent does not go up but it can go down.

**Mr. MacDonald:** Question of the Minister of Lands and Forests: 1. Is the government still planning expropriation of properties on the Lake Erie shoreline for public park purposes? 2. If so, is the Minister in a position to indicate both the size and location of such properties?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member, yes, an area was expropriated in Bertie township and the size of the property is about 216 acres.

**Mr. MacDonald:** A question of the Minister of Municipal Affairs: On receiving complaints from tenants regarding nonpayment of tax rebates by landlords, how long does it take the department to mail out complaint forms to be completed by tenants?

Is this procedure followed with every complaint received?

Has the department determined yet what action it will take in dealing with the 49 tax rebate complaints against one landlord which were forwarded by my office on January 23, 1969?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** In reply to the hon. member, Mr. Speaker, the answer to the first part is, within 24 hours. During January, it may have taken up to two weeks, but they go out very quickly now.

My answer to the second part, no, this

procedure is not followed with every complaint received. Only if it looks as though it is a legitimate complaint do we send out a complaint form.

With regard to the third part of the question; we understand that that particular landlord was out of the country, but I understand he is back now, and we have arranged to meet with him on Monday to investigate the complaints with him.

**Mr. Speaker:** The hon. member for Windsor West has a question of the Provincial Treasurer, transferred from the Attorney General.

**Mr. H. Peacock (Windsor West):** Yes, Mr. Speaker, I initially directed the question to the Attorney General because I was under the impression that the limitations to which I was referring were found in The Trustees Act. However, I will place it to the Provincial Treasurer.

**Mr. Speaker:** The office of the Attorney General advised Mr. Speaker's office that it should be asked of the Provincial Treasurer.

**Mr. Peacock:** Thank you, Mr. Speaker. In view of the statement by J. R. Kimber, president of the Toronto Stock Exchange, that private pension plans should look beyond one class of investment in order to maximize returns, is the Minister prepared to amend the legislation to remove any barriers which may discourage them from investing in housing mortgages or Canadian equity stocks?

**Hon. Mr. MacNaughton:** Mr. Speaker, the answer in specific terms would be "no" to the matter of the amending of legislation. I say that in the sense that we would not propose any amended legislation until we have continued study of this matter, which is presently under investigation. It is not, I might say, just by way of addition, just as easy as it sounds to "amend the legislation". But the matter is under study. This is not the first time that the proposition has been directed to us. We are aware of the statement of Mr. Kimber, but it has been made by others and consequently the matter is being reviewed.

**Mr. Peacock:** Would the Provincial Treasurer say by way of a supplementary question if he will be tabling the report or the result of the investigation which he says is now under way?

**Hon. Mr. MacNaughton:** Mr. Speaker, I rather doubt that. It is being undertaken as a departmental review. The report will be

made available to myself in due course. Decisions as to what transpired from that point on will, I think, be made in the light of the information that is made available to me.

**Mr. Speaker:** The hon. member for High Park has a question of the Minister of Transport.

**Mr. Shulman:** Mr. Speaker, did the Minister investigate the matter of a certain individual receiving special treatment after his driving licence had been discovered to have expired for over a year, as the Minister promised the House on June 3, 1968? If so, what was the result of that investigation?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, on June 3, last the member for High Park falsely represented to the House that preferred treatment was accorded a certain driver whose licence had expired for more than a year. This was not so. This driver's former licence issued in 1964 under the new system had an expiry date of August 16, 1965.

This licence was not renewed until July 15, 1966—11 months after the expiry date but within the one year period for renewal without having to take a driver's examination. The driver in question subsequently used his renewal application to notify the department of an error in spelling of the street name, and a corrected licence was subsequently issued on September 5, 1966. September 5, 1966, is the date of issue shown on the corrected licence held by the driver.

Since this date is more than one year after the previous expiry date, it may have enabled the hon. member to jump to the erroneous assumption that a driver's test should have been taken. However, the licence had been renewed in July, 1966, not September, and a test was not required under the regulations. The corrected licence was mailed to the driver.

**Mr. Speaker:** The hon. member for Welland South has a question of the Minister of Energy and Resources Management.

**Mr. R. Haggerty (Welland South):** Is the Ontario Water Resources Commission presently investigating chemical waste being dumped into the Welland River from the Welland plant of the Cyanamid Company of Canada at Niagara Falls?

Are sufficient safety precautions being taken at the plant to check the flow of waste into the river during the period of the present strike?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, I will take the hon. member's question as notice.

**Mr. Speaker:** The hon. member for Sudbury East has a question of this Minister.

**Mr. E. W. Martel (Sudbury East):** When Ontario Hydro purchases power at peak rates from the United States, what is the cost per megawatt? How much of the power purchased from the United States in November was at peak rates?

**Hon. Mr. Simonett:** Mr. Speaker, I will take this question as notice.

**Mr. Martel:** A question of the same Minister:

1. Was the lock-out of union members at Lakeview last week responsible for the purchase of power?

2. If so, is Hydro management responsible for the crisis created and are they trying to use any resulting power losses to discredit the union?

**Hon. Mr. Simonett:** Mr. Speaker, I will take that question as notice.

**Mr. Martel:** I am really doing well with this, Mr. Speaker. A question of the Minister of Energy and Resources Management.

In view of the Minister's reply to the House regarding the cyanide spillage that, "the spill of cyanide was at the tailings area serving the Levesque mill of INCO and not directly to Moose Creek", how does the Minister explain the fact that men who cleaned the area of cyanide are willing to give evidence and have, in fact, given evidence that they were instructed to flush out the area through a sump and that the cyanide was flushed directly into Moose Creek?

What action does the OWRC intend to take against INCO, because the company did not advise them immediately that the spillage occurred, so that tests could be taken to ensure the water was safe, or warn the people if it was dangerous?

**Hon. Mr. Simonett:** Mr. Speaker, I will take that question as notice.

**Mr. Martel:** Boy, he is batting a thousand today. I have a question of the Minister of Mines.

**Mr. Speaker:** Order! The hon. member, when we come to the Minister of Mines, will

in due course place that question. The member for Hamilton Centre has a question of the Minister of Trade and Development.

**Mr. N. Davison (Hamilton Centre):** What was the unit cost of building the 91 geared-to-income rental houses on the old Canadian Cotton Mill site in Hamilton, on James Street North between Ferry and Strachan Streets; and what was the unit cost of similar houses built on James Street North between Picton and Macaulay Streets?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member, the final costs have not yet been determined. The average cost at this time for the 91 unit family housing project, commenced in 1968, on the former cotton mill site is \$16,200 including land, building fees and interest charges. The average cost of the houses on James Street North, commenced in 1967, are \$15,860. I say these are average because we have not got the completed figures, but I can get them for you at a later date.

**Mr. Davison:** A supplementary question. Could you tell me the reason for the different costs in the units of the two projects?

**Hon. Mr. Randall:** I could not without checking into it. Maybe land costs; maybe the size of the projects. It could be a number of things. I will check into it.

**Mr. Speaker:** The hon. member for Grey-Bruce has a question of this Minister, and I would call to his attention once again that the department is Trade and Development and not Economics and Development.

**Mr. Sargent:** What does it matter? This question asks, Mr. Speaker: Is the Minister aware that in Akron, Ohio, the housing authority there is erecting 1,500 public housing units worth \$16,000 a unit which rent for \$51 a month?

Will the Minister advise why such an instant public housing programme of this nature of low cost, cannot be put into force here in Ontario and, further, what steps is the Minister's department taking to provide a framework of legislation for trailer parks in the province of Ontario?

**Hon. Mr. Randall:** Mr. Speaker, regarding the information that the hon. member is looking for, he got out of a newspaper report and I do not know what the facts are so I cannot speak for what they are doing in Ohio. I would be glad to have further information on it.

As I have just read to the hon. member for Hamilton East, the costs of our projects in Hamilton are averaging \$16,200 with land and all other fees, and our average cost of public housing up to the end of last year has been \$15,000 or less, which includes all land costs. On the geared-to-income basis, we have some people living in our projects as low as \$32 a month.

So I think, on average, we are meeting those kind of conditions. But if there is any further information available on what they are doing in Ohio I certainly would be glad to have it because we will follow it through.

On the second question, as I said, we are always looking for new ways, in fact, we will be meeting the federal Minister of housing this Saturday to discuss some of the things in his report. If there are any new methods or new ways in which we can produce cheaper housing certainly we are quite interested in looking at it.

Insofar as the framework of legislation for trailer parks, I really believe it comes under the Minister of Municipal Affairs. We have had discussions with people in Ontario who are building home trailers. There was a restriction in one of our Acts which the hon. Minister of Municipal Affairs removed in order to help these people get home trailers sold.

I do not believe Central Mortgage and Housing Corporation at the moment have passed any legislation to permit them to take a mortgage on this type of accommodation, but, again, as you know, it is mentioned in the task force report, and I presume it will be one of the things we will discuss this coming Saturday.

**Mr. Sargent:** Could the Minister advise, Mr. Speaker, how many units in low cost housing at the \$30 a month cost are in effect here in Ontario?

**Hon. Mr. Ranall:** I could not tell you that. We have something like 21,000 units of public housing, that people are living in now, and with what we have under development and what we are building we will be close to 40,000 before we are finished with it. They average at all prices, I would say from \$32 on up.

**Mr. Speaker:** The hon. member for Perth has a question of this Minister.

**Mr. H. Edighoffer (Perth):** Mr. Speaker, is the Minister aware that 160 people will be

unemployed in Stratford in April due to the closing of Cluett Peabody and Co.? Is the Minister prepared to take immediate action to provide employment for these people through the Ontario Development Programme?

**Hon. Mr. Randall:** Mr. Speaker, I have a very lengthy explanation here which I will not give because I know the hon. members do not like to hear a long speech from me. But let me say this. The situation at Cluett Peabody and Co., is brought about, of course, by the import of synthetic textiles on which there is no quota. I understand that the federal authorities in Ottawa are now looking at it, and will probably place a quota on synthetics.

They have a quota on cottons, and I can appreciate their problem because many of the countries we do business with have a difficult job selling Canada anything. Textiles are one thing they can make, and make well. So this has caused some problems with Cluett Peabody.

But I understand, in talking to the management, that half of those people will go to the new plant in Hamilton and Kitchener and already Stratford manufacturers have agreed to take the rest of the employees if they will make application for jobs. I do not think there is any hardship going to be created here by this close down.

**Mr. Speaker:** The hon. member for Windsor West.

**Mr. Peacock:** I have a question from yesterday, Mr. Speaker, for the Minister of Trade and Development. Why did Ontario Housing Corporation decide to determine the need for family housing in Windsor by means of a survey of applications on file as of December 2, 1968, rather than conduct a full socio-economic survey, which the Minister of May 9, 1968, said was the normal practice of the Ontario Housing Corporation? And of the 640 families who did not reply to the mailed questionnaire and whose names have been removed from the mailing list, how many has the local housing authority actually verified to be no longer in need?

**Hon. Mr. Randall:** Well, Mr. Speaker, as I indicated to the member on May 9, 1968, I explained to him at that time that applications on file with local housing authorities were used as one of the OHC survey techniques. This is usually done where the authority has a substantial number of investigated applications on file, which, when

verified by OHC's research staff may provide the necessary demand for an immediate additional programme.

In both June, 1966, and October, 1967, full socio-economic surveys of the Windsor housing market were prepared by the city of Windsor. In January, 1968, a survey of senior citizens' demands was carried out and again, in January, 1969, a report on family housing applications was completed. All surveys requested by the city of Windsor have now been met by OHC.

Of the 640 applicants who did not reply to the mailed questionnaire, 167 could not be reached by the post office, a further 17 requested the corporation to cancel their applications, and 456 chose, for one reason, or another, not to return the questionnaire.

The Windsor Housing Authority is currently verifying, on a sample basis, the need of this latter group. Of those contacted to date, about 80 per cent apparently no longer require Ontario housing, or do not wish to pursue their applications for Ontario housing.

**Mr. Peacock:** I wonder, by way of a supplementary, Mr. Speaker, if the Minister would not agree that his department, or rather that the Ontario Housing Corporation, should no longer accept requests from local municipalities to conduct an accurate measure of housing need on the basis of going through applications that the local authority happens to have on file at a particular point, because this is no way to measure any extent of demand.

**Hon. Mr. Randall:** I think, Mr. Speaker, we can review that. I think our methods have been rather successful to date, but we are quite prepared to change.

**Mr. Peacock:** Way behind!

**Hon. Mr. Randall:** Oh, I do not think so. I think we do a pretty good job.

**Mr. Peacock:** I have another question of the Minister, Mr. Speaker. In view of the report in today's *Globe and Mail* that national Housing Act loans are extremely scarce, is the Minister prepared to make mortgage money available for low cost homes in order to back up his assertion at the OHC housing conference that "government cannot permit a situation to continue where the development for sale to moderate income families is prejudiced through lack of funds"?

**Hon. Mr. Randall:** Mr. Speaker, we would have no HOME programme today if the



Minister, along with the hon. Treasurer, and not gone to the financial institutions and got them to put money into NHA mortgages. We were back to the financial institutions twice in 1968.

At the present time, to my knowledge, under the HOME programme at least we are not being turned down by the finance institutions. In fact, our project the other day—the condominium project—was all through a local bank, the Royal Bank of Canada, which indicates that the money is still forthcoming. I have every belief that this programme for NHA mortgages will continue.

I think also that the builders who are building under NHA that are not in the HOME programme have been able to get funds out of the same sources. This again is one of the things we will be discussing with the Minister of Housing this coming Saturday because I think other things have to be done to make sure that money is available for all types of housing, not just that under HOME.

I would like to see it made available for other builders who do not come into the HOME programme. And I think we are providing the funds.

**Mr. Speaker:** There are some questions of the Prime Minister which I think we should now have asked. The hon. member for Port Arthur has one from the other day?

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question of the Premier of Ontario:

How many members of the tourist guide staff in the Queen's Park complex speak French? How many security guards and Ontario Provincial Police officers who are regularly on duty at Queen's Park speak French?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, there are ten girls on duty here and in the complex, and of these, three speak French.

There are 26 security guards on the public works staff working in the main building, the Frost building and the Whitney block. Of these 26 people, two are bilingual. There are five provincial policemen on duty around the building here and one of these is bilingual.

**Mr. Knight:** Would the hon. Premier permit a supplementary question? I am wondering, Mr. Speaker, whether these persons who are bilingual are of French-Canadian origin or English-Canadian origin, and whether their bilingualism qualifies them for higher salaries?

**Hon. Mr. Robarts:** I would have to take that as notice.

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, a question of the Prime Minister.

What percentage cost for elementary and secondary school education is presently borne by the province?

**Hon. Mr. Robarts:** Mr. Speaker, that question will take a little research so I will ask that it go to the order paper.

**Mr. Speaker:** The hon. member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Would the Premier assure the people of the city of Sarnia that the Cabinet of Ontario has not already made a decision relative to the designation of the Sarnia area under The Ontario Water Resources Commission Act?

**Hon. Mr. Robarts:** Yes, I think I could so assure the people of Sarnia. There was a meeting. Two members of the Ontario Water Resources Commission went to Sarnia and held a meeting, I believe on Feb. 1; it was a public meeting, but the results of that meeting have not yet been fully evaluated. No decision has been made and the matter has not come to the government.

**Mr. Speaker:** The hon. member for Sarnia has a question of the Attorney General?

**Mr. Bullbrook:** Yes, to the Attorney General:

Is the Ontario police commission undertaking an investigation of the police force in Brantford? Is there any special reason for the investigation?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the answer to the first part of the question is yes. On the second question, I am advised by my officials that the board of police commissioners received a complaint. They have called upon the Ontario police commission to investigate the matter as they feel the commission would take a more objective view than the local board of police commissioners.

**Mr. Bullbrook:** Mr. Speaker, do you wish me to direct my question to the Minister of Municipal Affairs?

**Mr. Speaker:** Today we are going down the roster by seniority. A little later we will come to that.



**Mr. Bullbrook:** It does not seem very senior to me.

**Mr. Speaker:** The hon. member for Humber has a question of this Minister.

**Mr. G. Ben (Humber):** A question of whom?

**Mr. Speaker:** The Attorney General. The question is to the Attorney General from George Ben, MPP, Humber. "Under what circumstances", etc.

**Mr. Ben:** Oh, I am sorry. I had one to the Minister of Health also.

Under what circumstances may a fertilized ovum be disposed of without record? Is the disposal of a fertilized ovum a criminal offence?

**Hon. Mr. Wishart:** A strange question. Mr. Speaker, in answer to question 1, I would refer the hon. member to The Vital Statistics Act, Chapter 419, section 14, of the statutes of Ontario. The Vital Statistics Act, Chapter 419, RSO, section 14. That section requires the registration of a still-birth. A still-birth is defined by the Act as meaning a complete expulsion or extraction from its mother after the 20th week of pregnancy of the foetus that did not at any time after being completely expelled or extracted from the mother breathe or show any other sign of life.

That would indicate, I think, that registration would not be required. Perhaps the best way to put it is if the stillborn foetus was expelled or extracted before the 20th week of pregnancy. After that, it must be recorded under The Vital Statistics Act.

And then the second question: "Is the disposal of a fertilized ovum a criminal offence?" I can advise the hon. member that section 237 of The Criminal Code makes it an offence to commit an abortion. That is as far as I am able to answer that question at the moment.

**Mr. Ben:** Mr. Speaker, may I ask if the Attorney General will accept a supplementary question?

Since it is not a criminal offence—that you can dispose of a fertilized ovum of less than 20 weeks' duration—

**Hon. Mr. Wishart:** I did not say that, Mr. Speaker. The section says that if the birth or the extraction occurs after the twentieth week, then it must be recorded. I did not say you could dispose of it. It would appear to be that it is not regarded as alive until the 20th week.

**Mr. Ben:** The question I want to ask is from what the Attorney General said you need not record an extraction of a foetus or an ovum less than 20 weeks old.

**Hon. Mr. Wishart:** That was the question.

**Mr. Ben:** That is what the question said. And yet it is an offence to extract one. Is that correct?

**Hon. Mr. Wishart:** Mr. Speaker, the first question asked when did such a birth, if I may call it that, need to be recorded. The answer is that, if it occurs before the 20th week of pregnancy no record is required.

Then, "Is the disposal of a fertilized ovum a criminal offence?" Section 237 of The Criminal Code makes it an offence to commit an abortion. Now, there might be an abortion—the hon. member will know—without commission of an abortion under the Code. And his question seems to go to the question of could the ovum in those circumstances be disposed of. The apparent answer would seem to be that it is not regarded as being live if it occurs before the 20th week of pregnancy.

**Mr. Speaker:** The hon. member for Brantford has a question of the Minister of Labour.

**Mr. Makarchuk:** A question of the Minister of Labour:

In view of letters sent and delivered to striking employees of Chicago Rawhide, Brantford, threatening the employees with mass dismissal unless they return to work by noon tomorrow, what action does the department intend to take against the firm for contravention of The Labour Relations Act?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the parties to a dispute are the ones who would take action in connection with a contravention of The Labour Relations Act. If there is a suspected contravention in this case, the union should apply to the labour relations board for the appropriate remedy.

**Mr. Speaker:** The hon. member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Speaker, my question is to the Minister of Labour:

Has the Minister yet received the conciliation board report of the dispute between the teaching nurses association and the Hamilton School of Nursing?

If so, will the Minister release the report forthwith? If not, what are the reasons for the delay?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question I am advised that the report was mailed to the parties yesterday.

**Mr. Speaker:** The hon. member for Sarnia now has the Minister of Municipal Affairs at his disposal.

**Mr. Bullbrook:** Thank you very much, Mr. Speaker.

Would the Minister advise as to whether his department has been, or is, preparing any general rent control legislation?

**Hon. Mr. McKeough:** No.

**Mr. Speaker:** The hon. member of Sudbury East has a question for the hon. Minister of Mines.

**Mr. Martel:** What action does the Minister suggest should be followed now by the mine mill union to ensure that no more of their members suffer hearing injuries as a result of the excessive noise at the Fecunis mill?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, as I indicated to the hon. member yesterday, I am informed that our department has had no complaints whatsoever regarding any noise problem at the Fecunis Mill.

**Mr. Sargent:** Mr. Speaker—

**Mr. Speaker:** The hon. member for Grey-Bruce has the floor.

**Mr. Sargent:** I have a question to the hon. Prime Minister.

**Mr. Speaker:** Perhaps before the hon. member places it, we will locate it. Then the hon. member may place it if the Prime Minister has it.

**Mr. Sargent:** Thank you, Mr. Speaker.

A report in the Toronto *Telegram* on Wednesday, February 19, revealed that great pressure was being put on the Ontario government by private insurers to block the universal Medicare scheme.

Will the Prime Minister advise:

(1) That there is no such pressure in fact?

(2) How does the Premier justify that Medicare is a Machiavellian fraud when it was passed unanimously by every Conservative member of the House of Commons?

**Mr. Nixon:** Is that anything like a fiscal nightmare?

**Hon. Mr. Robarts:** No. There is no foundation to this allegation, Mr. Speaker. People have been trying to implicate me personally, and this government with the insurance companies for about as far back as I can remem-

ber and there is absolutely no truth in the rumour. I read the report in the paper and as far as I am concerned, it is just another statement by somebody that the insurance companies are trying to pressure this government. They are not and it would not do them any good even if they chose to do so.

Now, the second question. I am not responsible for how the members of the House of Commons vote on any issue that comes before them. You will have to address that question to those men. I do not know how they voted when the whole plan was before the House of Commons.

**An hon. member:** How do you justify the statement—

**Hon. Mr. Robarts:** It is not difficult to justify the statement if you want a complete explanation of my approach to Medicare, and to this particular plan which is a deliberate attempt by the federal government to use fiscal leverage to invade a constitutional field which belongs to the provinces. At the present moment we are paying for it and getting nothing. It is not a national Medicare scheme. It is purely a financial scheme. There is no national Medicare plan available. It is a purely financial plan.

There is a built-in element of equalization in it that you probably are aware of. Mr. Smallwood will make money on the plan, if he goes into it, for every resident of that province because his costs are lower than the national average. In this province, our costs are higher so we would get much less than the other provinces in Canada.

There are any number of reasons why we feel that it is not a particularly good plan. To justify my statement I could point out to you that the federal government has indicated that five years from now they are going to pull out of the plan and leave it to the provinces to finance themselves—

**Mr. Nixon:** With appropriate fiscal equivalents.

**Hon. Mr. Robarts:** —with appropriate fiscal equivalent. And ten years from now, of course, there will be no fiscal equivalent because the cost of these plans does nothing but increase. The idea is that we are to destroy every plan that has been built up in this province, and many of them have been hammered out over the conference table. All these plans are to be destroyed. There are some firms paying the full amount for their employees; some firms pay part of it—pro-

vide medical—and all these are to be destroyed.

Interjections by hon. members.

**Hon. Mr. Robarts:** These are just some of the points that I make. I must say, I wonder myself if Ontario were to go into this scheme and Quebec stayed out, for instance, how can you tax the people of Quebec to pay for Medicare in the rest of Canada. At the moment the rest of Canada is paying for Saskatchewan and British Columbia. The Maritime provinces, several of them, have stated categorically that they cannot afford their share of it. And yet they are going to be asked to pay for it for the rest of Canada.

These are some of the reasons why I say it is a fraud on the Canadian people.

**Mr. Sargent:** Mr. Speaker, in a supplementary way I would like to suggest that—

**Mr. Speaker:** Order! If the hon. member has a supplementary question he may ask it.

**Mr. Sargent:** May I ask the Prime Minister, if he feels that we only cover two million people in Ontario by OMSIP, then in fact he did bomb out when he said he spoke for Ontario on Medicare, because he does not.

**Mr. Speaker:** Order! The hon. member's question is out of order. The hon. Minister of Energy and Resources Management has answers.

**Hon. Mr. Simonett:** Mr. Speaker, I have an answer to question 655 asked by the hon. member for Port Arthur. His question was:

Why was the recommendation of the Lower Trent Region Conservation Authority for the appointment of authority members ignored by Order-in-Council #550/69 on February 6, 1969?

Why was a representative from Stirling appointed who has been actively opposed to the formation of the authority?

The answer: In making appointments to conservation authorities under section 12, subsection 5 of The Conservation Authorities Act, recommendations are requested widely on possible appointees. A choice is then made of three people who we believe will bring a good balance of skills to the authority along with a balanced geographical distribution.

In the case of the Lower Trent Region Conservation Authority, we were fortunate in obtaining the service of a strong conservationist; a person skilled in the newspaper and communications field and a person with wide experience in municipal administration.

We have no knowledge of any of these appointees being opposed to the formation of the authority and all willingly agreed to serve.

**Hon. Mr. Randall:** Mr. Speaker, there is one question from the hon. member for Scarborough West, if he would like to ask it.

**Mr. Speaker:** Oh yes, he has returned. I am sorry.

**Mr. S. Lewis (Scarborough West):** Mr. Speaker, a question of the Minister of Trade and Development.

Did John Deyell Limited, of Lindsay, receive assistance under EIO recently? If so, what was the amount of the assistance? Did this company receive any assistance from the Ontario Development Corporation?

**Hon. Mr. Randall:** Yes, Mr. Speaker, John Deyell Limited, of Lindsay, received an EIO loan of \$215,633 approved by Order-in-Council and dated December 12, 1968.

**Mr. Speaker:** Orders of the day.

#### THE MECHANICS' LIEN ACT, 1968-1969

**Hon. A. A. Wishart (Attorney General)** moves second reading of Bill 36, The Mechanics' Lien Act, 1968-1969.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, perhaps before I begin the Attorney General would join me in inviting anybody who is not a member of the legal profession to escape now, before we get started into this. Presuming that we are going to do all the orders of the Attorney General today, there is probably two hours of discussion.

**Mr. J. Renwick (Riverdale):** A simple plan for the working man!

**Mr. Bullbrook:** As my friend from Riverdale says, it is a simple understanding. They should escape.

**Hon. Mr. Wishart:** Mr. Speaker, since I have been invited to join the hon. member I should say no, we cannot do so. I think it would be a very great educational exercise—

**Mr. J. L. Brown (Beaches-Woodbine):** In futility.

**Hon. Mr. Wishart:**—particularly since this Mechanics' Lien Act touches so many construction workers, on the finance side, and the public generally. It is a very important bill. I hope that all members would stay and perhaps take part.

**Mr. Bullbrook:** I was being somewhat facetious, but we are collaterally chastized, I think you will agree, every time we get up in this House, for being involved with subjects that are less than interesting.

Sir, beginning the general discussion and debate relative to 'The Mechanics' Lien Act, 1968-1969, I would just like to make it paramountly clear that the confinement of my particular practice does not lend itself to any expertise on my part relative to this statute or its predecessor.

However, in dealing with same generally I think it would be to the greatest advantage of yourself, sir, and perhaps the other members of this House if I took the time just to read the explanatory note on the inside cover of the publication of Bill 36. It does set forth, in general detail, the history of the concern of the present government in connection with this Act.

As you are aware, sir, The Mechanics' Lien Act and predecessors of it have been in being for approximately 100 years. And as has been said by the law reform commission we, during that time, have proceeded from an agricultural environment and economy to a relatively highly industrialized and commercialized economy. I think it should be said for the purposes of the record that it is very nearly time that we are standing here today and debating this particular type of statute.

It is inconceivable to me, really, that a government, or an administration, or at least a party, could administer for some 25 years in this province and not have initiated some response to the difficulty arising from litigation other than in 1965.

In any event the explanatory notes that I mention say generally:

In 1965, the Ontario Law Reform Commission undertook an extensive study of the law in Ontario on mechanics' liens. A report dated February 22, 1966, was made by the commission to the Attorney General containing its recommendation for updating The Mechanics' Lien Act. Bill 190, based upon the report, was introduced and given first reading at the 1966 session.

This gave the proposed legislation wide distribution in convenient form for study by interested persons and organizations.

The commission then held public hearings and considered many submissions which resulted in a supplementary report dated May 26, 1967. The recommendations of the commission contained in the supplementary report have been incorporated in this bill. There is, however, one

major exception. This bill does not transfer jurisdiction in mechanics' lien actions from the Supreme Court to the county and district courts as recommended by the commission in both of its reports.

It was thought advisable to leave this matter in abeyance pending the conclusion of the general review of the jurisdictions of the several court systems in Ontario now going on as a result of the recommendations of the McRuer report.

This bill also contains a number of editorial and other changes designed to clarify the intent that have resulted from the study of Bill 190.

Now, sir, I would like, in beginning my discussion of it, to refer to the original report of the Ontario Law Reform Commission as published on February 22, of 1966. On page 4 of that report the commission, in writing to the hon. Attorney General, advises as follows:

It is convenient to deal with the submissions and representations made together with our recommendations, under the following headings:

1. Suggested repeal of The Mechanics' Lien Act;
2. Suggested radical changes in basic principles of the Act;
3. Transfer of jurisdiction to the county and district courts;
4. Amendments in the substantive law;
5. Amendments relative to proceedings to realize a claim for a lien.

I suggest to you most respectfully, sir, that if I involved myself today with parts 4 and 5 of their recommendations, I would be in effect digressing from the actual discussion of the principle of the bill itself, but rather getting into the substance of the bill. We look forward to lengthy debate, I would hope before the legal bills committee, and I would like to get perhaps some response at this time from the Attorney General. Are we going to be assured now that this will go before the legal bills committee?

**Hon. Mr. Wishart:** Mr. Speaker, my full intention, of course, is that this bill, and any bill of this type, should go before the legal bills committee.

**Mr. Bullbrook:** I am very glad to hear that. It has such far reaching ramifications, and, as I say, we are not overly knowledgeable in this House in connection with the actual technique of the Act itself. So I look forward to an opportunity, and I am sure my friend,

the hon. member for Lakeshore would join me in this, we look forward to an opportunity to be given the profession and everyone else interested in this statute, that they come before our standing committee on legal bills to digest this again completely.

**Mr. P. D. Lawlor (Lakeshore):** Give them lots of notice.

**Mr. Bullbrook:** Give them lots of notice, as my friend said, so they cannot go to their Canadian Bar Association and then chastize the hon. Attorney General for not giving them the opportunity of having their day before our committee.

I must join my friend in his comments that he made some three weeks ago that some of these fellows who go to the Canadian Bar Association conventions—whether they just like to hear themselves talk, I do not know, but we sat there, Mr. Speaker, many nights until 11 o'clock.

They had ample opportunity to finish their practice of the day and come before us and give us the benefit of their intelligent comment and knowledge. This is what we look to in connection with this statute.

As I say, I do not intend to deal, while discussing matters of principle, with parts 4 and 5 of the recommendations itself. Suffice to say that there have been, Mr. Speaker, tremendous—perhaps that is too large a word—significant and substantive changes in the Act itself.

I relate to the definition section for a moment, section 1, where we incorporate and codify the doctrine of substantial completion. It is good to see that codified and set somewhat to rest, because it has been a tricky problem not only for the lawyers involved in mechanics' lien actions, but for the courts themselves to decide what really constitutes substantial completion in connection with a contract.

Now, getting to the first recommendation and the position, I take it, of my colleagues in the Liberal Party in connection with this recommendation, the suggested repeal of The Mechanics' Lien Act.

We associate ourselves entirely and unequivocally with the recommendation of the Law Reform Commission as set forth on page 4. I want to read that if I might:

A few suggestions were made that The Mechanics' Lien Act should be repealed on the ground that it is discriminatory legislation, and that creditors' claims for work done or material supplied should be

enforced in the courts in the same manner as ordinary claims for debt.

This legislation has been in force since 1873 and has been accepted as a special protection to workmen, contractors and suppliers engaged in the construction and building trades.

The philosophy of the legislation is that those who have contributed labour and material to the creation or improvement of a building or work, should have some protection against loss of the contribution they have made to the development of the asset.

I think that, Mr. Speaker, is the essence of our position. We agree with this, that a supplier and a workman do have some almost proprietary vested interest in the created fact. We agree with the commission in this basic philosophy. Our conclusion is that the philosophy in the Act is sound and it would not be in the public interest to repeal it, I do not think much more need be said as far as our position in this connection.

I will have to comment slightly when we get to the second part of the discussion of the philosophy behind the bill itself, where we get a polarization between the need for this Legislature to protect the workman and his vested interest; and the undue restriction and difficulty that this type of legislation puts upon the economics of the construction industry. That is really the essence of our problem, as I see it. I think perhaps the Attorney General might agree with it.

We take the position, as I say, that there should be no repeal of the Act; they should be in a preferential position, and there should be a statute to see that they continue to be in such preferential position.

Now, if you will permit me, Mr. Speaker, I will transfer my comments to the third recommendation—the transfer of jurisdiction to the county and district courts.

The hon. Attorney General, through his department and through this legislation, has said in effect that it would be a little premature for him to consider at this time such a transfer as recommended by the Law Reform commission both in their original report and in their supplementary report itself. I harken back, sir, if I might, to the words:

It is thought advisable to leave this matter in abeyance pending the conclusion of the general review of the jurisdiction of the several court systems in Ontario now going on as a result of the recommendation of the McRuer report.



The recommendation of the law reform commission in this connection, Mr. Speaker, says in effect that we see no validity in retaining within the jurisdiction of the supreme court a mechanic lien actions total. I think they use the example of the \$25 claim, in effect, having to go before a supreme court justice.

But the fact of the matter is that about 98 per cent—and this is off the top of my head—of these claims go before the local judge of the supreme court anyway, so it is the same person as the county court judge. I really see no great benefit in retaining the *status quo* as it is.

I find it difficult really to conceive that any recommendation that might come down would really be of such a nature that it would dispose of, for example, the quantitative strata as between supreme, county and division courts.

I cannot, on the face of it, see why the recommendation was not implemented at the present time, that is, that mechanics' lien actions be placed in the same position as any other actions; that the quantitative jurisdictions of the several courts apply to the mechanics' lien actions as they do to general civil litigation.

It would be our opinion in the Liberal Party—unless the Attorney General could persuade us otherwise, and we are certainly open to persuasion—that really he should consider at this time dispensing with the archaic procedure of having \$25 claims technically before the supreme court of Ontario, and getting them down into the appropriate general jurisdiction.

Mr. Speaker, to get to what is really the salient discussion and I think is the essence of what I want to say, the third recommendation of the law reform commission. They dealt with it originally, as I said, in 1966, the suggested radical changes in basic principles in the Act itself. These so called radical changes, Mr. Speaker, resulted from recommendations made by the Board of Trade of Metropolitan Toronto.

Their concern was, as I mentioned before, the fettering of an industry itself in a free enterprise system. That is a poor way of putting it, but that is essentially it. I do not think there is any doubt that the creation of trusts and the holdback necessities do fetter an industry itself, and fetter the credit position of the industry itself.

The law reform commission essentially took the position that they would not accept the recommendations 6 to 13, and I would like to read, if I might, sir, from the report relative to these recommendations.

In its report, the commission referred to the 13 proposals for amendment of the Act emanating from the conference and studies sponsored by the Board of Trade of Metropolitan Toronto. After careful consideration, the commission decided that proposals six to 13 of the conference report were unacceptable for reason that their adoption and implementation would alter completely the basic philosophy of the Act. That philosophy, which is amply demonstrated by the provisions of the Act, is that where an asset has been created by the application of labour and materials, it should stand as security for payment of such labour and materials. The Act was neither designed, nor does it purport, to regulate the economics of the construction industry.

Mr. Speaker, I bring this to your attention again. These are what the gentlemen of the commission say to us. The Act was neither designed, nor does it purport, to regulate the economics of the construction industry. But they entirely beg the question, because, in point of fact, what the Act does—and it has to do—is regulate the economics of the construction industry. That is what it does. Whether it is designed to or purports to, that is what it does.

This, really, as I see it, is the essential decision that has to be made by this House. To attempt to facilitate the construction industry and to attempt to relieve them from this fettering that the statute provides, while at the same time seeing that the philosophy of the Act, as they call it, to protect the workmen or supplier, remains.

This is really our task before the legal bills committee and before the committee of the whole House. I suggest that this is really our task—to see if we can ameliorate the position put forward by the Board of Trade, because there are some very strange things said in connection with this. The law reform commission just about turns out of hand. I read from page 10 of the original report:

In view of the fact that the adoption of the proposals six to 13 would fundamentally change the underlying philosophy of The Mechanics' Lien Act and would require very wide legislative changes, these should be dealt with before considering our suggested amendments to the Act. The Mechanics' Lien Act, as originally conceived, was legislation designed primarily to protect the wage earner and the material matter supplier. Where the legislation has not kept pace with the economic development of the province, there have been no



widespread recommendations made to the commission for a change in the prevailing philosophy of the Act.

It is difficult to accept the words "there have been no widespread recommendations made to the commission for a change in the prevailing philosophy of the Act." Then you go to page 5 of the original report, and it says:

In the brief presented by the Board of Trade of Metropolitan Toronto representations were made that, if given effect to, would amount to radical departure from the basic philosophy of the Act.

Now, importantly, sir, listen, if you would:

For several years the board of trade had sponsored a conference dealing with the provisions of The Mechanics Lien Act. This conference was composed of representatives of the following organizations: the Association of Ontario Trade Contractors, the Board of Trade of Metropolitan Toronto, The Canadian Construction Association, the Canadian Credit Men's Association, the Canadian Manufacturers Association, the Lumbermen's Credit Bureau Incorporated, the Ontario Association of Architects, Ontario General Contractors Association, Ontario Road Builders Association, Toronto Construction Association.

And the gentlemen of the commission tell us that there is no widespread objection to the adoption of these principles. In point of fact, there is widespread objection and the fact is that these are the knowledgeable people. These are the people that know about the Act. These are the people that know much more about the Act than I do, and I am supposed to be speaking as somewhat knowledgeable about it.

I feel, frankly, that we have to have these people come before us and give us an opportunity to, perhaps, take issue with some sections of the Act. Without unduly burdening you or my colleagues in this House with the length of my comments, I want to ask you again to consider what they said before—that really they do not consider that they are unduly fettering the construction industry. Just look at section 3, of the Act and see the broadening of the trust aspect of moneys on deposit in the bank. You recognize that a general contractor is not in the same position as an auto manufacturer. Not that he should be, but what we should do is make amply clear, we should satisfy ourselves fully and wholly that we have done everything possible to assist these knowledgeable people in trying

to put forward into this legislation some aspects of assistance in their own problems.

Basically, the position of our party, as I understand it, is this: That we accept wholeheartedly the need for a Mechanics Lien Act. It goes without saying that we accept wholeheartedly the need for a new Mechanics Lien Act, and we are prepared to do everything that we can to see that the basic and fundamental philosophy of the protection of the workmen and the supplier is carried forward, and ameliorate the position, the economic position of the industry itself.

Mr. Lawlor: Mr. Speaker, in rising on the debate on The Mechanics Lien Act, may I join with my friend from Sarnia in his basic contention that questions of principle of far reaching moment are involved in this bill.

May I say in advance, in tones of lamentation with respect to the rules of the House, that in a matter, which, as you will see in a few minutes, involves such deep reaching, conflicting and rather difficult stuff (even trying to make an exposition of it seems to me difficult enough) there are provisions in the rules of this House whereby this matter could be referred out after first reading. In a matter of this kind we are expected to read briefs, which we have done, and to look over and peruse a great mass of material.

Some of the proposals being made seem to me to have eminent good sense. The implications are on the economic structure of the province and on the inter-relations of the construction field; very deep-reaching. They could alter the basis. On one side they affect monopolistic practices and combines, which I feel that the board of trade recommendations tend to do on the one hand. On the other hand, there is a series of suggestions with respect to abolishing hold-backs, and to the abuses that have crept into the existing legislation, which I do not feel competent, after a brief reading to even discuss with the hon. members, my colleagues. I should have preferred to hear these people, who are so deeply disgruntled and knowledgeable in their field, argue the matter before us first. Perhaps a few penetrating questions would clarify the issues in such a way that would enable one to come to a determination; at least one could begin.

At the moment, I stand in a state of considerable confusion over the whole issue as to the merits of one claim against the other arising out of the board of trade recommendations. They do make certain recommendations, as I say, there seems to be considerable merit to them. But you have to segment out what is rubbish, what is to their own benefit

and what is self-interest in their association, from what is legitimate for the working people, for the suppliers, subcontractors and others in the province.

I think that this Act as before us is presented under somewhat false colours. It is certainly not a very thorough and deep revision of the mechanics lien legislation; it is an affirmation of the existing state of things which have bred a whole host of very serious anomalies in the financial structure of the province. I do complain a little about there being no possibility, except after this is referred out to the committee, to go properly into these, because the thing has already been approved in principle.

I say to the people of this province and to groups like the board of trade that what we do when we reach that stage is largely farcical. We have already approved the bill. While we are willing to make amendments here and there, what they are proposing would not be an amendment, but a completely new Act. If it has any validity, then it is too late to do that, we would have to do that next year with a completely new Act.

It would be a little embarrassing for the government, if it should reverse its position after these hearings, on seeing the enormous merit of it, and to have to bring in an Act just after having presented what they purport, on the whole, to be, a revised—you know—a bringing up to date of some old legislation touching mechanics' liens.

Now, I would ask through you, Mr. Speaker, the Prime Minister (Mr. Robarts) and others, to consider the possibility of doing something whereby a really viable debate and a really viable presentation of conflicting positions, particularly on tricky matters like this, be made available to the public.

May I also say that the law reform commission in this instance, in its original report and with its supplementary text, has let us down badly. My friend, the member for Sarnia (Mr. Bullbrook) has indicated it was a rather off-the-cuff dismissal, of a rather pretentious statement, as I see it, and it certainly was.

They have done excellent work, and this is the first encounter where I think that their work is slovenly and not deserving of the credence that has been given to it in re-constituting this legislation.

Now before getting on with the principle of the thing there are peripheral matters affecting principle that should be mentioned. This Act does branch out into the areas of giving cognizance to rentals of equipment

for the first time and that is an area that has been very badly overlooked and credit should be given on that score. The trust provisions having been widened, to include work not only already performed, but for which certificates have been given, is another thing that deserves commendation.

I am sure a good many lawyers in the province are going to be taken rather aback, you know, with the removal of the "umbrella clause"—that is the clause where somebody files his lien on time and another lawyer up the block does not manage to, but he can slip under the first lien and get his presentations made to the court.

I notice that the law reform commission in its first report comes down heavily in favour of retention of the principle and to that Mr. Bell, one of the commissioners, seemed to take some objection. As the bill has come before us that salient and saving gesture is removed. We have not that many saving gestures in the law, you know, that we can afford as practising solicitors to see any disappear out from under us. I do not know how many of my fellow solicitors have been saved by that clause, from malfeasance, non-feasance or whatever. Please leave it in.

**Mr. V. M. Singer (Downsview):** It is not just the solicitors, it is the public.

**Mr. Lawlor:** Well yes; but the solicitors could be sued for misfeasance of practice in failure to get the lien on time. And what difference does it make? The intent of the Act is wide enough, it is supposed to be a very flexible and an inexpensive procedure, and if one lien is registered why should lien holders, simply because of failure to get it on in the 37-day period, be out of court? Why should not all lien holders, all those who contributed to the building by way of actual work or supply of material, why should they not all be under the umbrella? This seems to me an extremely equitable thing.

I am going to take exception to the position of my friend, the member for Sarnia, touching on which jurisdiction ought to handle these claims, whether the supreme court or the county court judges. I am of the opinion that it should be left with the supreme court as the bill has done against the recommendations.

You know, the supreme court some years ago handed down a major decision saying that the Masters of that court handling mechanics' lien matters had no jurisdiction. So a revision in procedure had to take place whereby anybody suing under The Me-

chancs' Lien Act must go before a supreme court judge and be referred to a Master.

These Masters have been there for many, many years, they are very well trained, they are expert in their field. In my appearances before them I have always found them most knowledgeable—you are going to have to train a whole new area of the judiciary in order to handle these complexes; while these people have become aware of building practices—which is almost as important as the law—and I would think it is a very grave mistake to move that jurisdiction away.

**Mr. Bullbrook:** Now the member is just talking about the county of York.

Interjections by hon. members.

**Mr. Lawlor:** I would concede that is true, but it is the jurisdiction of which I am most acquainted and where this is the case. But, if you want to segment it off and make a distinction between the two—it would be rather derogatory for the other jurisdictions perhaps—but it has been done in other statutes that have come before this House, as to certain procedures in the county of York.

I see nothing wrong with it. I still think retention of the Masters who have become well acquainted with these matters over the years should be retained and not—I suspect the county court judges would refer a good many of these things off to some officer within the family court structure before you know it, and they would not be handling the matter either.

**Mr. Singer:** That is nonsense, the member knows better than that.

**Mr. Lawlor:** It is not nonsense.

**Mr. Singer:** Sure, it is nonsense.

**Mr. Lawlor:** With this particular area it requires enormous expertise and we have already got an educated body to do it, I see no reason at least in this county for not maintaining that.

Now to come to the principle of the bill, I would like to read just briefly from the great man himself, my friend Robert W. Macaulay, who wrote a handbook on mechanics lien some years ago. He says that: "The purpose of the statute is to prevent multiplicity of actions for small claims."

And incidentally, on that score, if you remove that umbrella you are just going to get a multiplicity of small claims proceeding not through The Mechanics Lien Act but through the county courts largely.

I do not think you are going to save anything, on the contrary you are going to clutter up the courts with that type of claim, in which the costs would be enormously out of proportion and in excess of the sum claimed.

"The Act endeavours to afford rapid, informal and inexpensive adjudication of suits." I wonder sometimes nowadays if much attention is paid to the expense side? The fact it is referred off to Masters can keep it relatively inexpensive but the costs of mechanics lien actions have crept up over the years and some consideration should be given to putting a ceiling on those costs by way of a tariff written right into this bill, or by regulations. It is no longer an inexpensive procedure, they may as well go to the top levels of the Supreme Court in order to adjudicate these claims.

"There are many decisions under the Act that illustrate the impatient attitude of the court toward technical arguments and defences." Well, there have been too many technical arguments and defences, that is partially why we are here today.

The business, as the member for Sarnia (Mr. Bullbrook) mentioned, touching the completion of the work, has been abused for an awfully long time by people coming in and saying that they have no right to file the lien because there was a little bit of work left to do and for which they hired somebody else. Then the arguments arise as to whether it was complete or not.

In any event the same courts will show reluctance to enlarge or extend the relief given as being in derogation of the common law.

He goes on to quote from Lamont, J. A.:

A mechanics lien is wholly a creation of the statute being in derogation of the common law.

The statutory provisions creating the right to a lien must be strictly construed and the lien claimant must show that his lien is clearly within the statute. If, however, the existence of the lien is established the provisions of the statute dealing with this enforcement being remedial should be given a liberal and beneficial construction.

Again, the tendency has been to become more and more technical in the interpretation of the clauses under the present Act and in some ways that is alleviated under this present legislation even as it is proposed.

Now, to turn to the problems of the board of trade I will not go into an elaborate dissertation on the subject. The first point is to

stress that those who have caused any default in payment to subcontractors or suppliers ought to be the ones, that is, the ones who set up the original contract, ought to bear the brunt; and, you know, there is good sense in that.

For the law reform committee simply to say that this is a principle unknown to our law that we are setting up a new privity of contract, where none exists, and making people liable for the superintendence of contracts which they initially did not institute is simply not valid. The fact of the matter is that in the echelons of hiring parties—the hiring party is often the owner too—down through the general contractor, sub-contractors, layers and layers of suppliers and sub-suppliers. A focal point of responsibility must be found. I am surprised at Allan Leal on this one because he usually tries to be abreast of the times and to recognize the full implications of legal and financial relationships as they presently exist.

In other words, the approach is just too simplistic. It does not meet the needs of current contracting and I think that he shies away from what he calls a new concept. The fact of the matter is that later on in the paragraph he has to concede that the concept is already in effect. I mean it is a vicarious liability concept that those who set afoot the dirty work ought to be the ones to come along and clean up the mess afterwards.

There is, in the board of trade recommendation, that being its foundation point, a very solid argument. Arising out of this, they go into an elaborate argument about the abuses that have presently grown up involuntarily. There was no intention, of course, in the original statute to bring about the host of abuses that exist at the present time.

The business of the 15 per cent hold back was to protect the working man and supplier. Now, as they point out, that is no longer what it does. It is really a fund that is being provided for the benefit of the hiring contractor. He sits on that. He borrows money on the basis of that security. Generally speaking, it never filters down, because to initiate his contract—let us say the man is the owner of the land—he sets up a company which he himself controls as a separate person and this would be the general contractor in the business. And so, he is dealing from his left hand to his right hand; there are no arm's length provisions written into our legislation to prevent him from moving moneys back and forth under the present legislation.

The 15 per cent that is being held back is far in excess of any margin of profit that the sub-contractors are going to make. It gives him a little loadstone on which to sit. He goes out and borrows money without putting very much into it himself. Perhaps the land itself is his basic equity and with it he goes out and borrows money from financial institutions.

Once he has money coming in from a first mortgagee, or from some lending institution, he has in the 15 per cent the perfect tool to turn over all or a portion of that 15 per cent in repayment of that banking debt, so long as he can show that a similar amount of money went out to pay sub-contractors.

But one of the sub-contractors—or the general contractor, with whom he is in cahoots at the next level, has set up as an incorporated entity and has siphoned all that money off, and he goes broke. The board of trade also show that with the way the thing is presently arranged with the setting up of secondary companies all along the line—that these companies are under-financed, there are a host of small builders who set up limited companies. Because of bidding practices and the way in which it operates—the financial structure operating in tenders and what not—they are able to bid in at much lower prices than they really ought to. They derive benefit from the current credit practices and thus holdback provisions. They siphon it off again in a diversity of ways, as the brief points out, and their sub-contractors are left holding the bag when they go bankrupt.

It has happened altogether too often. It has happened in such an enormous number of instances that the Board of Trade have seen necessary to make the proposals to the committee, which they have made.

On the other side of the fence, while there is merit in the board of trade proposals, there are defects in it also which bother me. One of them is that whether or not some contractors are the fly-by-night sort of people the board tends to put emphasis on in their claim about being under capitalized—the economic effects of the board of trade recommendations, if adopted, would leave in the field only a very small number, a handful of major contractors, and wipe out the smaller contractor or the man seeking to initiate a business. The man who may have been in business for some period of time, but who has not built up an extensive capitalization, would be wiped out.

In other words, they say that in line with the piece of legislation that you passed in

this House some years ago, The Public Works Creditor Payment Act, re contracts in the public realm, where 100 per cent payment bond is required, such bonds are being required, more and more all the time. Performance bonds or payment bonds that cover all contingencies of any possible contractor down the line, are being demanded of contractors.

If such is the case, then they say there is no necessity to retain holdbacks, that the holdback is simply a device and an abuse whereby the hiring contractor can serve his own financial purposes to the detriment of the sub-contractors down below. But an objection is that I fear the coming into being of 25 to 35 major contractors in this province for public works projects. We know well enough already the abuses in terms of combines that arise out of that in highway contracts.

Are we encouraging that sort of thing by going along with the board of trade recommendations? That is an immediate legal danger. There is another defect in their recommendations, which is not well argued by the law reform commission in their five objections. They claim that the working man is going to be badly hurt because if he has to give a notice of his claim, who is he to give that notice to? If you have got a structure of inter-related companies, he will not know who the hiring party is and he is going to have a great deal of difficulty serving this notice.

In answer to that, it could be said that the trade unions in the construction industry will have to take a greater role by protecting their members and making sure that these notices go out to the hiring party, who then becomes responsible for 100 per cent of the contract; not just any hold back, but for all work actually done and services and material supplied.

If a notice is given then it is for all the materials placed on the site. If no notice is given, he can order the removal of the materials that are on the site but are not incorporated into the building. But another objection to the board of trade is that they segregate two separate areas. On one side of the fence you have the contractors, who are able to file liens—and the contractors immediately in relationship to their own contractors or to the hiring party.

But all other people beneath them, the sub-suppliers, are given no liens. They have some kind of claim, some "privilege" claim which does not permit them to file a lien.

Personally, I am very much opposed to that. It think it is a retrograde step, the reason being that they would cut down the number of claims being filed at the registry offices and so on, and cut off stoppages of lines of work caused by such filings. On the other hand, it seems to me it removes a basic and positive protective device which was written into the original legislation. It was the whole reason for the original legislation.

So why I am running through this business of on-the-one-hand, and on-the-other-hand that there are benefits here is simply to say that I firmly believe that an accommodation could be reached. The present legislation does bring a host of economic ills.

People do go into the contracting business on a shoestring. They do go bankrupt, and who gets hurt? Not the owner, not the prime contractor. They get off with their whole skin under our present system. It is the sub-contractors and the sub-suppliers, and the working man who get hurt, because there is no money left in the kitty, generally speaking, with which to pay these people out.

The Board of Trade recommendation swings in the contrary direction for it in order to avoid that contingency, the full weight and loss does not fall on the end of the scale of the subcontractor, it should fall on the hiring agent, the gentleman at the beginning of the chain, or whoever somewhere along the chain caused the hiring of the individual who has defaulted. And he is usually or often the general contractor, so the number one man on the totem pole—the hirer—becomes the heir of all the indebtedness created all along the line.

It is very difficult to solve that question overnight. A considerable amount of debate and discussion has to take place among us in order to see the relative merit of the two positions. I do not think in committee we can go into the interstices of a whole host of other abuses and bring to the surface just what is happening in Ontario because of the provisions of the existing Mechanics' Lien Act.

The Mechanics' Lien Act which is presented to us as Bill 36 makes no fundamental alteration. It really fails under this head to meet these challenges of our time and will act as the detriment of the building and the construction trades if left as it is.

On the aspect of requiring various notices to be given upstairs, and the requirements that individuals and working men particularly not be covered by a holdback, and the very onerous requirements placed on the hiring



party, the board says that if he does not like the contractor, if he feels the contractor is not financially secure, then he has to elect for a performance bond, or if he has not got a performance bond then he is going to have to pay the subcontractors and others directly, in order to preserve his position. That seems again somewhat onerous.

But there are areas in which I am sure, in discussion, that particular problem can be alleviated by segregating out the beneficial from both positions. I would think this: that far from the board of trade's position of abolishing the holdback, some form of holdback should be retained. Holdbacks ought not be made voluntary as between prime contractor and the rest of his subs, because then the pressure will come upon them to reduce their holdbacks to a minimum, therefore not passing on the benefits down below. Perhaps the holdbacks ought not to be as great. Perhaps ten or eight per cent would be adequate in the circumstances.

On the other hand, the shifting of the economic weight in the direction of he who causes the harm has a good deal to be said for it.

Now, if these two principles—the principles of your bill as presented here, and the presence of the principles of the board of trade recommendations—can be amalgamated, worked out, fused together as I believe it is possible to do, then, we would have a viable and fine Mechanics' Lien Act in this province. Until this is done, we will not.

**Mr. J. Renwick:** In some very brief comments on the bill, the first ones are strictly preliminary, which I hope the Attorney General might make note of in terms of what we might do in committee with the bill. These have no specific connection with each other, but I find that section 48 which has nothing to do with construction on land, but is the lien on chattels which a mechanic has for work done, such as the work, repair work done in a garage, it seems to me to be rather hidden away in a statute dealing principally with the construction industry, a lien on real property. There may very well be merit in extracting that one section and making it a separate bill with a different heading to indicate to persons that they do have a lien on chattels on which they have expended work and material and labour.

The second minor comment that I would like to make is that while the term is nowhere defined and there is no consistency in the statute, there are three or four sections where the word "builder" is still used

in the Act, and I think the language should be made consistent throughout the statute, or the term "builder" should be defined or preferably the word "builder" eliminated and let the whole matter ride on the term "contractor" in the statute.

The other point is one which simply defies me, and I never have understood, and I am in the same position as the member for Sarnia. I do not pretend to any expertise in the statute, but in subsection 8 of section 11 you find the provision that payment of the hold-back may be validly made so as to discharge all liens after the expiration of the period of 37 days, unless in the meantime proceedings have been commenced.

I emphasize this, the phrase "proceedings have been commenced" which I take to mean the commencement of the action.

I find that it is very misleading when you compare it with the provision in section 23 of the bill, which says that every lien for which a claim is registered ceases to exist on the expiration of 90 days after the work has been completed and the materials have been done, placed or furnished.

**Hon. Mr. Wishart:** What section was that, please?

**Mr. J. Renwick:** Section 23: "unless an action has been commenced".

Without elaborating on it, the contradiction and the problem which I see is that the hold-back can be paid any time after the 37 days to discharge the lien unless an action has been commenced. In other words, any registered lien in which no action has been commenced, would be discharged by payment of the hold-back, and yet, when you compare that with section 23—a person would be lulled into a false sense of security thinking that his lien was still good and that he had 90 days in which to commence the action.

I am not at all certain whether it is simply because I do not understand the sections, or whether the contradiction is a valid one. I would certainly appreciate it if before it goes to committee, that that particular contradiction could be looked at by the legislative counsel, and by your department.

A proceeding having been commenced, in my language, means an action having been commenced, and the language should be made either the same or it should be clearly pointed out that the commencement of proceeding means the filing of the lien in the registry office.



Again I emphasize the point, that I may have missed something in my understanding of the statute, but it is a point which concerns me and I think should be clarified by the time the bill goes into committee.

Now let me—at the risk of some repetition of what my colleague from Lakeshore has said—move on to the bill in principle and away from those specific points which I raised which deserve consideration.

Apart from whatever merit there may be in leaving the language of section 3 substantially the same insofar as the creation of the trust is concerned, let me point out that my understanding is that when you create a trust, you name the trustee—which has been done; you name the beneficiaries or *cestius que trustent*—which has been done; you establish the duration of the trust—which has been done. If I may repeat that, Mr. Speaker, you name the trustee, which has been done; you name the *cestius que trustent* or the beneficiaries, which has been done; you state the duration of the trust, which has been done. But you state also the terms of the trust. When you examine very carefully section 3, you will find that there are no terms to the trust, and I think it is very important that the bill be amended to provide specifically what the terms of the trust are.

I suppose the obvious answer is that if you named the beneficiaries of the trust, you implicitly state that somehow or other the terms of the trust are for the benefit of those beneficiaries. But I think that the material man, the suppliers, the workmen and the subcontractors and, indeed, the contractor who believes himself to have this protection by way of an almost hallowed term in law—a trust—is entitled to have a clear and explicit statement of what the terms of the trust are. I find it very confusing to read the provision which says,

—and he shall not appropriate or convert any part thereof to his own use or to any use not authorized by the trust.

And then to find that I cannot find what are the uses authorized by the trust. I think this has been part of the difficulty which lawyers have experienced in understanding how The Mechanics' Lien Act works because, by and large, the emphasis has been on the other part of the mechanics' lien, and that is the registered lien and the recourse against the land in order to enforce payment of unpaid accounts.

I cannot understand it and perhaps, Mr. Speaker, in the Attorney General's reply, or

in committee, we could have an explanation from the Law Reform Commission as to why they will not state in this statute what the specific terms of the trust are. That is the guts of what The Mechanics' Lien Act is supposed to be about, and because the terms are not explicitly stated we find the situation that, in fact, the funds in most cases are not segregated. When the trust "fastens upon the sums—which is the word used in terms of the trusts established—we do not find that the person who is the trustee considers himself under any obligation either to segregate them or to apply the traditional principles of trust accounting to the use of those funds.

It is a very nebulous trust and at no point, I would suggest, could a workman or a material man or a supplier or a contractor go to the man above, who was supposed to hold the trust fund, presumably for his purpose and say to him, "Now where is that trust? What are the accounting procedures in trust parlance that you are applying to that trust?" I am suggesting that it may very well be that the trust is illusory; that it is not there at all. In any sense, it is a very dwindling trust and a fluctuating number of dollars which at any given time cannot possibly be accounted for by the trustee. It raises the question in trust law, I suppose, of whether or not it is possible to bring an action of *devastavit*—or other breach—of trust against the person who is supposed to be the trustee, because nobody could ever find where the corpus of the trust was that was established for the persons who are concerned about it.

I leave that—again, I assert that I do not pretend to undersand it; but I would expect that any revision of The Mechanics' Lien Act would not have an explicit purpose about the terms of the trust in it.

My next comment is that I think that because of the similarity of this bill to the existing bill we should be under no illusion. This bill could have been just as easily introduced as an Act to amend The Mechanics' Lien Act as persons who are concerned with it should not think that because it was first read in 1966 and referred, after a study of the law reform commission, to the public and then a supplementary report was issued and then this new Act introduced in 1969, that in some way or other it is a substantially better or much improved statute.

It has some minor amendatory changes which, as I say, could have been done through an amending statute.

I have no comment about the procedure once the action is commenced. That latter

part of the statute, by and large, is a procedural one. I do not think that it is of any great moment whether its jurisdiction is conferred on the county court or the supreme court. I think you would have to duplicate a substantial amount of expertise in the county courts if the county court judges were to have this jurisdiction added to their already heavy burdened jurisdiction.

In balance, I am quite happy to see the jurisdiction left with the supreme court also for this reason that if this statute and the state of the construction industry produces a great spate of litigation under it, then there is something fundamentally wrong with the construction industry and we cannot hope to improve it by the multiplicity of proceedings under The Mechanics Lien Act.

There are a number of points on particular sections which can best be dealt with in committee, and which I will raise at that time. Having stated my concern about the trust, I would like now to depart from the bill as it is presently drafted and express my concern as to the inability of the law reform commission to understand the basic principles which were put before them in any briefs, about the statutes, in order to renovate. I would, at least, have liked to see the law reform commission after the time spent on this bill, come up with an alternative bill—a draft alternative bill as well as the present bill—so that people could have begun to understand what it was that people were concerned about in the existing statutes.

What they were concerned about, it seems to me, can only be illustrated in a very simple way. And that is that the bill is designed to protect people so that they will get paid for work and material which they have supplied on a construction site. If you look at it in terms of a flow of money, then you start with the credit institutions and the mortgage institutions, and the money which an owner may have put up himself. The money flows through their hands and the site is prepared and the building is constructed. The payment flows out in order to make payment to the prime contractor, the sub-contractors, the workmen and the material men and suppliers on. Envisaged as a flow of money, as I understand it the principle, the alternative principle which was suggested and could have been used for debate, is that, all right, everyone who is responsible for introducing a defaulter in that chain of payment, must accept responsibility for payment of persons to whom the defaulter defaults. You get a chain in the flow of

money: it can be visualised as a chain. The person above who introduces the defaulter into the scheme must assume responsibility for it.

That also permits the lien to be continued as part of the statute; it does not pose any real problem. It, perhaps, eliminates the hold-back which means, in many cases, the illegitimate use of the hold-back for the purpose of credit with other institutions.

**Hon. Mr. Wishart:** Would the hon. member permit a question on that? I am not sure that I follow him, and I want to be sure that I do.

**Mr. J. Renwick:** Yes.

**Hon. Mr. Wishart:** The owner, to begin with, hires the contractor, and the contractor defaults. In the meantime he has hired, let us say, six sub-contractors, the painter, the plumber, the glazier, the decorator, etc. Is the hon. member suggesting that the chain of responsibility from those sub-contractors can move up to the owner? He must deal with them, although he had no chance to select them, arrange their terms of employment, or anything like that?

**Mr. J. Renwick:** What I am saying is exactly that. If you envisage the chain of the owner and the prime contractor, and the sub-contractors and the material men and the suppliers, whoever retained that particular sub-contractor, if that person defaults, then becomes responsible. Ultimately, the illustration which the Attorney General has just used is correct. If the prime contractor defaults, then the owner is responsible.

It may sound like an onerous responsibility, but what you are talking about is a relatively unstable industry from time to time depending upon credit sources. There is no difficulty with an owner who is about to construct a building, or an owner and a mortgagee from whom he has borrowed the funds, or the bank which has extended the credit to the owner or builder or the lessee of the land to start the construction. There is no difficulty in that industry absorbing within its framework the cost of insurance to provide for payment and performance.

There are economic arguments to say that that means you are going to squeeze out the small builder, that he cannot live in the game. Well, he has not been able to live in the game for a long time. He has had an effect of creating instability, within the industry, but from the point of view of an alternative

way of dealing with the matter, it seemed to me to have considerable merit.

**Mr. Singer:** Are you advocating this or are you just throwing it out in the air?

**Mr. J. Renwick:** Perhaps the hon. member for Downsview was not in the House when I said that I felt that the law reform commission could have produced an alternative draft bill for the purpose of consideration—

**Mr. Singer:** I heard you say that.

**Mr. J. Renwick:** —of consideration and debate to find out which was the best method of providing for this protection. They have failed to do so and they dismissed, without any adequate explanation, the proposal for an alternative. And I simply—

**Mr. Singer:** My question still is, then, to the hon. member for Riverdale, if I may. Do you think the alternative system that you are putting forward is better or not; or just that they should come forward with two, or perhaps three, alternatives?

**Mr. J. Renwick:** Certainly, my view is very simple. The member for Lakeshore has expressed it and your colleague, the member for Sarnia, has expressed it, that we in committee, because of the failure of the law reform commission to deal adequately with the representations which were made about an alternative system, we must perforce go through the exercise of finding out what that alternative really meant in all its implications.

From the recommendations which I have read from time to time, in all their elaboration, it seems to me to pose a fair alternative system which we should discuss and consider.

I cannot express a view on it. I am not an expert in that field, but to have it summarily dismissed and to leave the statute in the state it now is, in my view, is no improvement on the basic purpose which the Act is designed to serve. I do not want to get into the detail of the difference between a lien holder and a privileged claim and the elaboration which has gone into the briefs which were submitted to the law reform commission and of which I am sure the Attorney General is aware.

But I am saying that I think, in committee we must have the opportunity of hearing some of the persons who have advocated the alternative schemes. My understanding is that they are among the people who were acting as receivers and managers within the construction industry for companies which had gone broke. They had to pick up the pieces and their

recommendations were mainly made for the purpose of providing a stability within the construction industry which has been lacking from time to time in the cyclical way that that industry operates. There are very real questions which I think can only be considered if persons are given the opportunity to make adequate presentation of their views before the committee.

Perhaps somewhere the law reform commission has the information (I do not know and I have no way of knowing and I have seen no figures) on the proposition as to how many people really got hurt in the construction industry in the last ten years. Maybe they are available.

I do not know, for example, how many workmen lost wages or, even under The Mechanics Lien Act, are aware of their rights and following it through, in fact came out with less money than they were entitled to receive. Or how many suppliers, material men and contractors came out that way. Perhaps if those statistics are available I may have simply missed them; or if they were not available, I think it points out the difficulty we have, in coming to grips with a relatively old statute, to assess whether or not the amendments proposed are of importance.

My last comment, Mr. Speaker, is that I would like the Attorney General, either in his reply or before the committee, to be in a position to advise us in what way the departments of the Ontario government ensure the protection of persons who are contractors, sub-contractors, material men or labourers, workmen on the construction projects of all kinds in which this government is the owner. Of course, they are covered in a different way and under a different statute and a different procedure. Again, that procedure seems to me to be almost a third alternative to the way in which workmen and material men, suppliers and sub-contractors are protected in the game. In that instance, they have the full support of the government to ensure that finally, some way or other, they will get full payment for what work they have done or materials and supplies that have been furnished by them.

The substance of my comment is that we—I speak for the member for Lakeshore and myself—find it very difficult to assess whether the best possible result has been obtained from the time and effort which has been devoted to this bill. We have a suspicion that the best result has not been attained and we re-assert the proposition that there are some fundamental discrepancies within the bill, even as it is presently drafted, and the three

possible methods (and there may be more) by which these persons can be protected and payment to them ensured.

I think this House has got to sort out the alternatives now because they have not been sorted out anywhere else for us. The only place that that can be done is in committee. I would specifically ask that the Attorney General would make certain that those persons who made representations to the Law Reform Commission, both in the initial instance and after the first bill was circulated to the public, would be specifically invited and time would be set aside for them to come and make their presentations to the committee. In addition to that, I would specifically ask that an expert from the civil service in The Department of Public Works and from The Department of Highways should also attend before the committee and advise us what procedures they follow, in order to ensure that the workmen and the sub-contractors and suppliers and material men are protected in the contracts which this government lets.

So that out of that discussion we would be able to satisfy ourselves that this is or is not an adequate bill.

**Mr. Singer:** Mr. Speaker, I listened with some substantial interest to the hon. member for Riverdale and I am puzzled a bit about the approach, the somewhat different kind of an approach, that he has taken to this statute; where he comes here not to criticize the principle of the Act, but to wonder if there are two or three other theories. Perhaps this—

**Mr. Lawlor:** Mr. Speaker, I wonder if I may ask the hon. member a question.

**Mr. Singer:** No. I have just started.

**Mr. Lawlor:** Where does the member stand with the board of trade proposal?

**Mr. Singer:** Mr. Speaker, surely I have the floor and I do not have to be interrupted by the member for Lakeshore.

Thank you. Surely there is a responsibility on the members of the Opposition to come here with views about the matter that is under debate.

**Mr. I. Deans (Wentworth):** Does the hon. member intend to debate the principle of the bill, or is his intent to discuss the comments of the hon. member for Riverdale?

**Mr. Singer:** If the hon. member is through perhaps I can carry on with my speech. Is

he through now or would he like to get into this debate?

**Mr. Deans:** I am just asking whether or not the hon. member intends to debate the principle of the bill?

**Mr. Singer:** Mr. Speaker, ignoring the out of order comments from the back bench member up there, I have forgotten his name, I would like to continue in the vein in which I started.

My view is that there is a responsibility on all members of the Opposition, including the interrupters on my left, to present a positive view before this House when a bill is called for second reading.

Interjections by hon. members.

**Mr. Singer:** I do not know why they are so unhappy about this because I am bound to—

**An hon. member:** Tell the truth!

**Mr. Singer:** It is a pity about the NDP that they can talk but they do not want to listen. As soon as even a beginning of a criticism is addressed to them all we get is a gaggle of noise, unintelligent and uninformed. I would think, Mr. Speaker, that this so-called group that believes in presenting constructive opposition to various matters that come forward in the House, would at least give someone else the courtesy of making a few remarks without all this loud and inane barracking.

**Mr. F. Young (Yorkview):** Obviously the member has nothing to say and he is trying to say it.

**Mr. Singer:** Are the members through now or would they, one at a time or collectively, like to get up and speak? I will wait, there is lots of time. Which one would like to take over?

**Hon. A. Grossman (Minister of Correctional Services):** The enemy is over here, fellows.

**Mr. Singer:** Now, Mr. Speaker, as I was saying before I was so rudely and inordinately interrupted, I would think that the responsibility of the hon. member for Riverdale and the hon. member for Lakeshore is not just to comment and draw a big question mark about whether or not the law reform commission should have considered several other things and perhaps—and this is a rather unique conception—brought in two or three alternatives that we should debate.

It may well be, Mr. Speaker, that in the Attorney General's estimates, when we come to the heading of law reform commission, that the member for Riverdale and others and perhaps myself and some of my colleagues, will have some highly critical remarks to make about the job performed by the law reform commission.

But for better or for worse they did report and as a result of their report we now have before us Bill 36. And it would seem to me that what is before this House for debate today are the merits of Bill 36; not whether there should have been an alternative bill or two alternative bills or three alternative bills.

**Mr. D. C. MacDonald (York South):** That is the fourth time the member has said that.

**Mr. Singer:** I will perhaps say it six or eight more times before I am through and the hon. member for York South who, I am sure, understands these things very well, will have the patience to listen.

**Mr. Lawlor:** Get on with the bill.

**Mr. Singer:** Mr. Speaker, it would seem to me that there is a responsibility on members of the Opposition when faced with a bill like this to do their own research and to come in with an opinion. And if they have no opinion then they can say that perhaps they are denied adequate facilities or they have not had the experience—

**Mr. Lawlor:** One half-hour and we have not got an opinion yet.

**Mr. Singer:** I recognize that, but noting where it comes from I will give it the respect that it is worthy of.

**Mr. MacDonald:** You have got nothing to say; you have to fill the time some way.

**Mr. Singer:** As I was saying, Mr. Speaker, it would seem to me that a far greater contribution could have been made to the debate by these members saying, "Yes, this is a good bill," or "No, it is a bad bill," and putting forward reasons. It is a pity, Mr. Speaker, that their research has not indicated to them the position of a positive stand. I thought the contribution made by my colleague from Sarnia was a very substantial one. He wants ample consideration in committee and as we anticipated, the Attorney General is sending this bill to committee and there will be lots of opportunity to discuss it.

**Hon. Mr. Grossman:** Great government.

**Mr. E. A. Winkler (Grey South):** Real democratic government.

**Mr. Singer:** Occasionally there is some progress made. I share the concern of the member for Lakeshore for the removal of the umbrella provision. I do not think that the umbrella provision is important to maintain merely to protect errant solicitors. They should be able to look after themselves. But I think most practicing lawyers who have anything to do with mechanics' liens will recognize that there are many workmen who are protected by the umbrella provision, who are not really aware at all that they are entitled to this kind of protection.

They seek advice and on many occasions are protected by the umbrella provision which allows them to come in under the cover of someone else's action. It is for that reason, not for the protection of the solicitors—and I am surprised the member for Lakeshore would have missed this point—that the umbrella provision should be maintained. It is for the protection of the workmen who should be there and be protected.

**Hon. Mr. Grossman:** He missed that one; he should send his QC back.

**Mr. Singer:** Mr. Speaker, the real problem that faces us with this Act is that the whole series of provisions contained in The Mechanics' Lien Act have become highly technical. They are really known well only by a limited number of the members of the legal profession. And it is difficult for lawyers who indulge by and large in a general practice, or who have not indulged in this specialty, to be as familiar as they might be with the really difficult technicalities of procedures in The Mechanics' Lien Act.

Interjections by hon. members.

**Mr. Singer:** No, I am not that kind of an expert, but I do not know whether my colleagues, the noisy ones, have taken the trouble to consult those people who I consider are leading members of the bar in relation to The Mechanics Lien Act. But I have, and my colleague from Sarnia has, and we are not unhappy with the provisions of this bill.

For those reasons, Mr. Speaker, we are going to support the bill, and we really do not think it is necessary to come in and say, maybe, maybe, maybe. Our job here is to say either, "Yes, we are going to support the principles of the bill," or, "No, we are not," for specific reasons.

Now, for the specific reasons that we have put forward we are going to support the bill, and we would think that a far greater contribution could have been made by the members



here on the left if they had been much more specific in their criticisms of this Act.

Interjections by hon. members.

**Mr. Speaker:** The hon. member for Kingston and the Islands has the floor.

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, I am not quite sure whether I am in order in discussing a couple of aspects of this particular bill, but I would like to place them here for the consideration of the Attorney General, because I think they are rather important, particularly for smaller suppliers who in many cases are affected very much by The Mechanics Lien Act.

The first point that I would like to bring forward is in section 21, subsection 2 which reads:

A claim for lien for material may be registered before or during the placing or finishing thereof, or within 37 days after placing or furnishing of the last material so placed or furnished.

**Mr. Speaker:** His point, as far as I can ascertain is one not of principle, but of practice and procedure which should be raised in the committee rather than on second reading. If I am wrong I will be glad to have the hon. member proceed.

**Mr. Bullbrook:** Mr. Speaker, in deference to the member for Kingston and the Islands, the hon. member for Riverdale spent at least ten minutes of the House's time discussing specific sections. I would think that we should have the same benefit.

**Mr. Speaker:** I regret that Mr. Speaker was not personally in the Chair at that time. The results might have been different. I would be delighted to allow the hon. member to proceed.

**Mr. Apps:** Thank you, Mr. Speaker, I was going to say that if you consider me to be more out of order than some of the other previous speakers, then I will cease and not say anything at this particular time. But now what I would like to point out in the first place is where does the 37 days originate to start with? As far as I am concerned, I do not think 37 days are long enough.

I say this for this reason. I may cases when a supplier delivers materials to a job, his terms of payment are net 30 days, and normally that would mean 30 days from the end of the month. Such being the case, the supplier could furnish material and not even expect payment before the lien date is up.

I feel that consideration should be given when the time comes, to finding out why this is 37 days, and whether it might not be more desirable to make it longer than 37 days to protect those suppliers.

I am talking particularly about small suppliers who may give terms longer than sometimes they should, but the fact is that they do, and as a result a lien could go on a job even before they would be ready to collect their money for that particular delivery.

I feel that this should be considered—lengthening this this particular time of 37 days.

The second one is the umbrella provision. I feel that that should be maintained, because there are occasions when somebody will preemptorily put a lien on a job and freeze out many other suppliers who are just as entitled to receive payment as that person who put that lien on that particular job.

I would very seriously suggest to the Attorney General that he should consider that very very carefully before he removes that umbrella provision from this Act. It is a protection to the small suppliers and small suppliers need protection. I do not see why they should not have that umbrella protection in this Act.

**Mr. Speaker:** Is there any other member who wishes to speak to this before the Minister? The hon. Attorney General?

**Hon. Mr. Wishart:** Mr. Speaker, I am much indebted to all the members in the House who have taken part in the debate, and I made note of their comments. I would say at once, it is our intention to afford the widest, fullest and most complete discussion of this legislation in committee, the legal bills committee, and we have made arrangements to give notice to all the persons who presented a brief or made presentation to the law reform commission. We welcome their attendance and I am sure they will have much to offer. This is a rather onerous, strenuous thing to face, but I think this type of legislation warrants that approach.

I would point out that as it is stated in the preamble to the bill, this study began in 1965, before the law reform commission, and there are some pretty hard-headed, if I may use that term, lawyers on that commission. They not only had their own experience to draw upon, but they had the presentation of every class of person and corporation that is engaged in the construction industry, in building in this province, and their briefs



were well prepared, very thoroughly presented and over a long period of time.

Then after the first report which was submitted in 1966 and on which a bill was introduced in this House, Bill 190 I think it is, a further report was submitted and this bill is a result of that presentation.

Now, I would like to deal with the remarks first of the hon. member for Sarnia who spoke about the philosophy of the Act. I think I should clear up one point which I thought he seemed to make, that the law reform commission was flying in the face of some very capable advice given by a group of people familiar with and engaged in construction.

Actually, if one looks at the first report, while it does say on page 5 that the conference held, I think, by the Board of Trade of Metropolitan Toronto, was formed of a large number of groups, it does recite that after the study of the Act by those groups, a brief was presented to the Attorney General of Ontario in 1962.

But on page 6, the law reform commission points out there were sharp divisions of opinion in the conference with regard to proposals 6 to 13 which the hon. member referred to and which the report then goes on to discuss. The report further draws to our attention that those proposals 6 to 13—they give the authorship of those to the very eminent gentleman Mr. Biddell of the Clarkson Company whose primary point of view, I think, would be covered by the fact that he acts for a firm in his particular engagement as a trustee in bankruptcy.

But those were considered, and it is noted on page 13 that Mr. Biddell's submissions are supported by the Ontario Federation of Construction Association. That was in 1966.

They point out on page 13, that the Lumbermen's Credit Bureau took issue with those submissions. I want then to stress this point by drawing to the attention of the members that in 1968, in the bulletin of the Ontario Federation of Construction Association—this is some two years after these studies, and after Mr. Biddell's submissions as stated were supported by the Ontario Federation of Construction Association—the bulletin of that association reads as follows, if I might read briefly from it, Mr. Speaker:

In the summer of 1966, the first report of the Ontario Law Reform Commission on The Mechanics' Lien Act was published. The report contained a proposed Act which received first reading in the Legislature. These documents were distributed widely

with the request that the interested parties submit their comments.

The federation presented its views in the brief submitted to the Attorney General the following December—that was in 1967—and then in the late summer of 1967 the law reform commission published its supplementary report.

And to skip a few lines and come down to the point I want to make:

Early in February, 1968, the Ontario Federation of Construction Association's supplementary brief on The Mechanics' Lien Act was published and submitted to the Attorney General and to the law reform commission.

Although the Federation feels that generally the Ontario Law Reform Commission has done an adequate job in bringing the Act up to date, recent developments in the construction industry and chronic conditions within the industry make it necessary for us to make further submissions.

Now, it is curious that the submissions which they set forth here are just two in number, and they do not make further argument about these submissions—6 to 13—to any extent at all. They do submit that there be a definition of substantial completion which we have incorporated in this Act now, and they also make a suggested amendment to the trust provisions, which is also to be found in this legislation.

So I think I may say that on the question of the philosophy of the Act there has been pretty substantial satisfaction given by this legislation to those very people who were studying it, presenting briefs, taking some issue with it, and arguing in 1966 for certain things to be done.

They have now made their final submissions and they refer to this present Act as being substantially very satisfactory, and we have adopted and inserted further to what the law reform commission presented, the two suggestions and amendments which they set forth.

I would like to refer to the transfer of jurisdiction—the proposal that these actions in mechanics lien matters be tried by the county courts.

You are aware, of course, that the law reform commission made the recommendation that the jurisdiction be taken from the Supreme Court of Ontario, where these actions must now be commenced, and be tried entirely by the county or district court judges.

**Mr. Bullbrook:** That is not correct.

**Hon. Mr. Wishart:** Is that not right?

**Mr. Bullbrook:** I did not think it was. I thought they said where the quantitative jurisdiction applied to the supreme court, you did handle it in supreme court. Maybe I misread it. I am sorry; it is not that important right now.

**Hon. Mr. Wishart:** "We recommend"—these are their words—

**Mr. Bullbrook:** What page is the Minister on?

**Hon. Mr. Wishart:** Page 18.

We recommend that actions to realize a claim for liens should be tried in the county or district court with a right to any party to have proceedings removed into the supreme court.

**Mr. Bullbrook:** I am sorry that is it, "with the right to remove".

**Hon. Mr. Wishart:** Yes, upon application to a judge of the supreme court if the action would ordinarily come within the jurisdiction of that court.

The trial of these actions in the trial and district courts, with their extended jurisdiction, will provide a more efficient and expeditious procedure under the Act.

We looked at that very carefully and one hesitates, of course, to fly in the face of a recommendation of such an august body as the law reform commission which has studied the matter, but I think they failed—if I may say this—to appreciate that particularly in the County of York, where better than 50 per cent of our mechanics lien actions arise, and where the substantial, large claims are tried, the procedure has been that the actions are started before a supreme court judge. But, they are almost invariably, immediately referred to a Master of the court.

**Mr. Singer:** I wonder, Mr. Speaker, if the Attorney General would permit a question on that point?

**Hon. Mr. Wishart:** Yes.

**Mr. Singer:** I had meant to make this point when I was speaking but it slipped my mind. In the county of York would it not be reasonable to allow these actions to start on an originating notice to the Master? Why should we have to go through the charade—that is all it is—of going before a supreme court judge, who makes the automatic order

referring it to the Master? Why should there have to be that additional step, which crowds the supreme court calendar, when it has to go back to the Master in any event? I would think that could be a substantial improvement.

**Hon. Mr. Wishart:** That might be a very meritorious suggestion and I shall certainly consider it, but my main point is that to bring these actions before county court judges in the county of York would be, I think, a tragedy.

I think it would be confusion, worse, confounded. I do not want to be appearing too critical of the judges—but the judges do not have experience in this field—the county court judges of the county of York. But the Masters have had long experience, they are well versed in all the intricacies of this very—as you can see from the debate today—this very intricate subject, and it is one that needs experience.

It is one that needs an understanding of the building trade, and of the customs and practices which obtain there. It is one that needs great familiarity with the involutions of The Mechanics Lien Act, and to suddenly say to the judges of the county of York, you are fixed with mechanics lien actions, I think would bring about a result that we would certainly regret and that would not give satisfaction.

Now I had thought that it might be possible—

Interjections by hon. members.

**Hon. Mr. Wishart:** I am sure there is some construction going on up in Grey-Bruce or Grey North.

**Mr. C. G. Pilkey (Oshawa):** Very little.

**Hon. Mr. Wishart:** These things might apply.

I had thought perhaps that if we could get sufficient additional county court judges that there would be a time when they could become familiar. Perhaps we could eventually have a specialized force of judges assigned to this, but as I think about that I am quite certain that judges would never perhaps accept the rule that they should forever sit only and deal only with mechanics lien actions. I am sure they are a little more temperamental than that perhaps, and that might not work either.

In any event, I think for the moment we must leave the jurisdiction where it is, particularly because of the county of York situa-

tion, because in the rest of the province I would say 99 per cent and I do not think I exaggerate—when I say that 99 per cent of mechanics lien cases are tried by the county and district court judges acting in their capacity as Masters.

As to the umbrella principle being removed, I was not sure whether the hon. member for Lakeshore was for it or against it. He seemed to waver when he made arguments—and I thought perhaps good arguments, on both sides—but I never got a conclusion. Perhaps he will make up his mind before we get to committee.

I note that the member for Kingston and the Islands has said it should be left in—that is, that the umbrella principle should not be removed. There is much to be said for its removal and the reason why it was taken out after very thorough consideration, and after a reversal of opinion by the law reform commission, was this.

Under the principle, as you know, that when one lien claimant starts his action, any time before that action is concluded, no matter how long it may take before its conclusion, the other lien claimant may come in—one who has failed to file a lien, or take any action. He finds that an action is going on, and in he comes at the eleventh hour, files a claim, and the court must stop, require pleadings, require detail, require the filing of the claim to the full extent, and the right to reply and refute, and so the action is delayed and the additional expense is incurred.

This is why the umbrella principle is removed, because it was causing great delay and great expense. Now, if the Act is clear on the point, that the lien must be registered and that action must be commenced by the lien claimant, and he knows his rights, then he can protect himself.

**Mr. Singer:** And he does not.

**Hon. Mr. Wishart:** But he will. We will put it in the bill, he will see it and his lawyer will know it. Surely, the hon. member for Downsview, who appears to be about to get up on his feet, is not going to say that if you state your law clearly then there is not any excuse for not knowing it, and for the lawyer acting in accordance with it.

**Mr. Singer:** I wonder if the Attorney General would permit a question here? It has always been my understanding that the

theory of this Act was such that it was designed to protect the most minor workmen in the whole chain of command, the man who perhaps did not know about lawyers, who could not afford to consult a lawyer, who did not know anything at all about procedures.

The forms that are required to initiate the claim are of the simplest in their design. They do not need any great forms of technical drafting to get yourself on record to register the document against title, and that sort of thing.

It has always been my understanding again, that the principle of allowing the umbrella provision to apply was to allow the protection of the person, not those who are able to consult. The big contracting company is able to consult a lawyer and to stay on top of it, but to protect your labourer who perhaps has no other protection and needs that protection on his own, uses this rough and ready system which was designed for him and his protection.

**Hon. Mr. Wishart:** I think that may have been true 20, 30, 40 years ago when this Act was first designed, when the workmen got, perhaps, \$1 a day. But today, there is no workman who cannot afford to file a lien which costs, what, \$1.50, \$2.00? He is earning \$6.00 or \$7.00 an hour. Most of these chaps are artisans—electricians, plumbers, painters—these types of men are earning wages; if they cannot afford a lawyer we have given them a legal aid plan to afford them counsel. I think there is no need to consider that original principle which may have had merit in its day. I think we make the law clear, we make it distinct. File your lien, protect yourself. This is a much better principle than delay and uncertainty and expense caused by the umbrella. I think nobody will suffer by removing it from the Act. However, we can discuss it further in committee.

I have noted the submissions made by the hon. member for Riverdale. I have some concern, too, as he draws these to my attention, particularly the matter of the failure to complete the trust provisions so as to say what is required of the trustee. With respect to his argument that the chain of responsibility should extend down, link after link, I have some reservation about that.

I would just like, Mr. Speaker, very briefly, to point out that the law reform commission

considered that very thoroughly and in its first submission, at page 14, this was said:

The proposal that the hiring party—

And I would substitute for hiring party—or at least I would add to that, “or owner”.

—should be financially responsible for the obligations of his contractor, if adopted, would create by a statute an entirely new concept of contractual relationships. It would mean that a contractor would be liable to pay sub-contractors, or sub-contractors of his sub-contractors, notwithstanding that he might have no power to select them or control them in the performance in the sub-contract. Likewise, an owner who hires a contractor would be liable to pay all the sub-contractors while he might not have power to control the terms of the sub-contractor. This we believe to be an undesirable change in the law of contract.

I think you can see that there is some serious argument against saying that the owner who starts the construction by saying “build me a house,” or “build me an apartment building” or “build me a business block” would be liable for people five links down the line. The electrician, the plumber, the excavator, people that he has no knowledge of, no opportunity to assess the value of their work, and perhaps would not think of hiring himself; to say that he must go down that chain, accept their work, accept their style of doing things, and be responsible to them through that chain, I think, leaves open a serious objection.

The converse of that, which the commission also considered, was the question of making those parties finish the job. That is the converse of the coin. There again, why should the owner, who might not want those people to work for him at all and would not accept their work and would not consider it adequate or satisfactory—how could you extend to him the principle of saying, “you must accept their work and they must do the work,” when neither one of them would be satisfied by that arrangement? I will not read the law reform commission’s comment, but it appears on page 15, where they point out that the requirement that the hired party be obligated to fulfill the contract is something that would be almost impossible to require by legislation, and would have many things to militate against it.

I have noted the suggestion that we might have some experts from The Department of Highways or The Department of Public Works give advice or be present to detail

how governments protect workmen or sub-contractors. I think we might either furnish a submission on that or have them assist us in committee.

I think the rest of the things which I have noted may be dealt with also in committee, and certainly I would assure the House that we will proceed through committee, affording the widest opportunity for discussion and improvement of this bill, if that is possible after all the work the law reform commission has done upon it.

**Mr. Speaker:** The motion is for second reading of Bill 36.

Motion agreed to; second reading of the bill.

### CONSOLIDATION OF REVISION OF REGULATIONS

**Hon. Mr. Wishart** moves second reading of Bill 63, an Act to provide for the consolidation of the revision of regulations.

**Mr. Lawlor:** Just very briefly, Mr. Speaker. This is the bill having to do with the bringing of the regulations, reviewing them and consolidating them every ten years. On this, I am wondering about shortening the time, or, at least, that some consideration to this should be given. In the case of the statutes themselves, perhaps ten years is growing too long.

In the case of the regulations, which is the point here, and in the absence of a scrutiny committee, as recommended by McRuer, I wonder if some consideration might not be given to having these regulations consolidated, reviewed every five years; and, secondly, while every year the regulations that have been issued, are obtainable to all members, of course, through the *Gazette*, still in order to keep up to date with them, I find you have clipped them out of the *Gazette* and set up your own indexing system.

I wonder if it is possible to bring them all under one head, yearly, without consolidation? Then, reviewing them and finding out which ones have been superseded or repealed or whatnot, done every five years instead of ten?

**Hon. Mr. Wishart:** Mr. Speaker, I think perhaps the question of whether we do revision every five years or ten years is, perhaps, not really a question on the principle of this bill. There may be merit in that since the regulations are, perhaps, more numerous now than before. I believe they are consolidated

every year into a form similar to the statutes. The regulations are—

Interjection by an hon. member.

**Hon. Mr. Wishart:** As to the McRuer recommendation that we have a review committee, that is under study now, I can assure the hon. member.

Motion agreed to; second reading of the bill.

### THE PARTNERSHIPS REGISTRATION ACT

**Hon. Mr. Wishart** moves second reading of Bill 60, an Act to amend The Partnerships Registration Act.

**Mr. Lawlor:** Mr. Speaker, if I may, I have two points on this particular bill. I wonder sincerely about the urgency and need for this legislation at this time. Secondly, why the centralization of this particular sort of thing? I mean, I can see the centralization of chattel mortgages, bills of sale, and all that to a central registry, but why partnerships? What benefit does it confer?

In subsection, I think, 17, it is proposed to set up a registrar of partnerships and I take exception to setting up any further registrars. As you go further into the bill, section 18, you are going to have the central registry, maybe, located at such a place as the Lieutenant-Governor-in-Council orders, and until such an order is made it will be operated in conjunction with the registry office. Why cannot the actual registrar of deeds, as he does at the present time, control and govern and supervise the registration of partnerships without setting up another supernumerary department with extra cost to the taxpayers of the province in this regard?

**Hon. Mr. Wishart:** Mr. Speaker, there will be very little extra cost—perhaps one or two persons at most to implement the provisions of this Act. As the hon. member is aware, partnerships are now registered in each county and district in the registry office where deeds and mortgages are registered in the county town, and there is no special official required for that.

In the county of York, where more than half the partnerships of the province are recorded, it is done in the same way in the registry office. And all that is planned by this Act, all that is intended is that from the outer offices, from the outside counties and districts, there shall come a report which

can be included and placed on record in the county of York, so that we shall one have one central registry where you can check all partnerships. Even if they are operating in an outside county you could get the whole story on partnerships at one central spot.

I might say to the hon. member—and I am sure he would be interested in this as I read now from my notes that I have in connection with this bill, approximately one-half of all registrations are now made in the Toronto office. The remaining half are made in the other 59 offices. It is proposed that the partnership registrations for the whole province be centralized in the registry office of the registry division of Toronto, by combining one at a time, under the authority of the regulations, with the Toronto registry division the register division of the other countries and districts.

It is also proposed that when the computerized registration system under The Personal Properties Security Act is in operation, the partnerships registration be included in the computer, and accordingly made available through the telecommunication network to all county and district court offices.

This will enable a person to find a partnership recorded on a search under The Personal Properties Security Act and to ascertain through the same facility the individuals who comprise the partnership. It is part of the programme to which we are moving under our Personal Properties Security Act. By centralizing it to this extent at this time we, will move smoothly into the computerized system a couple of years from now, I would hope.

**Mr. Singer:** Mr. Speaker, I wonder if the Attorney General could advise us if there is any intention at any time in the future of trying to police the names of partnerships in the same manner as names of companies are policed. There will be a facility to do this once there is the centralized registration. And perhaps there is some merit in this, because today there is nothing to prevent as many people as want to from taking the same partnership name and registering it. And there is no law to prevent it, except that it is there and it will be available in due course in a central registry.

There is a complication, of course, because those lawyers who have to deal with The Department of the Provincial Secretary in sorting out names, often get into somewhat animated discussions about the similarity of names and wonder about the mysterious functioning of the names committee that



operates out of The Provincial Secretary's department.

I gather the names committee is a nice way of saying, "I really didn't decide it, it is a committee that decided it". And the fellow who does not want to tell you he was making the decision says he is a committee and he will not tell you who is on the committee.

I wonder if the Attorney General has given any thought to this idea. I think there is some merit in it, but I hope if he agrees with me that he will not bring in the evils that I think presently exist in The Provincial Secretary's Department.

**Hon. R. S. Welch** (Provincial Secretary): Oh, come now! Evils!

**Hon. Mr. Wishart:** The hon. member is using the discussion of the principle of this bill to criticize the Provincial Secretary.

**Hon. Mr. Welch:** Subtle!

**Hon. Mr. Wishart:** I think perhaps I will just say briefly that there has been some thinking on this, but we did not think we could accomplish it at this time. It will move eventually into our control when we get our Personal Properties Security Act computer system in operation.

Motion agreed to; second reading of the bill.

#### THE COMMISSIONERS FOR TAKING AFFIDAVITS ACT

**Hon. Mr. Wishart** moves second reading of Bill 6, An Act to amend The Commissioners for Taking Affidavits Act.

**Mr. Lawlor:** Mr. Speaker, very briefly, a couple of points. One of the things I might do is point out to the members of the House, who may not be aware of it, that is under section 2 of this Commissioners for Taking Affidavits Act, every member of this House is a commissioner to do so. Apart from that—

**Mr. Bullbrook:** That is a significant matter of principle.

**Mr. Lawlor:** Well, it is a point of information which might be very valuable.

**Hon. Mr. Wishart:** Mr. Speaker, I pointed that out on first reading.

**Mr. Bullbrook:** Oh, I am sorry, I apologize.

**Mr. Lawlor:** The member had better. We are having more trouble with the Liberals today than usual.

The commissioner, of course, is a judicial officer. In the course of this bill you will cease to be a judicial officer in the sense of an officer of the Supreme Court of Ontario. If such is the case, I have just one thing to draw to the attention of the Attorney General: You have to, in the circumstances, delete subsection 3 of section 6 if you are going to, as you have done, delete section 4. One follows from the other, I suggest, and perhaps it is an oversight. Thank you.

**Hon. Mr. Welch:** The member can keep his Q.C. now.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, is there any reason why a member of the Ontario Legislature cannot be a commissioner of oaths?

**Hon. Mr. Wishart:** He is!

**Mr. Sargent:** Why does not someone tell us these things?

Interjections by hon. members.

**Mr. Sargent:** Think of all the money we have lost. At 25 cents a throw or something. I do not know whether clause 3 is a good clause or not. Will the Minister explain the reason for clause 3, section 1?

**Mr. Speaker:** The hon. member will understand that the debate on second reading is a debate on the matter of principle. Explanations of the wording or the meanings of words and clauses are proper matters for committee. Now, if the hon. member has something to say in connection with the principle behind the sections of this bill I am sure we would all be glad to hear it. Otherwise, of course, he will retain his questions for committee.

**Mr. Bullbrook:** On a point of order, you permitted the member for Lakeshore to advise all the members of this House on second reading that they were all commissioners for taking affidavits.

**Mr. Speaker:** And I permitted the hon. member for Grey-Bruce thereafter to ask why members of the House were not commissioners.

**Mr. Bullbrook:** Most respectfully to your honour, what has that to do with the principle of the bill?



**Mr. Lawlor:** I was just being graceful, that is all.

Motion agreed to; second reading of the bill.

### CONSOLIDATION AND REVISION OF THE STATUTES

**Hon. Mr. Wishart** moves second reading of Bill 62, An Act to provide for the consolidation and revision of the Statutes.

**Mr. Lawlor:** Mr. Speaker, on this bill revising the statutes of Ontario, I wonder if a more thorough revision might not be contemplated. You say that within the terms of this bill what is being revised is the legislation as it was in 1960. But in the great volume five of the Revised Statutes of Ontario are a host of statutes which themselves should be subject to revision.

They come down in time to The Constitutional Act of 1791 where, I think, they are all picked up. You have—to the delight of the legal profession who have never looked at them, I am sure—such things as *Quia Emptores*, the statute of uses, sections from Magna Carta. Would not our bill of rights embody and supersede that?

In any event, there is a whole host of very ancient statutes. Is this the totality? I see nothing to indicate that this is all the other statutory law that is involved in the Statutes of Ontario. Is that the end of the matter?

In other words, what I am asking for is a total revision to bring all our legislation up to date. If the statute of uses still has validity in this context, alright, but I am just wondering about the one on champerty and the one on *Quia Emptores* and again, the statute on monopolies. I am sure it has no validity at all. You have The Fines and Forfeitures Act now which supersedes that.

So let us do a revision, if that is what you propose to do. I know from generation to generation very little is altered in the way in which this bill is set up. Looking back to the 1950 revision, I see that the very precise wording, the same wording is carried through from section to section.

**Mr. Singer:** There was not one in 1940.

**Mr. Lawlor:** In the third section of the bill it instructs the two legislative counsel to do certain things, among which, at the top of page 2 in the original text here, is: "To make such amendments as are unnecessary to bring out more clearly what it deemed

to be the intention of the Legislature or to reconcile seemingly, inconsistent enactments."

Personally, I would not be much prepared to confer upon anyone the right to make such amendments as are necessary to bring out more clearly what is deemed to be the intention. If that intention is not clear enough on the face of it, then you had better amend the legislation. But to place in the hands of anyone, the power and authority to spell out what the legislation itself has failed to do, seems to me to be a usurpation of our own functions. While this wording has gone down, as I say, generation to generation; I still take exception to it and would direct your attention possibly to altering it.

Again, I notice that in the 1960 revision there are 169 pages in Schedule "B". The number of pages have been increasing from decade to decade. In other words, if you go through the sections and try to pair off the sections as they have been superseded, amended or what not, there are 169 pages of very close print. It is getting too great a load.

I am saying, in the case of statutes, not five but perhaps seven years might now become a legitimate period of time in which this type of consolidated revision should take place.

I place these matters, Mr. Speaker, before the Attorney General for their worth.

**Hon. Mr. Wishart:** Mr. Speaker, I would like to just say a word further. I think the comments are well made, I did point out on the first reading of this bill that in addition to our legislative counsel who are mentioned I think in the bill and the procedure we shall follow thereby using our own legislative counsel, we had thought it might be wise to engage some very capable person.

I had in mind the lawyer who assisted the hon. Mr. McRuer, especially in his studies on civil rights, to sit with and to work with legislative counsel in this revision. There are some types of revision which can take place in the statute which will result from the recommendation that Mr. McRuer has made. And, of course, any changes that are made or as the hon. member points out for powers which the revising team will have, they will of course be noted and will be brought to the attention of the Legislature. When we come to examine the revised statute there will be nothing done which is not openly exhibited to the Legislature for its examination and for discussion for its approval.

I think this particular revision of the statute will be one that will bear in mind the changes which we wish to make, particularly

in light of the fact that we will be introducing shortly a Statutory Powers Procedure Act. I think it will be helpful to have someone who is aware—having worked with Mr. McRuer particularly—of the suggestions which he made for admendments in statutory powers, powers of agencies and commissions of government, all of which I hope to have before this Legislature for study and for passage if we can accomplish it this session.

This revision will pick those things up and move with us as we go to change the powers which affect our rights in our statutes and all of which have been given out to agencies, boards, and so on.

I believe we have already engaged him.

**Mr. Singer:** Could you tell us his name then if he is engaged.

**Hon. Mr. Wishart:** I think I am correct in saying that the gentleman we approached is Mr. Mundell, and I think we have been able to secure his services.

**Mr. Sargent:** As I read this bill and the following bill, the first parts of sub-sections 1 and 2 are identical in their phraseology. I read the enumeration of the commissioners; these are pretty vague and these people, who are employees of the legislative counsel, will be paid over and above their regular salary to do this job. I do not think that this Act intends it; it should not be the case. There are six employees of the legislative counsel; they should not be paid in addition to their job for doing this revision.

Interjection by an hon. member.

**Hon. Mr. Wishart:** Mr. Speaker, in order to do this work (I am sure the hon. member will agree it is quite a tremendous piece of work) these people will work not only their regular day's work, but they will be working long hours, and long extra hours, without regard to what they are required to do under their present terms of employment. This will be extra service that they will be rendering.

**Mr. Sargent:** With the greatest respect, this does not happen. These people are employed by the government as people of the counsel, and you tell us that they are going to work extra hours and should be paid for that. This is not the case. They should not be paid; they have a job to do and as part of their job, they should be doing it. I do not go along with the fact that you can load on these extra remunerations for these people for doing their ordinary jobs. You have no right to

take public funds to give these people over-time work.

**Hon. Mr. Wishart:** Mr. Speaker, I think I must pursue this a little bit further. Surely the hon. member will agree that to take all the statutes—I believe he has sat here perhaps for the last 10 years, perhaps it just seems that long—

Interjection by an hon. member.

**Hon. Mr. Wishart:** Perhaps if I were to ask him to take all of the statutes that have been passed in this Legislature and compare them to those on all our books and to carefully delete, substitute, rewrite, check and ascertain that nothing was left undone, and everything was in its final form, he would agree with me that, first of all, it is a tremendous job.

I do say to him, and I ask him to accept my word, that these gentlemen, the legislative counsel, will be working long beyond their ordinary duties. This is something that comes up once in ten years. They could sit quiet and say, "we want no part of it, we have enough to keep us busy now in preparing this legislation that you present in every Legislature," and we sit here now nine, ten months of the year. So they must be pretty busy at it is, and they must work extra time to get this work done. They are the most familiar, the most accomplished persons to do it. I am sure that they will give good value for whatever they are paid.

**Mr. Sargent:** There is no magic about this.

It is a straight compilation of the records in respect to—

**Mr. Speaker:** Order! The hon. member is out of order.

**Hon. Mr. Grossman:** The hon. member is on that committee.

**Mr. Speaker:** The motion is for second reading of Bill 62.

Motion agreed to; second reading of the bill.

#### THE SUMMARY CONVICTIONS ACT

**Hon. Mr. Wishart** moves second reading of Bill 64, an Act to amend The Summary Convictions Act.

Motion agreed to; second reading of the bill.

## THE CHANGE OF NAME ACT

**Hon. Mr. Wishart** moves second reading of Bill 65, an Act to amend The Change of Name Act.

**Mr. Lawlor:** Mr. Speaker, on this bill, I suggest that the head note, explaining the purpose or principle of this bill is not erroneous, perhaps, but I would like it explained a bit. "The amendments ensure more reliable information necessary for amending vital statistics records in Ontario, or other jurisdictions as a result of a change of name." I see nothing in this legislation.

**Hon. Mr. Wishart:** The hon. member is not discussing the bill now; he is discussing a head note to the bill, or a side note.

**Mr. Lawlor:** The head note to the bill explains the principle, I would suggest, Mr. Speaker.

**Hon. Mr. Wishart:** Yes, all right.

**Mr. Lawlor:** Well, I have a second point, I will finish both of them.

My contention on this bill is that it makes a contribution to making the practice of law more difficult and obnoxious than it used to be, the business of having to supply marriage certificates and birth certificates in order to get a change of name registration.

If these certificates, or either one of them are obtainable in Ontario, then what happens is that you get it from the registrar in the vital statistics department anyhow, and then you send it back to them through the court officer. That is required to be done in the new legislation.

If these things are to be obtained outside of Ontario, then in most instances, if anyone is aware of trying to meet pension funds provisions, or in a whole range of different legal matters where people have to prove their age, or that they are married, or what not, from foreign countries, from countries that have been devastated by war, then you run into considerable difficulty obtaining this kind of documentation.

And you are requiring and making it mandatory that you do so now, except you say, "where practicable."

Now, what on earth does practicable mean? I can see solicitors being forced in most circumstances, where there are elongated names, or for one reason or another, largely foreign people want to change their names, anglicise them perhaps, they are going to have to make out lengthy affidavits, going through the hoops, performing legal somersaults in order to satisfy a court that they have done everything in their power in order to obtain the necessary documents, birth certificates or marriage certificates. I think it is completely unnecessary.

**Hon. Mr. Wishart:** Mr. Speaker, I think the hon. member completely misconstrues the purpose and intention here. It will assist these people and we ask them now and require that where practicable, they get and file on an application for a change of name, particulars of their birth place and date of birth, marriage, etc., which now is not required and which, when the change of name order goes through, the change of name goes to the Provincial Secretary's office, the vital statistics branch.

But when they come ten, 20, 30 years later to get their pension, there is no birth certificate to be produced, or there are no particulars of the fact that there was marriage, wherever they were married, when or where they were born.

It is suggested that, where practicable, they obtain that information, then it becomes a matter of record, and when they are faced in the time of need for their pension that material will be available. This is the time to do it, and this is for their benefit really.

Motion agreed to; second reading of the bill.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the Twenty-Eighth Legislature

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Friday, February 21, 1969

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1969



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## LEGISLATIVE ASSEMBLY OF ONTARIO

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FRIDAY, FEBRUARY 21, 1969

The House met at 10.30 o'clock a.m.

Prayers.

**Mr. Speaker:** This morning we have visitors in the east gallery from a distance—students from the Blind River District High School in Blind River—and in the west gallery from the Adult Education Centre, College Street, Toronto. Later this morning we will be joined by students from Thistletown Middle Public School in Rexdale, and later from Frenchman's Bay Public School in Frenchman's Bay.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Before we proceed with the orders of the day I would like to remind members of the TB chest x-ray clinic which is operating on the first floor. You have all had notice and I suggest it might be a good opportunity for the members to check up on their vocal resources.

**Mr. E. Sargent (Gery-Bruce):** Mr. Speaker, before the orders of the day I would like to address a few remarks to the Prime Minister (Mr. Robarts) in regard to the operation of your office.

**Mr. Speaker:** The hon. member is quite entitled, if he has a point of privilege or of order, to raise it, but he has not the right to address remarks to anyone except to Mr. Speaker on the points of order or privilege. If there is something in connection with Mr. Speaker's office he wishes to raise, he may do so on a point either of personal privilege or order.

**Mr. Sargent:** Mr. Speaker, the point is this: On Friday mornings, your ruling is that a question should be in before 8.45 a.m.; I was here at 8.30 a.m. and there was nothing open at 8.45 a.m. I submit to you very respectfully, Mr. Speaker, that the operation of your office should be on behalf of the people of Ontario and not Mr. Speaker him-

self. But you run the office to suit you. I phoned you in a very friendly manner about five minutes after 9 o'clock and we got off to a good start. But all of a sudden, I present my point and no one is right but you.

Now, I submit to you very respectfully that a question of importance to the public of Ontario coming at 9 o'clock or five minutes after 9 o'clock leaves you one hour and a half before the House sits. You have one hour and a half to assist the ministry to check it out, and in fact the Minister can fire from the hip and say he does not know, he does not want to answer. But your ruling is always your way, and I think that somewhere along the line, the customer is sometimes right. I hope it will be that way one time so the underprivileged over here will have a chance. You should reassess your ruling for Friday morning, Mr. Speaker, and I say that in a very positive, constructive way.

**Mr. Speaker:** Well, I am delighted to have the hon. member's views on this, but we went through all this last session. So far as Mr. Speaker is concerned, 8.45 o'clock is the hour on Friday morning, by which time I am here and if I am not my staff is. I met the hon. member at five minutes to 9 o'clock when I was going to my offices as he was coming down the stairs and he did not call me until five minutes after 9 o'clock. Then, of course, in any event he would have been too late. But, in any event, 8.45 o'clock is the hour that we have chosen, and it is Mr. Speaker's choice in order to give some possibility of questions being asked and answered. Some of the caucuses last session, and at the beginning of this session, adopted the practice of getting in all except the latest questions the night before, which gives the staff a chance to deal with them—because remember they must be dealt with by Mr. Speaker's staff first, and then by the Minister's staff. So that, at present at least, 8.45 o'clock on Friday mornings is the hour by which questions must be in Mr. Speaker's office.

Interjection by an hon. member.

**Mr. Speaker:** The hon. member for York South has the floor.

**Mr. D. C. MacDonald (York South):** I have a question for the Provincial Treasurer.

1. For how many years has The Treasury Department been making grants to the Ontario Humane Society?

2. How much was the grant for the current fiscal year?

3. What conceivable explanation is there for the statement attributed to Tom Hughes, general manager of the Ontario Humane Society, that the Ontario government doesn't give "a single lousy penny" to that organization?

**Hon. C. S. MacNaughton (Treasurer):** Mr. Speaker, the answer to the three-part question from the hon. member for York South is as follows:

1. The Treasury Department has been making grants to the Ontario Society for the Prevention of Cruelty to Animals for the last 12 years. That is since the fiscal year of 1957-1958. Before that time, a grant was paid to the society through The Department of Agriculture.

2. The amount of \$20,000 was paid in June 1968.

3. I do not know in what context the statement attributed to Mr. Hughes was made, and in view of the answer to items 1 and 2, I cannot provide a conceivable explanation.

**Mr. MacDonald:** Mr. Speaker, I wonder if I might ask the Minister a supplementary question? My investigations indicate that nowhere in the auditors' report nor in the public accounts can one find the facts that The Treasury Department is making a grant to the Ontario Humane Society. What is the explanation for that?

**Hon. Mr. MacNaughton:** Mr. Speaker, first of all, the grant for the Ontario Society for the Prevention of Cruelty to Animals is certainly voted every year, I think in the estimates of the Treasurer. Now as to where it can be found in the public accounts, I am not sure. I will have to pursue that if I may.

**An hon. member:** But it is voted every year!

**Mr. MacDonald:** I would appreciate it if the Provincial Treasurer would look into it, because I tried to pursue this a few weeks ago and somebody whom I approached checked through the provincial auditor and he knew of no grants.

A question of the Minister of Health, Mr. Speaker.

Can the Minister confirm that the superintendent of the London Psychiatric Hospital has refused to admit further patients from the city of London because funds available for transferring patients to homes for special care have been exhausted?

If such grants have been exhausted, can further moneys be made available so that the facilities of the psychiatric hospital will not be denied to persons resident in the city of London?

Third, are there any other communities for which a comparable ceiling on expenditure has been fixed?

And are there any communities, other than London, where the ceiling has been exceeded?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, this is a rather involved matter. It is just not as bald as it seems on the surface.

The superintendent at London has recommended that patients be refused admission if treatment in the London Psychiatric Hospital would prevent those patients from receiving support from the social services department of the city of London if and when it was required.

Rather than lose this entitlement to assistance for the patient it will be to the advantage of the patient to be admitted to the psychiatric service of Victoria Hospital or St. Joseph's Hospital.

I do understand, however, that meetings are being arranged with officials in London to clarify this issue and make sure that full and effective use will be made of all resources in the community.

The answer to parts two and three is no.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, on a point of order—

**Hon. Mr. MacNaughton:** On a point of order, if I may—

**Mr. Singer:** On a point of order, Mr. Speaker.

**Mr. Speaker:** The hon. member for Downsview rose first on a point of order.

**Mr. Singer:** Mr. Speaker, in connection with what the member for York South has just said, I would refer him to page W13 of the Public Accounts 1967 and 1968, where he will note the auditor's report concerning a \$20,000 grant to the Ontario Society for the Prevention of Cruelty to Animals.

**Mr. Speaker:** The hon. member for Grey-Bruce has questions.

**Mr. Sargent:** Thank you, Mr. Speaker. A question to the Minister of Education.

In view of the moral revulsion of the Canadian public to demonstrations, sit-ins and property damage in universities, and the fact that 99 per cent of students and faculties want to get on with the job of education, will the Minister advise why the government in Ontario cannot take the position that those who break the law in our universities should be treated like any other adult who breaks laws?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I think one should point out at the outset that there has been no demonstration involving property damage or violence at any Ontario university to date, and I think this is a statement that must be made and understood by the members opposite. I think also the hon. member read, as it was reported in the press, my own speech at the University of Windsor last Monday. I pointed out very clearly that the public cannot, nor can the government, tolerate violence, destruction of property or the breaking of the laws of this jurisdiction; and this, I believe, was made abundantly clear.

I would think, Mr. Speaker, that the hon. member must retain some degree of objectivity in these situations and while there is a tendency to relate situations in other jurisdictions to the possibilities here, I think it should be made abundantly clear that there is perhaps no connection between violence and destruction as it has taken place in other jurisdictions, and the situation in Windsor, which has now been resolved. I think it should be pointed out, Mr. Speaker, that in the situation at Windsor, while one does not condone the practice of, shall we say, a sit-in, nonetheless the administration, I believe, acted in the best interest of the institution as they saw it; and the matter has now been resolved—I would not say necessarily to everyone's satisfaction, but nonetheless an agreement has been reached.

The members opposite might be interested to know that I just discovered a few minutes ago that those students sitting in the theological faculty of the University of Windsor took the precaution to wash the floors before they left the premises late last night.

**Mr. Sargent:** Mr. Speaker, in view of the fact that in America such demonstrations and property damage—and probably in Montreal—were organized by outside groups who are communist dominated, will the Minister advise that he has instructed the staffs of

universities to treat these people like adults insofar as breaking the law is concerned? Has he issued those instructions from his department?

**Hon. Mr. Davis:** Mr. Speaker, I think the administrators of our universities, our faculties—and I would suggest the vast majority of students—recognize that students are being treated as adults by our society. They recognize that students have no right to break the law and, as I say, we have had no destruction. Neither have we had violence on the campuses here. I would suggest to the hon. member that he not be too greatly influenced by situations happening elsewhere.

**Mr. Speaker:** The hon. member has a further question of this Minister?

**Mr. Sargent:** Will the Minister advise if the sex film shown in Bessborough Drive Public School in Toronto to Grade 7 and 8 students, discussing such subjects as how to cope with a frigid wife and how to deal with prostitutes, is to be standard fare to all public schools across the province?

**Hon. Mr. Davis:** Mr. Speaker, I would be interested in asking the hon. member whether he is suggesting it should or should not be. However I shall endeavour to point out the facts of the situation to him.

Some two years ago the Home and School Association of Bessborough Drive Public School in East York began discussing the place of home and school in family life education—it is a very difficult topic, let us face it—and as a result they developed one or two programmes using films and panel discussions. On February 11 the home and school meeting for parents only, initially, discussed the pros and cons of how better to deal with family life education.

The film "Learning to Live" was shown and a panel of parents of the district led the discussion. The parents—and I emphasize this—decided to hold a further meeting on February 18 for parents and their children. The film was shown, followed by discussion groups of parents and the students involved. Neither the use of the film nor the meeting of the home and school association was sponsored by The Department of Education. This was done entirely on their own initiative.

**Mr. Sargent:** Does the Minister condone showing Grade 7 and 8 students this kind of fare?

**Hon. Mr. Davis:** Well, Mr. Speaker, I would think the hon. member might wish to

view the film and try to understand what they are trying to accomplish before he asks me whether I condone the showing of this type of film.

**Mr. Speaker:** The hon. member for Windsor West.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I had a question for the Minister of Education relating to the University of Windsor occupation, but I have asked the Minister, through you, Mr. Speaker, not to place the question today in light of the settlement of the dispute between the students and the administration.

**Mr. Speaker:** The hon. member has a question from yesterday of the Minister of Revenue.

**Mr. Peacock:** Yes, Mr. Speaker, to the Minister of Revenue. In view of the statement of the Toronto Real Estate Board of February 18 that residential construction costs in Metro Toronto have gone up about five per cent in the past year, or about \$600 for the average house, is the Minister prepared to rebate the provincial five-per-cent sales tax on low cost homes to offset this rise which is pricing more families out of the housing market?

**Hon. J. H. White (Minister of Revenue):** Mr. Speaker, a rebate of this magnitude does not lie within the scope of the Minister of Revenue. The Treasurer of Ontario is responsible for initiating economic policies, including tax rate and tax bases, and ordinarily he makes his policy and taxing plans known to the Legislature when he presents his Budget, which will be a couple of weeks from now. The answer will likely reveal itself at that time.

**Mr. Speaker:** The hon. member for Humber.

**Mr. G. Ben (Humber):** Mr. Speaker, I have a couple of question of the hon. Minister of Health.

1. Will the Minister bring in legislation controlling the circumstances under which human ova can be fertilized by human sperm in artificial conditions in Ontario?

2. In the absence of such specific legislation, what is the present legal position in this matter?

3. To the Minister's knowledge, are any experiments presently proceeding in Ontario laboratories, hospitals, schools of medicine or elsewhere, similar to those now causing an outcry in Great Britain?

4. For the information of this House, will the Minister table the details, or learned journal sources, of the genetic experiments carried out by Dr. Robert Edwards and his colleagues?

**Hon. Mr. Dymond:** Mr. Speaker, I have not given any consideration to bringing in such legislation as the hon. member for Humber suggests. There is no specific legislation dealing with the matter to my knowledge. I am not aware of any such experimentation going on at the present time in Ontario although it might very well be.

There is no need for any experimental bodies to report such projects or any other projects to us unless they are asking for grants, and I cannot see any good purpose served by tabling these scientific papers. They will be available in all medical libraries, the departmental library included, for the use of anyone who is particularly interested in this kind of experimental reporting.

**Mr. Ben:** Mr. Speaker, I have another question from yesterday, again to the Minister of Health.

1. In paragraph 679 in the report on the pollution of air, soil and water in the townships of Dunn, Moulton and Sherbrooke in Haldimand county, the statement is made that the committee and council viewed the film, "Air of Death", officially, in the CBC studio on Thursday, February 22, 1967, at 10.30 a.m. Will the Minister take this opportunity to correct the record, in the light of this obvious error, since the film was not shown to the public until eight months after this date?

2. What criteria were used to determine the "recognized and accepted scientists" referred to in paragraph 43 of the report?

3. Is there a professional or other peer group ranking to justify this objective selection of, "persons known for their interest and reputation" and those "recognized as expert to the general discipline" according to paragraph 44 of the report?

4. What were the special arrangements under which the additional consulting experts appeared before the committee, that is paragraph 46?

5. To what extent was the council for the local air pollution committee, Mr. Geoffrey

Brooks, of Welland, assisted from public funds, by way of mailing and typing costs, legal service, and so on?

6. Since the publication of the Hall report, has Mr. Drysinger, the sulphur dioxide specialist of The Department of Mines, or any other technically competent person, visited the automatic testing station adjacent to former Reeve Siddall's home in Sherbrooke township, or the candle recorders in the immediate area? Has he made a report to the government and will the Minister table this report?

7. Is the Minister prepared to accept the reasoning behind the statement of Dr. Lawther—paragraph 102—that the main concern is what the individual is breathing and not what is emitted from power stations or industrial stacks? Does this not imply an abdication of long-term control?

8. Does the Minister still accept the proposition in paragraph 129 of the report that “in this Port Maitland study we are dealing only with the effects of inorganic fluorides, and these only on a quantitative time basis, which may result in a demonstrable effect of chronic fluorosis. There are no organic fluorides involved, nor is there any possibility of acute fluorosis being a factor.”

9. Will the Minister undertake to table the answers to these questions before March 18, 1969, and this can go as an enquiry?

**Hon. Mr. Dymond:** Mr. Speaker, I would ask that this be put on the order paper for answer in that manner.

**Mr. Speaker:** The hon. member for Cochrane South has a question of this Minister.

**Mr. W. Ferrier (Cochrane South):** I have a question of the Minister of Health.

**Mr. Ben:** I understand the Minister said he had some answers on Thursday to questions that I had asked on Wednesday. Perhaps the Minister can dispose of them now?

**Mr. Speaker:** If the hon. Minister has answers, when he has answered the question from the hon. member for Cochrane South he certainly would have the floor to answer them.

**Mr. Ferrier:** Mr. Speaker, my question is to the Minister of Health. Has the Minister any statistics on the number of persons electrocuted by faulty diagnostic equipment in Ontario hospitals, similar to the United States as published in the *Toronto Telegram* of February 20?

**Hon. Mr. Dymond:** The answer is no. I am seeking some factual and scientific basis for these statistics which are purported to have been reported in the *Telegram* of this date.

**Mr. Ferrier:** Would the Minister accept a supplementary question? Are inspections made of this equipment to see that it is not faulty? Does he know if this is done?

**Hon. Mr. Dymond:** I would have to state, Mr. Speaker, that I could not answer that with any accuracy at this time, but we are finding out all about this.

There are several questions of which I had taken notice. The hon. member for Humber asked question 658 which is already in *Hansard* and I shall not repeat it. The answer is, a representative of the air pollution control service was on the committee drawing up the CMA code on industrial air pollution. It will be discussed thoroughly with the CMA after publication.

2. This will be decided on the outcome of our discussion.

3. The air pollution control service makes available to all interested parties all the information it has in the library and on file.

4. This will be a matter of government policy.

The hon. member asked question 656, which is also on the order paper or in *Hansard* and which I shall not repeat. The answer:

1. Under The Industrial Safety Act of The Department of Labour and under The Air Pollution Control Act, 1967, The Department of Health is able to obtain complete information regarding any industrial process in Ontario.

2. The Air Pollution Control Act, 1967, gives the Minister of Health the power necessary to control air pollution from any source in Ontario.

3. (a) The industrial processes of the Electric Reduction Company Limited, the Sherbrooke Metallurgical Company, were outlined under oath before the commission and were full disclosures as far as we were aware.

3. (b) As far as the occupational health services and the air pollution control service of my department are aware, the operations of these companies are not in contravention of the Geneva convention. However, we only have a general knowledge of this convention and are not aware of all its details.

The hon. member for—



**Mr. Ben:** Mr. Speaker, on the two that the Minister has answered for me, will he accept a supplementary question?

**Hon. Mr. Dymond:** Yes!

**Mr. Ben:** On question 658, in answers to 4, the Minister's answer was that this is government policy. Would the Minister please elaborate? Is it government policy—the need for taking over pollution control in this province, and putting all these different types of pollution under one heading? Or is the Minister saying it is government policy, therefore he does not have to give me an answer? Which does he mean?

**Hon. Mr. Dymond:** The fourth part of the question, Mr. Speaker, is quite clear. This will be decided on the basis of government policy, whether it is all centralized under one department or not.

**Mr. Ben:** What the Minister is saying is that he is answering it; it is government policy and he need not answer it.

**Hon. Mr. Dymond:** It will be revealed—

**Mr. Ben:** All right. The next supplementary question deals with question 656, specifically with 3(a).

The Minister, I understand, presumes that the Electric Reduction Company officers and the Sherbrooke Metallurgical Company officers were testifying under oath, they revealed all there was to reveal about their operations. Could not either of these companies have been producing toxic products which were not involved in this investigation and therefore did not reveal anything about it because they were not asked about it?

**Hon. Mr. Dymond:** This is a very hypothetical question, Mr. Speaker. Really, you know, this whole subject was a matter for a Royal commission and a Minister has no way of knowing what was revealed except as set out in the report of the commission. I really could not answer the question with any degree of intelligence.

**Mr. Ben:** Perhaps I should rephrase it. Will the Minister, Mr. Speaker, satisfy himself that neither of these companies are manufacturing any toxicants which could be pollutants unknown to the general public?

**Hon. Mr. Dymond:** Yes, Mr. Speaker, we can certainly have access to that information and we will satisfy ourselves of this.

Mr. Speaker, I still have two other questions of which I took notice. The hon. member for Scarborough East asked question 666.

The answer: This is a matter of government policy which is currently being given very thorough attention and which will in due course be announced in this House.

The hon. member for High Park asked question 684. The answer: 18,000 contraceptive pills have been dispensed during the past year at Whitby Psychiatric Hospital. Since contraceptive pills are used for a variety of purposes which relate to the particular needs of the patient, it does not naturally follow that the figure quoted above indicates they were all used for birth control. The department does not interfere in the doctor's judgment of what he shall prescribe for his patients.

**Mr. T. Reid (Scarborough East):** May I ask the Minister a supplementary question?

The question, if I remember correctly, was what changes had been made in the present Ontario government scheme to receive the federal Medicare grant. Do I understand correctly from the Minister's answer, Mr. Speaker, that he does not now know what changes would have to be made in order to be eligible for the federal Medicare grants?

**Hon. Mr. Dymond:** I think, Mr. Speaker, my answer was quite clear and needs no further elaboration.

**Mr. Speaker:** The hon. member for High Park has a question.

**Mr. M. Shulman (High Park):** A question to the Minister of Correctional Services.

Why was Mr. Stanley W., a prisoner at Burwash, transferred to the Sudbury jail?

How many other prisoners have been transferred from Burwash to district jails recently?

Why were they transferred?

**Hon. A. Grossman (Minister of Correctional Services):** Mr. Speaker, the answer to the first question, as to why the certain prisoner was transferred to the Sudbury jail, is to face criminal charges.

The answer to the second part of the question—how many other prisoners have been transferred from Burwash to district jails recently?—is 24.

The third part, as to why they were transferred: Eight to face criminal charges; 16 for security reasons, that is for either their own protection or for the protection of the staff and inmate population of Burwash.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Grossman:** Well, Mr. Speaker, particularly in view of the nature of these



particular questions, I think it would be inadvisable to discuss it publicly at this time.

**Mr. Shulman:** Does that mean no?

**Hon. Mr. Grossman:** That means no.

**Mr. Speaker:** Before the first order of the day is announced, may I draw to the attention of the members that everyone has had a memo about a meeting of the Ontario branch of the Commonwealth Parliamentary Association on Thursday night, between the afternoon and evening sessions. I would hope that a great number of you would be able to be present and learn something about this very important organization.

Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the Speech of the Honourable, the Lieutenant-Governor at the opening of the session.

#### SPEECH FROM THE THRONE

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I would like to continue where I left off in adjourning the debate last Wednesday.

And I would like to bring to the attention of the Provincial Secretary (Mr. Welch), through you, Mr. Speaker, the problem of the high cost of beer in northern and northwestern Ontario. He mentioned in the House, yesterday I believe, that this was being investigated but I would like to point out to him a couple of other facts that he may or may not be aware of that he can pass on to the liquor control board.

The average cost of a case of beer in northwestern Ontario is approximately 25 cents a case more. I understand there is a brewer in northern Ontario who ships to Toronto and sells the beer in Toronto at about the same price as Toronto stores, while charging 25 cents a case more where he brews it in northern Ontario. A great deal of the beer we get in northwestern Ontario comes from Manitoba and we cannot understand why we should have to pay 25 cents a case more.

**Mr. R. F. Nixon (Leader of the Opposition):** Tory red tape.

**Mr. T. P. Reid:** I would like to outline very briefly some of the requests that I would like to make to this government on

behalf of my riding. I will not say "demand", one does not get anywhere with that. But I would just like to reiterate the need for a road between Highways 11 and 17 in northwestern Ontario. This will allow much better communications, much cheaper transport, for the people of northwestern Ontario, and for the people of the Ignace-Dryden area in particular, and of the Atikokan and Fort Frances area. I would hope that the Minister of Highways (Mr. Gomme) would once again give serious consideration to the building of such a road.

I would ask again the Minister of Correctional Services (Mr. Grossman), through you, Mr. Speaker, that he consider most strongly and put it as No. 1 on his list of priorities, the need for a new provincial jail in the Rainy River district. I am sure the Minister is aware of the very poor conditions, the crowded conditions that exist in the present jail now located at Fort Frances.

Third, what we in northwestern Ontario—when I think across the province as a whole—would like to see is a comprehensive regional economic policy, a policy of economic development for the province as a whole. I intend to go into this particular topic during the Budget Debate so I will leave that for now. Most of all, what we in northwestern and northern Ontario would like to see is a change of attitude on the part of this present Conservative government to the needs and desires of the people of northwestern Ontario.

Now, Mr. Speaker, I spoke briefly—not so briefly—on Wednesday about the breakdown of democracy in this province due to the arrogant and dictatorial attitude of this present Conservative government. I would say to you, sir, that come the next election this will be one of the very facts that leads to the defeat of that present government and for a new Liberal government under our leader (Mr. Nixon).

It has become most apparent, certainly, Mr. Speaker, that the Liberal Party in Ontario under our leader is the only logical alternative to the present government.

We would postulate the fact, we all postulate the fact, that the end of this government is long overdue. It is finished. It is out. It is going to be defeated in the next election. We are the only alternative to take over. You do not have to take my word for it. I refer you to the speeches and statements of the hon. member for Riverdale (Mr. J. Renwick), so that takes care of their forming the next government.

I say this, Mr. Speaker, because it becomes readily more apparent everyday that the government of Ontario, this present Conservative government has become irrelevant to the people of Ontario because the people of Ontario have become irrelevant to this Conservative government.

Mr. F. Young (Yorkview): Mr. Speaker—

Mr. L. M. Reilly (Eglinton): On a point of order!

Mr. Speaker: The hon. member for Eglinton has a point of order?

Mr. Reilly: Yes. I think there was some misunderstanding as far as our list was concerned. The next speaker should be a speaker from the Liberal Party. The Liberal whip has suggested that he does not want to forego his place and under the circumstances I suggest to you, Mr. Speaker, that the next one should be a speaker from the Liberal Party.

Mr. Speaker: Perhaps we could hear from the Liberal—

Mr. Nixon: Well, Mr. Speaker, unfortunately our whip is not with us at the moment. I understand that the member for Huron-Bruce (Mr. Gaunt) was next on our list, but the member for Windsor-Walkerville (Mr. B. Newman) is prepared to go ahead if that meets with your approval and by agreement. But we have just had a Liberal speaker.

Mr. Young: Mr. Speaker, in connection with the point of order I might say this: In the last three or four days there has been some problem about placing in this debate, and yesterday afternoon the hon. member for Huron-Bruce and I made an agreement regarding timing. I said that if there was time for him to get through yesterday afternoon I would stand down and he would take the place. He agreed that if that were not possible, I would go on for whatever remaining time there would be and then finish today. This was the understanding that I had with the hon. member for Huron-Bruce. So I am proceeding, Mr. Speaker, and I see no reason why that should not hold at this time.

Mr. Reilly: Mr. Speaker, it is unfortunate that we did not have an opportunity to discuss this with the three whips together. I am sorry that this has happened, but actually what has taken place in most instances is we have transferred a member from the same party into a place if he could not be here, and under the circumstances this is all that

we are asking to do now. If a Liberal member cannot be here in his place we are substituting another Liberal member for him. The name of the member for Yorkview was far down on the list and if he wants to substitute for the next NDP speaker, this is excellent and I think this is the way it should be.

Mr. Young: I think, Mr. Speaker, the hon. member for Hamilton East (Mr. Gisborn) was on that list.

Mr. Reilly: That is right.

Mr. Young: And my name was substituted some days ago for that of the member for Hamilton East.

Mr. Reilly: And I think this is—

Mr. Young: —and at the time—

Mr. Reilly: Under the circumstances I think—

Mr. Young: —the time, the understanding was that I would take his place on the list. The member for Huron-Bruce and I worked this thing out between us; depending on time whoever could come in at the time would come in. That was agreed upon and that is the basis I am operating on this morning.

Mr. Reilly: Mr. Speaker, there is nothing wrong with that and the member for Hamilton East is still on our list. If the member for Huron Bruce wants to substitute for the member for Hamilton East, he will be the next speaker following the Liberal speaker.

Mr. Young: Mr. Speaker, I understand that the member for Eglinton was not even in on these negotiations—they were carried on by another member of his party, not by him.

Mr. Nixon: Well, Mr. Speaker, this seems to be an incredible waste of time and I regret it. I would say to you sir, that the member for Windsor-Walkerville is prepared to speak for us now or at your convenience and we will certainly abide by your ruling.

Mr. Speaker: It has been customary, at least during my tenure of this position, for the party whips to arrange the list of speakers for the Throne Speech and Budget speech and other debates, and the list which has been furnished to me reads: Rainy River, Huron-Bruce and Hamilton East. Unless there is some reason for differing from that list I must take it that that has come from those who make these arrangements. Far be it from me to make my judgment over-

ride that of the party whips, as furnished to me by the chief government whip, presumably after consultation with the other parties.

Since it is apparent that the Liberal Party has the next speaker on the list furnished to me and they are prepared to proceed it would seem to me, with all deference to the hon. member for Yorkview, that his position in the list of speakers is that of the next NDP speaker, who would have been Mr. Gisborn.

I make no ruling because as far as I am concerned this is something that is within the purview of the members of the House, represented by their party whips. We have just now heard from the chief government whip and from the leader of the Opposition that this is the order that should be followed. I really see no reason why I should disturb that, on the basis that it was an arrangement made among the parties.

I would be glad if the hon. member for Yorkview wishes to speak further to the matter because I have no desire to change the list or put him out or put somebody else in.

**Mr. Young:** Well, Mr. Speaker, on that point of order. This arrangement was pretty definite yesterday. The member for Eglinton was not a part of it, and the agreement was between the member for Huron-Bruce and me, that we would work this out and this was agreed to by the people concerned. The hon. member for Huron-Bruce and I had agreed, as I said before, that depending on time one of us would go on.

He was very anxious to get on yesterday afternoon and I was agreeable he should, but said that if there was no time left for him to speak and to present his full case I would take the residue of the time and start my speech at that time. This did not happen and so I took for granted that when the hon. member for Rainy River (Mr. T. P. Reid) was through I would take my place as agreed.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, rather than hold up the proceedings of the House I will pass and allow the member for Yorkview to continue with his remarks.

**Mr. Young:** Well, Mr. Speaker, I say thank you to the hon. member for Windsor-Walkerville for this opportunity, and I think it is simply carrying out the understanding we had. It is good on his part to give way in this case and to allow me to go forward as I had planned. Now I do want to say, Mr. Speaker—

**Mr. Reilly:** Mr. Speaker—excuse an interruption for a moment, on a point of order. I think that in future what we should do is not have an agreement between two members but among the government whips.

**Mr. Nixon:** If we can find them—

**Mr. Speaker:** Before the hon. member proceeds, so that he is not interrupted unduly later, may I just say this, that I shall in future, on an occasion such as this, rule that the list given to me by the party whips is the list of the order of debate and if there has been any change made otherwise it will not be recognized by me unless it has been approved by the party whips and the new list order given to me.

Now that is fair notice, I think, to everyone here, private members as well as whips.

**Mr. F. Young (Yorkview):** Mr. Speaker, I would like to add by congratulations to you and to the deputy Speaker for the way in which you have handled the business of this House. I do not know that any more can be said than has already been said. I would simply like to point out to the House the way in which the Speaker has been taking an interest in the welfare of the people concerned, in and around the environs of this assembly.

I point out one thing, Mr. Speaker has taken a particular interest in the page boys and the situation in which they operate. He found, for example, they were down in the basement tucked away in very inadequate quarters. Finally, he has been able to place them on the fourth floor in quarters which are respectable and good and I think we should congratulate him for this move as well as many other moves in which he is now engaged.

Mr. Speaker, on November 28 last the Prime Minister (Mr. Robarts) outlined government policy in respect to regional planning and regional government. This was followed on December 2 by the Minister of Municipal Affairs (Mr. McKeough) who filled in the details of the policies concerned. Since then we've had announcements about the future of the Peel-Halton area, the Niagara region and the Lakehead.

We congratulate the government for at last recognizing the need for bringing our municipal structure into the twentieth century. Whether it's now prepared to move with the speed and determination necessary is yet to be determined. Some signs are good and we'll await developments with interest. I agree that the people concerned must be

deeply involved in the reorganization process, and so change can't be forced too rapidly. But the tragedy is that while the present Minister seems ready to act with some decisiveness, this government has to accept the responsibility of delaying action for at least a decade too long.

We're late in getting started in this province. But now that we are started the province must give strong leadership. There'll always be those in the municipal field who resent having their small empires disrupted. There'll be many who just won't or can't understand the need for change to meet modern needs. They sense correctly that they'll be swept aside in the new wave of progress and they'll fight it bitterly and relentlessly.

But on the other hand, there's a growing body of informed municipal officials in this province who are pressuring for change. They want the kind of regional municipal government which this government at long last seems ready to organize. The rising municipal crisis of recent years has forced a realization of the need for a wider tax base and a more modern approach to the whole problem of local government.

Recently this government has been moving cautiously through a series of local government reviews, and through a leisurely study of those reviews at the local level. I have little quarrel with this general approach except that it started many years too late, with the result that the municipal crisis is now intensified far more than it should have been if action had started sooner. Time now becomes an urgent factor in the whole process. We can no longer afford the leisurely pace so far adopted. I will concede that the Minister has been moving a bit faster of late and I hope this augurs well for the future.

The fact is that within a short time we'll have a good many studies completed. By then a pattern should emerge which should make further individual time-consuming studies of this kind unnecessary. General principles are being laid down. Common details of basic organization are being recommended. At least a broad outline of the kind of municipal structure which can be viable and efficient in tomorrow's world is being more and more clearly seen.

More than this the Prime Minister has outlined the kind of detailed studies and analysis being carried on by governmental agencies and universities. All kinds of information about the whole province is being compiled and co-ordinated. We will have within a

reasonable time the kind of information upon which a comprehensive land use plan can be based and I hope the Minister will move on that with all possible speed. But more than that, with the information at his disposal, the Minister should shortly name a commission made up of people knowledgeable in the municipal field who will use this information and come up with recommendations with respect to regional government in the rest of the province.

Such a commission should not have to go through the detailed processes faced by Mayo, Plunkett and Fyfe. They should be able, within a reasonable time, to put forward a series of proposals for regional government for most of the remaining areas of the province. With the information now or soon available, such a commission could do a far better job than that attempted by Smith.

Taking up where the present studies leave off, it should be able to move quickly in areas like London, Windsor, Kingston, Grey-Bruce, the Ottawa valley and Hastings. The north would need special attention because of the vast distances there. But here too, and quickly, solutions must be found to add new dimensions to this challenging and vital area of the province.

The tentative plans thus outlined by the commission would go to the areas concerned for detailed study and discussion. Suggested amendments would come back. Boundaries and other matters might be hotly contested. At this point, even when complete agreement might be lacking at the local level, the Minister would, of necessity, as was done in Toronto, Ottawa and Niagara, develop the final framework and translate it into law.

This process cannot be stretched out over too long a time span. Once the big centres are reorganized the smaller ones can't be left dangling without serious consequences to them. The new, powerful regions will inevitably act as magnets drawing population and industry to them at the expense of their smaller 19th century neighbours.

In another sense, too, there'd be a distinct advantage to the whole redevelopment process to have discussions about reorganization going on in as many areas as possible over the same period of time. The two way flow of ideas would be voluminous, stimulating, and—we hope—illuminating. It would highlight in the public mind the need for change, the process by which change is effected, and the purpose and shape of the emerging regional municipalities.

So far this kind of discussion has been isolated. It flares up in the local area where proposals are made. In Toronto, Ottawa, the Lakehead and Niagara, the result is that broad general principles are lost in the local details. Plan after plan being thrown into the realm of public debate would highlight the general principles involved as well as local details of settlement. It would be an extremely healthy process for local democracy in Ontario.

There are a couple of comments which I would like to make at this time about the general outline the Minister gave of his approach to regional government. I got the distinct impression that the Minister thinks of the present municipal units, combined and strengthened to over 8,000 people as continuing, with the regional government as an added level between them and the province. It seems more to the point to think of regional government as taking the place of the old units. The regional government is the new municipality—larger, more powerful, designed to meet the needs of the technological age. The region is the municipality without its power being undercut by a continuation of smaller municipalities either singly or in combination within its borders.

This is one of the great problems Metro Toronto faces right now. It has six individual power centres each warring with the others for industrial and apartment assessment while resisting low cost housing. The recent reorganization in Metro Toronto had to take place because the original set up with too much power still in the hands of the lower tier resulted in a growing imbalance of assessment and tax load. The rich got richer and poor got relatively poorer. The New Metro was designed to correct to some extent that imbalance.

But the process will continue even though at a slower pace. The same thing will happen in regional municipalities where the lower tier governments have relatively strong power. The original mistake in Metro Toronto is being avoided to some extent by the county setup in education and by greater dilution of the power at the lower tier level. Eventually school boundaries will have to be brought into harmony with the regional boundaries. This is something we pointed out at the time the bill came in. While politically it may now be necessary to leave considerable power in the hands of lower tier municipalities in order to sell regional government to them, eventually this power will erode to the centre.

While recognizing the political necessity

of achieving regional government in some areas in this way, I would like to outline the type of regional government which we think ought eventually to come. We consider that two functions are extremely important in a workable regional municipality. One, ultimate municipal power must rest with the regional council and two, there should be smaller units within the region which give people a sense of community—a feeling that they are not lost in big government—that they can reach local officials close at hand, within their own community.

To achieve these ends, final fiscal and planning control must rest with the region. But smaller communities or wards would be designated with the region. Each one would, as far as possible, be a natural community around a shopping centre, a village with its natural service area—that sort of thing.

In Metro Toronto the communities can be as we have suggested the planning districts, or modifications of them. In setting up these communities old municipal boundaries would be ignored except where they contribute to the community idea and contain the desired population.

Each of these communities would elect its own small council of three to five councillors, with the one getting the highest vote representing that community on the regional council. He might also act as chairman of the community council. The community councils would be chiefly administrative bodies.

They would submit local budgets to the regional councils for matters such as local streets, sidewalks, parks, and related services. The budgets would be screened, approved or altered by the regional council and sent back. The community council would decide how the budget would be spent—where that local improvement should be installed, where that sidewalk should go, what parks should be given what attention. This all within the budget specified.

This plan would simplify representation—it would be direct, and representation by population. It would put power where it should be—at the centre, and it would provide logical participation and a sense of community within the larger regional municipality.

Mr. Speaker, this plan may be some distance in the future for some regional governments, but there are areas where it should be tried now and I recommend it to the Minister's consideration.

The Minister has set his minimum population target at 150,000 to 200,000. I'm not going to quarrel with that although I have



quoted the figure of 250,000 in this House, and there are many municipal authorities who think that should be a minimum figure. In any case in this province, we'll have to balance space with population and we will come out somewhere between these figures.

Another welcome statement of the Minister's is that he plans to hand back to the regional municipalities powers which have been alienated to boards, commissions and to certain provincial departments, and that he plans to co-ordinate provincial administrative units with regional municipal boundaries.

The one big area which the Minister did not mention is that of finance. There's no question that the new municipalities can't be financed as the old ones now are. The growing crisis in municipal finance can not be much longer ignored.

The halting steps which the government took last year as an emergency election measure have helped but little. The tax rebate has now been recognized even by this government as a colossal blunder. If the total amount of the tax rebates had been pro rated and handed to the municipalities, it would have been a clean cut operation and would have resulted in more relief to the taxpayer and we would not have had the administrative cost. But as it is the promise of the rebate which raised the rents, apartment tenants have been in turmoil, as the government knows all too well!

Both provincially and federally, tax reform commissions have recently reported, but the Ontario commissioner did not have too much to offer as far as municipal tax reform was concerned. He seemed to hope that regional government would solve the problem. But it will not.

With regional government must go a new system of providing for revenues if the new system is to work adequately.

I suppose that realistically the property tax will continue to be one of the mainstays of the new regional governments for some time to come. But the present grant structure is completely hopeless and is due for complete revision.

Provincial grants come in an incredible variety of kinds and sizes. And fortunate is that municipality which knows what grants are available to it!

J. Stephen Dupré, in his study prepared for the Smith commission, points out that there is absolutely no comprehensive provincial policy in respect to municipal grants. He says this:

Some grant programmes, such as those in the welfare field, are designed in part to

police local standards for long-established functions. Others, such as most of the environmental grants, are plainly appetite-whetting subsidies designed to induce local governments to provide new services. For their part, road grants tremble on the brink of rational basis in benefit-cost analysis, but continue to differentiate among municipalities on the basis of legal status. Then there are grant programmes, such as those for health units or county assessment, that look toward more efficient administrative arrangements and as such constitute departmental substitutes for general provincial action designed to redraw municipal boundaries or secure county administration. There is perhaps no better indicator of the non-existence of anything approaching a genuine provincial grant policy than the inconsistency that exists among the few grant programmes that attempt to differentiate among municipalities on a formula basis. Thus, for instance, the library grants of The Department of Education attempt to achieve fiscal equity by favouring municipalities with a low per-capita equalized taxable assessment. The Department of Health, on the other hand, favours small municipalities without regard to fiscal capacity. But through the unconditional grant administered by The Department of Municipal Affairs, the province does the reverse and favours larger municipalities with larger per-capita payments. Simultaneously, the very same department administers police and fire grants that again favour the smaller municipalities.

Then later Dupré asks:

First, what reason can there be for grants in aid of wolf bounties to come under The Department of Lands and Forests when those in aid of fox bounties are made by The Department of Municipal Affairs?

Second, why are grants for the construction of community centres under The Department of Agriculture while recreation programmes fall to The Department of Education?

If community centres are thus misplaced in agriculture, there exists a further anomaly in that grants for recreation programmes, which include a subsidy toward the salary of the recreation directors who toil in community centres, are under The Department of Education; and not to complicate things unduly, certain other recreation directors supported by that department work in municipal parks that have received grants from The Department of Lands and Forests.



Third, are there compelling reasons why The Department of Public Welfare must make its grants under no fewer than 30 separate headings?

I have here in my hand, the book which outlines the provincial grants to the municipalities. It is a very large and complicated document and, as I say, lucky is the municipality which can find its way through a document of this kind and know what grants are available.

The time, money, and manpower spent in applying for, examining, certifying, inspecting the need for, and paying all these multitudinous grants, present an inexcusable cost which can only reflect itself in the tax bills we pay.

Dupré, in looking at solutions, writes this significant sentence:

Equity [for the municipalities] should be pursued first through structural reform, then through grants.

And not only equity, but also restoration of power and function can come through structural reform. Strong local government is again needed if democracy is to have meaning here. The Minister has assured us that the government is determined to push forward with meaningful structural reform. But so far it has been silent on the grants. It has given no inkling as to whether or not it intends to revamp the fiscal support of the new regional governments.

Today assessment methods and mill rates vary widely across Ontario. Services differ with different areas and with different municipalities. The grant structure, as we have seen, is impossible. What is basically needed is a tax and grant system which will spread needed services and municipal costs as evenly as possible right across the whole province. We have attempted this already in the educational foundation plan. Nova Scotia has recently introduced the same thing in its municipal administration.

Such a plan is based on the principle that every resident of the province has, within reason, a moral entitlement to a basic level of services no matter where he lives and no matter what the economic circumstances of his municipality. With the establishment of regional government, these economic circumstances would be evened out far more than they are today. Then the province would move in to even out still more of the costs and services right across the board. In other words, basic municipal services everywhere in the province would achieve a rough equality, and no resident would be expected to pay for the

financing of these services more than any other resident under similar circumstances.

We call this the municipal foundation plan. I cannot at this time, go into full details of how it would be implemented. But certain general principles can be stated. First of all it would mean equalized assessment right across the province. This would present difficulties but it would not be impossible to achieve over a reasonable period of time. As new regions are formed standard assessment and taxing techniques must be applied to each.

The next step would be to establish the per capita cost of certain essential services basic to all municipalities—things like police and fire protection, garbage and sewage disposal, snow clearance, libraries, playgrounds, and the like. This cost can be arrived at by starting at the level of the past couple of years and adding such factors as cost and wage increases for the current year. A basic grant—say 25 per cent of the cost—would then be given to all municipalities. The average grant is now 22 per cent. This could be supplemented to take into account special factors like extraordinary costs encountered in some areas. Then a calculation would be made of the mill rate needed to meet the remainder of the established basic cost of those municipalities with the highest assessment rate—the richest ones.

This mill rate would be known as the standard mill rate. It would be levied on the equalized assessment of all municipalities in the province. In the richer municipalities it would meet the basic needs—or nearly so. In the less affluent ones there would still be a financial gap varying according to the per capita assessment of the area. This gap can be filled by further provincial grants, varying according to the amount of the shortfall after the initial flat rate grant has been given and the standard mill rate has been levied. This final provincial grant would bring the income of each municipality up to the amount necessary to give its people the agreed basic level of services to which all the people in the province are entitled.

If any regional government wishes to provide a level of services higher than the basic one, then it can levy a higher mill rate to pay for them. Over the years, as wealth grows, and as experience with the plan develops, the level of basic services across the board will gradually improve.

This plan would, of course, eliminate the present grant structure and stabilize the income of the municipalities. It would also mean a considerable shift of the tax burden from the homeowner to the province. The

province is today crying poverty and claims it is unable to meet present obligations, let alone assume new ones. But the poverty it talks about is poverty under the present tax system. The fact is that this land was never producing more wealth than it is right now. The Canadian gross national product in 1968 was well over the \$65 billion mark—that is \$10 billion higher than it was in 1966. We are producing more and more wealth each year. But strangely enough every level of government is crying poverty and is insisting that we have to cut back on public programmes.

Ontario cannot find the revenue to pay for present programmes, let alone assume the burden of a municipal foundation tax plan—or so the government maintains. But at the same time the stock market was never higher, land prices around our cities with consequent land fortunes were never better, and the profit picture for our major corporations was never brighter. What is happening is simple. Under the present system of wealth distribution the extra wealth we produce each year flows, in large measure, into the return on capital while the return for work done, while increasing somewhat, does not receive its proportionate share of the surplus. But the tax system bears heavily on those who do the work of the nation while it deals lightly with those who invest capital.

There is no doubt that, if we keep the present tax system, Ontario cannot do much more in the field of public expenditure. If she does do more then the worker will have to be taxed much more heavily than he now is.

But the Carter report on taxation pointed to a new principle in this field. It said that a dollar of income should be counted as a dollar for tax purposes no matter what its source. In other words, income from dividends and capital gain should be put in exactly the same category as wages and salaries as far as taxation is concerned. More than that, the great corporations which are exploiting our natural resources, and which today are the recipients of special financial concessions, should bear their fair share of the tax load at appropriate levels of government.

It is a startling fact that the Ontario government does not collect in stumpage dues from the great timber companies as much as it actually costs to service the forest lands. And most of these companies are American-owned which siphon off increasing profits and capital gain from our resources to their American stockholders. The glaring fact is

that we are not only giving in large slices, our timber to foreign corporations, but we are actually paying them a bonus to cart the stuff away. The result is that a company like Abitibi Paper has increased its total assets from \$184 million in 1956 to \$286 million in 1966.

Kimberley-Clark jacked up its net income from \$24 million to \$43 million during the same period and Great Lakes Paper saw its total assets grow from \$44 million to \$91 million. This growth came from Canadian labour using Canadian resources for which the Ontario government charged the companies less than it cost that government to service. It is a startling principle in business that the raw material of an industry can be purchased from the public at less than nothing. In the same way mining corporations exploit our underground resources without paying anything like their share of revenue into our municipal, provincial or national coffers.

International Nickel is one glaring example of this situation. Its annual profit, after taxes, runs close to \$150 million a year. Yet it pays the Province of Ontario less than \$10 million a year in lieu of municipal taxes and in payment for the nickel ore which, we, the people of Ontario own. That is less than municipal taxes alone would amount to if the company were paying on the same basis as the homeowner.

During the years from 1959 to 1967 International Nickel saw its total assets grow from \$634 million to \$1,116 million. Hollinger Mines during the same years upped its net profit from \$5.6 million to \$11.6 million. The uranium industry is a prime example of how special concessions go to the exploiters of our mining resources. In that industry, as pointed out in the brief submitted by William Mahoney of the steelworkers to Mitchell Sharp:

The major producers up to 1964 had produced and sold over \$1 billion worth of ore with a capital outlay of under \$250 million.

After retiring all debts and recovering their entire investment, they realized about \$250 million of which less than half was paid out in dividends. Taking advantage of tax 'holidays' and depletion allowances, the companies were able to reduce the total tax liability including taxes paid by shareholders to under \$30 million, or about 10 per cent of the profits.

Our natural resource industries are the recipients of this kind of special tax treat-

ment—tax holidays, depletion allowances, absurdly low stumpage dues and mineral levies.

The Carter commission estimated that special tax privileges to mining and oil companies reduced federal government revenues by more than \$150 million in 1964. It is estimated that in recent years almost 85 per cent of this lost tax revenue went to eight large mining and petroleum companies. If Carter's recommendations had been in effect in 1964 these companies would have paid this extra \$150 million, and \$119 million of it would have been borne by non-residents. And while all this goes on, while our governments at both federal and provincial levels allow this kind of tax evasion to occur, they increase taxes on the workers and cut back on social investment which, they say, they cannot afford.

Then there is the whole field of capital gain on the stockmarket and the fortunes being made on land speculation which drives up the cost of homes. These are new sources of revenue which other countries use but which so far remain untapped here. In a nation which is producing \$66 billion of gross national product—that is over \$15,000 per Canadian family average—let no one say that we are too poor to afford a high level of services to our people, including the municipal foundation tax plan. Certainly we cannot afford them under our present tax structure, with the burden on the wage earner and the homeowner. But we can afford them when we revamp our tax structure to effectively utilize the wealth we are producing for the benefit of all the people in this province.

And this means we follow Carter's advice and tax the wealth where it is. We revamp our timber dues and mineral taxes so that the corporations in these fields bear their fair share of the tax load. We bring capital gain under the rule of law wherever it is found, and bring dividend income into harmony, tax-wise, with wages and salaries.

Some of this will have to be done at the federal level with corresponding sharing with the provinces. Some will occur at the provincial level and some under new regional government jurisdiction. These tax changes are long overdue. But both old parties resist change. They prefer to lay heavier burdens on the wage and salary earner and to cut back on social investment while at the same time they allow their wealthy individual and corporate friends to get away with fiscal murder.

These, then, are basic matters in setting up viable modern municipalities. Regional governments with real power must emerge and these must be backed by tax reform right down the line—federal, provincial and municipal. Provincial administrative units must then be revamped to coincide with the new municipal boundaries. Many of the matters now handled by the province must be handed over to the local authorities.

This, along with the restored power now held by boards and commissions, would bring local government back into the sphere it occupied a century ago, and would give it new meaning and new thrust for the century ahead.

The new municipalities will be able to shape their own destinies and to plan effectively for their own development. Local democracy, in this setting, will have new meaning. There will be excitement and clashing points of view in municipal politics. Party politics will emerge naturally and inevitably and the parties elected will have power to implement their policies.

Party politics today under the present structure of the municipalities are almost impossible as we have a mayor elected across the board, a board of control elected across the board, and then the various aldermen elected in their own wards.

To ask for party politics to work effectively in this setting would be to ask that the Cabinet and the government of this province could work effectively with the member for York South (Mr. MacDonald) sitting in the place that the Premier now occupies. It would be the same kind of thing, so reform in municipal structure must come before we can expect party politics to work effectively.

In other countries, in Europe and across the world, we have party politics working well and they work because of this change which has come about. I believe that with the emergence of regional government, the type of set-up that we have provincially and federally will emerge in these regions.

Already a start is being made across the province toward this new era in municipal government. Legislation is being passed and studies are going forward. The present Minister seems willing to set up regional governments and to act with decisiveness in doing it. I hope that after this present group of studies are completed he does not then mark time until after the next provincial election, and that he will move forward with all decisiveness to do the job that is facing us in the province of Ontario.

But the tax reforms necessary to sustain the governments are not yet in the works. And it is unlikely that the Tory mind can comprehend, let alone implement, the kind of new tax structure which must emerge. And this is perhaps one of the great basic challenges to this government today, not only to set up the regional governments which they are employed in doing now, but in effecting the kind of tax changes which will undergird these governments and which will make them feasible and workable.

Exciting days lie ahead in the whole realm of government and tax change in the province of Ontario. All of us are going to have a part in effecting this change. Let us be clear on where we want to go. There will be some disagreements so far as policies are concerned. We have set out here today the kind of structure we think ought to come and the kind of tax reform which we believe essential for the operation of these governments, and making up our minds where we want to go, let us then move forward into the future with vision and with determination.

Mr. Speaker, I have some other matters with which I want to deal. This may a good place to make the break in my presentation, and if it is agreeable to you I would move the adjournment of this debate.

Motion agreed to.

#### THE ELECTION ACT

Mr. F. Young (Yorkview) moves second reading of Bill 14, An Act to amend The Election Act.

Mr. Young: Much has been said in recent years and a great deal of debate has taken place over the subject matter of this bill. Already in five Canadian provinces the voting age is less than 21. It is 19 in three of them and 18 in two. My bill stipulates the age of 18 as the time when young people should be allowed to vote.

The voting age of 21 has its roots deep in English common law. Originally the young man could qualify for knighthood at that age, and I suppose that is the origin of this thing! It was considered that at 21 he was strong enough physically to bear the weight of armour in battle. When the franchise was established the age at which a man could qualify for knighthood was accepted as the time when he could start voting.

Since that time, of course, the franchise has widened to include all males. Then,

after much agitation, the ladies got the vote as well. And this last step is within the living memory of many of us in this House.

Mr. G. A. Kerr (Halton West): That was a mistake!

Mr. R. F. Nixon (Leader of the Opposition): That is not very nice.

Mr. Young: Well it may have been a mistake, as the hon. member says, but I do not believe it was. I believe that the ladies have as much right to vote and participate in political protests as the men in this province and in this land.

Mr. Nixon: Talking about living memory!

Mr. Young: Well, some in this House, I said.

Now the debate has moved to another realm and it rages around whether or not 18-year-olds are mature enough to help in the selection of those who represent them in Parliament. The age of 21 during the days of chivalry marked a definite turning point in a young man's life. It was when he finished his training and accepted the responsibility of manhood. But the days when knights went to battle garbed in heavy metal is gone.

Today the young man enters the armed services at 18. But more significant than that, 18 today marks the same kind of turning point in the life of our young people that 21 did for the knight. That's the age when young people finish secondary education and go on to the labour force, the armed services or to higher education. It seems sensible to give that young person full participation in the political process while the lessons of history and civics are still fresh in mind, and while the idealism the educational system tried to instill is still very much to the fore. It hardly seems rational to give young people high motivation in the schools and then make them wait three years before allowing them to use what they have been taught in the citizenship field.

No one in this House would give me an argument over the fact that young people today are far better educated, more mature, and more aware of the world around them than were the 21 year olds a generation ago. As a matter of fact, when the voting age was set at 21, very few citizens had more than two or three years schooling—and poor schooling at that.

Newspapers, radio and TV bring the world into the awareness of the young person in a way which was not possible only a few

years ago. TV particularly has given the youth of the world a sense of participation and involvement in world events which no other generation so far has experienced. They see significant world events happening right before their eyes.

Naturally this evokes a desire to be where the action is—to take part—to be involved in the significant movements around the world. The crusade to enrol southern voters in which many of our own young people had a part, the protest marches, the Trudeau-mania, the student revolts—these and other phenomena can be traced in no small measure to the influence of television in building up in young people the desire to be involved and to have a voice in the decision-making affecting their lives.

Young people today are restless. They are a potent force in our society whether we like it or not. And because we bar them from meaningful participation in the political process until they are 21, they must exercise their power outside the system until that time. And so they do exercise that power, and they pressure against the system, rather than being able to do something inside. We often criticize young people for their marches, demonstrations and other activities which sometimes lead to violence. At the same time, we deny them the political expression open to the rest of us for effecting change.

Lowering the voting age to 18 will not solve all the problems of youth—I am not saying it will. But it will take some of the steam out of present pent-up situations by providing the young people a method within the system to make some of the changes they want. They would have a meaningful way to attack the power structure and to bring about the reforms they talk about. Perhaps that is what the establishment fears. Perhaps that is why the government members of this House claim to be in favour of lowering the voting age, but still refuse to act in the way this bill proposes. There may well be a real fear that demonstrations outside the system might be translated into change within the system itself, and so we have not had action on the part of the government so far.

Actually I doubt if a majority of the government members in this House are opposed to some lowering of the voting age. But since they are politicians, with an eye to the next election, they want some assurance that if the 18-year-olds do get the vote they will vote Tory. This seems to be the meaning of the Prime Minister's (Mr. Robarts') statement

recorded in the Toronto *Daily Star* on February 3, 1968, and I quote:

A reduction of the voting age may follow a full-scale reorganization of the Progressive Conservative Party to increase its appeal to youth, Premier John Robarts predicted here today.

Strange words. The reduction of the voting age is not to come now as a matter of right to young people. It will come after the Tory party is geared to appeal to youth. That means, I suppose, when Al Eagleson, the young president, is flanked with the hon. Provincial Secretary (Mr. Welch) as party leader and when all the deadwood above 45 have been told to step aside and the new bright, young candidates are nominated in their place.

The same kind of attitude was evident in the deliberations of the select committee on election laws. We recently had an exchange on this matter when I asked a question of the Prime Minister. In looking over the transcript, I am prepared here and now to say to the hon. member for Kingston and the Islands (Mr. Apps) that I was partly at fault in that my question was carelessly worded that day. I quite admit that. But he, too, was a bit off base in inferring that the Tory members of the committee were not against lowering the voting age. Perhaps they were not, but they certainly voted against taking action at that time.

Interjections by hon. members.

Mr. Young: Yes, yes!

Some of us were anxious on that committee that the voting age be lowered before the next election. We wanted the Tories and the rest of us to get the advantage of the young people's vote. As a matter of right, we felt it should be lowered. The matter had been fully discussed in the select committee on youth. Public hearings had been held and recommendations had been made. True, the recommendation was that the voting age should be 19, but five of the 13 members decided the figure should be 18. Our report in the select committee was to come in two phases.

One, which could be implemented in time for the next election expected in 1971, and the second which would be too late for the next round at the polls, but in time for 1975. I moved, therefore, that we deal with the matter of voting age in the first phase of the report. That was my motion, so that we might make sure that action could be taken before



1971. Some of us felt that if we postponed the matter for the second phase it could well be lost as far as action was concerned, until the 1975 election. In all fairness to the Clerk of the House when he was asked about the timing he told us, and I quote:

While a change in voting age might present some difficulties before the 1971 elections, that is if we waited for the second phase, it would not present insurmountable difficulties if the amendments were promulgated and the publicity had been wide enough through the press, that the voting age had been lowered or raised or whatever the case might be.

This was the situation. The Clerk felt that it could possibly be done, it would not present insurmountable difficulties. There would be difficulties, but not necessarily insurmountable. In other words, if the government felt that the time was not quite ripe for them to harvest the youth vote, it could very easily find difficulty in the implementing of any recommendations we might make as a committee during the second phase of our work.

More than that, the youth committee had made a recommendation two years before—I stress that—and no action had been taken. What right had we to think that the government had changed its mind and would act quickly on our recommendation? Even the chairman of the youth committee told us, and I quote:

We did have full extensive hearings as far as age was concerned.

And he went on to point out that there was some difference of opinion; and of course the recommendation was age 19.

Well, why go through the same thing again with another committee? Why should we hold further public hearings when a select committee has already travelled this province and got the public point of view? The results will be the same. There was plenty of time for the committee to discuss the matter in committee. We could have done that. We met only about five times during the whole period between sessions. If there had been any real desire to give the young people the vote, we could have met much more often, often enough to resolve the matter and to make a recommendation. But there seemed to be no sense of urgency on the matter as far as the government was concerned.

So we voted as to whether we would decide the matter in time for our first report or postpone it to the second phase, and the

government members defeated my motion. It is a technique as old as governments. If you do not like to definitely oppose a matter, then delay it. I can only conclude that the government attitude at that time was reflected in that vote, particularly so since the recommendation of the youth committee had sat there for two years without action. If the government really wanted the 18- or 19-year-olds to have a vote, that recommendation of the youth committee could have been implemented long ago. But it was not. And what are we to believe? Perhaps the committee vote would have been different if the Prime Minister had made his statement on February 4, or a few months earlier. I do not know.

In answer to my question, to which I have referred, the Prime Minister said this:

I might say that I have altered my opinion. There was one stage when I had grave doubts about lowering the voting age, and I have changed my mind at least to the extent I indicated yesterday on this question. It may be that some other members have been in the same position, that is had come to some conclusion some time ago and have changed their minds. But they are free to have their own opinions.

So perhaps there is hope now of some change here. With the Prime Minister ready to move on this question in the way he was not some time ago, government policy may well be changed, and so we may see something different. This may mean that we can go forward, that we can, in fact, have the voting age lowered in time for the 1971 election. It may be that the recommendation, if we make it, in the second phase of the report, in the light of these changing circumstances, may now come forward and the Act be changed. The recommendation is there, from the youth committee. This bill that I am introducing this morning would implement that recommendation with the change of age from 19 to 18. I believe the majority of the members of this House are in favour of this move, so let us move forward by passing this bill into legislation, Mr. Speaker.

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, I welcome the opportunity to take part in this debate this morning and am particularly pleased that the member for Yorkview has brought the question up and has also indicated that in our discussions of a few days ago there may have been some misunderstanding on both sides. And, in order to clarify my thoughts again on that matter, it was my impression at that time that the Clerk of the Legislature had indicated that if a thorough discussion was given and a recommendation made during the sessions



next summer there would be time to implement this before the 1971 election.

I do not think there is anyone who has had any extensive dealings or discussions with young people in this province who would not agree that the voting age in the province of Ontario should be lowered. During the discussions of the select committee on youth, it was unanimous that this should be done and in my dealings with many young people throughout the province—having brought up five of them myself and having two who are within the category we are talking about and having met many of their friends—there is no question in my mind that the young people of this province are certainly very capable of casting a most intelligent vote before they reach the age of 21 years.

**Mr. V. M. Singer (Downsview):** If it is so obvious, why does the government not do it?

**Mr. Young:** Why has it not been done?

**Mr. Apps:** All right, just give me a chance now. I am speaking on this particular bill, the amendment to this particular bill, and I am giving members my views as to what I think should be done. I am not speaking for the government, I am speaking on behalf of myself. Any influence I can bring to bear on our government will be to have the voting age lowered in time for the 1971 election.

**Mr. J. B. Trotter (Parkdale):** The hon. member will not have much luck with that government.

**Mr. Apps:** I think the decision on whether the voting age should be reduced should not be made on a political basis as to whether any one particular party is going to get more votes than the other, and I think we are going to have to take our chances. We all will take our chances as to how we can appeal to the young people of this province. It should be determined on a well thought-out basis, and specific reasons for the decision must be given as to the validity and commonsense.

I would like to indicate here some of the reasons why I feel that the voting age should be reduced. First of all, young people are generally more educated and more knowledgeable than any previous generation of the same age. The school-leaving age has increased and now most young people can continue to at least Grade 12 and the percentage going on to university or other higher education is rising very rapidly.

Communications have improved greatly with radio and television making national, regional and local problems more under-

standable and open for discussion by everyone. We are much better informed than ever before and this is particularly true of the young people of this province.

Transportation has been made immeasurably better. Highways and planes in our affluent society make travel available to almost everyone and widen a young person's knowledge of all areas of our country much more than ever before.

And as knowledge, communication and transportation develop, more young people are questioning the established views of their parents and elders and are looking for better solutions to many of their problems. They are asking—and I believe rightly so—for a more active role in making many of the decisions that affect them so much. And you can see this going on all around us, in the universities, their curriculum in high school education; the job opportunities must be made available to them, the health problems in smoking, drugs, drinking and a host of other problems. Our young people are concerned and are asking for a more active role in making those decisions that affect them such a great deal.

Many young people are married and raising families before they are 21. Whether this is good or not, the fact remains it is so. And surely their responsibilities are very much the same as those 21 or over. Surely they are as competent to cast as intelligent a vote as those 21 or over. They have the same problems, the same responsibilities, and I feel they are entitled to have the same privileges.

Most young people are paying taxes, particularly provincial and federal taxes, when they are still under 21. The vast increase in taxing power by all levels of government has reached everyone and people of all ages are paying sales taxes, income taxes and many others before they reach 21. This certainly was not the case when the voting age was established at 21 and surely now many of our young people should have some say in this taxing power by the use of their franchise.

Thousands of young people drive cars starting at age 16 and are treated as adults in this connection. Whether 16 is a proper age for a permanent driver's licence may be open to question. The select committee on youth basing their thoughts on the high accident rate, felt that 18 would be a better age for a permanent driving licence. However, regardless of that, young people have the same responsibility as adults in this connection.

Young people from 17 to 21 in Ontario are treated as adults before the courts and in many other ways are accountable for their actions as adults in our society. Should they not have some say in the laws that affect them so much? The only logical answer is, yes.

Our world is changing very rapidly and what was good enough 20 years ago in many cases is not even relevant now. Mr. Speaker, I believe that the greatest argument for lowering the voting age is the fact that our provincial government today is involved with young people to a greater degree than at any other time in history. Years ago the provincial government affected the lives of our young people very little, today it is becoming increasingly involved in almost everything a young person does. Education is fast becoming a provincial responsibility. Just witness the increase in grants, the pressure for even more grants, programmes, curricular changes, university problems and so on. The revenue department collects taxes from our young people in many ways, as I have outlined previously. This did not happen years ago. All is changed now.

Health and welfare affect our young people much more than they ever did. Drinking laws, the effects of drugs, sex problems, moral responsibility, and so on, are problems our youth must face in ever growing numbers and are dealt with almost strictly, or in many cases mostly, by the provincial government. In our Department of Lands and Forests we are asking some young people under 21 to pay for a fishing licence. Highways and transport legislation affects young people to a much greater extent than ever before. The Attorney General's Department is becoming more involved with youth problems day by day.

In fact, almost every department of government makes laws that affect young people under 21 to a far greater degree now than ever before. Surely we must give them some say in determining what action should be taken in decisions which are of such great concern to them. And this can be done to some extent at least by lowering the voting age. The only argument I have ever heard against lowering the voting age is that young people may not have a sufficient sense of responsibility to cast their vote in an intelligent manner, that they do not have a large enough stake in their community to warrant giving them a vote.

Let us examine these arguments: What about their sense of responsibility? Admittedly, some of the actions of the more militant ones give

us that impression. But can you not say the same for the adults? I think we can. And I do not believe that we should condemn all young people because of the actions of a very few any more than we should condemn all adults because of the irresponsible actions of a few of them.

Do our young people have a large enough stake in the community to warrant a vote? Who has a larger stake in the future of this province than our youth? I have, if I am lucky—and this applies to a great many of us in this Legislature—perhaps 20, maybe 30, years yet to live; yet the young people of whom we are talking have 60 to 70 years to live in this province. I think they have a tremendous stake in the future of our country. And I believe that they should be given an opportunity to have some say in how that future is shaped and one way we can do that is by giving them a vote at an earlier age. I believe they are just as competent to cast an intelligent and informative vote, even more so than many who are voting.

And I will never forget the answer from a young lady in Port Arthur when we were discussing this problem with a group of young people in that city. One of the questions that was asked of her was: "Well, why do you feel you are in a position to cast an intelligent vote, under the age of 21"—I think this young lady was 18 or 19. And she said to me, "When I look at some of the adults who have the privilege of voting I feel more than ever that I am certainly as confident of casting an intelligent vote as they are." And you cannot disagree with that. I think you have to agree with it, because I think it is entirely correct.

Theirs is the future, and let us give them some say in how it should be shaped. They are the ones that must live in it, and I for one do not feel that we have all the answers. Perhaps we could listen to our youth much more than we have apparently done so far. I think it is high time that we gave them an opportunity to participate and decide who should represent them in this Legislature before they reach the age of 21 years.

As for the age of 18 or 19—and as the member for Yorkview indicated, the recommendation of the select committee was 19, although five members indicated that it should be 18—it is something that I do not think matters that much; I am not too convinced one way or the other. I believe possibly that 19 is the preferable age for reasons that I have set forth in the select committee. I think the important thing is that young

people be given a greater opportunity to present to us their ideas as to how they feel the future in which they have to live should be shaped. I would like to mention again that anyone who has had any connection whatsoever with young people in the 18, 19, 20 or 21 years of age bracket, must be convinced that these young people are capable people. Sure, there are a few of them—and these are the ones that get their names spread in the papers when the papers pick out assorted events that have happened to young people—who give the indication to many of the adults that most of the young people in this province are delinquents. Of course this is silly, and I feel that the papers are doing a disservice to the young people in this province. When they pick out some of the distorted details and pass them over the front pages of the papers they make us feel that this is the image of the young people of Ontario—

**Mr. Speaker:** Order please. I must point out that the hon. member is taking longer than his allotted time.

**Mr. Apps:** My apologies, Mr. Speaker. I get carried away a little bit in this connection. I hope you will forgive me. May I say that it is my hope that the Progressive Conservative government will see fit to reduce the voting age from 21 to 18, or 19, and you can rest assured that I will do everything in my power to do that. Thank you, Mr. Speaker.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I am pleased to enter this debate on Bill 14 and to speak in favour of its acceptance by this Legislature. The effect of the bill is to implement the same kind of reform which my colleague, the member for Rainy River (Mr. T. P. Reid) called for in his motion which was debated in this House on June 14, 1968. The Liberal Party in Ontario is committed to the lowering of the age of voting in our provincial elections in Ontario. The present administration of course has neglected this area, as we might well have expected.

Their view of the problem is that "children should be seen and not heard." This is exactly the sort of attitude which has called forth the student and youth unrest, that now troubles the elderly Ministers so very much. By refusing to understand or trying to enter a meaningful dialogue they are now faced with something which they can understand. They are faced with destruction.

It is certainly to be regretted that students active in our process of education feel that they have no other means at hand to get the attention of their elders. Of course there are only a few involved. But that should not be taken as comfort to this smug majority. These are surely the yeast which could be used to help create a better society than the one which we now inhabit.

Without question, Mr. Speaker, and using any criteria you wish, a young person of 18 is more mature, more highly educated, more aware of the faults in his community and province and nation and world than were his parents when they were 21. But our Legislature is led by those who continue to plod the treadmill of irrelevance. They would do well to read the comments which Pablo Picasso made in an interview given on his 87th birthday. He said this:

I cannot understand this so-called gap of generations. Only those of us who have renounced living are unable to share the wish for the accomplishment of the young, their hopes for fulfillment. Don't say that modern youth is more complicated than we were—this is high stupidity. It is certain that an adult oversatisfied with himself cannot lead youth. One has to be active to interest them.

Mr. Speaker, I put it to you that on the government benches there sits an administration that is oversatisfied with itself. It cannot lead youth. It cannot attract the attention of those who wish to work within our own society and develop changes within it. Our whole educational focus is rapidly changing. The members of this House with children in the elementary school system know that the change and progress in mathematics, language instruction and in the sciences comes more rapidly now than it has ever done in the past.

We are told about the information explosion, whereby the amount of knowledge and recorded information within our world is doubling every 10 years. This indeed is another symptom of the changes within our society. This is another realization of the accuracy of the views which are expressed in the phrase about "our global village".

The preceding speaker, the hon. member for Kingston and the Islands, was the chairman of the select committee on youth which reported to this House in March of 1967. And I suppose that once again we have no alternative but to read into the records of this House a couple of the paragraphs to the conclusions which were valid in 1967 and which

are even so valid today. And the committee reports as follows, at page 294:

Young people at age 18 to 20 today are generally more educated and more knowledgeable than any previous generations at the same age. One of the greatest weaknesses noticed by the committee in its many contacts with young people was the inability of adults to give youngsters responsibilities commensurate with their knowledge and capability.

Probably this stemmed from the unfortunate image that has been created by those few irresponsible, often immature, teenagers who all too frequently come to public attention. Certainly they do not typify nor represent the large number of stable and good-living young persons who make up our great body of youth.

It is believed that students of the entrance level of university or the work force of the province are sufficiently knowledgeable and responsible to intelligently exercise their franchise. Many such persons are married and raising families before they are 21. They pay taxes, fight for their country, drive cars, are treated as adults before the courts and in many other ways accountable for their actions as adults in our society.

Knowledge of the functions of democratic government and personal responsibility in the democratic process cannot claim much respect by a group of intelligent young people who have no voice within such a process.

Well, Mr. Speaker, it is interesting to note that of the 17 members who have served on that committee at one time or another, there are 11 who are still members of this House, and of those 11, five are the dissenters who favoured the lowering of the age to 18. Now, it may well be that they knew something that the other members did not know, or that those who have since been replaced did not know. It would indeed appear so.

I would like to refer, Mr. Speaker, to a report given to the Ontario Law Reform Commission by a committee of the Anglican Church which suggested that the age of majority for all purposes be reduced to 18. And this committee's recommendation would lower the voting age by three years, raise the driving age by two years and, most important, draw a clear line at the time at which a youth would be legally considered an adult.

Now, the gentleman who prepared this report is the Rev. S. G. West, who was the director of correction for the Toronto diocese

and chairman of this committee. And as he said:

Our brief not only stresses the confusion of some aspects of our laws, but makes some positive suggestions.

The brief said that Canadians are completely at sea on the question of the age of legal responsibility because of the multiple standards enshrined in various laws. These are some of the examples he gave:

A person may join the armed forces at the age of 17½, but he cannot vote until he is 21; a youth can be arraigned in adult court at 16 in Ontario except in cases of murder and other indictable offenses when the age is 14; persons at 18 are old enough to marry but under The Liquor Control Act of Ontario they must wait until they are 21 before they can have a beer.

Well, Mr. Speaker, I suggest to you that it is apparent that the brief that is submitted by this organization suggests that at the age of 18 we should be considering the drawing of one permanent line where persons can serve in the armed forces, can marry as they can now, where they should be able to contract and have legal responsibility, where they should be able to vote and probably where they should be able to drink and drive at that age.

Let them be adult in every way and let this be the first step in the lowering of the voting age to reach this firm period of time.

Now there are, of course, some exceptions that might be required. It might be that there are certain cases of necessity where a driver's licence was needed and indeed, we might make a provision that if that were the case and an approved course of training were taken, that exception could be covered.

We have noted in the announcement made by the Provincial Secretary that at long last the hypocrisy of having the name of Napoleon or someone else signed on the bottom of liquor slips is going to be ended as of Monday. And certainly this degradation, which has encouraged the flaunting of the law, is something which we can well look to being part of the past.

It is this sort of attitude that had brought the law into disrepute in the past, and it is the same sort of attitude that continues to bring the law into disrepute in our whole society, when we have a series of standards which sometimes apply and sometimes do not.

Now this committee, to which I have referred, drafted these recommendations which

suggested the voting age and driving age changes and the law reform commission is suggesting certain changes with respect to contract and to the ability to hold property. We now have this bill which would propose a change in the voting age and, of course, we have the proposals that might change the drinking and driving ages as well.

These areas of concern for this committee should be our areas as well. The law reform commission and the select commission on election reform both exist and both can give us information which we could use—indeed more information than we could ever require—in these areas.

I suggest, Mr. Speaker, that we must be active in developing a common standard for our young people. Let us sweep away the uncertainties and anomalies which have come down to us from the mists of time in these areas. Let us have responsible reform to which our young people can relate and let us start with the voting age.

**Mr. M. Shulman (High Park):** Mr. Speaker, with some pleasure I rise and support this bill. I had actually prepared a 10-minute address on this subject, but there is no use preaching to the converted; everyone here in the House appears to be agreed that the voting age should be lowered. I am delighted to hear the member from the Conservative side of the House agrees. The Liberals agree. We all agree.

Therefore, under these circumstances I see no need to wait any longer, sir, and therefore, Mr. Speaker, I move that the question be put.

**Mr. Speaker:** The hon. member is out of order on such a motion. If he wishes to speak to the motion he may do so. Otherwise, the next speaker is entitled to have the opportunity to address himself to this motion.

**Mr. Shulman:** Mr. Speaker, I hesitate to challenge you, but perhaps you might care to check the rules, sir, and perhaps consult with your advisers on this particular matter.

**Mr. Speaker:** I would not propose, regardless of the rules, to cut off debate on this matter until all the members who wish to speak have had the opportunity to speak on it. Therefore, so far as I am concerned, the floor is either for the member for High Park to speak or the member for Hamilton Mountain, who is next on the list. Then at that time, if motion is to be made that is fine. But I would not cut off discussion by members

of this House. If the motion is to put then, that is fine. But I do think that every member should have the opportunity to be heard on this as long as there is time for him to be heard.

So, now the hon. member for High Park can pursue the matter of the rules if he wishes or he can speak. Or he can yield the floor to the hon. member for Hamilton Mountain.

**Mr. Shulman:** Mr. Speaker, I will allow the hon. member for Hamilton Mountain to go ahead. I would like the privilege of speaking further in this debate.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, with all due respect to the hon. members who are participating in this debate on Bill 14, I think it is very interesting that this is the fifth time around for this very same issue in recent years in this House. And I dare say that very little, if any, new light has been thrown on it as a result. In my opinion, the entire issue is a waste of time and effort as long as those on the Opposition side of this floor persist in forcing the lowering of the voting age to 18 years. I do wish to make one point clear, Mr. Speaker, and that is that I am not against the lowering of the voting age—I am however, very much against lowering it to age 18.

What amazes me, Mr. Speaker, is that the hon. members from the opposing side are, despite repeated disappointment, really insistent. They say, "Let us give manhood and womanhood to our people who are 18 years old." They say that a majority of people in this age group are within our working force—and that seemed to be a key issue for the member for Yorkview and his colleagues last year, for it appears that his party hangs its hat on being the great saviour of the working force.

Well, I ask this one thing, Mr. Speaker, and it is this: Are the members prepared to give our young people who are 18 years of age all the rights and privileges that go along with reaching adulthood—including the privilege to drink?

We have had some pretty extensive research done on this matter—a full study and report by the select committee on youth, whose report was issued in March 1967. And this committee, Mr. Speaker, states rather firmly that as a result of its studies it was the opinion and final judgment of most members that the minimum age should be either 18 or 19 years of age rather than 21. But it



does go on to stress rather strongly that—and I quote:

One of the reasons suggested in favour of a 19-year minimum was that at this age most young people have had an opportunity to be away from school for approximately a year. During this time they have usually been able to make their own decisions and to mature either through attendance at universities or while employed in the work force.

Well, for my money, I just do not think that anything could be any more simple or logical than that.

There are exceptions, Mr. Speaker, to every rule. Some people develop more rapidly in some areas than others. I will be the first to admit that there are those who perhaps at 16 are more qualified to vote than some who perhaps are at age 21 or beyond. And perhaps it is for this reason we find such a diversity in other jurisdictions. Alaska, Saskatchewan and British Columbia have set a minimum age of 19, while in Hawaii and Japan it is 20; Norway and Sweden 21. In the United States, a battle looms in the Congress as to whether or not the voting age should be lowered, in that great nation, below 21. But this does not in any way mean that we should immediately lower the voting age to 16.

What I am saying, Mr. Speaker, is that we must move extremely cautiously on anything that is of such great importance as the voting age. We must consider all aspects, rule out all dangerous possibilities that we can see, and then draw a conclusion.

I am a strong believer in the message that was sent to us in I Corinthians 13: 11-13, which says:

When I was a child, I spake as a child, I understood as a child, I thought as a child. But when I became a man, I put away childish things. For now we see through a glass, darkly; but then face to face: now I know in part, but then shall I know even as I am known. And now abideth faith, hope, charity, these three; but the greatest of these is charity.

Mrs. M. Renwick (Scarborough Centre): What about the 18-year-old children who are soldiers?

An hon. member: What has that to do with it?

Interjections by hon. members.

Mr. J. R. Smith: Mr. Speaker, I can well appreciate the views of the hon. member

for Scarborough Centre, as my father served for this country overseas in World War I when he was only 16 years of age. He was fortunate enough, lucky enough, to have the privilege of voting in the conscription election at the age of 17.

It would appear to me that since the report of the select committee on youth so strongly favoured lowering the age to 19, that this is the age we should be considering—and not 18 as proposed in the present bill.

Now I think, Mr. Speaker, one of the real things we should guard ourselves against is a negative backlash that might be created in some quarters over the recent events that have been occurring in Sir George Williams University in Montreal—actions by an irresponsible and radical minority of the student body of that very fine institution. I do not think we should allow ourselves to fall into the trap of classifying all young people in this category. I think the very actions of the vast majority of the students of that institution, whereby they came forward to help clean up and set the college back in order following the quelling of the riot, demonstrates very positively and forcefully that the majority of our young people in our high schools and university campuses are very responsible, mature and fine Canadian citizens.

So, Mr. Speaker, I am speaking this afternoon in favour of the lowering of the voting age to 19.

Mr. E. W. Martel (Sudbury East): Take the vote. Sit down and take the vote.

Mr. Speaker: I think perhaps it might be well if I explained to the House the motion that was made by the hon. member for High Park.

What the hon. member was endeavouring to do was to bring the motion of the previous question, which is the only form of closure available in this House. So far as I am concerned, dealing with the private members' hour, it is an hour's debate without a vote. That is the arrangement and has been the practice of this House; and it is a practice which, unless this ruling is overruled, will continue today.

The hon. member for Windsor-Walkerville now has the floor.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. As one who has spent over 25 years with youth, both as an educator and in the line of athletics, I certainly think that I do know a little about



the topic today. The term teenager has for long had a pejorative sound. It has been synonymous with irresponsibility. This image can be changed, and the stability of the entire political and social framework improved, by taking youth seriously and giving 18 year olds the right to vote.

We are no longer living in the days when the franchise depended upon one's having a frame sturdy enough to bear the weight of armour, yet that was the reason for the selection of 21 as the age of majority. Before that, it was 14, the average age of puberty. During wars, everyone suddenly discovers that 18-year-olds are old enough to bear arms, but once peace returns, we hear the old familiar cries that at this age people are too young to be responsible.

We are told that we are doing irreparable harm to our youth by our artificial holdback climate in our high schools. Edgar Z. Friedenberg, the noted Buffalo educator, who must spend as much time on Canadian public affairs TV as back on campus, has told us repeatedly, and has codified his arguments in his fine book, "The Vanishing Adolescent," that this tremendous disservice is costing us dearly in the long run.

A further argument against lowering the voting age is that we supply everything for the 18-year-olds, that they are, in fact, wards of our largesse. In fact, all we are doing is funding debts which they must repay when they become taxpayers.

In every sense of the word, today's youngsters will pay and pay again for the education they receive, and they have a right to a voice in its policy, just as he who pays the piper calls the tune. Let's get rid of the myth that we are paying for our youngsters' education. All we are really doing is paying off debts previously contracted. The debenture debt on the new schools and universities will in large measure be a tax charge against those who are using them now. The only way that this inequity can be lessened is for these people to have some say in how the money is spent.

People over 40 cannot continue to mortgage the future without expecting the young to raise their voices—especially the educated young. The remarkable thing is not that the campus revolution has been so violent, but that it has been so civil, all indignities considered.

How would you feel if, in a highclass restaurant, the waiter force-fed you and then presented you with a whopping bill, backed by a state collection enforcement agency?

Our own committee on youth has already been referred to, and I need not labour the points already made, except to stress that there is a world-wide interest in this topic, and that it is not something that will go away.

I happen to have had the opportunity of serving on that committee, Mr. Speaker, and may I state for the information of the House that all three members of the Liberal Party voted for the reduction of the voting age to 18.

Three University of Toronto law professors backed the voting age recommendation—Professors Bernard Green, Walter Fox and Roderick Wessels. They said that the law should recognize the increasing maturity and sophistication of the young persons of this province by giving to those who are 18 years of age or older, the rights and duties of an adult.

Seventy-three per cent of the age group 15 to 19 continue in school. Only 27 per cent drop out. Another myth shattered!

How very different is our attitude from that in the communist countries, whose activist exports we deplore. But what can we expect by way of reasoned retaliation if we retard our own 18-year-olds from the franchise? Over there it may well be that they only go through the motions of a free vote, but the climate for political activity has been created, and Hungary and Czechoslovakia are probably the result of young people taking seriously what their leaders consider mere form. Some of our own elders use this argument the other way, indeed, saying that if we give the vote to 18-year-olds, we shall have a socialist government in Ontario in 1971. Mr. Speaker, I am prepared to take that chance. I have greater respect for the free-thinking intelligence and sophistication of the young than that. They will not rubber stamp any ideology. They will put a party in on merit and merit alone.

As former Governor Romney pointed out during the recent Michigan campaign leading to the referendum, 18 is the age at which young people become intensely interested in public affairs, and apathy sets in later if this energy is not canalized into the meaningful channel of the franchise. President Nixon has said that this highly sophisticated and motivated group should be swept into the mainstream of American politics, rather than creating eddies at the margin. Leaders recognize that youth, by and large, has more freedom, has a higher standard of education, has a broader outlook as a result of the continual impact of the mass media. Consequently youth, on the whole, is more perceptive today than ever before.

While the schools and universities are the obvious locations in which youth is the captive of our whim, there are ever increasing areas which are affected by government legislation and practice, where teenagers are the objects of legislation in which they have had no voice. Perhaps the most clear-cut example is the use to which a computerized school record may be put in later life. Denials from the government notwithstanding, it is possible for these records to make the grand tour once they are recorded on magnetic tape and to acquire remarkable authority and permanence. In ten minutes, 20,000 school records can be dubbed from a master computer tape on to a copy, made on a simple magnetic tape costing about \$10, and this can be sold to credit bureaux, the RCMP, employment agencies and the like. We do not know what we have taken on in making magnetic records of subjective assessments of students' abilities and attitudes, made perhaps by a teacher or professor with a grouch. These tapes, like the dossiers in a dictatorship, are a form of underground publishing, all too often negative and defamatory, which may come to haunt a student for life. Yet the people most affected have had no say at all in influencing this Legislature to look at this problem for the major social malaise it perpetuates. Small wonder they want the vote now more than any other desire.

Only an hour and a half ago, in answering a question, the Minister of Education (Mr. Davis), said, in reply to the member for Grey-Bruce (Mr. Sargent), that students, on the whole, recognized they were being treated as adults. But how can this kind of remark be taken seriously by them, when the franchise is denied them? Must they forever have to turn to other, more anti-social ways, of achieving that modicum of power, which they could peacefully enjoy through the vote?

In an informal survey I took in the schools in Windsor where I was doing supply teaching in 1965, in a sampling of 1,269 pupils in 47 classes:

53 per cent wanted the vote at 18;  
 50.3 per cent wanted to drink at 18;  
 24 per cent wanted to drive at 18;  
 67 per cent wanted to be forced to stay in school up to 18.

The recent student problems at the University of Windsor are an example of the responsibilities that our student bodies do undertake. You will notice, Mr. Speaker, that there was no property damage whatsoever and that the students protesting, when they did leave the accommodations that they had taken over, cleaned up so that they were just

as nice as they had been before they entered them.

They told me: "We can take all the interest we want to in election campaigns, but when it comes down to the crunch, voting day, we are denied the right to participate." The private member's bill—Bill 14—we are talking out now is just more lip service to the idea. This should be a government bill and it should end in a vote.

**Mr. Shulman:** Mr. Speaker, I think perhaps my motion was not properly heard because of the noise before. I would like to put it again. I move that the question be put.

**Mr. Speaker:** I would again point out to the hon. members who may not be acquainted, that this is known as the previous question. It normally is used as a form of closure, which I did not think was fitting or proper at the time it was attempted to be moved a little earlier in the House. Because, first of all, in this House, within reason, I think every member has the right to be heard; and secondly, in private members' hour I felt that it was very much out of order for a private member to endeavour to shut off discussion by other private members of a matter in which all were interested.

The rules of the House provide in most Houses that the motion for the previous question is one to be put without debate and takes precedence over other orders and other matters under discussion at such time. However, the private members' hour in this House is somewhat like the question period in this House. The rules of the House provide that there are no oral questions as we have them. But the custom of the House has grown up that we accept them with certain notice and certain provisions; and while the written orders of the House do not allow it, still the House has countenanced it.

The same situation arises, so far as I am concerned, in reverse with respect to the private members' hour. It is my understanding, and was my understanding from all sides of the House, not necessarily from individual members but certainly from discussions with those in positions of importance in the parties, that the private members' hour would be two hours a week. The private members' motions and bills would be discussed as long as members wished to within the hour period and the matter would then drop without a vote.

I would rule therefore that under the customs of this House there is to be no vote

taken either on the hon. member's motion or on the motion, which is to put the question.

Mr. Speaker's ruling, of course, is subject to appeal, but that also is without debate.

**Mr. Shulman:** Mr. Speaker, I do not wish to—

**Mr. Speaker:** The hon. member will please remember what I just said, and that is that Mr. Speaker's rulings, like previous questions, are not debatable. The hon. member may challenge the Speaker's ruling, and if he has support of a sufficient number a vote can be taken—a standing vote.

**Mr. Shulman:** Mr. Speaker, I am not challenging your ruling, I am agreeing with your ruling. I am not asking this bill be voted on, I am asking that the question be put. If this motion is defeated then the debate on the bill will continue. I am not asking for a vote on the bill itself, I am asking that the question be put. That is the motion which I have made, sir, and I suggest that the rules of the House are very clear and you must take a vote on that matter. It is a written rule, sir.

**Mr. Speaker:** I have endeavoured to point out to the hon. member that the written rules of this House are often superseded by the customs of the House over a period of time. And my ruling is that the hon. member's motion is that there be a vote on his original motion, which was for the second reading of this bill, which is the previous question. And

I have pointed out that is so. I also point out that the hour is now one o'clock and that unless the hon. member wishes to challenge Mr. Speaker's ruling the private members' hour has been completed.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, on Monday we will go to the order paper to deal with some second readings so that the legislation may go to the committees, then the Throne Speech, and then there will be another private members' hour. We will sit Tuesday and Thursday nights of next week and Tuesday and Thursday nights on a regular basis.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I wonder if I might ask the Prime Minister if he has firmly fixed the Confederation debate, or the constitutional debate?

**Hon. Mr. Robarts:** I was thinking in terms of either Wednesday or Thursday. If the debate is going to last more than an afternoon it would probably be wiser to take it on Thursday, because we could then start at 2.30 in the afternoon and go through into the evening session. So let us say that we will institute that debate on Thursday of next week.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock p.m.













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